

OCTOBER TERM, 1959

STATISTICS

	Original	Appellate	Miscellaneous	Total
Number of cases on dockets.....	12	1, 047	1, 119	2, 178
Cases disposed of.....	0	860	962	1, 822
Remaining on dockets.....	12	187	157	356

Cases disposed of—Appellate Docket:

By written opinions.....	110
By per curiam opinions or orders.....	101
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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

William Peter Gerber, of Chicago, Ill., Edward R. Kenney, of Chevy Chase, Md., Paul A. Owens, of Washington, D.C., Sherman Seymour Welpton, Jr., of Los Angeles, Calif., E. Donald Goodman, of Detroit, Mich., Deane E. McCormick, Jr., of Washington, D.C., Robert Rubin Kaufman, of New York, N.Y., and Stephen Christie Bransdorfer, of Grand Rapids, Mich., on motion of Mr. Solicitor General James Lee Rankin; Maurice Francis Biddle, of Alamogordo, N. Mex., on motion of Mr. Albert M. Kuhfeld; Joseph W. Bradham, Jr., of St. Petersburg, Fla., on motion of Mr. A. Yates Dowell; Arthur T. Bridgett, of San Francisco, Calif., on motion of Mr. David Cobb; Leslie E. Still, Jr., of Long Beach, Calif., on motion of Mr. Robert A. Wenke; Stanford Shmukler, of Philadelphia, Pa., and Carrell F. Bradley, of Willsboro, Oreg., on motion of Mr. Charles Sylvanus Rhyne; Ralph E. Murray, of Boston, Mass., on motion of Mr. Jules Fink; Thomas Bennett DeWolf, of Miami, Fla., on motion of Mrs. Dorothy Fillius Green; Homer Tilford Jones, of Jacksonville, Fla., on motion of Mr. Eugene J. Kaplan; Winston E. Arnow, of Gainesville, Fla., on motion of Mr. James R. Golden; George E. Flather, Jr., of Washington, D.C., on motion of Mr. Andrew T. Altmann; Thomas J. Kerwin, of Chicago, Ill., on motion of Mr. Frederick Oliver Graves; Warren Chan, of Seattle, Wash., on motion of Mr. Michael J. Cafferty; Harland D. Warren, of Ottawa, Ill., on motion of Mr. Leo Howard Kerns; Jesse J. Guin, Jr., of Oak Ridge, Tenn., on motion of Mr. Leo F. Lightner; Maclin P. Davis, Jr., of Nashville, Tenn., on motion of Mr. Arnold B. Christen; G. Robert Brain, of Seattle, Wash., on motion of Mr. Laurence A. Knapp; Francis C. Starr, of Oakland, Calif., on motion of Mr. Milton Kramer; Joseph E. C. Conrace, of Denver, Colo., on motion of Mr. Francis A. Cotter; Thomas Jasper Brown, of Kansas City, Mo., on motion of Mr. John D. Hetrick; William H. Parry, of Brooklyn, N.Y., on motion of Mr. Joseph William Lang, Jr.; Leonard Kaufman, of New York, N.Y., and E. Compton Timberlake, of New York, N.Y., on motion of Mr. Max M. Kampelman; James Lawrence King III, of Miami Beach, Fla., on motion of Mr. Martin Menter; V. Morris Smith, Jr., of

Sarasota, Fla., on motion of Mr. Frank J. Wideman, Jr.; Roger Mattes, of Scranton, Pa., on motion of Mr. Philip V. Mattes; George Bartow Harris, Jr., of Richmond, Va., on motion of Mr. Gordon M. Tiffany; Robert Clifford Nicander, of New York, N.Y., on motion of Mr. Robert H. Amidon; Warren E. Finken, of Dayton, Ohio, on motion of Mr. Frank J. Soucek; Angel L. Delgado, of San Juan, P.R., on motion of Mr. Rowland F. Kirks; and Wendell J. Willmore, of Beatrice, Nebr., on motion of Mr. Alan D. McArthur, were admitted to practice.

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

The day call for Monday, October 12, will be as follows: No. 10, **Original.**

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

William B. Terhune, of Rome, Ga., R. Arthur Burns, of Gadsden, Ala., John D. McLaughlan, of Seattle, Wash., Melvin Finer, of Mount Carroll, Ill., Lawrence J. Hayes, of Chicago, Ill., Paul B. O'Flaherty, of Chicago, Ill., Costas G. Letsou, of Lowell, Mass., Lawrence F. O'Donnell, of Boston, Mass., and Raymond H. Groble, Jr., of Chicago, Ill., on motion of Mr. Solicitor General James Lee Rankin; William Carl Younger, of Montgomery, Ala., Willard W. Livingston, of Montgomery, Ala., William G. O'Rear, of Montgomery, Ala., E. K. Hanby, Jr., of Gadsden, Ala., and Nicholas Stallworth Hare, of Monroeville, Ala., on motion of Mr. MacDonald Gallion; Morris Wright, of New Orleans, La., on motion of Mr. Jack P. F. Gremillion; Houghton Brownlee, Jr., of Austin, Tex., on motion of Mr. Will R. Wilson, Jr.; Agnes S. Hunt, of New York, N.Y., and Leon T. Hart, of Huntington Station, N.Y., on motion of Mr. William Leigh Ellis; James Vincent Joy, Jr., of New York, N.Y., on motion of Mr. C. Aubrey Gasque; Helen E. Fry, of Cooperstown, N.Y., on motion of Mr. Gray Thoron; George C. Schoenberger, Jr., of New Orleans, La., and Oliver L. Stone, of Garden City, N.Y., on motion of Mr. John H. Pickering; Robert J. Dodds, Jr., of Washington, D.C., on motion of Mr. Hugh Roberts Hovel Smith; Peter F. Gulotta, of New York, N.Y., on motion of Mr. Charles Kinsley McWhorter; Robert George Pelletier, of Sanford, Maine, and Robert Henry Ross, of Sanford, Maine, on motion of Mr. Edward G. Hudon; Maurice Julius Wilson, of Baton Rouge, La., on motion of Mr. Victor A. Sachse; Bibiano V. Bitanga, of Washington, D.C., on motion of Mr. Eugenio M. Fonbuena; Ralph L. Crawford, of Savannah, Ga., on motion of Miss Clara E. Smith; Robert E. Herzstein, of Washington, D.C., on motion of Mr. Wayne Goodwin Barnett; Rudolph A. Shupik, of Fayetteville, Ark., on motion of Mr. William Paul Buchanan; James Madison Nabritt III, of Washington, D.C., and Cordell Hull Sloan, Jr., of Memphis, Tenn., on motion of Mr. James M. Nabritt, Jr.; Lervis Alfred Dysart, of Kansas City, Mo., on motion of Mr. Edwin Shaffer Rockefeller III; C. Lawrence Huerta, of Window Rock, Ariz., on motion of Mr. Norman M. Littell; Edward J. Fillen-

warth, of Indianapolis, Ind., on motion of Mr. Raymond Ward Bergan; Vernon W. Woods, of Shreveport, La., on motion of Mr. William Scott Wilkinson; Arthur V. Bates, of New York, N.Y., on motion of Mr. Joseph C. Waddy; James I. Poole, of Milwaukee, Wis., and Herbert P. Wiedeman, of Milwaukee, Wis., on motion of Mr. Stanley M. Morley; Roy Peyton Hull, of Peoria, Ill., on motion of Mr. Kinsey Thomas James; Max Dean, of Flint, Mich., on motion of Mr. Harry Clabaugh Lamberton; Frank B. Ellis, of New Orleans, La., on motion of Mr. Harold E. Mott; Leonard D. Eesley, of Washington, D.C., on motion of Mr. Howard E. Wahrenbrock; John Dale Stobbs, of St. Louis, Mo., on motion of Mr. William L. Otten, Jr.; Robert E. Drey, of Des Moines, Iowa, on motion of Mr. Joseph William Lang, Jr., were admitted to practice.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 68. Wabash Railroad Co., et al., appellants, *v.* Commercial Transport, Inc., et al. Appeal from the United States District Court for the Eastern District of Illinois. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*.

No. 70. Eastern States Petroleum, appellant, *v.* William P. Rogers, Attorney General of the United States, et al. Appeal from the United States District Court for the District of Columbia. The motion to dismiss is granted and the appeal is dismissed. Opinion *per curiam*.

No. 72. Paul Castellano, appellant, *v.* Commission of Investigation of the State of New York. Appeal from the Court of Appeals of New York. The motion for leave to file supplement to the motion to dismiss is granted. The motion to dismiss is granted and the appeal is dismissed as moot. Opinion *per curiam*.

No. 104. John G. Broady, appellant, *v.* The People of the State of New York. Appeal from the Court of Appeals of New York. The appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 106. Mont B. Kiser, Lula Kiser, et al., appellants, *v.* Clinchfield Coal Corporation. Appeal from the Supreme Court of Appeals of Virginia. The motion to dismiss is granted and the appeal is dismissed for want of a properly presented federal question. Opinion *per curiam*.

No. 110. Firestone Tire & Rubber Company, a Corporation, appellant, *v.* Board of Supervisors of Los Angeles County et al. Appeal from the District Court of Appeal of California, Second Appellate District. The appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 117. Rosario Mancuso, appellant, *v.* Commission of Investigation of the State of New York. Appeal from the Court of Appeals of New York. The motion to dismiss is granted and the appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 120. Jones Motor Co., Inc., petitioner, *v.* Pennsylvania Public Utility Commission et al. On petition for writ of certiorari to the Superior Court of Pennsylvania. The petition for writ of certiorari is granted. On writ of certiorari to the Superior Court of Pennsylvania. Judgment reversed. Opinion *per curiam*.

No. 132. Vernon Ryals, appellant, *v.* State of Florida. Appeal from the District Court of Appeal of Florida, Second District. The appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 140. Irving J. Friedberg, Mollye Friedberg and Lee B. Friedberg, Trading as Harrisburg Window Cleaning Co., appellants, *v.* Pennsylvania Labor Relations Board. Appeal from the Supreme Court of Pennsylvania, Middle District. The appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 157. James F. Keleher, appellant, *v.* La Salle College. Appeal from the Supreme Court of Pennsylvania, Eastern District. The motion to dismiss is granted and the appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 182. Patricia I. Birnel, appellant, *v.* The Town of Firecrest. Appeal from the Supreme Court of Washington. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 210. Cecil Lewey, appellant, *v.* William Jones, a Minor, by Pauline Jones Shamblin, his Mother and next Friend. Appeal from the Supreme Court of Illinois. The appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 253. Missouri Pacific Railroad Company, a Corporation, appellant, *v.* Rufus E. Deering, as Register of Deeds of Sedgwick

County, Kansas, et al. Appeal from the Supreme Court of Kansas. The appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 272. Berkshire Fine Spinning Associates, Inc., appellant, v. City of New York et al. Appeal from the Court of Appeals of New York. The appeal is dismissed for want of a substantial federal question. Opinion *per curiam*. Mr. Justice Harlan and Mr. Justice Whittaker are of the opinion that probable jurisdiction should be noted.

No. 2, Misc. Clarence Beard, petitioner, v. State of Ohio. On petition for writ of certiorari to the Supreme Court of Ohio. The motion for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. On writ of certiorari to the Supreme Court of Ohio. Judgment reversed. Opinion *per curiam*. Mr. Justice Stewart took no part in the consideration or decision of this case.

No. 12, Misc. Thomas B. Womack, petitioner, v. Ohio. On petition for writ of certiorari to the Court of Appeals of Ohio, Third Appellate Judicial District. The motion for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. On writ of certiorari to the Court of Appeals of Ohio, Third Appellate Judicial District. Judgment reversed. Opinion *per curiam*. Mr. Justice Stewart took no part in the consideration or decision of this case.

No. 16, Misc. Cornelius Nichols, appellant, v. Richard A. McGee, Director, California State Department of Corrections, et al. Appeal from the United States District Court for the Northern District of California. The appeal is dismissed. Opinion *per curiam*.

No. 33, Misc. Warren David Smith, petitioner, v. United States. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. The motion for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment vacated and case remanded to the Court of Appeals for reconsideration in light of *Johnson v. United States*, 352 U.S. 565; *Farley v. United States*, 354 U.S. 521 and *Ellis v. United States*, 356 U.S. 674. Opinion *per curiam*.

No. 59, Misc. Louis J. Spivak, appellant, v. California. Appeal from the Supreme Court of California. The appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 162, Misc. W. J. McCauley, appellant, v. Consolidated Underwriters. Appeal from the Court of Civil Appeal of Texas, Ninth

Supreme Judicial District. The motion to dismiss is granted and the appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 201, Misc. Leroy Jordan, appellant, *v.* Michigan. Appeal from the Supreme Court of Michigan. The appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 10, Original. United States of America, plaintiff, *v.* State of Louisiana et al. The motion of the State of Louisiana for leave to file a reply brief is granted. The motion of the State of Texas for leave to file a memorandum is granted. The motion of the United States for leave to file a supplemental memorandum is granted. The Chief Justice and Mr. Justice Clark took no part in the consideration or decision of these motions.

No. 67. October Term, 1958. Nancy Corinne Dyer and J. Raymond Dyer, petitioners, *v.* Securities and Exchange Commission and Union Electric Company. The motion to clarify the judgment is denied. The motion to retax costs is granted. The judgment of this Court of May 18, 1959, is recalled and the Clerk is directed to incorporate therein a reassessment of the costs so as to provide for the payment of one half of the costs by the Union Electric Company.

No. 518. October Term, 1958. The Atlantic Refining Company, Cities Service Production Company, Continental Oil Company, et al., petitioners, *v.* Public Service Commission of the State of New York, Long Island Lighting Company, et al.; and

No. 536. October Term, 1958. Tennessee Gas Transmission Company, petitioner, *v.* Public Service Commission of the State of New York, Long Island Lighting Company, et al. The motion of Long Island Lighting Company to recall and amend the judgment is denied.

No. 824. October Term, 1958. Ada J. Vant et al., petitioners, *v.* Mutual Benefit Life Insurance Co. The motion to withdraw the motion for leave to file a motion to remand is granted.

No. 4. John W. Johnson, Superintendent of Public Works of the State of New York, appellant, *v.* Tuscarora Nation of Indians, also known as Tuscarora Indian Nation. The motion to substitute John Burch McMorran as the party appellant in the place of John W. Johnson is granted.

No. 76. The Superior Court of the State of Washington for King County, et al., petitioners, *v.* The State of Washington on the Relation of Yellow Cab Service, Inc., a Corporation. The Solicitor General is invited to file a brief by November 16, 1959, setting forth the views of the National Labor Relations Board.

No. 153. Clarence Duke McGann, petitioner, *v.* United States. The motion for the appointment of counsel is granted and it is ordered that Thomas Homer Davis, Esquire, of Leavenworth, Kansas, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for petitioner in this case.

No. 162. S. S. Silberblatt, Inc., petitioner, *v.* The Tax Commission of the State of New York. The Solicitor General is invited to file a brief setting forth his views as to the importance to the Federal Government of the issues involved.

APPEALS—JURISDICTION NOTED OR POSTPONED

No. 71. George De Veau, appellant, *v.* John M. Braisted, Jr., as District Attorney of Richmond County. Appeal from the Court of Appeals of New York;

No. 74. American Trucking Association, Inc., et al., appellants, *v.* United States of America, Interstate Commerce Commission, et al. Appeal from the United States District Court for the District of Columbia;

No. 86. Huron Portland Cement Company, etc., appellant, *v.* City of Detroit, etc., et al. Appeal from the Supreme Court of Michigan; and

No. 258. International Association of Machinists et al., appellants, *v.* S. B. Street et al. Appeal from the Supreme Court of Georgia. In these cases probable jurisdiction is noted.

No. 80. Scripto, Inc., etc., appellant, *v.* Dale Carson, As Sheriff of Duval County, Florida, et al. Appeal from the Supreme Court of Florida; and

No. 98. Union Pacific Railroad Company, appellant, *v.* United States. Appeal from the United States District Court for the Southern District of Iowa. In these cases probable jurisdiction is noted and the cases are transferred to the summary calendar.

CERTIORARI GRANTED

No. 83. James P. Mitchell, Secretary of Labor, etc., petitioner, *v.* H. B. Zachry Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 130. Willia Niukkanen, etc., petitioner, *v.* E. D. McAlexander, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 139. Diamond Kimm, petitioner, *v.* Richard C. Hoy, District Director, Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 156. Hon. Julius H. Miner and Hon. Edwin A. Robson, etc., petitioners, *v.* H. Leslie Atlass. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 176. Frank C. Mitchell, petitioner, *v.* Trawler Racer, Inc. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit granted.

No. 213. Helmut Legerlotz, petitioner, *v.* William P. Rogers, Attorney General of the United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. 214. Miller Music Corporation, petitioner, *v.* Charles N. Daniels, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 278. Harry Needelman, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 26. Sullivan, Chief Judge of the United States District Court for the Northern District of Illinois, petitioner, *v.* Otto Behimer et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted. Case transferred to the summary calendar and set for argument immediately following No. 25.

No. 100. The Order of Railroad Telegraphers, etc., et al., petitioners, *v.* Chicago and North Western Railway Company, a Corporation. Motion of Railway Labor Executives' Association for leave to file brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 111. Max Schaffer and Norman Schaffer, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted and one and one-half hours allowed for oral argument.

No. 122. Hyman Karp and Benjamin T. Marco, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted and one and one-half hours allowed for oral argument. Case set for argument immediately following No. 111.

No. 126. James Butler Elkins and Raymond Frederick Clark, petitioners, *v.* United States of America. Petition for writ of certiorari

to the United States Court of Appeals for the Ninth Circuit granted and case set for argument immediately preceding No. 52.

No. 137. United States of America, petitioner, *v.* William J. Brosnan et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted and one and one-half hours allowed for oral argument.

No. 141. Massey Motors, Inc., petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted. Case transferred to the summary calendar and set for argument immediately following No. 283.

No. 143. Commissioner of Internal Revenue, petitioner, *v.* Robley H. Evans and Julia M. Evans. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted and case transferred to the summary calendar.

No. 165. The Brotherhood of Locomotive Engineers et al., petitioners, *v.* Missouri-Kansas-Texas Railroad Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted limited to Question No. 1 presented by the petition which reads as follows:

"Whether a district court under circumstances where a dispute arising under the Railway Labor Act has been submitted by a railroad to the National Railroad Adjustment Board and an injunction against a strike by employees is sought on authority of *Brotherhood of Railroad Trainmen v. Chicago River and Ind. RR Co.*, 353 U.S. 30, may on the granting of an injunction impose reasonable conditions designed to protect the employees against a harmful change in working conditions during pendency of the dispute before the Adjustment Board by ordering that the railroad restore the status quo, or, in the alternative, pay the employees the amount they would have been paid had changes in working conditions giving rise to the dispute not been made?" The case is transferred to the summary calendar.

No. 167. Texas Gas Transmission Corporation et al., petitioners, *v.* Shell Oil Company; and

No. 170. Federal Power Commission, petitioner, *v.* Shell Oil Company. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit granted. The cases are consolidated and a total of two hours allowed for oral argument.

No. 183. Bank of America National Trust and Savings Association, a National Banking Association, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted and one and one-half hours allowed for oral argument. Case is set for argument immediately following No. 137.

No. 229. Continental Grain Company, petitioner, *v.* Barge FBL-585 et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted. Case transferred to the summary calendar and set for argument immediately following No. 26.

No. 270. Cecil W. Armstrong et al., petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims granted and case transferred to the summary calendar.

No. 283. The Hertz Corporation, a Corporation (Successor by Merger to J. Frank Connor, Inc., a Corporation), petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted. Case transferred to the summary calendar and set for argument immediately following No. 143.

No. 22, Misc. Larry Dayton Hudson, petitioner, *v.* North Carolina. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of North Carolina granted. Case transferred to the appellate docket.

No. 4, Misc. John Francis Noto, petitioner, *v.* United States of America. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted. Case transferred to the appellate docket and set for argument immediately following No. 8.

No. 21, Misc. Carlos Rodriguez, petitioner, *v.* New York. On petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department; and

No. 161, Misc. Ronaldo Mounsey, petitioner, *v.* New York. On petition for writ of certiorari to the Court of Appeals of New York. Motions for leave to proceed *in forma pauperis* and petitions for writs of certiorari granted. Cases transferred to the appellate docket and counsel are directed in their briefs and oral arguments to discuss the case of *Burns v. Ohio*, 360 U.S. 252. Walter Gellhorn, Esquire, of New York, New York, is appointed to serve as counsel for petitioners in these cases. The cases are consolidated and a total of two hours allowed for oral argument.

CERTIORARI DENIED

No. 67. United States et al., petitioners, *v.* Functional Music, Inc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77. Zelf S. Calder, petitioner, *v.* Whitney D. Hammond, Administrator of the Estate of Jim Eskridge, Deceased. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. 78. Carmen M. Lohr, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 79. Edwin S. Kammerer and United Foundation Corporation, petitioners, *v.* Howard Jamison, Administrator of the Estate of Thelma J. Graham, Deceased. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 82. Communication Workers of America, AFL-CIO, petitioner, *v.* The Ohio Bell Telephone Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 84. Mohawk Refining Corporation, etc., et al., petitioners, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 87. States Marine Corporation of Delaware, petitioner, *v.* Armida Aldridge. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 88. Sam Bernstein, petitioner, *v.* State of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 89. Dallas General Drivers, Warehousemen & Helpers, Local No. 745, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 90. Magnolia Motor & Logging Co., a Corporation, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 91. James Henry Audett, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 92. Hubert N. Selby, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 93. Tal Joe Pearson and Squire Wiles, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 94. John C. Lee, Trustee in Bankruptcy of Fox Jewelers, Inc., Bankrupt, petitioner, *v.* Fox Jewelry Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 96. Custom Built Homes Co., Inc., petitioner, *v.* Kansas State Commission of Revenue and Taxation. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 99. Nacirema Operating Company, Inc., a Body Corporate, petitioner, *v.* Calmar Steamship Corporation, a Delaware Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 101. Robert D. Adair, petitioner, *v.* William M. Stokes, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 102. The James Blackstone Memorial Library Association et al., petitioners, *v.* Gulf, Mobile and Ohio Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 103. Far West Engineering Company, Inc., a Corporation, petitioner, *v.* Albert S. Craig et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 105. International Woodworkers of America, Local Union No. 13-433, AFL-CIO, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 107. Frank Malfi, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 108. Mill Ridge Coal Company, petitioner, *v.* George D. Patterson, District Director of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 109. Edwin K. Atwood, Alice B. Atwood, et al., petitioners, *v.* Gilbert Kerlin. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 113. National Labor Relations Board, petitioner, *v.* Cleaver-Brooks Mfg. Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 114. Joseph Hiram Holt, Jr., a Minor, et al., petitioners, *v.* Raleigh City Board of Education. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 116. State of Louisiana ex rel. Florence M. Holifield, petitioner, *v.* Sewerage and Water Board of New Orleans. Petition for writ of certiorari to the Court of Appeal for the Parish of Orleans, Louisiana, denied.

No. 118. Paul Ginsburg, petitioner, *v.* Horace Stern et al., etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 121. 396 Corp., petitioner, *v. United States of America*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 123. Mrs. Ray M. Hoshman, Individually and as Natural Tutrix of the Minors of Russell M. Hoshman, petitioner, *v. Esso Standard Oil Company*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 125. Double Eagle Refining Company et al., petitioners, *v. Federal Trade Commission*. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 128. A. J. Ostheimer, 3rd, Ruth M. Ostheimer, petitioners, *v. United States of America*. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 129. Adolph Hohensee, petitioner, *v. Marilyn Ferguson et al.* Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 131. A. L. Kornman Company, petitioner, *v. Amalgamated Clothing Workers of America*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 133. D. C. Transit System, Inc., petitioner, *v. Margaret H. Slingland and United States of America*. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 134. William A. Albaugh, petitioner, *v. William P. Rogers, Attorney General of the United States*. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 135. George R. Dempster and Frances S. Dempster, petitioners, *v. United States of America*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 136. The Delaware, Lackawanna and Western Railroad Company, petitioner, *v. United States of America*. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 142. Chas. Pfizer & Co., Inc., petitioner, *v. G. D. Searle & Co.* Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 144. Laurence Tisch, Mrs. Laurence Tisch, et al., petitioners, *v. Abe Zable*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 145. William Giglio and Frank Livorsi, petitioners, *v. United States of America*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 146. Illinois Central Railroad Company, petitioner, *v.* Larry J. Andre. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 147. S. C. Johnson & Son, Inc., petitioner, *v.* Phil J. Johnson and Hugh H. Johnson, d.b.a. Johnson Products Co. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 148. Panhandle Eastern Pipe Line Company, petitioner, *v.* Honorable Thomas P. Thornton, Judge, etc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 149. Ray Crookham, petitioner, *v.* New York Central Railroad Company, a Corporation. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 151. Catherine A. Lietz, petitioner, *v.* Arthur S. Flemming, Secretary of Health, Education & Welfare, etc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 158. Alden Charles Palmer et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 159. Saul Gelb, also known as Sol Gordin, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 160. Armour and Company et al., petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 161. Graybar Electric Company, Inc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 163. Frank Termini, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 166. Pennsylvania Labor Relations Board, petitioner, *v.* August A. Napoli, Trading and Doing Business as Seven-Up Bottling Company. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 168. Federal Broadcasting System, Inc., petitioner, *v.* Federal Communications Commission and WBBF, Inc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 169. Diatomite Corporation of America, petitioner, *v.* Lehigh Portland Cement Co. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 171. William Joseph Hanlon, petitioner, *v.* Waterman Steamship Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 172. Eugene Dupree, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 173. Aubrey Lee Little, petitioner, *v.* Missouri Pacific Railroad Company. Petition for writ of certiorari to the Court of Civil Appeals of Texas, First Supreme Judicial District, denied.

No. 174. William J. Aplington, as Administrator, etc., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 175. Beacon Federal Savings and Loan Association, petitioner, *v.* Federal Home Loan Bank Board. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 177. Alice L. Heath, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 178. R. E. Peckham et al., petitioners, *v.* Family Loan Company, a Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 180. Marion G. Denton, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 181. George L. Atherholt, Jr., petitioner, *v.* A. & C. Engineering Company, a Michigan Corporation. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 185. National Cancer Hospital of America, petitioner, *v.* Bethuel M. Webster, as Receiver, and the People of the State of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 187. Joel A. Maloy and Ruth Maloy, his wife, petitioners, *v.* First Federal Savings and Loan Association of West Palm Beach, etc. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 189. In the Matter of James Citroen, petitioner. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 190. Merlin M. Armstrong et al., petitioners, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 191. Carl Duncan and Suzanne Duncan, petitioners, *v.* District Court of Appeal, State of California, Fourth Appellate District. Petition for writ of certiorari to the Supreme Court of California denied.

No. 192. Somerset Machine & Tool Company, etc., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 193. Standard Motor Products, Inc., petitioner, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 194. Gene San Soucie, etc., et al., petitioners, *v.* Honorable F. Dickinson Letts, Judge of the United States District Court for the District of Columbia. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied.

No. 196. Mussa C. Bateh, petitioner, *v.* State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 197. Joseph J. Brunetti Construction Co., Inc., petitioner, *v.* Thomas Gray. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 198. Frank S. Blackford, as Trustee in Bankruptcy of Munro-Van Helms Company, petitioner, *v.* Commercial Credit Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 200. In the Matter of the Estate of Janet M. Peck, Deceased; and Aaron M. Sargent et al., petitioners, *v.* The Board of Trustees of the Leland Stanford Junior University. Petition for writ of certiorari to the Supreme Court of California and District Court of Appeal of California, First Appellate District, and Superior Court of California, County of San Francisco, denied.

No. 201. Frank De Simone, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 203. Continental Oil Company, petitioner, *v.* Federal Power Commission. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 204. Mississippi River Fuel Corporation, petitioner, *v.* Gustave F. Koehler and Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 205. The Texas Mexican Railway Company, petitioner, *v.* Yeckes-Eichenbaum Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 206. Carpenters Union, Local 131, etc., et al., petitioners, *v.* Cisco Construction Co., etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 207. William J. Rochelle, Jr., Trustee, petitioner, *v.* City of Dallas. Petitioner for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 209. Continental Trading, Inc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 211. South East National Bank, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 212. Mass Communicators, Inc., petitioner, *v.* Federal Communications Commission. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 215. The Denton & Anderson Company et al., petitioners, *v.* Thomas G. Kavanagh, Administrator. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 216. Traders Oil Company of Houston, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 217. Clinton Foods, Inc., a Delaware Corporation, petitioner, *v.* Marvin Youngs. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 218. In the Matter of Walter O. Estes, Member of the State Bar, petitioner. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 219. Estate of Daniel McNichol, Deceased, etc., petitioner, *v.* Commissioners of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 221. Philco Corporation, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 223. Pennsylvania Turnpike Commission, petitioner, *v.* McGinnes, District Director of Internal Revenue, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 224. Lonnie Keahey, petitioner, *v.* State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 225. Ordnance Gauge Co., petitioner, *v.* Jacquard Knitting Machine Co. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 226. S. B. Brinson et al., petitioners, *v.* Tomlinson, Director of Internal Revenue for the District of Florida. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 227. County School Board of Prince Edward County, Va., et al., petitioners, *v.* Ulysses Allen et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 228. Bernice (Terry) Taylor, petitioner, *v.* Tradewind Transportation Company, Limited, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 230. Bertrand E. Moebus, petitioner, *v.* Paul Tishman Co., Inc., et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 231. The Kansas City Southern Railway Company, petitioner, *v.* Arkansas Commerce Commission et al. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 232. Milton Koblitz, petitioner, *v.* The Baltimore and Ohio Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 233. Vance L. Wiley and wife, Lucille J. Wiley, Frank D. Wiley and wife, Wendla A. Wiley, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 236. Stern & Stern Textiles, Inc., etc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 237. Vera Giovannetti, Administratrix of the Estate of Henry G. Giovannetti, Deceased, petitioner, *v.* Georgetown University Hospital et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 238. Thomas E. Proctor, 2nd, et al., petitioners, *v.* The Sagamore Big Game Club et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 239. Badger Mutual Insurance Company et al., petitioners, *v.* Sam Serio, d/b/a Magnolia Canning Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 240. Frank Wolin, et ux., petitioners, *v.* Zenith Homes, Inc., and Nathan Goldberg. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 242. Kaare Peterson, petitioner, *v.* Seaboard Marine Service Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 243. Loretto Lohman Roberts, petitioner, *v.* Franklin H. Roberts and Helen Roberts Truax. Petition for writ of certiorari to the Supreme Court of Montana denied.

No. 244. Francis M. Elmore, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 245. Affiliated Music Enterprises, Inc., petitioner, *v.* SESAC, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 246. John Syper, petitioner, *v.* Honorable Julius H. Miner, etc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 247. Kraft Foods Company of Wisconsin et al., petitioners, *v.* Commodity Credit Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 249. Albert E. Perry, petitioner, *v.* State of North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 250. Robert Gould, d/b/a Robert Gould Company, petitioner, *v.* Irving H. Lake, Rosario Barone, Thomas Beachy, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 252. Joseph D. Masterson, petitioner, *v.* The New York Central Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 254. Rock Creek Plaza, Inc., petitioner, *v.* Julian H. Zimmerman, Commissioner of Federal Housing Administration. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 256. Allen C. Kaye-Martin and Harry M. Hansen, petitioners, *v.* Pierce P. Brooks. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 260. B. B. Rogers, R. S. Correll, W. O. Newell, et al., petitioners, *v.* The Douglas Tobacco Board of Trade, Inc., a Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 262. Cristobal Gonzales Padilla, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 263. Morris Diamond, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 266. Central States Drivers Council et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 267. Andrew J. Scott, petitioner, *v.* State of Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 269. Nancy Corinne Dyer and J. Raymond Dyer, et al., petitioners, *v.* Securities and Exchange Commission and Union Electric Company. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 273. Rocco Salvatore Lupino and John Frank Azzone, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 274. St. Maurice, Helmkamp and Musser, a California Partnership, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 275. In the Matter of Local 824, International Longshoremen's Association (Ind), et al., petitioners, *v.* Waterfront Commission of New York Harbor. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 276. Robert Wesley Finley, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 277. Albert Davis, Jr., petitioner, *v.* State of Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 280. Sam Block, Lewis Block, and Raymond Block, etc., et al., petitioners, *v.* Bar Association of Arkansas, etc., et al. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 281. Los Angeles County Flood Control District, petitioner, *v.* Southern California Gas Company, a Corporation, and Southern Counties Gas Company of California, a Corporation. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 286. W. Fred Duckworth, George R. Abbott, Linwood Perkins, et al., petitioners, *v.* Ruth Pendleton James et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 289. Bausch & Lomb Optical Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 290. 222 East Chestnut Street Corporation, etc., petitioner, *v.* LaSalle National Bank, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 293. Mrs. M. B. Buford et al., petitioners, *v.* The State of Texas. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Third Supreme Judicial District, denied.

No. 301. The Virginian Railway Company, petitioner, *v.* James Ernest Rose, an Infant, by Ernest Rose, his next friend, and Ernest Rose and Janice Rose. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 302. State Corporation Commission of Kansas et al., petitioners, *v.* Cities Service Gas Company. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 309. Henry Hancock, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 332. H. Gabriel Murphy, petitioner, *v.* Washington American League Base Ball Club, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 85. The Richman Brothers Company, petitioner, *v.* Amalgamated Clothing Workers of America et al. Petition for writ of certiorari to the Supreme Court of Ohio denied. Mr. Justice Stewart took no part in the consideration or decision of this application.

No. 95. J. L. Hofflund, petitioner, *v.* Fred A. Seaton, Secretary of the Interior, et al. Motion to substitute Roger W. Jones as a party respondent in the place of Harris Ellsworth granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 97. Elias Miller et al., petitioners, *v.* Irving Sulmeyer, etc. Motion to supplement petitioners' reply brief granted. Petition for writ of certiorari to United States Court of Appeals for the Ninth Circuit denied.

No. 112. William Harpole, Superintendent of the Mississippi State Penitentiary, etc., petitioner, *v.* United States of America ex rel. Robert Lee Goldsby. Motion of respondent for leave to proceed *in*

forma pauperis granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 115. John A. Hays, petitioner, *v.* Robert B. Anderson et al. Motion of American Federation of Government Employees for leave to file brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 124. Juanita Dale Phillips, petitioner, *v.* Texas. Motion for leave to file supplemental memorandum in support of petition for certiorari granted. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 127. Henry B. Walker, Jr., Trustee, et al., petitioners, *v.* Felmont Oil Corporation et al. Petition for writ of certiorari to United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Stewart took no part in the Consideration or decision of this application.

No. 184. Floyd Dinan, Milton Poplees, Frank Castelucci, et al., petitioners, *v.* The People of the State of New York. Petition for writ of certiorari to the County Court of New York, Westchester County, denied. The Chief Justice and Mr. Justice Douglas are of the opinion certiorari should be granted.

No. 186. Wong Kwai Sing, by his next friend Wong Lum Sang, petitioner *v.* John Foster Dulles, Secretary of State. Motion to dispense with printing the petition and motion to substitute Christian A. Herter in the place of John Foster Dulles, Deceased, granted. Motion to prepare and circulate copies of the record denied. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 188. Homan Mfg. Co., Inc., an Illinois Corporation, petitioner, *v.* Harold R. All, District Director of Internal Revenue. Motion to supplement the petition for writ of certiorari granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 195. United States of America ex rel. Tie Sing Eng, petitioner, *v.* P. A. Esperdy, District Director, Immigration and Naturalization Service, etc. Motion to proceed on typewritten papers granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

No. 222. Helen Covington et al., petitioners, *v.* Edwards, Superintendent of Schools of Montgomery County, N.C., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

No. 241. Liebmann Breweries, Inc., petitioner, *v.* The Superior Court of the State of California, etc., et al. Petitioner's motion to strike portions of the record and respondents' brief denied. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 248. Floyd Farmer, Administrator, etc., et al., petitioners, *v.* Louisville & Nashville Railroad Company. Motion of petitioners to defer consideration of the petition for certiorari denied. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 251. Ethel Anderson, as Administratrix of the Estate of James Lester Anderson, Deceased, petitioner, *v.* Atlantic Coast Line Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

No. 17, Misc. Paul E. Laughlin *v.* B. J. Rhay, Superintendent of Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 25, Misc. Gerard Peabody, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 26, Misc. Cleveland Roy Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 29, Misc. Walter Allen Green, petitioner, *v.* E. V. Nash, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 31, Misc. Nicholas J. Marinaccio, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 36, Misc. Albert Edgar Jones, petitioner, *v.* Arthur E. Summerfield, Postmaster General of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 37, Misc. United States ex rel. Joseph Frey, petitioner, *v.* Walter B. Martin, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 38, Misc. United States ex rel. Dominic Ferraro, petitioner, *v.* Mark S. Richmond, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 40, Misc. Willie James Phillips, petitioner, *v.* O. B. Ellis, General Manager, Texas Department of Corrections. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 41, *Misc.* Ralph Geise, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 43, *Misc.* Morgan Kirby Watkins, petitioner, *v.* O. B. Ellis, Director of Texas Department of Corrections. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 44, *Misc.* Clyde Pannell, petitioner, *v.* W. Frank Smyth, Jr., Superintendent of Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 45, *Misc.* Elmer S. Hendershot, petitioner, *v.* William F. Steiner, Warden. Petition for writ of certiorari to the Baltimore City Court of Maryland denied.

No. 47, *Misc.* John Giovengo, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 48, *Misc.* James A. Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 49, *Misc.* Owen F. Majeske, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 50, *Misc.* Arthur S. Curtis, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 51, *Misc.* Spurgeon Anderson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 53, *Misc.* Henry C. Ramos, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 55, *Misc.* Calvin Bell, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 56, *Misc.* Billy Joe Sisk, petitioner, *v.* Texas et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 61, *Misc.* Benny Santiago Rodriguez, petitioner, *v.* California. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 62, *Misc.* United States ex rel. William A. Jackson, petitioner, *v.* Walter B. Martin, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 63, **Misc.** Willie Gilford, petitioner, *v.* Walter B. Martin, Warden. Petition for writ of certiorari to the County Court of Wyoming County, New York, denied.

No. 64, **Misc.** Raymond Philip Wilson, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 65, **Misc.** Arthur E. Schaefer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 68, **Misc.** Errol Leslie Merriman, petitioner, *v.* Calvin P. Stewart et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 69, **Misc.** Joseph L. DeLevey, petitioner, *v.* Walter James Scott and John Lee Parker. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 71, **Misc.** Harry M. Gordon, petitioner, *v.* B. J. Rhay, Superintendent of Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 72, **Misc.** Joseph Russo, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 73, **Misc.** William Edwards, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 74, **Misc.** James A. Hoyland, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77, **Misc.** Vairee McCartney, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 78, **Misc.** Wayne E. Barker, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 81, **Misc.** Willie Holly, petitioner, *v.* W. Frank Smyth, Jr., Superintendent of Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 82, **Misc.** Arlus Brady Vance, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 84, **Misc.** In the Matter of Application of Richard J. Bifield and John J. Gaglione, petitioners. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 86, **Misc.** Malcolm R. Schlette, petitioner, *v.* Phil S. Gibson, Chief Justice, Supreme Court of California, et al. Petition for writ

of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 87, Misc. Juanita Kennedy Morgan, petitioner, *v.* Robert B. Anderson, Secretary of the Treasury, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 89, Misc. Joseph Isaac, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 91, Misc. Howard W. Jones, petitioner, *v.* Texas et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 93, Misc. Charles E. Lucas, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 94, Misc. Doyle McGuire, petitioner, *v.* Texas et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 95, Misc. Preston R. Tucker, petitioner, *v.* California Adult Authority. Petition for writ of certiorari to the Supreme Court of California denied.

No. 96, Misc. Billy Merle Trinkle, petitioner, *v.* Tracy A. Hand, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 97, Misc. Basil Banghart, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 98, Misc. Gem White, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 99, Misc. Peter Frank Vivona, petitioner, *v.* Joseph P. Conboy, Superintendent of Great Meadow Correctional Institution. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 100, Misc. Commonwealth of Pennsylvania ex rel. James Morris Fletcher, petitioner, *v.* Angelo C. Cavell, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 101, Misc. William F. Turpin, petitioner, *v.* R. W. Alvis, Warden. Petition for writ of certiorari to the Court of Appeals of Ohio, Franklin County, denied.

No. 102, Misc. Isaac Bullock, petitioner, *v.* Vernon L. Pepersack, Warden. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 103, Misc. Ralph Williams, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 105, Misc. William H. Earnshaw, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 106, Misc. John Schwitzenberg, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 107, Misc. James Jeffery, Jr., petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 108, Misc. Leigh Fowler, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 109, Misc. Commodore Perry Sam, petitioner, *v.* B. J. Rhay, Superintendent of Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 114, Misc. Andrew J. Gironda and Arlene Cohen, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 115, Misc. Irving Robertson, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 117, Misc. Jacob Wissenfeld, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 123, Misc. Chester Lawson, petitioner, *v.* Angelo C. Cavell, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 124, Misc. Lucian Booker, petitioner, *v.* District Attorney of Bronx County. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 125, Misc. Charles Price, Jr., petitioner, *v.* Warden of Maryland Penitentiary. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 126, Misc. Fred Bates, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 129, Misc. George Thomas Jordan, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 131, Misc. Vincent J. Prescimone, petitioner, *v.* Warden of the Maryland Penitentiary. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 136, Misc. Charles Larsen, petitioner, *v.* Phil S. Gibson, Chief Justice, Supreme Court of California, et al. Petition for writ of

certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 138, **Misc.** Alfred Linus DeMarios, petitioner, *v.* DeWitt Sinclair, Superintendent, Florida State Penitentiary. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 140, **Misc.** Waylane Gene Ballard, petitioner, *v.* The State of Texas et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 141, **Misc.** Dan B. Thomas, petitioner, *v.* The People of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 142, **Misc.** Monroe Dozier, petitioner, *v.* State of Texas et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 144, **Misc.** Julius A. Bostick, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 147, **Misc.** Andrew J. McDonald, petitioner, *v.* State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 148, **Misc.** Mary Ramos et al., petitioners, *v.* California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Los Angeles, denied.

No. 149, **Misc.** William H. Jackson, petitioner, *v.* Maryland. Petition for writ of certiorari to the Circuit Court of Washington County, Maryland, denied.

No. 150, **Misc.** Joel F. McCamey, petitioner, *v.* Wyoming. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. 151, **Misc.** Bill Bailey, petitioner, *v.* Ralph W. Alvis, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 152, **Misc.** Sidney Cherrie, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 159, **Misc.** Benjamin C. Lightfritz, petitioner, *v.* State of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 160, **Misc.** Chester L. Oughton, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 163, **Misc.** Robert Lee Goldsby, petitioner, *v.* William Harpole, Superintendent, Mississippi State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 164, **Misc.** Garland Ricks, petitioner, *v.* W. Frank Smyth, Jr., Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 165, **Misc.** Charles C. Patterson, petitioner, *v.* Virginia Electric and Power Co. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 168, **Misc.** James F. Turner, Administrator, etc., petitioner, *v.* Hiwassee Land Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 169, **Misc.** Chester E. Baran, petitioner, *v.* Walter B. Martin, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 170, **Misc.** James Edward Carriker, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 171, **Misc.** Charles N. Dunkle, petitioner, *v.* Angelo C. Cavell, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 173, **Misc.** Frank Jackson, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 179, **Misc.** James Stump, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 181, **Misc.** Frank Granieri, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of San Diego, denied.

No. 183, **Misc.** David Wright, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 188, **Misc.** Cedric Baker, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 189, **Misc.** Gilbert Salas Coronado, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 190, **Misc.** Edward Hanlon, petitioner, *v.* New York. Petition for writ of certiorari to the Supreme Court of New York, Dutchess County, denied.

No. 192, **Misc.** Robert Ralph Romano, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 193, **Misc.** Daniel J. Mancini, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 194, *Misc.* Harold Wayne Davis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 197, *Misc.* Orion Sherwood, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 198, *Misc.* Thomas Kapatos, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 200, *Misc.* Morris Fuller, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 202, *Misc.* Edward Morgan, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 203, *Misc.* Luther Poindexter, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 206, *Misc.* Dominick Zizzo, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 211, *Misc.* Martin Sostre, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 213, *Misc.* Van Buren Evans, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 214, *Misc.* Frank Griffin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 227, *Misc.* Dave Millwood, petitioner, *v.* Robert A. Heinze, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 229, *Misc.* Vincent Mummiani, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 237, *Misc.* Samuel Witt, Jr., petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 24, *Misc.* Cicero Martin, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied because of mootness.

No. 30, *Misc.* Douglas C. Johnson, petitioner, *v.* B. J. Rhay, Superintendent of Washington State Penitentiary. Petition for writ

of certiorari to the Supreme Court of Washington denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

No. 60, Misc. James Taylor, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

No. 88, Misc. Frank Carswell, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. The Chief Justice took no part in the consideration or decision of this application.

No. 166, Misc. James Francis Hill, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Stewart took no part in the consideration or decision of this application.

No. 196, Misc. Richard F. Deckhart, petitioner, *v.* Angelo C. Cavell, Warden. Motion to substitute James F. Maroney as party respondent in the place of Angelo C. Cavell granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 66, Misc. Royal E. Ziesemer, petitioner, *v.* Irvin Riedman, Warden;

No. 90, Misc. Lloyd B. Hart, petitioner, *v.* John C. Taylor, Warden, et al.;

No. 92, Misc. Kenneth E. Miller, petitioner, *v.* F. T. Wilkinson, Warden;

No. 113, Misc. Robert L. Jefferson, petitioner, *v.* William J. Banmiller, Warden;

No. 127, Misc. Houston Collins, petitioner, *v.* Illinois et al.;

No. 154, Misc. George H. Cash, petitioner, *v.* Donald C. Clemmer, Director, Dept. of Corrections, D.C., et al.;

No. 155, Misc. Judson Broadus-Bey, petitioner, *v.* Donald C. Clemmer, Director, Dept. of Corrections, D.C., et al.;

No. 158, Misc. Dock Perry Glenn, petitioner, *v.* Roy Robertson;

No. 218, Misc. Clarence Mahurin, petitioner, *v.* E. V. Nash, Warden;

No. 221, Misc. John Fred Otten, petitioner, *v.* Maryland;

No. 240, Misc. Jesus H. Tellez, petitioner, *v.* United States; and

No. 246, Misc. Edward J. Ellis, petitioner, *v.* Curtis Reid, Superintendent of District of Columbia Jail. Motions for leave to file petitions for writs of habeas corpus denied.

No. 32, **Misc.** Robert D. Miller, petitioner, *v.* John E. Bennett, Warden. Motion for leave to file petition for writ of habeas corpus and for other relief denied.

No. 85, **Misc.** Mario Bascelio, petitioner, *v.* Nathan Mayo, State Prison Custodian of Florida; and

No. 210, **Misc.** Alfred D. Barber, petitioner, *v.* William H. Bannan, Warden, et al. Motions for leave to file petitions for writs of habeas corpus and for other relief denied. Treating the papers submitted as petitions for writs of certiorari, certiorari is denied.

No. 104, **Misc.** Ray Akins, petitioner, *v.* Harry C. Tinsley;

No. 220, **Misc.** John McCorkle, petitioner, *v.* William J. Bann Miller, Superintendent of Eastern State Penitentiary; and

No. 241, **Misc.** Samuel L. Culley, petitioner, *v.* Maryland. Motions for leave to file petitions for writs of habeas corpus denied. Treating the papers submitted as petitions for writs of certiorari, certiorari is denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 34, **Misc.** Eastern States Petroleum Corp., petitioner, *v.* The Honorable E. Barrett Prettyman, Chief Judge of the United States Court of Appeals for the District of Columbia, et al.;

No. 112, **Misc.** WORZ, Inc., petitioner, *v.* Honorable E. Barrett Prettyman, Chief Judge, United States Court of Appeals for the District of Columbia Circuit, et al.;

No. 139, **Misc.** Fred Odum, petitioner, *v.* State of Illinois; and

No. 172, **Misc.** Jack Roy Foutty, petitioner, *v.* George B. Marshall, Common Pleas Court Judge, Franklin County. Motions for leave to file petitions for writs of mandamus denied.

LEAVE TO FILE PETITION FOR WRIT OF CERTIORARI DENIED

No. 156, **Misc.** Atlantic Coast Line Railroad Company, et al., petitioners *v.* Riss & Company, Inc. Motion for leave to file petition for writ of certiorari denied.

REHEARINGS DENIED

No. 35. **October Term, 1958.** Lloyd Barenblatt, petitioner, *v.* United States of America;

No. 57. **October Term, 1958.** W. E. Howard, Jr., petitioner, *v.* Kenneth T. Lyons and Joseph S. McAteer;

No. 74. **October Term, 1958.** Henry J. Mills and Osmond J. Litolff, petitioners, *v.* State of Louisiana;

No. 347. **October Term, 1958.** County of Allegheny, petitioner, *v.* Frank Mashuda Company, a Partnership, Frank Mashuda, Stanley Mashuda, et al.;

No. 350. **October Term, 1958.** William B. Barr, petitioner, *v.* Linda A. Matteo and John J. Madigan;

No. 447. **October Term, 1958.** Simplicity Pattern Co., Inc., petitioner, *v.* Federal Trade Commission;

No. 471. **October Term, 1958.** Anthony M. Palermo, petitioner, *v.* United States of America.

No. 489. **October Term, 1958.** Pittsburgh Plate Glass Company, petitioner, *v.* United States of America;

No. 561. **October Term, 1958.** United States et al., petitioners, *v.* Hine Pontiac et al.;

No. 761. **October Term, 1958.** United States, petitioner, *v.* Colonial Chevrolet Corp. et al.;

No. 799. **October Term, 1958.** William H. Anderson et al., petitioners, *v.* United States;

No. 877. **October Term, 1958.** A. Philip Woolfson, petitioner, *v.* Lester T. Doyle, Trustee in Reorganization, et al.;

No. 880. **October Term, 1958.** Robert F. Zeddies, petitioner, *v.* Commissioner of Internal Revenue;

No. 883. **October Term, 1958.** Embry Brothers, Inc., et al., petitioners, *v.* Howard L. Davis et al.;

No. 897. **October Term, 1958.** Claudia Walker, petitioner, *v.* Washington et al.;

No. 901. **October Term, 1958.** Ben Jack Cage, petitioner, *v.* Texas;

No. 902. **October Term, 1958.** Paul Ginsburg, petitioner, *v.* Mutual Life Insurance Company of New York;

No. 922. **October Term, 1958.** Michele Marchese, petitioner, *v.* United States;

No. 944. **October Term, 1958.** Hershey Mfg. Co., appellant, *v.* Benjamin S. Adamowski et al.;

No. 957. **October Term, 1958.** United States Steel Corporation, petitioner, *v.* John Giguere; and

No. 966. **October Term, 1958.** John Kasper, petitioner, *v.* United States. Petitions for rehearing denied.

No. 34. **October Term, 1958.** Willard Uphaus, appellant, *v.* Louis C. Wyman, Attorney General, State of New Hampshire. Motions of Religious Freedom Committee, Inc., and American Civil Liberties Union for leave to file briefs, as *amicus curiae*, granted. Petition for rehearing denied.

No. 435. **October Term, 1958.** Harry Lev, petitioner, *v.* United States of America;

No. 436. **October Term, 1958.** Raymond Wool, petitioner, *v.* United States of America;

No. 437. **October Term, 1958.** Marvin Rubin, petitioner, *v.* United States of America; and

No. 753. **October Term, 1958.** National Association for the Advancement of Colored People, petitioner, *v.* Alabama ex rel. John Patterson. Petitions for rehearing denied. Mr. Justice Stewart took no part in the consideration or decision of these applications.

No. 457. **October Term, 1958.** Horace Ingram, L. E. Smith, Mary Law, et al., petitioners, *v.* United States of America. Petition for rehearing denied. Mr. Justice Black took no part in the consideration or decision of this application.

No. 493. **October Term, 1958.** Leo Peter Reistroffer, W. L. Rogers and Marvin Norris, petitioners, *v.* United States of America. Motion for leave to file petition for rehearing denied. Mr. Justice Frankfurter took no part in the consideration or decision of this application.

No. 806. **October Term, 1958.** Tommy and Preston Bellew, appellants and petitioners, *v.* Mississippi. Motion for leave to file supplemental and amended petition for rehearing granted. Petition for rehearing denied.

No. 876. **October Term, 1958.** Helms Bakeries, petitioner, *v.* Commissioner of Internal Revenue. Motion to supplement petition for rehearing granted. Petition for rehearing denied.

No. 7, **Misc. October Term, 1958.** Hugo DeGregory, appellant, *v.* Louis C. Wyman, Attorney General of the State of New Hampshire;

No. 706, **Misc. October Term, 1958.** Joseph Baker, petitioner, *v.* United States;

No. 749, **Misc. October Term, 1958.** Sally Christy, petitioner, *v.* United States;

No. 774, **Misc. October Term, 1958.** Nancy Cross, petitioner, *v.* John L. Tustin, Individually and as Personnel Director of Santa Clara County, et al.; and

No. 775, **Misc. October Term, 1958.** Nancy Cross, petitioner, *v.* The Supreme Court of California et al.;

No. 791, **Misc. October Term, 1958.** Clair Daniel Pitts, Jr., petitioner, *v.* United States;

No. 799, **Misc. October Term, 1958.** Robert W. R. Baker, Jr., petitioner, *v.* United States;

No. 803, **Misc. October Term, 1958.** Andrew Pitts, petitioner, *v.* United States;

No. 835, Misc. **October Term, 1958.** Mrs. Rae K. Alpar, petitioner, *v.* Perpetual Building Association et al.;

No. 855, Misc. Raymond John Wagner, Anthony Joseph Cambiano and Donald Vandergrift, petitioners, *v.* United States;

No. 857, Misc. **October Term, 1958.** Francis Marion Black, petitioner, *v.* The City National Bank and Trust Company of Kansas City, Executor of the Estate of Arthur Geiger Black, Deceased;

No. 858, Misc. **October Term, 1958.** Samuel Kelley, appellant, *v.* City of Richmond; and

No. 912, Misc. **October Term, 1958.** Samuel Barnes, petitioner, *v.* New York. Petitions for rehearing denied.

No. 613, Misc. **October Term, 1958.** Frank Mullen and Mary Mullen, by their next Friend and Mother, Carolyn Mullen, petitioners, *v.* District of Columbia. Motion for leave to file second petition for rehearing denied.

No. 733, Misc. **October Term, 1958.** Jim H. Corbett, petitioner, *v.* Common Pleas Court of Stark County, Ohio. Petition for rehearing denied. Mr. Justice Stewart took no part in the consideration or decision of this application.

No. 812, Misc. **October Term, 1958.** Helen M. Converse, petitioner, *v.* Mental Hygiene Department of the State of California et al. Motion for leave to file petition for rehearing denied.

ASSIGNMENT ORDERS

An order of the Chief Justice designating and assigning Mr. Justice Reed (retired) to perform judicial duties in the United States Court of Appeals for the District of Columbia Circuit beginning October 1, 1959, and ending June 30, 1960, and for such further time as may be required to complete unfinished business, pursuant to 28 U.S.C. § 294(a), is ordered entered on the minutes of this Court, pursuant to 28 U.S.C. § 295.

An order of the Chief Justice designating and assigning Mr. Justice Burton (retired) to perform judicial duties in the United States Court of Appeals for the District of Columbia Circuit beginning October 1, 1959, and ending June 30, 1960, and for such further time as may be required to complete unfinished business, pursuant to 28 U.S.C. § 294(a), is ordered entered on the minutes of this Court, pursuant to 28 U.S.C. § 295.

No. —. In the Matter of Joseph Malone, Jr. Joseph Malone, Jr., of Catskill, New York, having resigned as a member of the Bar of this Court, it is ordered that his name be stricken from the rolls of attorneys admitted to practice in this Court.

ORAL ARGUMENT

No. 10, **Original.** United States of America, plaintiff, *v.* State of Louisiana et al. Thirteen hours allowed for oral argument. Argument on the motion of the United States for judgment and on the motion to dismiss the cross-bill of the State of Alabama commenced by Mr. Solicitor General Rankin for the plaintiff and continued by Mr. James P. Hart and Mr. J. Chrys Dougherty for the defendant, State of Texas, and by Mr. Jack P. F. Gremillion for the defendant, State of Louisiana.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, October 13, will be as follows: No. 10, **Original.**

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Carl W. Jones, of Midland, Tex., Raymond A. Lynch, of Midland, Tex., and Frederick Edmund Kallof, of Phoenix, Ariz., on motion of Mr. Will R. Wilson, Jr.; Oliver Joseph Neibel, Jr., of Seattle, Wash., on motion of Mr. Edgar J. Goodrich; Wilfred Schafer Stone, of Chicago, Ill., on motion of Mr. Lea A. Rosetta; Harry Alan Sherman, of Pittsburgh, Pa., on motion of Mr. Louis Pabst Poulton; Harold D. Kline, of San Francisco, Calif., on motion of Mr. Joseph Rotwein; and J. Cameron Hall, of Detroit, Mich., on motion of Mr. Thomas H. McGrail, were admitted to practice.

ORAL ARGUMENT

No. 10, **Original**. United States of America, plaintiff, *v.* State of Louisiana et al. Argument on the motion of the United States for judgment and on the motion to dismiss the cross-bill of the State of Alabama continued by Mr. Solicitor General Rankin for the plaintiff, by Mr. Will Wilson and Mr. Price Daniel for the defendant, State of Texas, by Mr. Solicitor General Rankin for the plaintiff, by Mr. Victor A. Sachse for the defendant, State of Louisiana, and by Mr. Solicitor General Rankin for the plaintiff.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, October 14, will be as follows: No. 10, **Original**.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Edmond Thomas Daly, of Washington, D.C., Charles Thomas McCally, of Washington, D.C., Sidney A. Eisenberg, of Cleveland, Ohio, and Samuel H. Silbert, of Cleveland, Ohio, on motion of Mr. Solicitor General James Lee Rankin; Earl Luna, of Dallas, Tex., on motion of Mr. Price Daniel; Jay C. Flowers, of Columbus, Ohio, on motion of Mr. Lyman Brownfield; Roger D. Mulhollen, of Racine, Wis., on motion of Mr. Francis C. Browne; James Lawrence Zimmerman, of Durham, N.C., Daniel M. Williams, Jr., of Durham, N.C., Arthur Vann II, of Durham, N.C., and Joseph H. Langworthy, Jr., of Pacific, Mo., on motion of Mr. Eugene F. Mullin, Jr.; Frank Philip Dunn, of Falls Church, Va., on motion of Mr. James A. Blalock; F. Raymond Marks, Jr., of Chicago, Ill., on motion of Mr. Howard Adler, Jr.; John King Hickey, of Winchester, Ky., on motion of Mr. Maurice F. Biddle; Leonard A. Delk, of Norwalk, Calif., on motion of Mr. Byron Nicholson Scott; Granville Sumner Ridley Bouldin, of Murfreesboro, Tenn., and Granville Sumner Ridley, of Murfreesboro, Tenn., on motion of Mr. Harry H. Semmes; Paul Howard Graf, of Baltimore, Md., on motion of Mr. Henry W. Hartlove; William Hoppen, of New York, N.Y., on motion of Mr. Henry F. Butler; Melvin Hirshman, of Washington, D.C., on motion of Mr. Earl Hubert Davis; Ralph M. Schwartzberg, of Chicago, Ill., and Isadore Fishman, of Chicago, Ill., on motion of Mr. Kenneth J. Marks; and Richard S. Felhaber, of St. Paul, Minn., on motion of Mr. James L. Highsaw, Jr., were admitted to practice.

ORAL ARGUMENT

No. 10, Original. United States of America, plaintiff, *v.* State of Louisiana et al. Argument on the motion of the United States for judgment and on the motion to dismiss the cross-bill of the State of Alabama continued by Mr. Solicitor General Rankin for the plaintiff, by Mr. Joe T. Patterson and Mr. John H. Price, Jr., for the defendant, State of Mississippi, by Mr. Solicitor General Rankin for the plaintiff, by Mr. Gordon Madison for the defendant State of

Alabama, by Mr. Solicitor General Rankin for the plaintiff and by Mr. Richard W. Ervin and Mr. Spessard L. Holland for the defendant State of Florida.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, October 15, will be as follows: Nos. **10, Original, 1, 23, and 5.**

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Willis W. Wall, of Topeka, Kans., on motion of Mr. Solicitor General James Lee Rankin; Ralph J. Geffen, of Norwalk, Calif., Robert E. Michalski, of Beverly Hills, Calif., Frank Rothman, of Los Angeles, Calif., Mark C. Allen, Jr., of Inglewood, Calif., and Earl Denham Murphy, of Alhambra, Calif., on motion of Mr. Charles Kinsley McWhorter; Jack Mantel, of Washington, D.C., on motion of Mr. Dominick Manoli; William H. Eilers, of Los Angeles, Calif., on motion of Mr. Linton M. Collins; Elliott I. Pollock, of Chevy Chase, Md., on motion of Mr. William D. Hall; Virginia Martin Carmouche, of Lake Charles, La., and Terrill M. Brenner, of New Brunswick, N.J., on motion of Mr. Edward M. Carmouche; Samuel Rosen, of Boston, Mass., on motion of Mr. Burton R. Thorman; John H. Conway, Jr., of Tulsa, Okla., on motion of Mr. Donald P. Moyers; Christie P. Perdikes, of Boston, Mass., and Charles P. Mamakos, of Somerville, Mass., on motion of Mr. John C. Herberg; Finis Smith, of Tulsa, Okla., on motion of Mr. Charles E. Norman, Jr.; Keith W. Blinn, of Houston, Tex., and William R. Tete, of Lake Charles, La., on motion of Mr. Edward L. Merrigan; and George W. Liskow, of Lake Charles, La., on motion of Mr. Thomas E. Harris, were admitted to practice.

ORAL ARGUMENT

No. 10, Original. United States of America, plaintiff, *v.* State of Louisiana et al. Argument on the motion of the United States for judgment and on the motion to dismiss the cross-bill of the State of Alabama continued by Mr. Spessard L. Holland for the defendant State of Florida and concluded by Mr. George S. Swarth for the plaintiff.

No. 5. Henry L. Hess, Jr., Administrator of the Estate of George William Graham, Deceased, petitioner, *v.* United States of America. Argued by Mr. Cleveland C. Cory for the petitioner and by Mr. Alan S. Rosenthal for the respondent.

No. 1. Robert Aquilino and Joseph Spero, d/b/a Home Maintenance Company, and Colonial Sand and Stone Co., Inc., petitioners,

v. United States of America, Ada Bottone, et al. Argued by Mr. Charles S. Friedman for the petitioners and by Mr. Howard A. Heffron for the respondents.

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

The day call for Monday, October 19, will be as follows: Nos. 23, 13, 10, 6, and 7.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Wilfred V. Reape, Jr., of Westbury, N.Y., Richard F. Maruszewski, of Milwaukee, Wis., Robert T. Winston, Jr., of Norton, Va., Alfred Avins, of New York, N.Y., Richard H. Bloeser, of Los Angeles, Calif., Robert Layton, of New York, N.Y., Philip G. Jackson, of Bethesda, Md., Jerome L. Pritz, of Chicago, Ill., Berner Kellough, of Chicago, Ill., and Frank Albano, of Chicago, Ill., on motion of Mr. Solicitor General James Lee Rankin; Samuel Roth, of New York, N.Y., Philip Gershfeld, of New York, N.Y., Max Friedman, of New York, N.Y., Alex Gruder, of New York, N.Y., Leon J. Barbanel, of New York, N.Y., Paul Abrams, of New York, N.Y., Max H. Leitner, of New York, N.Y., Jack Cagan, of New York, N.Y., and Morton I. Cohen, of New York, N.Y., on motion of Mr. Laurence H. Axman; James Robert Dobbs, Jr., of Longview, Tex., Allen N. Rieselbach, of Milwaukee, Wis., Charles Nelson Henson, Jr., of Topeka, Kans., Charles J. Carroll, of Great Bend, Kans., Daniel Gallup, of Miami, Fla., Burton A. Landy, of Miami, Fla., Floyd B. Engeman, of Denver, Colo., Ernest Edward Parker, of Gadsden, Ala., Bowen C. Tatum, Jr., of Dallas, Tex., Frederick Lee Donahower, of St. Paul, Minn., Edwin J. Gasaway, of St. Louis, Mo., Leroy Kenneth Engeman, of Denver, Colo., Harry Eugene Carlano, of Englewood, Colo., Herbert Wade DeLaney, Jr., of Denver, Colo., and James Watt Hewitt, of Hastings, Nebr., on motion of Mr. Maurice F. Biddle; Horace Robinson Kornegay, of Greensboro, N.C., and Malcolm B. Seawell, of Raleigh, N.C., on motion of Mr. Ralph M. Moody; Robert S. Bell, of Los Angeles, Calif., on motion of Mr. Frederick Stewart Gilbert, Jr.; Calvin George Dworshak, of Boise, Idaho, on motion of Mr. Edward F. Colladay; William H. McInerney, of Oakland, Calif., on motion of Mr. G. Howland Chase; William B. Frame, of Butte, Mont., on motion of Mr. B. K. Wheeler; Lotus Therkelsen Prokop, of Friend, Nebr., and Jerome Prokop, of Friend, Nebr., on motion of Mr. Alan D. McArthur; William B. Dortch, of Gadsden, Ala., and John A. Lusk, Jr., of Gadsden, Ala., on motion of Mr. Adolph H. Zwerner; Charles Frederick Peoples, of Stoneham, Mass., on motion of Mr. John C. Herberg; Clifton E. Brooks, of Lafayette, Calif., on motion

of Mr. James Elden McFarland; Robert J. Beckham, of Miami, Fla., on motion of Mr. George Franklin Gilleland; Ronald Wayne Olson, of Chicago, Ill., on motion of Mr. Daniel A. Mulhern; Robert L. Musser, of Cleveland, Ohio, on motion of Mr. Thomas E. Shroyer; Frank J. Lane, Jr., of St. Louis, Mo., on motion of Mr. Neil Flanagan; John D. Aikin, of Hereford, Tex., and Wayne E. Thomas, of Hereford, Tex., on motion of Mr. Everett Hutchinson; Gregory Hayes Swanson, of Alexandria, Va., on motion of Mr. J. Clarence Young; Dwight Francis Lewis, of Corning, Iowa, on motion of Mr. Roy W. Stroud; Ira Goldstein, of Yonkers, N.Y., on motion of Mr. Richard William Rosen; and Taylor F. Peterson, of San Bernardino, Calif., on motion of Mr. Charles Sylvanus Rhyne, were admitted to practice.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 81. Henry J. Harris, petitioner, *v.* Pennsylvania Railroad Company. On petition for writ of certiorari to the Supreme Court of Ohio. Petition for writ of certiorari granted. On writ of certiorari to the Supreme Court of Ohio. Judgment reversed and case remanded for proceedings in conformity with the opinion of this Court. Opinion *per curiam*. Concurring opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Harlan with whom Mr. Justice Whittaker joins. For the reasons set forth in his opinion in *Rogers v. Missouri Pacific R. Co.*, 352 U.S. 500, 524, Mr. Justice Frankfurter is of the view that the writ of certiorari is improvidently granted. Mr. Justice Stewart took no part in the consideration or decision of this case.

No. 155. Louis Kirshbaum, appellant, *v.* The City of Los Angeles, etc., Los Angeles Dodgers, the Housing Authority of the City of Los Angeles;

No. 279. Louis Kirshbaum, appellant, *v.* The City of Los Angeles, etc., Los Angeles Dodgers, the Housing Authority of the City of Los Angeles; and

No. 291. Julius Ruben, appellant, *v.* The City of Los Angeles, etc., Los Angeles Dodgers, the Housing Authority of the City of Los Angeles. Appeals from the Supreme Court of California. The motion of Louis Kirshbaum for leave to intervene as appellant in No. 291 is denied. The motions to dismiss are granted and the appeals are dismissed. Treating the papers whereon the appeals were taken as petitions for writs of certiorari, certiorari is denied. Opinion *per curiam*.

No. 288. Memorial Gardens Association, Inc., et al., appellants, *v.* Elbert S. Smith, as Auditor of the Public Accounts of the State of

Illinois, et al. Appeal from the Supreme Court of Illinois. The appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 296. Magnet Cove Barium Corporation, appellant, *v.* United States of America, Interstate Commerce Commission, and Chicago, Burlington & Quincy Railroad Company, et al. Appeal from the United States District Court for the Southern District of Texas. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*.

No. 300. George J. Wagner, appellant, *v.* International Brotherhood of Electricians, Local #1305, et al. Appeal from the Supreme Court of Pennsylvania, Western District. The motion to dismiss is granted and the appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 328. J. C. Conner, petitioner, *v.* J. Turner Butler et al., Trustees, etc. On petition for writ of certiorari to the District Court of Appeal of Florida, Third District. Petition for writ of certiorari granted. On writ of certiorari to the District Court of Appeal of Florida, Third District. Judgment reversed and case remanded for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*. For the reasons set forth in his opinion in *Rogers v. Missouri Pacific R. Co.*, 352 U.S. 500, 524, Mr. Justice Frankfurter is of the view that the writ of certiorari is improvidently granted.

No. 58, Misc. Ex parte William K. Powell, petitioner. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Motion for leave to proceed in forma pauperis and petition for writ of certiorari granted. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment vacated and case remanded to the District Court for a full hearing. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 1, October Term, 1957. United States of America, petitioner, *v.* The Shotwell Manufacturing Company, Byron A. Cain, Frank J. Huebner, et al. The motion for leave to file motions to vacate orders of December 16, 1957, granting certiorari etc. and for other relief is denied.

No. 187. Joel A. Maloy and Ruth Maloy, his wife, petitioners, *v.* First Federal Savings and Loan Association of West Palm Beach, etc. The application for stay of the issuance of the order denying petition for writ of certiorari referred to the Court by Mr. Justice Black is granted pending the timely filing and disposition of a petition for rehearing.

No. 213. Helmut Legerlotz, petitioner, *v.* William P. Rogers, Attorney General of the United States. The order granting certiorari in this case, October 12, 1959, is amended by adding thereto the following: The case is transferred to the summary calendar. Counsel are directed to discuss in their briefs and oral arguments, among other questions, the question whether the amendment of a "Return Order," as opposed to a "Notice of Intention to Return," is permissible, under the pertinent regulations or otherwise, and if not, the effect of such an amendment on the pertinent limitations period.

APPEALS—JURISDICTION NOTED OR POSTPONED

No. 295. Rohr Aircraft Corporation, a California Corporation, appellant, *v.* County of San Diego, a Body Corporate, and City of Chula Vista, a Municipal Corporation. Appeal from the Supreme Court of California. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits and the case is transferred to the summary calendar.

No. 297. Great Northern Railway Company, a Corporation, appellant, *v.* United States of America, Interstate Commerce Commission, et al. Appeal from the United States District Court for the District of Minnesota. In this case probable jurisdiction is noted.

CERTIORARI GRANTED

No. 138. United States of America, petitioner, *v.* American-Foreign Steamship Corp., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 164. Morry Levine, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted limited to Questions No. 1 and No. 2 presented by the petition which read as follows:

"1. Whether the secrecy of the proceedings, including the adjudication and sentence for contempt under Rule 42(a) of the Federal Rules of Criminal Procedure, deprived petitioner of Due Process of Law in violation of the Fifth Amendment to the United States Constitution.

"2. Whether the secrecy of the proceedings and of the adjudication and sentence of petitioner for criminal contempt under Rule 42(a) of the Federal Rules of Criminal Procedure deprived petitioner of a public trial as required by the Sixth Amendment to the United States Constitution."

No. 76, Misc. Raymond P. Ward, petitioner, *v.* Atlantic Coast Line Railroad Company. Motion for leave to proceed in forma pauperis and petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted. Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI DENIED

No. 199. Mary Jo Williams, Administratrix, etc., et al., petitioners, *v. United States of America*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 220. William O'Dwyer et al., petitioners, *v. Commissioner of Internal Revenue*. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 234. Steve Pucio, petitioner, *v. United States*;

No. 257. Daniel Lessa and Nicholas Lessa, petitioners, *v. United States of America*;

No. 304. Harry Stromberg and Leo Seto, petitioners, *v. United States of America*;

No. 305. Henry Teitelbaum, petitioner, *v. United States of America*;

No. 308. Nathan Behrman, petitioner, *v. United States of America*;

No. 310. Salvatore Maimone, petitioner, *v. United States of America*; and

No. 313. Anthony Mirra, Jean Aron and George Brisbois, petitioners, *v. United States of America*. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 235. Missouri Pacific Railroad Company, petitioner, *v. J. A. Moore and Farris Antoine*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 261. Angus M. MacNeil, petitioner, *v. Anthony Julian*. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 264. Edgar Smith, petitioner, *v. New Jersey*. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 284. Baker, Obermeier and Rosner, petitioner, *v. Surface Transit, Inc., et al.*;

No. 285. Saxe, Bacon & O'Shea, petitioner, *v. Surface Transit, Inc., et al.*;

No. 374. Hays, St. John, Abramson & Heilbron, petitioners, *v. Edward M. Garlock et al.*;

No. 382. Hiram S. Gans, petitioner, *v. Surface Transit, Inc., et al.*; and

No. 384. Edward M. Garlock, petitioner, *v. Surface Transit, Inc., et al.* Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 292. John Francis Keenan, James E. Keenan, and Mark Keenan, petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 294. Geilich Tanning Company, petitioner, *v.* Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO, and National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 298. Brotherhood of Locomotive Firemen and Enginemen et al., petitioners, *v.* The Anaconda Company et al.; and

No. 311. Butte, Anaconda & Pacific Railway Company, a Corporation, petitioner, *v.* Brotherhood of Locomotive Firemen and Enginemen et al. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 299. Scripto, Inc., petitioner, *v.* Ferber Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 306. Illinois ex rel. Eugene C. James, petitioner, *v.* Stanley A. Lynch, Sheriff of DuPage County, Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 307. Illinois District Council of the Assembly of God, a Corporation, petitioner, *v.* Old Salem Chautauqua Association, a Corporation. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 150. Douglas McCrary et al., petitioners, *v.* Aladdin Radio Industries, Inc., and Aladdin Industries, Inc. Motion to use record in No. 116, **October Term, 1957**, granted. Petition for writ of certiorari to the Court of Appeals of Tennessee, Middle Section, denied. Mr. Justice Black and Mr. Justice Stewart took no part in the consideration or decision of this motion and application.

No. 255. Missouri Pacific Railroad Company, petitioner, *v.* J. W. Cook. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 271. Retail Clerks Union, Local No. 3164, AFL-CIO, etc., et al., petitioners, *v.* Superior Court of the State of California, in and for the County of Trinity, et al. Petition for writ of certiorari to the Supreme Court of California denied. Mr. Justice Black took no part in the consideration or decision of this application.

No. 287. Patrick H. DeWitt et al., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. The Chief Justice and Mr. Justice Black are of the opinion certiorari should be granted.

No. 312. Obediah Gentry, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

No. 314. Stefanos Georgios Mates, petitioner, *v.* United States. The motion to proceed on typewritten petition is granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Stewart took no part in the consideration or decision of this motion and application.

No. 28, **Misc.** Emil Kravarick and Norman Keller, petitioners, *v.* Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 35, **Misc.** Kenneth Wilson, petitioner, *v.* W. Frank Smyth, Jr., Superintendent of Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 57, **Misc.** Stephen J. Carter, petitioner, *v.* New York. Petition for writ of certiorari to the County Court of Wyoming County, New York, denied.

No. 79, **Misc.** Robert William Akers, Jr., petitioner, *v.* Clarence T. Gladden, Warden. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 130, **Misc.** United States ex rel. Ralph Dawkins, petitioner, *v.* Wilfred L. Denno, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 132, **Misc.** Emmett Earl Leggett, petitioner, *v.* Lee Henslee, as Superintendent and Warden of the Arkansas State Penitentiary. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 153, **Misc.** John W. McGuinn, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 157, **Misc.** Marion James Linden, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 176, **Misc.** Marion James Linden, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 177, **Misc.** Hugh Norman Harrison, petitioner, *v.* E. V. Nash, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 180, **Misc.** Leonard Williams, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 182, *Misc.* Clifford Daugharty, petitioner, *v.* Clarence T. Gladden, Warden. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 184, *Misc.* Frederick T. Griffiths, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 185, *Misc.* James Cole, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 195, *Misc.* Elton O'Dean Gray, petitioner, *v.* Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 205, *Misc.* Eusebius J. Biggs, petitioner, *v.* Roy F. Cummins et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 207, *Misc.* Vincent L. Hunter, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 208, *Misc.* In the Matter of the Application of Grover Cleveland McDaniel, petitioner. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 215, *Misc.* Alfred Ricketts, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 216, *Misc.* Jack Ruffin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 219, *Misc.* Gilbert Snead, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 225, *Misc.* Charles Presnell, petitioner, *v.* W. M. Manning, Warden, et al. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 226, *Misc.* Robert Alexander, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 228, *Misc.* Walter Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 230, *Misc.* Earl Egan, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 235, *Misc.* Martin DeSaverio, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 236, **Misc.** William L. Moore, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 245, **Misc.** Chester Lee McKenzie, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 247, **Misc.** Stanley J. Boidakowski, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 248, **Misc.** Robert L. Force, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 249, **Misc.** Edward J. Konetzke, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 250, **Misc.** Leonard A. Saunders, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 256, **Misc.** Glen T. Macomber, petitioner, *v.* Clarence T. Gladden, Warden. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 257, **Misc.** Alastair Kyle, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 258, **Misc.** Robert Anderson, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 259, **Misc.** Grovone James Finley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 260, **Misc.** Thomas A. Massengale, petitioner, *v.* Daniel McMann, Acting Warden. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 261, **Misc.** John Forsythe, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 263, **Misc.** Roy Burley Bunner, petitioner, *v.* D. E. Adams, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 264, **Misc.** Oakley J. Elmore, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 275, **Misc.** Lew Wallace, nee Louis Goldberg, petitioner, *v.* State of New York Insurance Department. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 276, **Misc.** Montrose Solomon, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 290, **Misc.** Robert L. Force, petitioner, *v.* Ross V. Randolph, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 291, **Misc.** Alfonzo Palma, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 299, **Misc.** Charles Edward Freeman et al., petitioners, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 300, **Misc.** Joseph Wontroba, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 311, **Misc.** Walter Balentine Sypniewski, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 320, **Misc.** James Shampo, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 19, **Misc.** Earl Sherwood, petitioner, *v.* C. T. Gladden, Warden;

No. 271, **Misc.** Grovene James Finley, petitioner, *v.* United States et al.;

No. 287, **Misc.** James Keith Warren, petitioner, *v.* J. C. Taylor, Warden; and

No. 334, **Misc.** Henry H. Favors, petitioner, *v.* Donivon E. Adams, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

No. 278, **Misc.** Thomas Clifton, petitioner, *v.* David N. Myers, Superintendent of State Penitentiary. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 204, **Misc.** Frank Matey, petitioner, *v.* George B. Marshall, Common Pleas Court Judge, Franklin County, Ohio;

No. 209, **Misc.** Robert L. Jones, petitioner, *v.* Honorable Louis E. Goodman, Judge, United States District Court for the Northern District of California;

No. 242, Misc. Joseph A. King, petitioner, *v.* Donald Clemmer et al.;

No. 243, Misc. Morris Johnson, petitioner, *v.* Donald Clemmer, et al.; and

No. 282, Misc. Michael G. Dumoulin, petitioner, *v.* Dana F. Reynolds, Judge. Motions for leave to file petitions for writs of mandamus denied.

LEAVE TO FILE PETITION FOR WRIT OF CERTIORARI DENIED

No. 330, Misc. Malcolm R. Schlette, petitioner, *v.* United States District Court et al. Motion for leave to file petition for writ of certiorari and other relief denied.

REHEARINGS DENIED

No. 619, October Term, 1958. Arthur L. Harris, Sr., et al., petitioners, *v.* United States; and

No. 828, October Term, 1958. R. Lawrence Siegel et al., petitioners, *v.* United States. Petitions for rehearing denied.

RECESS ORDER

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

ORAL ARGUMENT

No. 23. United States, petitioner, *v.* Durham Lumber Co. et al. Argued by Mr. Howard A. Heffron for the petitioner and by Mr. Arthur Vann for the respondents.

No. 13. Commissioner of Internal Revenue, petitioner, *v.* Fred N. Acker. Argued by Mr. Ralph S. Spritzer for the petitioner and by Mr. Fred N. Acker, *pro se*, for the respondent.

No. 10. United States of America, petitioner, *v.* Seaboard Air Line Railroad Company. Argued by Mr. John F. Davis for the petitioner and by Mr. Eppa Hunton IV for the respondent.

No. 6. Daniel J. Sentilles, petitioner, *v.* Inter-Caribbean Shipping Corporation. Argued by Mr. Milton Kelner for the petitioner and by Mr. Robert J. Beckham for the respondent.

No. 7. Leon Wolfe, George Simkins, Jr., et al., appellants, *v.* State of North Carolina. Argument commenced by Mr. J. Alston Atkins for the petitioners.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, October 20, will be as follows: Nos. 7, 9, 14, and 17.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

William F. O'Donnell, of New York, N.Y., on motion of Mr. Eugene J. Kaplan; J. Robert O'Connor, Jr., of San Diego, Calif., on motion of Mr. Thomas Whelan; Charles Wolfe Kalp, of Lewisburg, Pa., and Warren Hall Coutts III, of El Dorado, Kans., on motion of Mr. H. Clay Espey; G. Edward Friar, of Knoxville, Tenn., and William A. Reynolds, of Knoxville, Tenn., on motion of Mr. Russell R. Kramer; Chas. S. Wilcox, of Rochester, N.Y., on motion of Mr. Milton Eisenberg; Joseph Radko, of Washington, D.C., on motion of Mr. George R. Douglas, Jr.; Clark Crane Vogel, of West Long Branch, N.J., on motion of Mr. William Mitchell; and Charles H. Resnick, of Newton, Mass., on motion of Mr. Francis H. Caskin 3d, were admitted to practice.

ORAL ARGUMENT

No. 7. Leon Wolfe, George Simkins, Jr., et al., appellants, *v.* State of North Carolina. Argument continued by Mr. J. Alston Atkins for the appellants, by Mr. Ralph Moody for the appellee, and concluded by Mr. J. Alston Atkins for the appellants.

No. 9. Eleazar Smith, appellant, *v.* The People of the State of California. Argued by Mr. Stanley Fleishman and Mr. Sam Rosenwein for the appellant and by Mr. Roger Arneberg for the appellee.

No. 14. United States, appellant, *v.* Lucille Aldine Dege et al. Argued by Mr. Jerome M. Feit for the appellant and by Mr. Thomas Whelan for the appellees.

No. 17. John Patrick Henry, petitioner, *v.* United States. Argument commenced by Mr. Edward J. Calihan, Jr., for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, October 21, will be as follows: Nos. 17, 18 (and 19), 21, and 22.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

John F. McAuliffe, of Boston, Mass., and George F. Hurley, of Boston, Mass., on motion of Mr. John J. Finn; John R. Jett, of Terre Haute, Ind., on motion of Mr. Adolph H. Zwerner; James Lafayette McNeas, Jr., of Dallas, Tex., on motion of Mr. Solis Horwitz; Jack L. Coke, of Dallas, Tex., and Arthur Earl Hamilton, of Dallas, Tex., on motion of Mr. H. G. Morison; Paul R. Walsh, of Barberton, Ohio, on motion of Mr. J. David Fischer; J. Edgar Baily, of Washington, D.C., and Julian Mitchell Brown, of Washington, D.C., on motion of Mr. Geoffrey Creyke, Jr.; Ray E. Snyder, of Chicago, Ill., on motion of Mr. George R. Douglas, Jr.; Jay Gralla, of Los Angeles, Calif., on motion of Mr. Ellis N. Slack; William Blair Dalbey, of Los Angeles, Calif., and George J. McNamara, of Buffalo, N.Y., on motion of Mr. George L. Powell; Michael von Moschzisker, of Philadelphia, Pa., on motion of Mr. Vincent M. Casey; and Harry Blum, of Brooklyn, N.Y., and Philip Dinitz, of Brooklyn, N.Y., on motion of Mr. Max A. Hirschman, were admitted to practice.

ORDER

No. —. Caryl Chessman, petitioner *v.* The People of the State of California. The application for a stay of execution of the death penalty imposed upon the petitioner presented to Mr. Justice Douglas, and by him referred to the Court, is granted pending the timely filing and consideration of a petition for certiorari. The application for extension of time to file such a petition for certiorari is denied. The Chief Justice took no part in the consideration or decision of these applications.

ORAL ARGUMENT

No. 17. John Patrick Henry, petitioner, *v.* United States. Argument continued by Mr. Edward J. Calihan, Jr., for the petitioner, by Mr. Kirby W. Patterson for the respondent and concluded by Mr. Edward J. Calihan, Jr., for the petitioner.

No. 18. John L. Lewis et al., petitioners, *v.* Benedict Coal Corporation; and

No. 19. United Mine Workers of America et al., petitioners, *v.* Benedict Coal Corporation. Argued by Mr. Russell R. Kramer for the petitioners in No. 18, by Mr. M. E. Boiarsky for the petitioners in No. 19, and by Mr. Robert T. Winston, Jr., for the respondent in both cases.

No. 21. McElroy, Secretary of Defense, et al., petitioners, *v.* United States ex rel. Dominic Guagliardo. Argument commenced by Mr. Oscar H. Davis for the petitioners and continued by Mr. Michael A. Schuchat for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, October 22, will be as follows: Nos. 21, 22, 37, 58, and 35.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Arthur John Keeffe, of New York, N.Y., on motion of Mr. Frederick Bernays Wiener; Ralph E. Meech, of Meadville, Pa., on motion of Mr. R. Clyde Cruitt; Arthur M. Lebow, of San Rafael, Calif., on motion of Mr. Bryce Wilson Rhyne; Hazen van den Berg Hatch, of Marshall, Mich., on motion of Mr. Frank G. Millard; Maro P. Huff, of Atlanta, Ga., on motion of Mr. William F. O'Donnell; William J. Ormsby, Jr., of Atlanta, Ga., on motion of Mr. Edward Taylor Newton; Edward Philip Kurz, of Denver, Colo., on motion of Mr. Philip R. Collins; Byron F. Lindsley, of San Diego, Calif., on motion of Mr. Walter H. E. Jaeger; Arthur J. Dixon, of New York, N.Y., on motion of Mr. Ralph H. Dwan; Melvin R. Cohen, of Jackson Heights, N.Y., on motion of Mr. Elliott A. Ferber; Laszlo Kormendi, of New York, N.Y., on motion of Mr. Francis Thornton Greene; William Howard Josephson, of New York, N.Y., on motion of Mr. John Silard; Edgar Thomson Bellinger, of Washington, D.C., on motion of Mr. Preston C. King, Jr.; A. Wm. Douglas, of East Haven, Conn., on motion of Mr. Albert A. Carretta; William B. Beebe, of Washington, D.C., and Joseph Quinn O'Connell, of Washington, D.C., on motion of Mr. Henry B. Weaver, Jr., and Gideon Franklin Rothwell IV, of Washington, D.C., on motion of Mr. William Wade Beckett, were admitted to practice.

ORAL ARGUMENT

No. 21. McElroy, Secretary of Defense et al., petitioners, *v.* United States ex rel. Dominic Guagliardo. Argument concluded by Mr. Michael A. Schuchat for the respondent.

No. 22. Kinsella, Warden, appellant, *v.* United States ex rel. Singleton. Argued by Mr. Harold H. Greene for the appellant and by Mr. Frederick Bernays Wiener for the appellee.

No. 37. Bruce Wilson, petitioner, *v.* Major General John F. Bohlander, Commander, Fitzsimons Army Hospital. Argued by Mr. Harold H. Greene for the respondent and by Mr. Frederick Bernays Wiener for the petitioner.

No. 58. Albert H. Grisham, petitioner, *v.* Charles R. Hagan, Warden. Argued by Mr. Charles Wolfe Kalp and Mr. Frederick Bernays Wiener for the petitioner and by Mr. Oscar H. Davis for the respondent.

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

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Joseph L. Maged, of New York, N.Y., Frieda L. Lorber, of New York, N.Y., Herman Sanders, of Brooklyn, N.Y., Abraham Chernow, of New York, N.Y., Nathan Gladstone, of New York, N.Y., Arthur S. Aaron, of New York, N.Y., Nathan Cooper, of New York, N.Y., Hyman Goldstein, of New York, N.Y., Donald George McKay, of New York, N.Y., Julius Vogel, of New York, N.Y., Arthur Q. Funn, of New York, N.Y., David N. Goldman, of New York, N.Y., Harold V. Dempsey, of New York, N.Y., Sol Koenigsberg, of New York, N.Y., Jerome J. Lande, of New York, N.Y., Francis X. McCormack, of New York, N.Y., Benjamin Emanuel Lander, of New York, N.Y., David L. Wasser, of New York, N.Y., Arthur R. Gaetjens, of New York, N.Y., Paul Friedman, of New York, N.Y., Leonard Cohen, of New York, N.Y., Sidney S. Leonard, of New York, N.Y., Zelda Held, of New York, N.Y., Philip D. Held, of New York, N.Y., Joseph B. Diamond, of New York, N.Y., Francisco R. Garcia, of New York, N.Y., Gustave Diamond, of New York, N.Y., Gertrude H. Kessner, of New York, N.Y., Marion I. Guilfoyle, of New York, N. Y., John J. Sweeney, Jr., of New York, N.Y., Sol S. Hauben, of New York, N.Y., Eric G. Kaufman, of New York, N.Y., Stanley B. Epstein, of New York, N.Y., Jacob Fogelson, of New York, N.Y., Marie Mallot, of New York, N.Y., Isidore Minkin, of New York, N.Y., Abe Siegel, of New York, N. Y., Anthony O. Carter, of New York, N.Y., Robert D. Weisberg, of New York, N.Y., Andrew Charles Leddy, of New York, N.Y., Raymond A. Cuddy, of Merrick, N.Y., Joseph Richter, of New York, N.Y., Morton Lloyd Janklow, of New York, N.Y., Daniel S. Levy, of New York, N.Y., Nathan J. Stein, of New York, N.Y., Karl S. Lowenthal, of New York, N.Y., William G. Werner, of New York, N.Y., Irving G. Purcell, of New York, N.Y., Bernard Raphan, of New York, N.Y., Herbert W. Philip, of New York, N.Y., Alvin Schlesinger, of New York, N.Y., Henry L. Pfeiffer, of New York, N.Y., Howard Rollin Patch, Jr., of New York, N.Y., Allen Murphy Schwartz, of New York, N.Y., Thomas E. Ryan, Jr., of Massapequa, N.Y., Sheldon Edward Orenstein, of New York, N.Y., Peter Perrone,

of New York, N.Y., David Schachter, of New York, N.Y., Frank I. Tashker, of New York, N.Y., Eugene Stack, of New York, N.Y., Harold D. Romanow, of New York, N.Y., Edwin Rudell, of New York, N.Y., Irving Perl, of New York, N.Y., Arthur M. Schneck, of New York, N.Y., William A. Phillips, of New York, N.Y., Bernard Sack, of New York, N.Y., Alfred I. Rosner, of New York, N.Y., Harold Richman, of New York, N.Y., Louis Stechel, of New York, N.Y., Kenneth D. Pearlman, of New York, N.Y., Solomon A. Schlesinger, of New York, N.Y., Stanley Nussbaum, of Lawrence, Long Island, N.Y., Joseph Lester Parsons, of Short Hills, N.J., Martin Stanley Streit, of New York, N.Y., Frank J. Taormino, of Flushing, N.Y., Jerome M. Schwartz, of New York, N.Y., Michael J. Oates, Jr., of Pearl River, N.Y., Irving Pinsky, of New York, N.Y., Alfred J. Pezenik, of New York, N.Y., Matthew J. Tackella, of New York, N.Y., Robert R. Schwartz, of New York, N.Y., Jacob A. Singer, of Brooklyn, N.Y., William Schultz, of Jamaica, N.Y., Albert Poll, of West Orange, N.J., Philip I. N. Alperdt, of New York, N.Y., Bernard Wolf, of New York, N.Y., Wilmot A. Archibald, of New York, N.Y., Frederick Goldfeder, of New York, N.Y., Raymond B. Gleicher, of New York, N.Y., Charles Scott Phelan, of New York, N.Y., Jesse Bernard Hecht, of New York, N.Y., Sidney M. Schwartz, of New York, N.Y., Sol Katz, of New York, N.Y., Paul J. Tislowitz, of New York, N.Y., Abraham Biller, of New York, N.Y., Osias Biller, of New York, N.Y., Herman Brand, of New York, N.Y., Walter A. Bobrow, of New Rochelle, N.Y., Rubin Arnold, of Riverhead, N.Y., Maxwell L. Davidson, of New York, N.Y., Edwin L. Gidley, of New York, N.Y., Carl Blank, of New York, N.Y., Aaron Gelbwaks, of New York, N.Y., John Hudson Bowlby, of New York, N.Y., Anthony N. Del Rosso, of New York, N.Y., H. Stephen Frank, of New York, N.Y., Hyman Davidson, of New York, N.Y., Stanley A. Alt, of New York, N.Y., Aaron M. Diamond, of Woodmere, N.Y., John James Ferris, of Queens, N.Y., Irving A. Esrig, of Ellenville, N.Y., Fred D. Fine, of New York, N.Y., David Demetrio Erroll, of New York, N.Y., Arthur L. Gould, of Bayside, N.Y., David S. Golden, of New York, N.Y., James E. Austin, of New York, N.Y., Morris Abrams, of New York, N.Y., Jeremiah S. Gutman, of New York, N.Y., John J. Enright, of Island Park, N.Y., Benjamin Arnest, of New York, N.Y., Bernard R. Cohen, of New York, N.Y., Charles W. Cipolla, of New York, N.Y., Harold N. Eder, of Fort Lee, N.J., Harvey Glasser, of New York, N.Y., Malcolm R. Goldstein, of New York, N.Y., Mortimer Goodman, of New York, N.Y., Maurice A. Auslander, of New York, N.Y., John J. Grandefeld, of New York, N.Y., Nathaniel Carmen, of New York, N.Y., Edward I. Koch, of New York, N.Y., Martin M. Berger, of New York, N.Y., Robert S. Persky, of New York, N.Y., Benjamin N. Feld, of New York, N.Y., Edwin H. Dembicer, of New York, N.Y., Alvin

Goldstein, of New York, N.Y., Sidney Gottlieb, of New York, N.Y., Edward J. Guardaro, of New York, N.Y., Gerald S. Wolinsky, of New York, N.Y., Maximino Gonzalez, of New York, N.Y., Edward L. Cole, of New York, N.Y., Samuel J. S. Feld, of New York, N.Y., Seymour Cohen, of New York, N.Y., Samuel A. Goldberg, of New York, N.Y., Fritz W. Alexander II, of New York, N.Y., Tolly R. Broady, of New York, N.Y., Frederick M. Douglass, New York, N.Y., Thomas M. Breen, of New York, N.Y., Max Elenkrig, of New York, N.Y., Hyman H. Hammer, of Passaic, N.J., Charles H. Cohen, of New York, N.Y., Joseph Foster, of New York, N.Y., Peter Francis Crispino, of New York, N.Y., Leonard Altschul, of New York, N.Y., Joel David Rickover, of New York, N.Y., Milton I. Starkman, of New York, N.Y., John Tresnowske, of New York, N.Y., Sidney H. Gittelsohn, of New York, N.Y., Leon Traube, of New York, N.Y., Walter Tompesku, of New York, N.Y., Julius Weiss, of New York, N.Y., Sidney Siller, of New York, N.Y., Irwin M. Taylor, of New York, N.Y., Hugo Rothschild, of New York, N.Y., Herbert G. Telsey, of New York, N.Y., Harry Fractenberg, of New York, N.Y., Nicholas Tsoucalas, of New York, N.Y., Lester Nelson, of New York, N.Y., Joseph G. Telchin, of New York, N.Y., Harold Cande, of Brooklyn, N.Y., Jacob G. Zaks, of New York, N.Y., Norman C. Wynroth, of New York, N.Y., Louis Bruce Dassa, of New York, N.Y., Daniel M. Zane, of New York, N.Y., Frederick E. Zane, of New York, N.Y., William Norton Mairs, Jr., of New York, N.Y., Irving Werner, of New York, N.Y., Ernest Walton, of New York, N.Y., Leonard M. Wagman, of West Hyattsville, Md., Jerome P. Schneider, of New York, N.Y., Raphael Yavneh, of New York, N.Y., Mortimer J. Natkins, of New York, N.Y., Morris Teig, of Stamford, Conn., Johnson Sherman Tinsley, of New York, N.Y., John Emery Wagner, of New York, N.Y., Ellias C. Hoppenfeld, of New York, N.Y., Edward J. Rooney, Jr., of Bergenfield, N.J., William Jacobs, of New York, N.Y., Carl Hauptman, of New York, N.Y., Ernest Holzberg, of New York, N.Y., Paul Hartman, of New York, N.Y., Julius G. Hirsch, of New York, N.Y., Philip B. Heller, of Roslyn Heights, N.Y., Lothar E. Nachman, of New York, N.Y., Martin A. Israel, of Lincroft, N.J., Nathan Immerman, of New York, N.Y., Herbert H. Hirschhorn, of Brooklyn, N.Y., Joseph Y. Israel, of New York, N.Y., Benjamin Harmatz, of Brooklyn, N.Y., Joseph J. Heed, of New York, N.Y., Stanley Hochroth, of New York, N.Y., Irving Kornblum, of New York, N.Y., Nathan Leventon, of New York, N.Y., Jack Newton Lerner, of New York, N.Y., Leonard J. Lefkort, of New York, N.Y., Paul Meyrowitz, of New York, N.Y., Louis Monas, of New York, N.Y., Lawrence F. Klepper, of New York, N.Y., Arnold J. Kaplan, of New York, N.Y., Charles Howard Weinberg, of Yonkers, N.Y., Harold Mitherz, of Great Neck, N.Y., Paula I. Moore, of New York, N.Y., Herbert Kramer, of New York,

N.Y., Manouel Manos, of New York, N.Y., Isaac G. McNatt, of New York, N.Y., Eric M. Javits, of New York, N.Y., Bernard Langweiler, of New York, N.Y., Arthur I. Lee, of New York, N.Y., Hyman Lehon, of New York, N.Y., Morris Migden, of New York, N.Y., Lester C. Lockwood, Jr., of New York, N.Y., Herbert M. Neuren, of New York, N.Y., Joseph Nurnberg, of New York, N.Y., Minnie Morris, of New York, N.Y., Joseph A. Jacobson, of New York, N.Y., Paul Newman, of New York, N.Y., Stuart A. McCarthy, of New York, N.Y., Arthur Miller, of New York, N.Y., Murray Lichtenberg, of New York, N.Y., Stanley Lloyd Kaufman, of New York, N.Y., Paul John Mueller, of Sloatsburg, N.Y., Paul James Keeler, of New York, N.Y., Morton E. Kiel, of New York, N.Y., Murray Kurman, of New York, N.Y., Bernard Kessler, of Hyde Park, N.Y., Robert E. Moss, of New York, N.Y., Albert Margolin, of New York, N.Y., John J. Loflin, Jr., of New York, N.Y., Irving Novick, of Yonkers, N.Y., Clarence J. McGowan, of New York, N.Y., Sylvan R. Novick, of New York, N.Y., Fred Newman, of New York, N.Y., Franklyn Levine, of New York, N.Y., Daniel A. Lipsig, of Westbury, N.Y., Harold B. Lawrence, of New York, N.Y., Ellin M. Mulholland, of Jamaica, N.Y., Sol Rabkin, of New York, N.Y., Patrick F. O'Donnell, of New York, N.Y., Howard L. Kuttner, of New York, N.Y., John A. Reilly, of New York, N.Y., Milton A. Silverman, of New York, N.Y., Abraham B. Fuss, of New York, N.Y., Bennett Oppenheimer, of New York, N.Y., David Romanoff, of Hempstead, N.Y., Jerome J. Silver, of East Meadow, Long Island, N.Y., William J. Parks, of New York, N.Y., Nathaniel L. Rock, of New York, N.Y., Armand J. Rosenberg, of New York, N.Y., Martin J. Simon, of New York, N.Y., Michael M. Simon, of New York, N.Y., James S. Phair, of New York, N.Y., Arthur Siegel, of New York, N.Y., David M. Schlossberg, of New York, N.Y., Ann M. Schenck, of New York, N.Y., Moss K. Schenck, of New York, N.Y., Henry Rothblatt, of New York, N.Y., Samuel E. Seigel, of New York, N.Y., George Rozsa, of New York, N.Y., and Seymour Stone, of New York, N.Y., on motion of Mr. Arthur H. Schwartz; Howard F. Walters, of Miami, Fla., Morris M. Silverman, of New York, N.Y., Sol H. Proctor, of Jacksonville, Fla., Allan F. Milledge, of Miami, Fla., and Peter Brookes Harrison, of Chicago, Ill., on motion of Mr. Solicitor General James Lee Rankin; Glyndon Madison Hague, Jr., of Cleburne, Tex., Val Anthony House, Jr., of Scottsville, Ky., and Thomas Edward Gates, of Louisville, Ky., on motion of Mr. Charles J. Zinn; William C. Porth, of Garden City, N.Y., on motion of Mr. Ben A. Matthews; Philip H. Ward III, of Philadelphia, Pa., John C. Dorfman, of Philadelphia, Pa., Thomas N. O'Neill, Jr., of Philadelphia, Pa., and Joseph Warner Swain, Jr., of Philadelphia, Pa., on motion of Mr. C. Brewster Rhoads; Alan Buxton Hobbes, of Jacksonville, Fla., on motion of Mr. Earl W. Kintner; Jack Schnider,

of Santa Monica, Calif., on motion of Mr. Vincent A. Kleinfeld; Peter J. Unger, of New York, N.Y., on motion of Mr. Mortimer E. Greif; George T. Williams, of St. Louis, Mo., on motion of Mr. Leslie Hawes Fisher; Mark D. Buchheit, of West Union, Iowa, on motion of Mr. Guy Lee, Jr., Clive W. Summers, of Dearborn, Mich., on motion of Mr. Earl R. Stanley; Herbert Pothier, of San Francisco, Calif., on motion of Mr. E. K. Gubin; Clayton Russell Baird, of Edinburg, Tex., on motion of Mr. Robert V. Shirley; Myron N. Steinberg, of New York, N.Y., on motion of Mr. Murry I. Cohen; Jackson A. Wright, of Mexico, Mo., on motion of Mr. James Field Biand; Walter Stewart Nussbaum, of Detroit, Mich., Michael L. Stacey, of Detroit, Mich., Leonard Simons, of Detroit, Mich., Morris J. Friedman, of Detroit, Mich., Gabriel Moscow, of Detroit, Mich., Carl M. Siegel, of Detroit, Mich., Mark T. Jacobson, of Detroit, Mich., and Sanford Ward, of Detroit, Mich., on motion of Mr. Harold D. Beaton; and Dracos D. Burke, of New Iberia, La., Harry Goldstein, of Philadelphia, Pa., George Miles Quin, of McComb, Miss., William F. Garcia, of Tampa, Fla., James Henry Glavin III, of Waterford, N.Y., James S. Webb, of Knoxville, Tenn., John V. Knaus, of Chicago, Ill., Leonard Reiss, of New York, N.Y., James D. Goddard, of Chicago, Ill., Montgomery Knight, Jr., of Norfolk, Va., Elwood H. Richardson, Jr., of Hampton, Va., W. Lee Cooper, Jr., of Lexington, S.C., Karl W. Stephens, of Salt Lake City, Utah, James W. Logan, of Sumter, S.C., Robert Hugh Grant, of Medford, Oreg., Edmond Thomas Sexton, of Minneapolis, Minn., Ernest J. Hughie, of Atlanta, Ga., and Robert C. Ripple, of Denver, Colo., on motion of Mr. Reginald Carl Harmon, were admitted to practice.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 265. Seismograph Service Corporation, appellant, *v.* Noel Monaghan, Chairman, State Tax Commission. Appeal from the Supreme Court of Mississippi. The motion to dismiss is granted and the appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 338. Quickie Transport Co., appellant, *v.* United States et al. Appeal from the United States District Court for the District of Minnesota. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*.

No. 8, Misc. Emile Weston, Jr., petitioner, *v.* Maurice Sigler, Warden. On petition for writ of certiorari to the United States

Court of Appeals for the Fifth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment vacated and case remanded to the District Court with instructions to hear on the merits the petitioner's application for a writ of habeas corpus. The stay of execution heretofore entered by the District Court is continued in effect pending such hearing and any appeal taken therefrom. Opinion *per curiam*.

No. 27, Misc. John A. Smith, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed. Opinion *per curiam*.

No. 174, Misc. Rudolf Worbetz, appellant, *v.* George F. Goodman, Warden. Appeal from the Supreme Court of New Jersey. The appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 10, Original. United States of America, plaintiff, *v.* State of Louisiana et al. The motion of the State of Texas for leave to file a supplemental brief is granted. The Chief Justice and Mr. Justice Clark took no part in the consideration or decision of this motion.

No. 15. National Labor Relations Board, petitioner, *v.* Insurance Agents International Union, AFL-CIO. The contentions raised by respondent's memorandum respecting abatement or mootness are overruled. The contingent motion of Insurance Workers International Union, AFL-CIO, for leave to file a brief is denied. Consideration of petitioner's motion to join Insurance Workers International Union, AFL-CIO, and respondent's contingent motion to delete it as a party respondent are postponed to the hearing of the case on the merits. The motion of the Prudential Insurance Company of America for leave to file a brief, as *amicus curiae*, is granted.

No. 202. Frank De Simone, petitioner, *v.* United States of America. In light of the Government's contention that the issues in this case are now moot, the Solicitor General is requested to advise the Court as promptly as possible whether the Government deems (1) the District Court's order of May 29, 1959, which directed petitioner to appear before the grand jury on July 30, 1959, (2) the order to show cause issued by the District Court on May 19, 1959, or (3) the writ of habeas corpus ad testificandum, to be presently outstanding, in that any of the above can possibly hereafter be made the foundation for contempt proceedings against petitioner.

APPEAL—JURISDICTION NOTED

No. 342. Howard L. Nostrand et al., appellants, *v.* Thomas Balmer et al. Appeal from the Supreme Court of Washington. In this case probable jurisdiction is noted.

CERTIORARI GRANTED

No. 319. Walter Schilling, petitioner, *v.* William P. Rogers, Attorney General. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted. Case transferred to the summary calendar and set for argument immediately preceding No. 213.

No. 349. John Clay, petitioner, *v.* Sun Insurance Office Limited. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and case transferred to the summary calendar.

No. 269, Misc. Willard H. Phillips, petitioner, *v.* New York. Motion for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Court of Appeals of New York granted limited to the question of the admissibility of the confession. Case transferred to the appellate docket.

CERTIORARI DENIED

No. 282. Albert N. Shahadi and Josephine Shahadi, his wife, petitioners, *v.* Commissioner of International Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 303. Ernest Willis Rothfelder, petitioner, *v.* Supreme Court of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 315. Tenny Ross, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 318. Sinason Teicher Inter American Grain Corp., petitioner, *v.* Commodity Credit Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 320. Dalton Howard, petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 324. W. George Kennedy, petitioner, *v.* United States; and

No. 325. Baron de Hirsch Meyer et al., petitioners, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 330. Bernardo Balancio, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 331. Superior Manufacturing Corporation, petitioner, *v.* Hessler Manufacturing Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 333. Jerome J. Haskell, petitioner, *v.* Marilyn B. Haskell, etc. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 336. Ahmed Tahir, petitioner, *v.* Lehmann, District Director, Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 343. Stamford Transit Co., petitioner, *v.* International Brotherhood of Teamsters, Local #145. Petition for writ of certiorari to the Supreme Court of Errors of Connecticut denied.

No. 344. Fidelity and Deposit Company of Maryland, petitioner, *v.* Mary Lindsay Studds. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 346. Gladys Leith Holmes, petitioner, *v.* Continental Casualty Co. et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 348. Norman Klotz, petitioner, *v.* Sears, Roebuck & Co. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 13, Misc. Emile Weston, Jr., petitioner, *v.* Victor Walker, Warden. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 234, Misc. David Cooper Nelson, petitioner, *v.* New Mexico. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 270, Misc. Raymond Faith, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 280, Misc. Ralph Darling, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 316, Misc. Robert Dwight Fenton, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

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

The day call for Monday, November 9, will be as follows: Nos. 2, 35, and 20.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

No. —. United Steelworkers of America, petitioner, *v.* United States. The application of the Solicitor General to vacate stay of injunction unless petition for a writ of certiorari is filed by noon, October 29, 1959, is denied.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

No. 504. United Steelworkers of America, petitioner, *v.* United States et al. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. The petition for writ of certiorari is granted and the case is assigned for oral argument on Tuesday, November 3, 1959, at 11:00 A.M. All briefs must be on file by noon, Monday, November 2, 1959. The injunction issued by the United States District Court for the Western District of Pennsylvania on October 21, 1959, as modified by the United States Court of Appeals for the Third Circuit on October 22, 1959, is stayed pending the issuance of the judgment of this Court.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ORAL ARGUMENT

No. 504. United Steelworkers of America, petitioner, v. United States et al. No time limit set for oral argument. Argued by Mr. Arthur J. Goldberg for the petitioner and by Mr. Solicitor General Rankin for the respondent United States.

Adjourned until further order of the Court.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

OPINION PER CURIAM

No. 504. United Steelworkers of America, petitioner, v. United States et al. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed. Opinion *per curiam*. Mr. Justice Frankfurter and Mr. Justice Harlan join the Court's opinion and note their intention to file in due course an amplification of their views upon the issues involved. Dissenting opinion by Mr. Justice Douglas.

The judgment shall issue forthwith.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Harry A Cooper, of Chicago, Ill., Sheldon S. Mells, of Chicago, Ill., Meyer Z. Grant, of Chicago, Ill., George Vinik, of Chicago, Ill., Maurice Greiman, of Chicago, Ill., Frank E. Shudnow, of Chicago, Ill., Edward Puklin, of Elgin, Ill., Goldie Green Alperin, of Chicago, Ill., Hyman Abrams, of Chicago, Ill., David Linn, of Chicago, Ill., Erwin Cohn, of Chicago, Ill., Jack B. Rubin, of Chicago, Ill., Bert Edward Sommers, of Chicago, Ill., Thelma Brook Simon, of Wilmette, Ill., Irving George Steinberg, of Chicago, Ill., Bernard Edward Epton, of Chicago, Ill., Meyer C. Balin, of Chicago, Ill., Joseph Rosenstein, of Chicago, Ill., Marvin M. Victor, of Chicago, Ill., Daniel Cahen, of Chicago, Ill., Marvin Pechter, of Chicago, Ill., Oscar A. Schechter, of Chicago, Ill., Ben Silberman, of Chicago, Ill., S. Jay Baim, of Chicago, Ill., Robert Fred Lisco, of Chicago, Ill., Louis T. Herzon, of Chicago, Ill., Rita Ivy Epstein, of Chicago, Ill., Maurice Albin, of Chicago, Ill., Abraham Kosdon, of Chicago, Ill., Basil N. Pyshos, of Chicago, Ill., Harry D. Plotnick, of Chicago, Ill., Roy Sheldon Diamond, of Chicago, Ill., Merwin R. Burman, of Chicago, Ill., Nathan Hoffberg, of Chicago, Ill., David Saul Cohen, of Chicago, Ill., Samuel Allen, of Chicago, Ill., Samuel H. Block, of Chicago, Ill., Harry Zaidenberg, of Chicago, Ill., Howard B. Hoffman, of Chicago, Ill., Moe M. Forman, of Chicago, Ill., Jack Edward Dwork, of Chicago, Ill., Philip Allan Hacker, of Chicago, Ill., Morris D. Greenburg, of Chicago, Ill., Ben Copple, of Chicago, Ill., Bernard H. Raskin, of Chicago, Ill., Sidney Salem Schiller, of Chicago, Ill., Lawrence Edward Glick, of Chicago, Ill., Lloyd L. Ruskin, of Miami Beach, Fla., Nathan Einhorn, of Chicago, Ill., Stanley Stoller, of Chicago, Ill., George Brode, of Chicago, Ill., Harry R. Becker, of Chicago, Ill., Maurice H. Ruttenberg, of Chicago, Ill., Stanford R. E. Levitt, of Chicago, Ill., Theresa Carolina Ehrlich, of Chicago, Ill., Marcus Wexman, of Chicago, Ill., Harry J. Rosenzweig, of Chicago, Ill., Irving Daniel Bloom, of Chicago, Ill., Nathan N. Powell, of Chicago, Ill., Sydney R. Marovitz, of Chicago, Ill., Henry J. Nord, of Chicago, Ill., Milton K. Joseph, of Chicago, Ill., Leon A. Kovin, of Chicago, Ill., Louis Baskin, of Chicago, Ill., Isadore Baskin, of

Chicago, Ill., Michael M. Kenyon, of Chicago, Ill., Harold Louis Miller, of Chicago, Ill., Morris Solomon, of Chicago, Ill., Joseph C. Cowen, of Chicago, Ill., Harold Leonard Ward, of Chicago, Ill., J. Lester Fink, of Chicago, Ill., Maxwell R. Herman, of Chicago, Ill., Louis N. Epstein, of Chicago, Ill., Barry A. Pitler, of Chicago, Ill., Leonard Lowell Ruffer, of Chicago, Ill., Sheldon Deutsch, of Chicago, Ill., David R. Mandell, of Berwyn, Ill., Hyman A. Pierce, of Chicago, Ill., Mark Robin Lidschin, of Waukegan, Ill., Max Lidschin, of Waukegan, Ill., Morris C. Shaps, of Chicago, Ill., Max R. Naiman, of Chicago, Ill., Harold Rosen, of Miami Beach, Fla., Eugene G. Garcia, of Downey, Calif., Michael Fried Zlatnik, of Chicago, Ill., David White, of Chicago, Ill., Jerome S. Levin, of Chicago, Ill., Edward I. Rosen, of Chicago, Ill., David Laurence Gomberg, of Chicago, Ill., Leo R. Toomajian, of Troy, N.Y., Dan G. Farano, of Troy, N.Y., Maurice L. Aberman, of Chicago, Ill., J. Henry Wolf, of Chicago, Ill., Leonard E. Handmacher, of Chicago, Ill., Seymour Lacob, of Chicago, Ill., Harry M. Beegun, of Chicago, Ill., Bernard M. Mamet, of Chicago, Ill., Lester Harold Koenigsberg, of Chicago, Ill., Marvin Lee Koenigsberg, of Chicago, Ill., Louis Posternack, of Chicago, Ill., Herbert H. Lissner, of Chicago, Ill., Thelma Schultz Jacobs, of Skokie, Ill., Mary Gerber, of Chicago, Ill., Emil Jacobs, of Skokie, Ill., Alfred S. Druth, of Chicago, Ill., Gerson Bertram Field, of Chicago, Ill., Benjamin I. Morris, of Chicago, Ill., Marshall Raoul Rothman, of Chicago, Ill., Samuel D. Rothman, of Chicago, Ill., Thomas J. Finnegan, of Chicago, Ill., Henry Tiersky, of Chicago, Ill., David S. Pochis, of Chicago, Ill., David Reiff, of Chicago, Ill., Samuel H. Levinson, of Skokie, Ill., Mitchell Bernick, of Chicago, Ill., Sol Mandel, of Chicago, Ill., Max Raphael, of Chicago, Ill., Harold N. Solomon, of Chicago, Ill., M. Howard Greene, of Chicago, Ill., Julius S. Cordell, of Chicago, Ill., Irwin Field, of Chicago, Ill., Morris William Ellis, of Chicago, Ill., Arthur Aaron Ellis, of Chicago, Ill., Ira E. Rubin, of Chicago, Ill., Manuel J. Robbins, of Chicago, Ill., Henry Xerxes Dietch, of Park Forest, Ill., Abraham A. Diamond, of Wilmette, Ill., Sam Elliott Pfeffer, of Chicago, Ill., Norman M. Chase, of Chicago, Ill., Bernard N. Klein, of Chicago, Ill., Sol Futterman, of Chicago, Ill., Favil David Berns, of Chicago, Ill., Abraham Shanes, of Chicago, Ill., Herman Bendorf Goldstein, of Chicago, Ill., Ben E. Schwartz, of Chicago, Ill., Leonard H. Lauter, of Chicago, Ill., Julius J. Schwartz, of Chicago, Ill., Reuben Jay Liffshin, of Chicago, Ill., Robert Jay Nye, of Chicago, Ill., Oscar M. Nudelman, of Chicago, Ill., Irwin Kipnis, of Chicago, Ill., Paul I. Baikoff, of Chicago, Ill., Sema B. Belgrade, of Chicago, Ill., Norman Lettvin, of Chicago, Ill., Edward K. Stackler, of Chicago, Ill., Bernard Beller, of Chicago, Ill., Howard W. Minn, of Chicago,

Ill., Albert Hirsch, of Chicago, Ill., Alvin E. Rosenbloom, of Chicago, Ill., Adolph A. Brown, of Chicago, Ill., Herman S. Werner, of Chicago, Ill., David H. Finkle, of Chicago, Ill., Phillip Charles Goldstick, of Skokie, Ill., James G. Andros, of Chicago, Ill., Theodore G. Gaines, of Chicago, Ill., Morris David Benjamin, of Chicago, Ill., Paul Levenfeld, of Chicago, Ill., S. Edward Bloom, of Chicago, Ill., Charles A. Resnick, of Chicago, Ill., Herbert A. Ellis, of Chicago, Ill., Samuel Shkolnik, of Chicago, Ill., Harold Irving Chayes, of Chicago, Ill., Louis Z. Grant, of Chicago, Ill., Alan I. Boyer, of Chicago, Ill., Maurice M. Wasserman, of Chicago, Ill., Seymour J. Layfer, of Chicago, Ill., Warren P. Landsman, of Chicago, Ill., S. Edward Moffic, of Chicago, Ill., Theodore D. Chernof, of Chicago, Ill., Robert H. Sigel, of Chicago, Ill., Michael Levin, of Chicago, Ill., Max E. Beegun, of Chicago, Ill., Max M. Forman, of Chicago, Ill., William Elden, of Chicago, Ill., William W. Sher, of Chicago, Ill., Joseph Masover, of Chicago, Ill., Albert Siegel, of Chicago, Ill., Irving Eisenberg, of Chicago, Ill., Maurice L. Lewis, of Chicago, Ill., Harry R. Adler, of Chicago, Ill., Samuel H. Rosenthal, of Chicago, Ill., Myron T. Gomberg, of Chicago, Ill., Martin C. Ashman, of Chicago, Ill., Jerome Norman Robbins, of Chicago, Ill., Allen David Schwartz, of Chicago, Ill., Morton Berns, of Chicago, Ill., Edgar Blumenfeld, of Chicago, Ill., Louis Abraham Sherman, of Chicago, Ill., Lewis Walker Schlifkin, of Chicago, Ill., Sidney Jerome Goldstein, of Chicago, Ill., Jerome Bernard Rosenthal, of Beverly Hills, Calif., Howard David Galper, of Chicago, Ill., Bernard Robert Spak, of Chicago, Ill., and Louis A. Smith, of Chicago, Ill., on motion of Mr. Solicitor General James Lee Rankin; Harold Eugene Kelley, of Ashland, Ky., on motion of Mr. John Douglass Hunt; Andy G. Engebretsen, of Seattle, Wash., on motion of Mr. Ralph H. Lockwood; Veto J. Rich, of Pittsburgh, Pa., on motion of Mr. Vincent M. Casey; Robert Christiansen, of Brightwaters, N.Y., on motion of Mr. Arthur Murry Preston; Robert Jay Burton, of New York, N.Y., and Julian T. Abeles, of New York, N.Y., on motion of Mr. Fulton M. Brylawski; Arthur J. McCormick, of Cleveland, Ohio, on motion of Mr. Fred W. Albertson; Anne E. Meyer, of New York, N.Y., on motion of Mr. Emanuel Targun; Herman Adolphus English, of Los Angeles, Calif., on motion of Mr. Carl A. Earles; Vito Romano, of Syracuse, N.Y., on motion of Mr. William H. Clarke; and Stephen R. Magyar, of Orlando, Fla., on motion of Mr. Alexander Akerman, Jr., were admitted to practice.

OPINION

No. 10. United States of America, petitioner, *v.* Seaboard Air Line Railroad Company. On writ of certiorari to the United States Court

of Appeals for the Fourth Circuit. Judgment reversed and case remanded to the United States District Court for the Eastern District of Virginia. Opinion by Mr. Justice Douglas.

The Chief Justice said :

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

OPINIONS PER CURIAM

No. 337. St. Johns Motor Express Co., et al., appellants, *v.* United States et al. Appeal from the United States District Court for the District of Oregon. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*.

No. 363. Tahiti Bar, Inc., appellant, *v.* Pennsylvania Liquor Control Board et al. Appeal from the Supreme Court of Pennsylvania, Eastern District. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 375. Safeway Trails, Inc., appellant, *v.* United States of America et al. Appeal from the United States District Court for the District of Columbia. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*.

No. 379. Lehigh Casino, Inc., appellant, *v.* Pennsylvania Liquor Control Board et al. Appeal from the Supreme Court of Pennsylvania, Eastern District. The motion to dismiss is granted and the appeal dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 265, Misc. Peter Glover, appellant, *v.* Michigan. Appeal from the Supreme Court of Michigan. The appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 42. Local No. 8-6, Oil, Chemical and Atomic Workers International Union, AFL-CIO, et al., appellants, *v.* Missouri. The motion of the Chamber of Commerce of Metropolitan St. Louis for leave to file brief, as *amicus curiae*, is granted. The motion of Missouri State Chamber of Commerce et al. for leave to file brief, as *amici curiae*, is granted.

No. 61. Federal Trade Commission, petitioner, *v.* Henry Broch and Company. The motion of the National Association of Retail Grocers of the United States for leave to file brief, as *amicus curiae*, is granted.

No. 352. Magnolia Petroleum Company, petitioner, *v.* Federal Power Commission. The motion to substitute Socony Mobil Oil Company, Inc., as the petitioner in place of Magnolia Petroleum Company is granted.

No. 466. Larry Dayton Hudson, petitioner, *v.* North Carolina. The motion for appointment of counsel is granted and it is ordered that William Joslin, Esquire, of Raleigh, North Carolina, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for petitioner in this case.

APPEAL—JURISDICTION NOTED

No. 350. United States, appellant, *v.* Manufacturers National Bank of Detroit, etc. Appeal from the United States District Court for the Eastern District of Michigan. In this case probable jurisdiction is noted.

CERTIORARI GRANTED

No. 321. Sun Oil Company, petitioner, *v.* Federal Power Commission. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 389. Federal Trade Commission, petitioner, *v.* Anheuser-Busch, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 335. Sunray Mid-Continent Oil Co., petitioner, *v.* Federal Power Commission. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted. Case transferred to the summary calendar and set for argument immediately following No. 321.

No. 339. New Hampshire Fire Insurance Co., petitioner, *v.* Scanlon, District Director of Internal Revenue, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted and case transferred to the summary calendar.

No. 359. Commissioner of Internal Revenue, petitioner, *v.* Gillette Motor Transport, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and case transferred to the summary calendar.

No. 360. United Steelworkers of America, petitioner, *v.* American Manufacturing Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted. Mr. Justice Black took no part in the consideration or decision of this application.

CERTIORARI DENIED

No. 317. International Association of Machinists, Local Lodge No. 311, AFL-CIO, et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 329. Edward Novak, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 341. Transamerican Freight Lines, Inc., petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Middle District, denied.

No. 347. E. R. Borgmeier, petitioner, *v.* Helen N. Fleming et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 353. Joseph Bedami, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 354. Walter Allen et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Courts of Claims denied.

No. 355. Pan Atlantic Steamship Corporation, petitioner, *v.* O/Y Finlayson-Forssa A/B et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 356. Joseph H. Spaulding, etc., petitioner, *v.* Guardian Light Co., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 357. Gordon Larsen, petitioner, *v.* State of Idaho. Petition for writ of certiorari to the Supreme Court of Idaho denied.

No. 358. Reederei Blumenfeld, G.M.B.H., petitioner, *v.* Ruth Holley, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 361. Stoffel Seals Corporation, petitioner, *v.* E. I. Brooks Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 362. Wybrant System Products Corporation et al., petitioners, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 364. Local Lodge 2040, International Association of Machinists, AFL-CIO, et al., petitioners, *v.* Servel, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 365. Eugene D. Guthrie, petitioner, *v.* Sinclair Refining Co. Petition for writ of certiorari to the Court of Civil Appeals of Texas, First Supreme Judicial District, denied.

No. 366. Carter Products, Inc., petitioner, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 367. Elizabeth Hospital, Inc., petitioner, *v.* Fount Richardson et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 369. Bernard Glagovsky, petitioner, *v.* Bowcraft Trimming Co. et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 370. Albert E. Quinton et al., petitioners, *v.* Frank J. Rooney. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 371. Mansfield Hardwood Lumber Co., petitioner, *v.* Hattie A. Johnson et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 372. View Crest Garden Apartments, Inc., et al., petitioners, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 373. Lloyd U. Noland, Jr., et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 377. Royster Drive-In Theatres, Inc., petitioner, *v.* American Broadcasting-Paramount Theatres, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 378. National Airlines, Inc., petitioner, *v.* Beryl Whiteman Stiles; and

No. 437. Beryl Whiteman Stiles, petitioner, *v.* National Airlines, Inc. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 380. American Sign and Indicator Corporation, petitioner, *v.* Edward J. Schulenburg et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 381. Cone Mills Corporation, petitioner, *v.* Textile Workers Union of America. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 385. Union Pacific Railroad Co. et al., petitioners, *v.* Structural Steel and Forge Co. et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 387. American Trading and Production Corporation, petitioner, *v.* Railroad Commission of Texas et al. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Third Supreme Judicial District, denied.

No. 388. Appalachian Power Company et al., petitioners, *v.* American Institute of Certified Public Accountants et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 390. Edwin T. White, petitioner, *v.* Seattle Local Union No. 81, et al. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 392. Illinois Central Railroad Company, petitioner, *v.* C. A. Cain. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 394. Chrysler Corporation, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 351. John Morris, petitioner, *v.* United States. Motion for leave to proceed on typewritten petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 386. Cora Galenti Giroux Smith, petitioner, *v.* California. Motion for relief from default re timeliness denied. Petition for writ of certiorari to the Appellate Department of Superior Court of California, County of Los Angeles, denied.

No. 118, Misc. Ed Touchstone, petitioner, *v.* DeWitt Sinclair, Superintendent of Florida State Prison. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 137, Misc. Ray Fox, petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 146, Misc. Wilson Wooten, petitioner, *v.* Lynn Bomar, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 212, Misc. Henry Floyd Brown, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 232, Misc. Willie H. Reid, petitioner, *v.* Herman J. Ruthazer, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 233, Misc. Louis C. Smith, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 251, **Misc.** Milo Turner, petitioner, *v.* Irving Bass, Trustee in Bankruptcy of Milo M. Turner, Bankrupt. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 254, **Misc.** William M. Holley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 262, **Misc.** Everett Rheim, petitioner, *v.* Robert H. Murphy, Warden. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 266, **Misc.** James Robertson, petitioner, *v.* David N. Myers, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 268, **Misc.** Algernon Sims, petitioner, *v.* Texas and New Orleans Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 274, **Misc.** Max N. Cecil and Odom S. O'Shields, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 281, **Misc.** Thomas G. Daniel, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 283, **Misc.** Pennsylvania ex rel. Jerome Sharp, petitioner, *v.* A. C. Cavell, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 293, **Misc.** Jesse James Cantrell, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 296, **Misc.** Chester R. Morris, petitioner, *v.* Arno Nowotny et al. Petition for writ of certiorari to the Court of Appeals of Texas, Third Supreme Judicial District, and Supreme Court of Texas denied.

No. 297, **Misc.** Earl Hess, petitioner, *v.* D. E. Adams, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 305, **Misc.** Elijah Scott, petitioner, *v.* California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 306, **Misc.** Wayne Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 314, Misc. Maurice B. Dabney, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 315, Misc. Albert Kunitis, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 326, Misc. Jesse Everett Eddy, petitioner, *v.* W. Frank Smyth, Jr., Superintendent of Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 337, Misc. Nathan Thomas, petitioner, *v.* W. Frank Smyth, Jr., Superintendent of Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 338, Misc. Franz C. Taylor, petitioner, *v.* John H. Klinger, Superintendent, California Mens Colony. Petition for writ of certiorari to the Supreme Court of California denied.

No. 343, Misc. United States ex rel. Frank Egitto, petitioner, *v.* J. E. LaValle, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 354, Misc. George Wilson, Jr., petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 356, Misc. Clarence Lothridge, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 357, Misc. Ernest Allen, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 394, Misc. Louis Ludwik Furtak, petitioner, *v.* Oregon. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 116, Misc. Jesse E. Sturdevant, petitioner, *v.* Dr. R. O. Settle, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit and other relief denied.

No. 120, Misc. John E. Burke, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied without prejudice to an application for a writ of habeas corpus in the appropriate United States District Court.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 371, Misc. Howard Davis Brown, Jr., petitioner, *v.* Dr. Harold M. Boslow, Director, Patuxent Institution. Motion for leave to file petition for writ of habeas corpus denied.

No. 134, Misc. Richard Shaw, petitioner, *v.* New Jersey;

No. 328, Misc. Arthur Leroy Horton, petitioner, *v.* Joseph R. Blalock, M.D.; and

No. 348, Misc. George C. Riley, petitioner, *v.* New Jersey. Motions for leave to file petitions for writs of habeas corpus denied. Treating the papers submitted as petitions for writs of certiorari, certiorari is denied.

LEAVE TO FILE PETITIONS FOR WRITS OF CERTIORARI DENIED

No. 346, Misc. Kenneth William Long, petitioner, *v.* Iowa; and No. 379, Misc. In the Matter of William K. Coon, petitioner. Motions for leave to file petitions for writs of certiorari denied.

REHEARING DENIED

No. 190. Merlin M. Armstrong et al., petitioners, *v.* The United States. Petition for rehearing denied.

ORAL ARGUMENT

No. 2. Rudolf Ivanovich Abel, also known as Mark and also known as Martin Collins and Emil R. Goldfus, petitioner, *v.* United States of America. Each side allowed one and one-half hours for oral argument. Reargued by Mr. James B. Donovan for the petitioner and by Mr. Solicitor General Rankin for the respondent.

No. 35. Nicholas A. Stirone, petitioner, *v.* United States. Argument commenced by Mr. Michael von Moschzisker, for the petitioner and continued by Mr. Wayne G. Barnett for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, November 10, will be as follows: Nos. 35, 20, 29, 31, and 492, October Term, 1957.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Denton G. Burdick, Jr., of Portland, Oreg., on motion of Mr. Wayne Lyman Morse; Dean Alexander Murville, of Washington, D.C., on motion of Mr. Earl W. Kintner; Lewis B. Palmer, of Harvard, Ill., on motion of Mr. William Pitt Shattuck; Philip J. Philbin, of Clinton, Mass., on motion of Mr. Carl H. Imlay; Thaddeus David Kauffelt, of Charleston, W. Va., and Robert L. Stewart, of Princeton, W. Va., on motion of Mr. Fred M. Vinson, Jr.; John L. Veach, Jr., of Houston, Tex., on motion of Mr. George E. Flather, Jr.; Charles W. Yungblut, of Arlington, Va., on motion of Mr. Guilford Stanley Jameson; Edward A. Dragon, of Washington, D.C., on motion of Mr. Rodolphe J. A. de Seife; Donald Guy Montfort, of Cincinnati, Ohio, on motion of Mr. Charles C. Collins; Chester Dexter Roberts, Jr., of Washington, D.C., on motion of Mr. Dee W. Pincock; Jerry Page Clousson, of Clarksburg, W. Va., on motion of Mr. William L. Otten, Jr.; Ernest G. Nassar, of Pittsburgh, Pa., S. Harold Grossman, of Pittsburgh, Pa., J. Alfred Wilner, of Pittsburgh, Pa., and Elliot Bredhoff, of Washington, D.C., on motion of Mr. Arthur J. Goldberg; Gilbert E. Cox, of Honolulu, Hawaii, on motion of Mr. C. Frank Reifsnnyder; Thomas R. Davis, of Bakersfield, Calif., and Vincent Peter Di Giorgia, of Bakersfield, Calif., on motion of Mr. John W. Willis; Roger B. Champagne, of Taunton, Mass., on motion of Mr. Russell Chapin; Richard Gray Avent, of Austin, Tex., on motion of Mr. Solis Horwitz; James V. Barbuto, of Akron, Ohio, James Oliver Cross, of Akron, Ohio, and Lewis James Harkins, of Akron, Ohio, on motion of Mr. Garnet L. Patterson; Henry Shur, of Washington, D.C., on motion of Mr. Joseph T. McDonnell; Luke Edward White, of Miami, Fla., on motion of Mr. Charles B. Murray; and Oscar Spitz, of Corpus Christi, Tex., on motion of Mr. Russell Morton Brown, were admitted to practice.

ORAL ARGUMENT

No. 35. Nicholas A. Stirone, petitioner, *v.* United States. Argument continued by Mr. Wayne G. Barnett for the respondent and concluded by Mr. Michael von Moschizsker for the petitioner.

No. 20. United States, appellant, *v.* Parke, Davis and Company. Argued by Mr. Daniel M. Friedman for the appellant and by Mr. Gerhard A. Gesell for the appellee.

No. 29. Mackey, Commissioner of Immigration and Naturalization Service, et al., appellants, *v.* Francisco Mendoza-Martinez. Argued by Mr. Oscar H. Davis for the appellants and by Mr. Thomas R. Davis for the respondent.

No. 31. United States, appellant, *v.* Bernard Mersky et al. Argued by Mr. Eugene L. Grimm for the appellant and by Mr. Julius L. Schapira for the appellees.

Adjourned until Thursday, November 12, 1959.

Call for Thursday, November 12, will be as follows: Nos. 492, October Term, 1957, 3, 11, 36, and 32.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Arnold J. Cotton, of North Bellmore, N.Y., Edwin F. Fuller, of Springfield, Ill., Patrick H. Donahue, of Pittsburgh, Pa., William John Freiburger, of Westfield, N.J., and Francis X. McManama, of Boston, Mass., on motion of Mr. Eugene J. Kaplan; Mark I. Cohen, of Pittsburgh, Pa., on motion of Mr. Philip Elman; Herbert W. Sterenfeld, of New York, N.Y., Harvey Goldstein, of New York, N.Y., and S. Eldridge Sampliner, of Cleveland, Ohio, on motion of Mr. Earl Hubert Davis; Charles Chorna, of Los Angeles, Calif., on motion of Mr. Seymour S. Guthman; Robert W. Craft, of Washington, D.C., and Richard E. Painter, of Hyattsville, Md., on motion of Mr. Arthur E. Neuman; Avram G. Adler, of Philadelphia, Pa., on motion of Mr. Abraham E. Freedman; Hogen J. Kallemeyn, of San Francisco, Calif., and Harold O. Lovre, of Washington, D.C., on motion of Mr. Daniel J. Andersen; Paul Foote Kringel, of Atlantic, Iowa, on motion of Mr. Manford E. Nelson; William T. O'Farrell, of Charleston, W. Va., David D. Johnson, of Charleston, W. Va., and William J. Carter, of South Charleston, W. Va., on motion of Mr. Homer A. Holt; Melvin J. Tublin, of New York, N.Y., on motion of Mr. Penrose Lucas Albright; Sidney H. Kelsey, of Norfolk, Va., on motion of Mr. William B. Wright; D. Robert Cervera, of Washington, D.C., on motion of Mr. James A. Davis; Michael Ralph Caprio, Jr., of Norfolk, Va., Samuel A. Marsella, of South Barre, Mass., and Stanford Beryl Adler, of Norfolk, Va., on motion of Mr. Fred W. Shields; David J. Bardin, of New York, N.Y., on motion of Mr. Harry Rosenfield; and John J. Wondolowski, of Worcester, Mass., on motion of Mr. Peter S. Wondolowski, were admitted to practice.

ORAL ARGUMENT

No. 492. **October Term, 1957.** Walter W. Flora, petitioner, *v.* United States of America. Reargued by Mr. Randolph W. Thrower for the petitioner and by Mr. Charles K. Rice for the respondent.

No. 3. Ellen Goett, as Administratrix of the Estate of Marvin Paul Goett, Deceased, petitioner, *v.* Union Carbide Corporation and Am-

herst Barge Company. Argued by Mr. Harvey Goldstein for the petitioner and by Mr. Charles M. Love for the respondent.

No. 11. Edgar Allen West, petitioner, *v.* United States of America, United States Department of Commerce, Maritime Administration, et al. Argued by Mr. Abraham E. Freedman for the petitioner and by Mr. Leavenworth Colby for the respondents.

No. 36. Carl C. Inman, petitioner, *v.* Baltimore & Ohio Railroad Co. Argued by Mr. Raymond J. McGowan for the petitioner and by Mr. William A. Kelly for the respondent.

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

The day call for Monday, November 16, will be as follows: Nos. 32, 39, 12, 27, and 28.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

John Knight Holbrook, of New York, N.Y., Edward N. Schwartz, of Newark, N.J., Ernest Richard Fraley, of San Francisco, Calif., and Thomas M. Sullivan, of Kansas City, Mo., on motion of Mr. Solicitor General James Lee Rankin; Clark J. Guild, Jr., of Reno, Nev., on motion of Mr. Alan Bible; David J. Condon, of Green Bay, Wis., Frederick J. Quinlan, of Boston, Mass., William I. Sloane, of Salem, Mass., Joseph F. Madden, of Dedham, Mass., Paul C. Gay, of Hyde Park, Mass., and Leigh Freeman Clark, of Boston, Mass., on motion of Mr. Charles Edwin Black; Norman Miller, of Miami, Fla., on motion of Mr. James R. Golden; John M. Ulman, of Akron, Ohio, on motion of Mr. David Walker Richmond; Cletus B. Hanley, of Charleston, W. Va., on motion of Mr. Charles M. Harrison; John G. Dorsey, of Minneapolis, Minn., Harold J. Soderberg, of Minneapolis, Minn., and Parnell J. Donohue, of Pierre, S. Dak., on motion of Mr. Max Swiren; Herbert Kelso Clarkson, of Houston, Tex., on motion of Mr. Winchester Kelso, Jr.; Simpson M. Woolf, of San Antonio, Tex., and Joel Kenneth Carter, Jr., of Danville, Va., on motion of Mr. John F. Hannigan; Thomas M. Blume, of Amarillo, Tex., on motion of Mr. Carson M. Glass; Charles M. Collins, of Memphis, Tenn., on motion of Mr. George Cabell Busick; Armour Thomas Beckstrand, of Houston, Tex., on motion of Mr. John D. Lane; Frank Edward Magee, of Portland, Oreg., and Alexander Holtzman, of New York, N.Y., on motion of Mr. Sheldon E. Bernstein; Martin Patrick Gallagher, of Ontario, Oreg., on motion of Mr. Edward B. Williams; Barry H. Garfinkel, of New York, N.Y., on motion of Mr. William H. Timbers; Frank S. Tavenner, Jr., of Woodstock, Va., on motion of Mr. William Hitz; and Samuel Theodore Cohen, of Chicago, Ill., on motion of Mr. S. G. Lippman, were admitted to practice.

OPINION

No. 13. Commissioner of Internal Revenue, petitioner, *v.* Fred N. Acker. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment affirmed. Opinion by Mr. Justice Whittaker. Dissenting opinion by Mr. Justice Frankfurter with whom Mr. Justice Clark and Mr. Justice Harlan join.

The Chief Justice said:

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

OPINION PER CURIAM

No. 406. Tri-City Broadcasting Co., appellant, *v.* Bowers, Tax Commissioner of Ohio. Appeal from the Supreme Court of Ohio. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 42. Local No. 8-6, Oil, Chemical and Atomic Workers International Union, AFL-CIO, et al., appellants, *v.* Missouri. The motion of Kansas City Power & Light Company for leave to file brief, as *amicus curiae*, is granted.

No. 66. Power Authority of the State of New York, petitioner, *v.* Tuscarora Indian Nation. The motion to advance is granted and this case, together with the companion case No. 63, is set for argument on Monday, December 7, 1959.

No. 448, Misc. Caryl Chessman, petitioner, *v.* California et al. The motion of the petitioner to certify designated portions of the record is granted limited to the certification by the Clerk of the Supreme Court of California of the original record now on file in that Court. The Chief Justice took no part in the consideration or decision of this motion.

CERTIORARI GRANTED

No. 398. United States of America, petitioner, *v.* State of Alabama et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 403. Marine Cooks & Stewards, AFL, etc., et al., petitioners, *v.* Panama Steamship Company, Ltd., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 418. Communications Workers of America, AFL-CIO, et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted and case transferred to the summary calendar.

CERTIORARI DENIED

No. 395. P. T. Huffman et al., petitioners, *v.* James M. Willard. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 399. C. D. Morrison et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 400. Vera Huke, Administratrix, petitioner, *v.* The Ancilla Domini Sisters. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 401. California, petitioner, *v.* Edgar William Dickenson. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of San Diego, denied.

No. 402. Naomi Brooks et al., petitioners, *v.* The School District of the City of Moberly, Missouri, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 404. Kemart Corporation, petitioner, *v.* Printing Arts Research Laboratories, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 405. Pan American Petroleum Corporation, petitioner, *v.* Federal Power Commission. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 407. The First National City Bank of New York, petitioner, *v.* Southwestern Shipping Corporation. Petition for writ of certiorari to the Supreme Court of New York, New York County, denied.

No. 408. General Houses, Inc., petitioner, *v.* Reconstruction Finance Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 410. National Aircraft Maintenance Corporation, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 411. Baldwin-Lima-Hamilton Corporation et al., petitioners, *v.* Tatnall Measuring Systems Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 412. Elmo M. Badon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 413. Morgan Drive Away, Inc., petitioner, *v.* International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 414. Charles A. Collins, petitioner, *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 417. Refinery Employees' Union of the Lake Charles Area, petitioner, *v.* Continental Oil Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 420. Leatherhide Industries, Inc., petitioner, *v.* Sidney Lieberman. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 421. Michael Vincent Geagan et al., petitioners, *v.* Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 422. Gilligan, Will & Co., et al., petitioners, *v.* Securities and Exchange Commission. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 383. John Cunningham, petitioner, *v.* John F. English et al. The motion to correct or amend title to designate or confirm the Board of Monitors as a party respondent is denied. Leave to file brief of the Board of Monitors in opposition to the petition for certiorari is granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 415. John F. English et al., petitioners, *v.* John Cunningham, etc., et al. The motion to correct or amend the caption to designate or confirm the Board of Monitors as a party respondent is denied. Leave to file brief of the Board of Monitors in opposition to the petition for certiorari is granted. The application for a stay of the judgment and the motion of Anthony J. Distinti, Individually and as President of Local 277, I.B.T., et al., for leave to file brief, as *amici curiae*, are denied. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 9, Misc. Michael Popovich, petitioner, *v.* Clerk of Quarter Sessions Court, etc., et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 122, Misc. Vernon Hill, petitioner, *v.* Texas et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 178, Misc. Harold A. Creagan, petitioner, *v.* Douglas C. Rigg, Warden. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 272, Misc. Daniel Bolish, petitioner, *v.* William J. Banmiller, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 335, Misc. John Ray, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the District Court of Appeal of California, Third Appellate District, denied.

No. 336, *Misc.* Bruce Alter McCollin, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California denied.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 303, *Misc.* James N. Lewis, petitioner, *v.* Florida;

No. 377, *Misc.* George J. Hurley, petitioner, *v.* United States et al.; and

No. 381, *Misc.* Willie C. Sands, petitioner, *v.* Warden of Attica Prison et al. Motions for leave to file petitions for writs of habeas corpus denied.

No. 368, *Misc.* Vernon Hancock, petitioner, *v.* Pennsylvania; and

No. 398, *Misc.* Frank Sumpter, petitioner, *v.* R. W. Alvis, Warden. Motions for leave to file petitions for writs of habeas corpus denied. Treating the papers submitted as petitions for writs of certiorari, certiorari is denied.

LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 399, *Misc.* Ursley Flowers, petitioner, *v.* Michael L. Igoe, Judge, United States District Court. Motion for leave to file petition for writ of mandamus denied.

REHEARINGS DENIED

No. 118. Paul Ginsburg, petitioner, *v.* Horace Stern et al., etc.;

No. 173. Aubrey Lee Little, petitioner, *v.* Missouri Pacific Railroad Company;

No. 187. Joel A. Maloy and Ruth Maloy, his wife, petitioners, *v.* First Federal Savings and Loan Association of West Palm Beach, etc.;

No. 262. Cristobal Gonzales Padilla, petitioner, *v.* United States of America;

No. 127, *Misc.* Houston Collins, petitioner, *v.* Illinois et al.; and

No. 227, *Misc.* Dave Millwood, petitioner, *v.* Robert A. Heinze, Warden, et al. Petitions for rehearing denied.

ORDER

An order of the Chief Justice designating and assigning Mr. Justice Reed (retired) to perform judicial duties in the United States Court of Claims beginning November 30, 1959, and ending June 30, 1960, and for such further time as may be required to complete unfinished business, pursuant to 28 U.S.C. § 294(a), is ordered entered on the minutes of this Court, pursuant to 28 U.S.C. § 295.

The Court will take a recess from Monday, November 23, until Monday, December 7.

ORAL ARGUMENT

No. **32**. Christian F. Braen, petitioner, *v.* Pfeifer Oil Transportation Company, Inc. Argued by Mr. Benjamin H. Siff for the petitioner and by Mr. Edmund F. Lamb for the respondent.

No. **39**. Mitchell, Secretary of Labor, petitioner, *v.* Robert DeMario Jewelry, Inc., et al. Argued by Miss Bessie Margolin for the petitioner and by Mr. R. Lamar Moore for the respondents.

No. **12**. The Minneapolis & St. Louis Railway Company, appellant, *v.* United States of America et al.;

No. **27**. South Dakota et al., appellants, *v.* United States et al.; and

No. **28**. Minnesota et al., appellants, *v.* United States et al. Argument commenced by Mr. Max Swiren for the appellants and continued by Mr. Harold J. Soderberg for the appellants.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, November 17, will be as follows: Nos. **12** (**27** and **28**), **33**, and **40**.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Milford Alvin Maron, of Los Angeles, Calif., on motion of Mr. Philip Elman; Dewey A. Dye, Jr., of Bradenton, Fla., on motion of Mr. James R. Golden; Robert Christopher Heeney, of Rockville, Md., Philip M. Fairbanks, of Rockville, Md., and John F. McAuliffe, of Rockville, Md., on motion of Mr. Joseph Fairbanks; Samuel A. Cann, of Savannah, Ga., on motion of Mr. William Merrick Parker; Marc I. Blow, of St. Louis, Mo., on motion of Mrs. Kitty Blair Frank; George Hodges Harrison, of Bradenton, Fla., on motion of Mr. Linton M. Collins; Ethan Curtis Deinard, of Washington, D.C., on motion of Mr. George S. Laphan, Jr.; Francis J. Crowley, of Wilmington, Del., and John Wilson Klooster, of Wilmington, Del., on motion of Mr. Frederick Schafer; Robert R. Welborn, of Jefferson City, Mo., on motion of Mr. John Ossea, Jr.; Thomas Gilbert Sharpe, of Brownsville, Tex., on motion of Mr. Paul A. Porter; Alfred L. Evans, Jr., of Arlington, Va., on motion of Mr. William P. Cassidy; and Robert B. White, of Long Beach, Calif., on motion of Mr. Robert A. Wenke, were admitted to practice.

ORAL ARGUMENT

No. 12. The Minneapolis & St. Louis Railway Company, appellant, *v.* United States of America et al.;

No. 27. South Dakota et al., appellants, *v.* United States et al.; and

No. 28. Minnesota et al., appellants, *v.* United States et al. Argument continued by Mr. Harold J. Soderberg for the appellants, by Mr. Robert W. Ginnane for the appellees, by Mr. Starr Thomas for the appellees and concluded by Mr. Max Swiren for the appellants.

No. 33. Mitchell, Secretary of Labor, petitioner, *v.* Oregon Frozen Foods Co. et al. Argued by Miss Bessie Margolin for the petitioner and by Mr. Martin P. Gallagher for the respondents.

No. 40. Phillips Chemical Company, appellant, *v.* Dumas Independent School District. Argument commenced by Mr. Clark M. Clifford for the appellant and continued by Mr. John F. Davis for the United States, as *amicus curiae*, by invitation of the Court.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, November 18, will be as follows: **40**,
41, and **42**.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Mark Dowling Woodward, of Luray, Va., and Joshua L. Robinson, of Luray, Va., on motion of Mr. Burr P. Harrison; Sherman D. Cahn, of Cleveland, Ohio, on motion of Mr. William Pitt Shattuck; Theodore M. Whicher, of Sioux City, Iowa, on motion of Mr. Theodore George Gilinsky; Leon R. Jillson, Jr., of New York, N.Y., and Nathaniel Forrest Bedford, of New York, N.Y., on motion of John T. Koehler; Robert P. Berkman, of Berkeley, Calif., on motion of Miss Iris Yvonne Bell; Edmonstone F. Thompson, of St. Louis, Mo., on motion of Mr. Morris J. Levin; Eugene Sabol, of Yonkers, N.Y., on motion of Mr. Morton P. Fisher; George Howard, Jr., of Pine Bluff, Ark., on motion of Mr. Robert L. Carter; Marshall B. Wood, Jr., of Palm Beach, Fla., on motion of Mr. Theodore A. Miller; and H. R. Hanley, of Rapid City, S. Dak., on motion of Mr. Richard Schifter, were admitted to practice.

ORAL ARGUMENT

No. 40. Phillips Chemical Company, appellant, *v.* Dumas Independent School District. Leave granted Mr. Jack N. Price to appear and present oral argument on behalf of the State of Texas, as *amicus curiae*, *pro hac vice*, on motion of Mr. Earnest L. Langley. Argument continued by Mr. John F. Davis for the United States, as *amicus curiae*, by Mr. Earnest L. Langley for the appellee, by Mr. Jack N. Price for the State of Texas, as *amicus curiae*, *pro hac vice*, by special leave of Court, and concluded by Mr. Clark N. Clifford for the appellant.

No. 41. Daisy Bates et al., petitioners, *v.* City of Little Rock et al. Argued by Mr. Robert L. Carter for the petitioners and by Mr. Joseph C. Kemp for the respondent, City of Little Rock. No appearance for the respondent, City of North Little Rock.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, November 19, will be as follows: Nos. 42, 43, and 16.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

James H. Mitchell, Jr., of Los Angeles, Calif., on motion of Mr. Robert Ash; Walter Lee Price, of Johnson City, Tenn., and George F. Brandt, of Johnson City, Tenn., on motion of Mr. Charles Sylvanus Rhyne; Dexter Long Hanley, of Washington, D.C., and Donald J. Keefe, of Hamilton, N.Y., on motion of Mr. Paul R. Connolly; John Wilder Perkins, of Hampton, N.H., on motion of Mr. William W. Treat; Edward F. Hargan, of New York, N.Y., on motion of Mr. Philip McCallum; Zane Grey Staker, of Williamson, W. Va., on motion of Mr. Charles M. Harrison; Roy Emerson Allen, of Los Angeles, Calif., on motion of Mr. Edward Sumner; Sheldon M. Charone, of Chicago, Ill., on motion of Mr. Alan Y. Cole; Allen Irving Saeks, of Bemidji, Minn., on motion of Mr. George E. MacKinnon; Herbert Russell Brown, of Columbus, Ohio, on motion of Mr. Hazen van den Berg Hatch; James Nathan Phillips, of Knoxville, Tenn., on motion of Mr. Warren E. Miller; Edward T. O'Rourke, of Columbus, Ohio, on motion of Mr. Chester W. Wilson; and Delos H. Burks, of Pica-yune, Miss., on motion of Mr. Leonard J. Calhoun, were admitted to practice.

ORAL ARGUMENT

No. 42. Local No. 8-6, Oil, Chemical and Atomic Workers International Union, AFL-CIO, et al., appellants, *v.* Missouri. Argued by Mr. Mozart G. Ratner for the appellants and by Mr. Robert R. Welborn for the appellee.

No. 43. William R. Forman, petitioner, *v.* United States. Argued by Mr. Solomon J. Bischoff for the petitioner and by Mr. Abbott M. Sellers for the respondent.

Adjourned until Monday, November 23, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

David Wolf, of Boston, Mass., T. Eugene Thompson, of St. Paul, Minn., Isadore Nathanson, of Lynbrook, N.Y., John P. Hubacher, of Detroit, Mich., Joseph DeFranco, of New York, N.Y., Jay Burton Keys, of Miami, Fla., Joseph Senator Clark, of Clearwater, Fla., Kalman Ress, of Brooklyn, N.Y., George W. Kates, of Miami, Fla., Lewis M. Ress, of Miami, Fla., Donald R. Brenner, of Wellington, Ohio, Milton Lowy, of Allentown, Pa., Max Meshon, of Philadelphia, Pa., Herbert Brener, of Philadelphia, Pa., Samuel J. Hecht, of Philadelphia, Pa., Edward B. Rosenberg, of Philadelphia, Pa., David Cohen, of Philadelphia, Pa., Jashua Eilberg, of Philadelphia, Pa., Marvin Joseph Levin, of Philadelphia, Pa., Daniel B. Green, of Philadelphia, Pa., Eli N. Donsky, of Philadelphia, Pa., Martin Vinikoor, of Philadelphia, Pa., David Shotel, of Philadelphia, Pa., Seymour Kivitz, of Philadelphia, Pa., Bernard Granor, of Philadelphia, Pa., Leonard S. Wissow, of Philadelphia, Pa., Joseph X. Yaffe, of Philadelphia, Pa., Reuben Miller, of Philadelphia, Pa., Ralph Shapiro, of Columbus, Ohio, Joseph L. Eisenberg, of Columbus, Ohio, Abraham Gertner, of Columbus, Ohio, Carl B. Mellman, of Columbus, Ohio, Richard Kohn, of Columbus, Ohio, Mitchel D. Cohen, of Columbus, Ohio, Albert Emanuel Conn, of Detroit, Mich., Norman Edward Conn, of Detroit, Mich., Bernard Kaplan, of Winthrop, Mass., and Jerold Zwelling, of Zanesville, Ohio, on motion of Mr. Solicitor General James Lee Rankin; Marvin B. Haiken, of New York, N.Y., on motion of Mr. F. Trowbridge vom Bauer; Gregory S. Stout, of San Francisco, Calif., on motion of Mr. Warren Olney III; Richard Eugene Tyson, of Huntington, W. Va., David Martin Baker, of Huntington, W. Va., and William E. Parsons, of Huntington, W. Va., on motion of Mr. Charles Kinsley McWhorter; Edward Scheidenhelm, of Washington, D.C., on motion of Mr. Manford E. Nelson; Raymond Lewis Hodges, of Washington, D.C., and William Raymond Rule, of Washington, D.C., on motion of Mr. Thomas Winfield Wilson; Richard W. Kiefer, of Baltimore, Md., and Frank P. Barnhart, of Johnstown, Pa., on motion of Mr. Brice Wilson Rhyne; Angelo

John Cincotta, of Brooklyn, N.Y., and Aniello Mario Russo, of Washington, D.C., on motion of Mr. John E. Curry; Eugene J. Brenner, of San Francisco, Calif., on motion of Mr. Vincent A. Pepper; Melvin Lennard, of Beverly Hills, Calif., on motion of Mr. Lloyd Buchanan; Leo Sidney Roos, of New Orleans, La., on motion of Mr. Albert Byrne Litschgi; Alfred A. Hampson, Jr., of Portland, Oreg., on motion of Mr. Don V. Harris, Jr.; Frank J. Janik, Jr., of North Olmsted, Ohio, and Domenico Giulio Dottore, of Cleveland, Ohio, on motion of Mr. Meredith M. Daubin; Henry Freeman, of Washington, D.C., on motion of Mr. C. Dinwiddie Stores; W. Stanley Cooke, of Pittsfield, Mass., on motion of Mr. William S. McKinley; Francis Hugh Deef, of Washington, D.C., on motion of Mr. Frederick Schafer; Lyle M. McCormick, of Bay City, Mich., Carlton L. Thompson, of Bay City, Mich., and John W. Piggott, of Bay City, Mich., on motion of Mrs. Marguerite R. Cederberg; David M. Redstone, of Tallahassee, Fla., Gerald Thomas Nolan, of Tallahassee, Fla., and Lawrence Kanzer, of Tallahassee, Fla., on motion of Mr. Leonard D. Eesley; and Edward George Lowry III, of New York, N.Y., John Gordon Lovrien, of Pompano Beach, Fla., Andre Jennings Evans, of Ahoskie, N.C., Sanford E. Sarasohn, of St. Louis, Mo., Carl E. Winkler, of Cedar Rapids, Iowa, Karl E. Wolf, of Wethersfield, Conn., Thomas Howard Swan, of San Francisco, Calif., Shalle Stephen Fine, of Miami Beach, Fla., Marvene Allenby Gordon, of Sarasota, Fla., and George Bertrand Barrett, Jr., of Louisville, Ky., on motion of Mr. Olio Edwin Straight, were admitted to practice.

OPINIONS

No. 6. Daniel J. Sentilles, petitioner, *v.* Inter-Caribbean Shipping Corporation. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed. Opinion by Mr. Justice Brennan. Mr. Justice Whittaker concurs. Concurring opinion by Mr. Justice Stewart with whom Mr. Justice Harlan joins. Dissenting opinion by Mr. Justice Frankfurter.

No. 17. John Patrick Henry, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed. Opinion by Mr. Justice Douglas. Mr. Justice Black concurs in the result. Dissenting opinion by Mr. Justice Clark with whom Mr. Chief Justice Warren joins.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 24. United States, petitioner, *v.* Terminal Railroad Association of St. Louis. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Petition for writ of certiorari granted. On writ of certiorari, judgment reversed. Opinion *per curiam*.

No. 419. William C. Murphy, appellant, *v.* Commissioner of Education of the State of New York. Appeal from the Court of Appeals of New York. The motion to dismiss is granted and the appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 423. Schwegmann Brothers Giant Super Markets, appellant, *v.* McCrory, Commissioner of Agriculture and Immigration of the State of Louisiana. Appeal from the Supreme Court of Louisiana. The motions to dismiss are granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 425. Norman LaPorte and Ardis LaPorte, appellants, *v.* New York. Appeal from the Court of Claims of New York. The appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 450. J. Aron & Company, Inc., petitioner, *v.* Mississippi Shipping Company, Inc. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. It appearing from the petitioner's suggestion of mootness that, subsequent to the judgment of reversal by the Court of Appeals of the original judgment of the District Court and the filing of the petition for writ of certiorari, a consent judgment was entered by the District Court, the petition for writ of certiorari is granted. On writ of certiorari, judgment vacated and case remanded to the District Court with instructions to vacate the original judgment. Opinion *per curiam*.

No. 54, Misc. Marvin Ferris Breaton, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Motion for leave to proceed in forma pauperis and petition for writ of certiorari granted. On writ of certiorari, judgment vacated and case remanded to the District Court for further consideration in the light of Public Law 86-320, approved September 21, 1959 (73 Stat. 590). Opinion *per curiam*.

ORDERS IN PENDING CASES

No. —. Janice Paul, appellant, *v.* Washington. The motion to dismiss under Rule 14(2) is granted.

No. 327. Organized Village of Kake et al., appellants, *v.* Egan, Governor of Alaska. The motion of Edward G. Dobrin to withdraw appearance as counsel for appellant is granted.

CERTIORARI GRANTED

No. 416. Raymond Gonzales, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted and case transferred to the summary calendar.

No. 436. Cory Corporation et al., petitioners, *v.* Ernest J. Sauber. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted and case transferred to the summary calendar.

No. 441. Clotilda A. Hendricks, Administratrix, petitioner, *v.* Southern Pacific Company. Petition for writ of certiorari to the Supreme Court of Arizona granted and case transferred to the summary calendar.

CERTIORARI DENIED

No. 393. Order of Railway Conductors and Brakemen et al., petitioners, *v.* Switchmen's Union of North America et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 424. Thomas P. Sprunt, petitioner, *v.* Denver and Rio Grande Western Railroad Company. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. 426. James H. Morrison, petitioner, *v.* California. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 427. In the Matter of Eastern Supply Company, etc., petitioner. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 428. Columbia Boiler Co., Inc., petitioner, *v.* Manville Boiler Co., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 429. Air Line Stewards and Stewardesses Association, International, petitioner, *v.* Northwest Airlines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 431. City of Corinth, Mississippi, petitioner, *v.* Federal Power Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 433. Abney Mills, petitioner, *v.* Scapa Dryers, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied;

No. 434. Charles E. Leggett, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 439. John Mihalchak, petitioner, *v.* American Dredging Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 440. The American Securit Company, petitioner, *v.* Shatterproof Glass Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 442. Local No. 9, Journeymen Barbers, Hairdressers and Cosmetologists International Union, et al., petitioners, *v.* Louis J. Grimaldi. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 449. Louis Gaudiosi et al., petitioner, *v.* Richard K. Mellon et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 452. Fernando S. Forfari, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 454. Aaron Sussman et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 455. Alexander Fudeman et al., petitioners, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 470. Merlin M. Evans, petitioner, *v.* Robert C. Watson et al. Petition for writ of certiorari to the United Court of Appeals for the District of Columbia Circuit denied.

No. 430. Edward Connolly, petitioner, *v.* Farrell Lines, Inc. Motion for leave to proceed on typewritten papers granted. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 435. Kinnear-Weed Corporation, petitioner, *v.* Humble Oil and Refining Company. Motions of C. W. Kinnear for leave to file typewritten brief and supplemental brief, as *amicus curiae*, denied. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 453. Claudia Walker, petitioner, *v.* Bank of America National Trust & Savings Association et al. Motion to dispense with printing

petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 294, Misc. Ernest LeRoy Smith, petitioner, *v.* Clarence T. Gladden, Warden. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 318, Misc. West Virginia *ex rel.* Adolph Siemon, petitioner, *v.* D. E. Adams, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 329, Misc. Carroll Bennett Robinson, petitioner, *v.* R. O. Culver, as Custodian of Florida State Prison. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 378, Misc. Aristides Castro, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

REHEARINGS DENIED

No. 96. Custom Built Homes Co., Inc., petitioner, *v.* Kansas State Commission of Revenue and Taxation;

No. 124. Juanita Dale Phillips, petitioner, *v.* Texas;

No. 149. Ray Crookham, petitioner, *v.* New York Central Railroad Company, a Corporation;

No. 182. Patricia I. Birnel, appellant, *v.* The Town of Fircrest;

No. 194. Gene San Soucie, etc., et al., petitioners, *v.* Honorable F. Dickinson Letts, Judge of the United States District Court for the District of Columbia;

No. 195. United States of America, *ex rel.* Tie Sing Eng, petitioner, *v.* P. A. Esperdy, District Director, Immigration and Naturalization Service, etc.;

No. 224. Lonnie Keahey, petitioner, *v.* State of Texas;

No. 251. Ethel Anderson, as Administratrix of the Estate of James Lester Anderson, Deceased, petitioner, *v.* Atlantic Coast Line Railroad Company;

No. 253. Missouri Pacific Railroad Company, a Corporation, appellant, *v.* Rufus E. Deering, as Register of Deeds of Sedgwick County, Kansas, et al.;

No. 74, Misc. James A. Hoyland, petitioner, *v.* United States;

No. 105, Misc. William H. Earnshaw, petitioner, *v.* United States;

No. 165, Misc. Charles C. Patterson, petitioner, *v.* Virginia Electric and Power Co.; and

No. 258, Misc. Robert Anderson, petitioner, *v.* California et al. Petitions for rehearing denied.

No. 120. Jones Motor Co., Inc., petitioner, *v.* Pennsylvania Public Utility Commission et al. Petitions for reconsideration and clarification denied.

No. 200. In the Matter of the Estate of Janet M. Peck, Deceased; and Aaron M. Sargent et al., petitioners, *v.* The Board of Trustees of the Leland Stanford Junior University. Motion for oral argument on petition for rehearing denied. Petition for rehearing denied.

No. 551, Misc. October Term, 1957. John J. McGinty, petitioner, *v.* Herbert Brownell, Jr., et al. Motion for leave to file petition for rehearing denied. Mr. Justice Stewart took no part in the consideration or decision of this application.

Adjourned until Monday, December 7, at 12 o'clock.

The day call for Monday, December 7, will be as follows: Nos. 63 (and 66), 15, and 16.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

David L. Rose, of Gardner, Mass., Harry L. Hobson, of Wichita, Kans., Jack Keeling Moulton, of Norfolk, Va., Sidney Isaac Laitman, of New York, N.Y., and Harold Hoffman, of Dallas, Tex., on motion of Mr. Solicitor General James Lee Rankin; Hershel Shanks, of Washington, D.C., on motion of Mr. Oscar H. Davis; Edward Burton Winn, of Dallas, Tex., on motion of Mr. Marx Leva; Richard H. Appert, of New York, N.Y., on motion of Mr. Charles Keating Rice; Pasquale J. Di Quinzio, of Philadelphia, Pa., and Converse Murdoch, of Philadelphia, Pa., on motion of Mr. William S. Cheatham; Edwin Eagle Dunaway, of Little Rock, Ark., and Robert Cheatham Downie, of Little Rock, Ark., on motion of Mr. Floyd Lee Williams; George S. Cobb, of New York, N.Y., and J. Russell Hornsby, of Orlando, Fla., on motion of Mr. Julius C. Horovitz; Daniel Morris Singer, of Washington, D.C., on motion of Mr. Arthur Lazarus, Jr.; John E. Nolan, Jr., of Washington, D.C., on motion of Mr. Richard A. Whiting; Alfred Carpenter Body, of Cleveland, Ohio, on motion of Mr. Andrew B. Beveridge; Jack Grant Day, of Cleveland, Ohio, on motion of Mr. Donald M. Murtha; Richard T. Marshall, of El Paso, Tex., on motion of Mr. Edwin Shaffer Rockefeller III; James J. Higgins, of New York, N.Y., on motion of Mr. Robert E. Kline, Jr.; Clyde W. Atkinson, of Tallahassee, Fla., on motion of Mr. Hugh H. Obear; William H. Gibbes, of Columbia, S.C., and Glen E. Craig, of Columbia, S.C., on motion of Mr. Hubert Henry Finzel; Irving E. Moore, of Albuquerque, N. Mex., on motion of Mr. Clifton W. Enfield; Francis T. McGarry, of New York, N.Y., on motion of Mr. Peter J. McEwen, Jr.; Thomas G. Miller, of Pittsburgh, Pa., on motion of Mr. Melville E. Jones; William Andrew Marsh, Jr., of Durham, N.C., and Charles C. Spaulding, Jr., of Durham, N.C., on motion of Mr. Frank D. Reeves; George Brock Haley, Jr., of Atlanta, Ga., on motion of Mr. Roberts Bishop Owen, Jr.; Eugene J. Schmick, of Milwaukee, Wis., on motion of Mr. Gordon F. Harrison; Lawrence C. Merthan, of St. Paul, Minn., on motion of Mr. Albert Byrne Litschgi; Marvin Edward Denekas, of Belvedere-Tiburon, Calif., on motion of Mrs. Lorraine Wall Hurney; Hugh L. Fisher, of De-

troit, Mich., on motion of Mr. Frank J. Soucek; and Robert Edward Leake, Jr., of New Orleans, La., on motion of Mr. Robert E. May, were admitted to practice.

OPINIONS

No. 11. Edgar Allen West, petitioner, *v.* United States of America, United States Department of Commerce, Maritime Administration, et al. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed. Opinion by Mr. Justice Clark.

No. 504. United Steelworkers of America, petitioner, *v.* United States et al. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Separate opinion of Mr. Justice Frankfurter and Mr. Justice Harlan concurring in the opinion of the Court dated November 7, 1959.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 202. Frank de Simone, petitioner, *v.* United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Petition for writ of certiorari granted. On writ of certiorari, it appears from the Government's suggestion of mootness and the memoranda filed in connection therewith that the petitioner is no longer in custody of the warden to whom the writ of habeas corpus ad testificandum was directed, and that the Government will take no further action under any order pursuant to which petitioner might be held in contempt. Accordingly, the judgment of the Court of Appeals; the order of the District Court, issued May 29, 1959, directing the petitioner to appear before the grand jury; the order to show cause issued by the District Court on May 19, 1959; and the order of the District Court, entered April 3, 1959, denying the petition's motion to quash the writ of habeas corpus ad testificandum, and directing him to appear before the grand jury on April 9, 1959, are vacated. The cause is remanded to the District Court with instructions to dismiss the proceeding as moot. Opinion *per curiam*.

No. 432. Angus M. MacNeil, appellant, *v.* Jesse W. Morton et al. Appeal from the Supreme Judicial Court of Massachusetts. The motion to dismiss is granted and the appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 447. West Towns Bus Company, appellant, *v.* Margaret B. Lau. Appeal from the Supreme Court of Illinois. The motion to dismiss is granted and the appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 448. David L. Matthews et al., appellants, *v.* Harold W. Handley et al. Appeal from the United States District Court for the Northern District of Indiana. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*.

No. 75, Misc. Edmund C. Fletcher, petitioner, *v.* Honorable Albert V. Bryan, Judge of the United States District Court for the Eastern District of Virginia. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. In light of the suggestion of mootness due to the death of the petitioner, the motion for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. On writ of certiorari, judgment of the Court of Appeals vacated and case remanded to that court with directions to dismiss the petition for writ of mandamus as moot. Opinion *per curiam*.

No. 397, Misc. Howard Vernon, appellant, *v.* John E. Bennett, Warden. Appeal from the Supreme Court of Iowa. The motion to dismiss is granted and the appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 383. John Cunningham, petitioner, *v.* John F. English et al. The order of this Court of November 16, 1959, is amended to read as follows: "The motion to correct or amend title to designate or confirm the Board of Monitors as a party respondent is denied. Leave to file brief of the Board of Monitors in opposition to the petition for certiorari is granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted."

No. 415. John F. English et al., petitioners, *v.* John Cunningham, etc., et al. The order of the Court of November 16, 1959, is amended to read as follows: "The motion to correct or amend the caption to designate or confirm the Board of Monitors as a party respondent is denied. Leave to file brief of the Board of Monitors in opposition to the petition for certiorari is granted. The application for a stay of the judgment and the motion of Anthony J. Distinti, Individually and as President of Local 277, I.B.T., et al., for leave to file brief, as *amici curiae*, are denied. Petition for writ of certiorari to the United

States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted. Mr. Justice Frankfurter has filed the following memorandum:

“For me, the reasons that govern the normal practice of the Court in not recording votes on dispositions of petitions for certiorari are controlling against departures from that practice. On appropriate occasions, however, I deem it desirable to indicate the issues presented by such a petition and the legal significance of its denial. Here, this will become manifest from the following memorandum in which on August 4, 1959, as a Circuit Justice, I denied the application for a stay of the judgment, review of which is sought in this petition for certiorari:

““This is an application for a stay of the decree entered on July 9, 1959, by the United States Court of Appeals for the District of Columbia Circuit against the International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers of America, hereafter called the Teamsters, and certain of their officers, who, together with the Teamsters, will be called defendants. The litigation was initiated by thirteen members of locals of the Teamsters (one of whom has dissociated himself from the rest), to be called plaintiffs. This application is in effect a review of the refusal of the Court of Appeals to grant such a stay.

““The basis of the application is to enable defendants to file a petition for certiorari to review the decree of the Court of Appeals, the validity of which they propose to challenge and the enforcement of which, pending potential review and potential reversal here, will, they claim, cause them irreparable damage. Since the contemplated petition for certiorari cannot be considered prior to the reconvening of this Court on October 5, 1959, the threshold question on this application is whether the issues which defendants plan to bring before the Court are not of such a legal nature that they may fairly be deemed so lacking in substantiality as to preclude a reasonable likelihood of satisfying the considerations governing review on certiorari, as guided by Rule 19 and the practice of the Court. Informed by the illuminating opinion of Judge Fahy and having had the advantage to hear elucidation of the issues by counsel for the parties and by the Chairman of the Board of Monitors appointed by the United States District Court for the District of Columbia, as provided by a consent decree entered January 31, 1958 (the scope of which underlies the immediate litigation), I cannot say, on a balance of probabilities, that these issues may not commend themselves to at least four members of this Court as warranting review here of the decree below. I am confirmed in this view by the candid acknowledgment of the

Chairman of the Board of Monitors and counsel for plaintiffs that serious legal questions are at stake.

“ “Accordingly, the matter before me is reduced to the very narrow question whether I should overrule the discretion exercised by the Court of Appeals in refusing a stay of its mandate until October 12, which is the earliest day when this Court, in the normal course of affairs, will determine whether to grant the prospective petition for certiorari (assuming that it will have duly come before the Court) and also determine, in case the petition be granted, that the decree to be reviewed is not to be enforced pending final adjudication.

“ “As already indicated, at the core of this litigation is the scope of a consent decree entered in the District Court on January 31, 1958, and the power of the District Court, in enforcing that decree, to order the defendants to carry out the specific directions defined by the Court of Appeals in its decree of July 9, 1959, in accordance with the procedure defined in that decree and in the opinion which gave rise to it, rendered on June 10, 1959. By the consent decree, the defendants, as officers of the Teamsters, undoubtedly assumed certain obligations judicially enforceable. Whatever may or may not have been the freedom of action of these officers prior to this consent decree, by it their freedom of action was circumscribed to the extent that the consent decree imposed upon them enforceable obligations. The legal issue growing out of this voluntary restriction of defendants' action is the validity of specific recommendations by the Board of Monitors as judicially defined and approved. Such orders, as they have been defined by the Court of Appeals, are concededly unconsented and are challenged as unwarranted, unilateral modifications of the consent decree.

“ “I have said that these specific commands, about half a dozen in number, restrict what is asserted to be the freedom of the power of officers of the Teamsters, claimed to be theirs under the constitution of the union. According to the Court of Appeals, these judicial commands upon the defendants are merely enforcement of the obligations which they undertook by the consent decree and are not one-sided modifications of it. This is the controversy to be raised by the petition for certiorari which the defendants plan to file. But, in any event, they claim that by denying a stay until the matter can duly come before this Court, the Court of Appeals has commanded them to take action of an irreparable nature claimed to be outside the scope of the consent decree and in derogation of the powers of the officers under the constitution of the Teamsters, before this Court has had an opportunity to pass on the petition for certiorari, with the derivative problem whether to keep matters in status quo until such a petition, if granted, could be disposed of on its merits.

“ “If it were clear that between now and October 12, which is the earliest day for the disposition of the proposed petition for certiorari, what the Court of Appeals has directed to be done would be capable of being carried out so as to change, irrevocably and adversely, the rights and powers claimed by defendants, before this Court had an opportunity to determine the validity of what the defendants have been ordered to do, I would feel constrained to grant the stay. It may well be that the Court of Appeals, after due consideration, on July 15, 1959, denied this stay on its forecast that its decree could not, in view of all the circumstances, be effectuated before this Court could pass on a petition for certiorari, with the ancillary question of a stay in case such petition were granted. In any event, my appreciation of the intrinsic elements in carrying out the various items of the decree still left in controversy (several of them have become either moot or taken out of contest by agreement) leads me to conclude that, in the setting of the immediate circumstances, they are not of a nature to cause irreparable harm between now and October 12. I am reinforced in this conclusion by the responsible assurances of the Chairman of the Board of Monitors regarding the course of events which will control such matters. The details of the half-dozen items in controversy are so specialized and technical that nothing would be gained by particularizing them.

“ “One thing more does need to be said.

“ “As is recognized by all concerned, judicial supervision of a union with a membership of 1,500,000 and some 800 locals through the agency of a mechanism like the Board of Monitors is an unusual manifestation of equity powers. Defendants seek to enlarge the significance of the immediate items in controversy by their anticipation of an expansion of the powers of the Board of Monitors and their resulting fear of disruption of forces within the Teamsters as well as a heavy drain on the Teamsters' treasury in course of such far-flung judicial administration. These are matters not immediately involved in the decree of the Court of Appeals now before me. But I deem it appropriate to say that the Court of Appeals, in its decision of June 10, 1959, as well as on preliminary proceedings and in the procedure which it followed in formulating its decree of July 9, 1959, has manifested an alert understanding of the gravity of the litigation, and has made manifest its sense of the high importance of assuring the most protective procedure on the part of the Board of Monitors in making recommendations and of the District Court in issuing orders on the basis of such recommendations; it has been mindful of the importance of working out problems between the Monitors and the Teamsters on the basis of ample consultation, with full regard for the interests of the membership of the union of which, after all, the union is the collective expression. As to the fear of ex-

cessive drain of the Teamsters' treasury, one may safely rely on the Court of Appeals in affording a shining example in the spending of other people's money. A court should be the most sensitive of fiduciaries. In sanctioning fees and other expenditures it will be guided by frugality and not generosity." " "

No. 549. John A. Hannah et al., appellants, *v.* Margaret M. Larche et al.; and

No. 550. John A. Hannah et al., petitioners, *v.* J. A. H. Slawson et al. Upon consideration of the motion to advance filed by the Solicitor General wherein he states that his brief on the merits will be filed on or before December 15, 1959, the Court directs that on or before Wednesday, January 13, 1960, the appellees shall file any motion or motions responsive to the statement as to jurisdiction and on the merits of the case, the respondents shall file any brief relating to the granting or denying of the petition for writ of certiorari and on the merits of the case, and the cases are set for oral argument on Monday, January 18, 1960, on the petition for writ of certiorari, the jurisdiction on appeal, and on the merits of the cases.

The cases are consolidated for the purpose of this argument and a total of four hours is allowed.

No. 269. Nancy Corinne Dyer and J. Raymond Dyer et al., petitioners, *v.* Securities and Exchange Commission and Union Electric Company. The motion to supplement the record and the petition for rehearing are denied.

APPEALS—JURISDICTION POSTPONED

No. 326. Metlakatla Indian Community, Annette Island Reserve, appellant, *v.* Egan, Governor of Alaska, et al.; and

No. 327. Organized Village of Kake et al., appellants, *v.* Egan, Governor of Alaska. Appeals from the District Court for Alaska. Further consideration of the question of jurisdiction is postponed to the hearing of the cases on the merits. The cases are consolidated and a total of three hours is allowed for oral argument.

CERTIORARI GRANTED

No. 391. George B. Parr et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 443. United Steelworkers of America, petitioner, *v.* Warrior & Gulf Navigation Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and case set for argument immediately following No. 360. Mr. Justice Black took no part in the consideration or decision of this application.

CERTIORARI DENIED

No. 162. S. S. Silberblatt, Inc., petitioner, *v.* The Tax Commission of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 397. George Manaia et al., petitioners, *v.* Potomac Electric Power Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 461. John F. Iselin et al., petitioners, *v.* Lester J. Meng et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 462. Bernard J. Lee, petitioner, *v.* Jenkins Brothers et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 463. William K. Warren et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 472. Sol R. Rauch et al., petitioners, *v.* Joseph Stockinger, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 474. H. Gordon Howard, petitioner, *v.* International Trust Company, Special Administrator, etc. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 475. Manufacturers Record Publishing Co., petitioner, *v.* Margaret E. Lauer, Executrix, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 476. William Brockmueller, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 478. O. Q. Kizziar and Mildred Kizziar, his wife, petitioners, *v.* B. L. Dollar, doing business as B. L. Dollar Construction Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 480. Local 135, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, AFL-CIO, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 481. Leo O. Johnson, etc., petitioner, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 483. National Surety Corp., et al., petitioners, *v.* Llewellyn Machinery Corp. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 484. J. Ray McDermott & Co., Inc., petitioner, *v.* Department of Highways, State of Louisiana. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 486. Joseph Schreiber et al., petitioners, *v.* American Safety Table Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 487. J. W. Marshall, etc., et al., petitioners, *v.* Standard Oil Company of Texas et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 489. Kirk Manufacturing Co., petitioner, *v.* Caldwell Manufacturing Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 491. Tatko Brothers Slate Co., Inc., petitioner, *v.* Matthew Hannon. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 493. Alonzo L. Smith, petitioner, *v.* Paul Glikin, d/b/a/Bel-tone Hearing Center. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 494. Robert H. Ellis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 498. Quaker State Oil Refining Corporation, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 499. E. F. Barnes et al., petitioners, *v.* The City of Gadsden, Alabama, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 500. Fruit Industries, Inc., petitioner, *v.* Stella Petty, Administratrix, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 501. Truck Drivers and Helpers Local Union No. 728, I. B. T., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 502. Lincoln National Life Insurance Company, petitioner, *v.* Rosa Lee Roosth. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 505. Roberta S. Brice, petitioner, *v.* The Superior Court of the State of California, in and for the County of Los Angeles. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 506. J. A. Booker et al., petitioners, *v.* First Federal Savings and Loan Association, Inc., et al. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 507. Richard A. Mack et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 444. William Worthy, Jr., petitioner, *v.* Herter, Secretary of State. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 445. Waldo Frank, petitioner, *v.* Herter, Secretary of State. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 456. Horace Chandler Davis, petitioner, *v.* United States. The motion for leave to file an amended petition for certiorari is granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

No. 469. City of Murfreesboro, Tennessee, petitioner, *v.* Rutherford County, Tennessee. The motion to strike memorandum of Tennessee Valley Authority, as *amicus curiae*, is denied. Petition for writ of certiorari to the Supreme Court of Tennessee, Middle Division, denied.

No. 488. Charles O. Porter, petitioner, *v.* Christian A. Herter, Individually and as Secretary of State. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 496. Columbia Casualty Company, petitioner, *v.* Anthony LoCicero et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Black is of the opinion certiorari should be granted.

No. 83, Misc. Willie Hullom, petitioner, *v.* Lester Burrows et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 128, Misc. Fred P. Russell, petitioner, *v.* B. J. Rhay, Superintendent of Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 267, **Misc.** Perry E. Williams, petitioner, *v.* New York et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 331, **Misc.** Ralph H. Manchester, petitioner, *v.* Robert A. Heinze, Warden, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 339, **Misc.** James M. Rebetter, petitioner, *v.* William J. Crouch et al. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Los Angeles, denied.

No. 344, **Misc.** Rex Hamilton, petitioner, *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 350, **Misc.** Lawrence K. AhLet, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 361, **Misc.** Gordon Fink, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 365, **Misc.** Wayne Lee Cawley, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 367, **Misc.** Richard Gilbert McAuliffe, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 375, **Misc.** Hubert Herman Harp, petitioner, *v.* D. E. Adams, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 385, **Misc.** Walter Williams, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 391, **Misc.** Joseph Webster, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 439, **Misc.** Samuel L. Culley, petitioner, *v.* Warden of the Maryland House of Correction. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 441, **Misc.** Sander Mallory, petitioner, *v.* Raymond J. Buchkoe, Warden. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 449, **Misc.** Pietro Matera, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 387, *Misc.* A. V. Crevier, petitioner, *v.* Tracy A. Hand, Warden;

No. 388, *Misc.* Bernard E. Moore, petitioner, *v.* J. E. La Vallee, Warden;

No. 407, *Misc.* Robert Coulton, petitioner, *v.* Ohio;

No. 409, *Misc.* William T. McCarthy, petitioner, *v.* New York;

No. 416, *Misc.* Grover Cleveland McDaniel, petitioner, *v.* California Adult Authority et al.;

No. 425, *Misc.* Ed Eugene Jones, petitioner, *v.* Elbert V. Nash, Warden; and

No. 468, *Misc.* Virgil Burks, petitioner, *v.* Joseph E. Ragen, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

No. 408, *Misc.* Lewis Blevins, petitioner, *v.* William F. Steiner, Warden; and

No. 411, *Misc.* Clifford T. McFrederick, petitioner, *v.* H. G. Cochran, Jr., Director, Division of Corrections. Motions for leave to file petitions for writs of habeas corpus denied. Treating the papers submitted as petitions for writs of certiorari, certiorari is denied.

LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 199, *Misc.* Ben Going, petitioner, *v.* Missouri. Motion for leave to file petition for writ of mandamus denied.

REHEARINGS DENIED

No. 172. Eugene Dupree, petitioner, *v.* United States of America;

No. 292. John Francis Keenan, James E. Keenan, and Mark Keenan, petitioners, *v.* United States of America;

No. 312. Obediah Gentry, petitioner, *v.* United States of America;

No. 366. Carter Products, Inc., petitioner, *v.* Federal Trade Commission;

No. 296, *Misc.* Chester R. Morris, petitioner, *v.* Arno Nowotny et al.;

No. 306, *Misc.* Wayne Johnson, petitioner, *v.* United States; and

No. 379, *Misc.* In the Matter of William K. Coon, petitioner. Petitions for rehearing denied.

RECESS ORDER

The Court will take a recess from Monday, December 14, until Monday, January 11, 1960.

ORAL ARGUMENT

No. 63. Federal Power Commission, petitioner, *v.* Tuscarora Indian Nation; and

No. 66. Power Authority of the State of New York, petitioner, *v.* Tuscarora Indian Nation. Argued by Mr. Solicitor General Rankin for the petitioner in No. 63, by Mr. Thomas F. Moore, Jr., for the petitioner in No. 66, and by Mr. Arthur Lazarus, Jr., for the respondent in both cases.

No. 15. National Labor Relations Board, petitioner, *v.* Insurance Agents International Union, AFL-CIO. Argument commenced by Mr. Dominick L. Manoli for the petitioner and continued by Mr. Isaac N. Groner for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, December 8, will be as follows: Nos. 15, 16, 46, and 47.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

John L. Radar, of Juneau, Alaska, on motion of Mr. Charles Sylvanus Rhyne; John O. Graybeal, of Seattle, Wash., on motion of Mr. Robert B. Harmon; Elijah Brockenborough White, of Leesburg, Va., on motion of Mr. Frank McReynolds Wozencraft; Sanford Browde, of New York, N.Y., Robert Michael McHale, of Lake Charles, La., Harvey Preston DeLaune, of Lake Charles, La., A. George Biggs, of Dallas, Tex., and Wilson Johnston, of Dallas, Tex., on motion of Mr. Maurice Francis Biddle; Lewis A. Dreyer, of Huntington, N.Y., and Jack M. Ginsberg, of New York, N.Y., on motion of Mr. Joseph A. McDonald; Richard S. L. Roddis, of San Diego, Calif., on motion of Mr. James Eldon McFarland; Joseph S. Freeland, of Paducah, Ky., on motion of Mr. James G. Wheeler; L. James Harmanson, Jr., of Washington, D.C., on motion of Mr. David Bowen Kinney; Samuel W. Braverman, of Detroit, Mich., on motion of Mr. Seymour B. Goldman; Robert Roy Parker, of Chevy Chase, Md., on motion of Mr. Henry T. King, Jr.; David Dennison, of Warren, Ohio, on motion of Mr. Albert A. Carretta; Lawrence Herbert Rogovin, of New York, N.Y., on motion of Mr. Mitchell Rogovin; and Frank B. Higgins, of St. Louis, Mo., on motion of Mr. Dexter Long Hanley, were admitted to practice.

ORAL ARGUMENT

No. 15. National Labor Relations Board, petitioner, *v.* Insurance Agents International Union, AFL-CIO. Argument concluded by Mr. Isaac N. Groner for the respondent.

No. 16. United States, petitioner, *v.* Troyit Robinson et al. Argued by Miss Beatrice Rosenberg for the petitioner and by Mr. I. William Stempel for the respondents.

No. 46. National Labor Relations Board, petitioner, *v.* Denna Artware, Inc., et al. Argued by Mr. Ralph S. Spritzer for the petitioner and by Mr. James G. Wheeler for the respondents.

No. 47. Ernest Dossy Yancy, petitioner, *v.* United States of America. Argument commenced by Mr. Seymour B. Goldman for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, December 9, will be as follows: Nos. 47, 48, 49, and 50.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Daniel William Byles, of New York, N.Y., on motion of Mr. James Bradshaw Mintener; David Stahl, of Pittsburgh, Pa., on motion of Mr. Charles Sylvanus Rhyne; Eva Schwartzman, of Libertyville, Ill., on motion of Mr. F. Trowbridge vom Baur; Nola McLane, of Phoenix, Ariz., on motion of Mr. W. Lee McLane, Jr.; William Andrew Donaher, of New Kensington, Pa., on motion of Mr. Dean G. Acheson; Carlyle Conwell Ring, Jr., of Washington, D.C., on motion of Mr. John Chisman Hanes; William A. Norris, of Los Angeles, Calif., on motion of Mr. John E. Nolan, Jr.; Richard Benjamin Wallace, of Miami, Fla., and John Patrick Brennan, of Rumson, N.J., on motion of Mr. Eugene J. Kaplan; Patrick James Head, of Washington, D.C., on motion of Mr. John L. Ingoldsby, Jr.; Roy C. Boddie, of Nashville, N.C., on motion of Mr. Julius Winfield Robertson; Priscilla Holmes, of Washington, D.C., on motion of Mr. W. Graham Claytor, Jr.; James W. Webb, of Montgomery, Ala., on motion of Mr. Paul T. Gish, Jr.; Karl K. LaBarr, Jr., of Easton, Pa., on motion of Mr. George W. Reiber; John Leonidas Calvocoressi, of Hartford, Conn., on motion of Mr. Sheldon Z. Kaplan; and Charles L. Thomas, of Tacoma, Wash., on motion of Mr. Eugene F. Bogan, were admitted to practice.

ORAL ARGUMENT

No. 47. Ernest Dossy Yancy, petitioner, *v.* United States of America. Argument continued by Mr. Seymour B. Goldman for the petitioner, by Mr. John L. Murphy for the respondent and concluded by Mr. Seymour B. Goldman for the petitioner.

No. 48. United States, petitioner, *v.* Sydelle Price. Argued by Mr. Howard A. Heffron for the petitioner and by Mr. W. Lee McLane, Jr., for the respondent.

No. 49. Florida Lime and Avocado Growers, Inc., et al., appellants, *v.* Jacobsen, Director of the Department of Agriculture of the State

of California, et al. Argument commenced by Mr. Isaac E. Ferguson for the appellants and continued by Mr. John Fourt for the appellees.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, December 10, will be as follows: Nos. 49, 50, 51, 53, and 60.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Byron Lionel Akers, Jr., of Colorado Springs, Colo., William R. Aman, of Colorado Springs, Colo., HayDen W. Kane, of Colorado Springs, Colo., and Leo Wesley Rector, of Colorado Springs, Colo., on motion of Mr. Charles Sylvanus Rhyne; John Shields Carriger, of Chattanooga, Tenn., on motion of Mr. Truman M. Hobbs; Godfrey L. Munter, Jr., of San Francisco, Calif., on motion of Mr. Godfrey L. Munter; Robert Stephen Haft, of New York, N.Y., on motion of Miss Jeanne L. Dobres; W. V. Rennie, of Petersburg, Va., on motion of Mr. Earl Hubert Davis; Irving L. Epstein, of Scranton, Pa., and Edgar L. Kelley, of Boston, Mass., on motion of Mr. Edward M. Elliott; Guy E. Daugherty, of Norfolk, Va., on motion of Mr. Henry E. Howell, Jr.; Lucas T. Clarkston, of Chicago, Ill., on motion of Mr. Barrington D. Parker; William E. Cleaves, of Memphis, Tenn., on motion of Mr. Edwin D. Dupree, Jr.; Max Rosenberg, of Wheaton, Md., on motion of Mr. John Harold Fanning; James F. Sullivan, Jr., of San Francisco, Calif., on motion of Mr. Samuel Levine; Charles Alfred Docter, of Washington, D.C., on motion of Mr. Robert S. McKnight; John Cho, of Los Alamos, N. Mex., on motion of Mr. William Mitchell; and Sidney Stahl, of Dallas, Tex., on motion of Mr. Arthur C. Perry, were admitted to practice.

ORAL ARGUMENT

No. 49. Florida Lime and Avocado Growers, Inc., et al., appellants, *v.* Jacobsen, Director of the Department of Agriculture of the State of California, et al. Argument continued by Mr. John Fourt for the appellees and concluded by Mr. Isaac E. Ferguson for the appellants.

No. 50. Jesse Blackburn, petitioner, *v.* Alabama. Argued by Mr. Truman Hobbs for the petitioner and by Mr. Paul T. Gish, Jr., for the respondent.

No. 51. Federal Trade Commission, petitioner, *v.* Travelers Health Association. Argued by Mr. Charles H. Weston for the petitioner and by Mr. C. C. Fraizer for the respondent.

No. 53. Clifford M. Davis, petitioner, *v.* Virginian Railway Company. Argued by Mr. Henry E. Howell, Jr., for the petitioner and by Mr. Thomas R. McNamara for the respondent.

Adjourned until Monday, December 14, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ORDER IN PENDING CASE

No. —. Two Guys from Harrison-Allentown, Inc., petitioner, *v.* Paul A. McGinley, District Attorney, Lehigh County, Pennsylvania. The application for a stay or in the alternative for writ of injunction presented to Mr. Justice Brennan, and by him referred to the Court, is denied. The motion of Pennsylvania Retailers' Association for leave to file brief, as *amicus curiae*, is denied.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

John Edward Rodgers, of Washington, D.C., Robert Joseph Perry, of Falls Church, Va., Edgar L. Carter, of Leesburg, Va., Everett E. Dahl, of Midvale, Utah, Victor G. Sagers, of Midvale, Utah, and Parker C. Livingston, of La Grange, Ill., on motion of Mr. Solicitor General James Lee Rankin; William T. Cahill, of Camden, N.J., on motion of Mr. Daniel L. O'Connor; John H. Jardine, of Whitehall, Mont., and Richard Eugene Walck, of Greencastle, Pa., on motion of Mr. Reginald Carl Harmon; Edwin Michael Jones, of New York, N.Y., Lee M. Gammill, of New York, N.Y., and Harry J. McCallion, of New York, N.Y., on motion of Mr. Arthur Murray Preston; Lewis P. Anderson, of Washington, D.C., on motion of Mr. Earl W. Kintner; James M. Windham, of Columbia, S.C., on motion of Mr. Hubert Henry Finzel; James Carriger Paine, of West Palm Beach, Fla., on motion of Mr. Frank J. Wideman, Jr.; Harry Silbert, of Baltimore, Md., A. Jerome Diener, of Baltimore, Md., and Sidney Schlachman, of Baltimore, Md., on motion of Mr. Milton M. Gottesman; Angelo Fred Pistilli, of Joliet, Ill., on motion of Mr. Joseph Michael Hannon; Seymour Efros, of New York, N.Y., on motion of Mr. Donald Edward Schwartz; Calvert C. Little, of London, Ky., and Allen M. Elliott, of Knoxville, Tenn., on motion of Mr. Earl Hubert Davis; Arnold Davis, of New York, N.Y., and Werner Galleski, of New York, N.Y., on motion of Mr. Robert H. Reiter; David H. Semmes, of Washington, D.C., on motion of Mr. Harry H. Semmes; Donald McKay, of Montgomery, Ala., on motion of Mr. William H. Carroll; Albert A. Dorn, of Los Angeles, Calif., on motion of Mr. John Howard Lewis, Jr.; Frank Elia Haddad, Jr., of Louisville, Ky., and Irving I. Friedman, of Louisville, Ky., on motion of Mr. Neville Miller; Howard P. Willens, of Washington, D.C., and Joseph DuCoeur, of Washington, D.C., on motion of Mr. Donald C. Beelar; Howard F. McKissick, Jr., of Reno, Nev., on motion of Mr. Joseph F. McDonald, Jr.; David Entin, of Fall River, Mass., on motion of Mr. John H. Davitt; Lloyd G. Hammel, Jr., of Salem, Oreg., on motion of Mr. Chas. H. Heltzel; and Stanley Law Sabel, of New York, N.Y., on motion of Mr. Arthur H. Beyer, were admitted to practice.

OPINIONS

No. 12. The Minneapolis & St. Louis Railway Company, appellant, *v.* United States of America et al.;

No. 27. South Dakota et al., appellants, *v.* United States et al.; and

No. 28. Minnesota et al., appellants, *v.* United States et al. Appeals from the United States District Court for the District of Minnesota. Judgment affirmed. Opinion by Mr. Justice Whittaker. Mr. Justice Douglas dissents.

No. 9. Eleazar Smith, appellant, *v.* The People of the State of California. Appeal from the Appellate Department of the Superior Court of California, Los Angeles County. Judgment reversed. Opinion by Mr. Justice Brennan. Concurring opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Frankfurter. Concurring opinion by Mr. Justice Douglas. Separate opinion by Mr. Justice Harlan, concurring in part and dissenting in part.

No. 36. Carl C. Inman, petitioner, *v.* Baltimore & Ohio Railroad Co. On writ of certiorari to the Supreme Court of Ohio. Judgment affirmed. Opinion by Mr. Justice Clark. Concurring opinion by Mr. Justice Whittaker. Separate opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Douglas with whom Mr. Chief Justice Warren, Mr. Justice Black, and Mr. Justice Brennan concur.

No. 32. Christian F. Braen, petitioner, *v.* Pfeifer Oil Transportation Company, Inc. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment of the Court of Appeals reversed and judgment of the District Court reinstated. Opinion by Mr. Justice Douglas. Separate opinion by Mr. Justice Harlan with whom Mr. Justice Frankfurter and Mr. Justice Whittaker join, concurring in part and dissenting in part.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 458. Faubus, Governor of Arkansas, appellant, *v.* John Aaron et al.; and

No. 471. State Board of Education et al., appellants, *v.* John Aaron et al. Appeals from the United States District Court for the Eastern District of Arkansas. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*. Mr. Justice Whittaker would note probable jurisdiction.

No. 459. Public Service Commission of the State of New York, petitioner, *v.* Federal Power Commission et al. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. The motion to substitute Humble Oil & Refining Company, a Delaware corporation, in the place of Humble Oil & Refining Company, a Texas corporation, as a party respondent, is granted. The motions of Public Service Electric and Gas Company and the Alabama League of Municipalities for leave to file briefs, as *amici curiae*, are granted. Petition for writ of certiorari granted. On writ of certiorari, judgment of the Court of Appeals vacated and case remanded to that Court with directions to remand the case to the Federal Power Commission for reconsideration and redetermination in the light of *Atlantic Refining Co., et al. v. Public Service Commission of New York, et al.*, 360 U.S. 378. Opinion *per curiam*. Mr. Justice Douglas dissents.

No. 473. The United Gas Improvement Company, Philadelphia Electric Company, petitioners, *v.* Federal Power Commission et al. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. The motion to substitute Humble Oil & Refining Company, a Delaware corporation, in the place of Humble Oil & Refining Company, a Texas corporation, as a party respondent, is granted. The motions of Public Service Electric and Gas Company and the Alabama League of Municipalities for leave to file briefs, as *amici curiae*, are granted. Petition for writ of certiorari granted. On writ of certiorari, judgment of the Court of Appeals vacated and case remanded to that Court with directions to remand the case to the Federal Power Commission for reconsideration and redetermination in the light of *Atlantic Refining Co., et al. v. Public Service Commission of New York et al.*, 360 U.S. 378. Opinion *per curiam*. Mr. Justice Douglas dissents.

No. 273, Misc. Angie Jones King, appellant, *v.* Consolidated Underwriters. Appeal from the Supreme Court of Texas. The motion to dismiss is granted and the appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

ORDER IN PENDING CASE

No. 450. J. Aron & Company, Inc., petitioner, *v.* Mississippi Shipping Company, Inc. The order of this Court of November 23, is amended to read as follows: "*Per Curiam*: It appearing from the petitioner's suggestion of mootness that, subsequent to the judgment of reversal by the Court of Appeals of the original interlocutory decree of the District Court and the filing of the petition for writ of certiorari, a consent judgment for damages and costs was entered by

the District Court, the petition for writ of certiorari is granted, the judgment of the Court of Appeals is vacated and the case is remanded to the Court of Appeals with directions to dismiss the appeal as moot.

CERTIORARI GRANTED

No. 451. Pennsylvania Railroad Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims granted.

No. 503. United States, petitioner, *v.* Grand River Dam Authority. Petition for writ of certiorari to the United States Court of Claims granted.

No. 513. United States, petitioner, *v.* Cannelton Sewer Pipe Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 376. Commissioner of Internal Revenue, petitioner, *v.* Mose Duberstein et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted. Case transferred to the summary calendar and set for argument immediately following No. 55.

No. 546. Alden D. Stanton et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted. Case transferred to the summary calendar and set for argument immediately following No. 376.

CERTIORARI DENIED

No. 268. Walter C. Lohman, Jr., petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 508. James E. Collins, Jr., petitioner, *v.* Herndon E. Risner, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 509. P. Lorillard Co. et al., petitioners, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 512. Ugo Monaco et al., petitioners, *v.* Watson, Commissioner of Patents. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 516. Marcal Pulp & Paper, Inc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 477. Robert W. Kelley et al., petitioners, *v.* Board of Education of the City of Nashville, Davidson County, Tennessee, et al. Pe-

tion for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. The Chief Justice, Mr. Justice Douglas and Mr. Justice Brennan, although cognizant that the District Court retained jurisdiction of the action during the transition, would grant the petition for certiorari limited to the fourth question: whether the provisions of paragraphs four and five of the plan are constitutionally invalid for the reason that they "explicitly recognized race as an absolute ground for the transfer of students between schools, thereby perpetuating rather than limiting racial discrimination."

No. 285, **Misc.** New York ex rel. Fred Smith, Jr., petitioner, *v.* Walter B. Martin, Warden. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 396, **Misc.** Arley C. Browning, petitioner, *v.* Tracy A. Hand, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 432, **Misc.** John David Randolph, petitioner, *v.* B. J. Rhay, Superintendent of Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 288, **Misc.** Jerry Thomas Ashcraft, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Black and Mr. Justice Douglas dissenting. The Fifth Amendment provides that no person "shall be subject for the same offense to be twice put in jeopardy of life or limb * * *." In this connection it seems appropriate to us to place on record the facts of this case in which certiorari is denied. Ashcraft was convicted of robbery in violation of California laws and given a sentence of five years to life imprisonment. Now the United States has convicted him of precisely the same robbery and sentenced him to prison for 25 years. We are still unable to believe such a second punishment for one crime is either fair or consistent with the Fifth Amendment's prohibition against double jeopardy. See the dissents in *Abbate v. United States*, 359 U.S. 187, 201; *Bartkus v. Illinois*, 359 U.S. 121, 150; *Gore v. United States*, 357 U.S. 386, 395-397.

No. 448, **Misc.** Caryl Chessman, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California denied. The Chief Justice took no part in the consideration or decision of this application.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 445, **Misc.** Milton Carl Justus, petitioner, *v.* New Mexico; and

No. 472, *Misc.* Harry Elmer Schuitem, petitioner, *v.* The Attorney General of the United States. Motions for leave to file petitions for writs of habeas corpus denied.

No. 471, *Misc.* Raphael Bonilla, petitioner, *v.* New York. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied.

No. 187, *Misc.* Charles Robert Chapman, petitioner, *v.* L. E. Wilson, Superintendent, California State Prison, et al. Motion for leave to file petition for writ of habeas corpus and other relief denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 20, *Misc.* Charles Robert Chapman, petitioner, *v.* L. E. Wilson, Warden, et al.; and

No. 404, *Misc.* Walter Stewart, petitioner, *v.* Honorable Fred J. Miller, Judge, Court of Appeals of Franklin County, Ohio, et al. Motions for leave to file petitions for writs of mandamus denied.

REHEARINGS DENIED

No. 329. Edward Novak, petitioner, *v.* Pennsylvania;

No. 371. Mansfield Hardwood Lumber Co., petitioner, *v.* Hattie A. Johnson et al.; and

No. 378. National Airlines, Inc., petitioner, *v.* Beryl Whiteman Stiles. Petitions for rehearing denied.

No. 91. James Henry Audett, petitioner, *v.* United States. Motion for leave to file petition for rehearing denied.

No. 187. Joel A. Maloy and Ruth Maloy, his wife, petitioners, *v.* First Federal Savings and Loan Association of West Palm Beach, etc. Motion for leave to file second petition for rehearing denied.

Adjourned until Monday, January 11, 1960, at 12 o'clock.

The day call for Monday, January 11, will be as follows: Nos. 44, 60, 59 and 64.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

CERTIORARI DENIED

No. 576, Misc. Jimmie Lee Jones, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Frank Rhodes Hunter, Jr., of Arlington, Va., Leo Maurice Pellerzi, of Silver Spring, Md., Herman D. Levinson, of Philadelphia, Pa., Thomas Aquinas Daly, of Washington, D.C., Leon William Vasiades, of Spartanburg, S.C., and Melvin L. Lebow, of New York, N.Y., on motion of Mr. Solicitor General James Lee Rankin; Mary Ann Altman, of Philadelphia, Pa., Herbert M. Gould, of Philadelphia, Pa., and John Linwood Owens, of Philadelphia, Pa., on motion of Mr. Roman L. Hruska; Tolbert Henry McCarroll, of Portland, Oreg., on motion of Mr. Charles O. Porter; J. Gareth Hitchcock, of Paulding, Ohio, and Wilmer D. Rekeweg, of Paulding, Ohio, on motion of Mr. E. Ross Adair; Theodore M. Gemberling, of Hammond, Ind., on motion of Mr. Ray J. Madden; William A. Murphy, of San Diego, Calif., Farrell B. Anderson, of Ripon, Wis., Henry A. Fisher, Jr., of Parkersburg, W. Va., Paul Gibson Mallonee, of Salt Lake City, Utah, James Douglas Clause, of Eunice, La., Marion Wesley Rainey, of Hawkinsville, Ga., and William George Myers, of Heavener, Okla., on motion of Mr. Clio Edwin Straight; James A. Whipple, of Boston, Mass., on motion of Mr. John C. Herberg; Hugo J. Melvoin, of Chicago, Ill., on motion of Mr. Oscar H. Davis; Joseph W. Aidlin, of Los Angeles, Calif., and Paul M. Joseph, of Sacramento, Calif., on motion of Mr. Robert Lee McCarty; Israel Steingold, of Richmond, Va., on motion of Mr. John Harrison Boyles; Alexander M. Bickel, of New Haven, Conn., on motion of Mr. Philip Elman; Irving J. Gursky, of New York, N.Y., and Saul S. Katz, of New York, N.Y., on motion of Mr. George Nims Raybin; Erwin H. Greenberg, of Skokie, Ill., on motion of Mr. Morris Miller; Abraham Black, of New York, N.Y., on motion of Mr. Peter Stanislaus Wondolowski; Walter C. Redfield, of New York, N.Y., on motion of Mr. Phineas Indritz; John Francis Foran, of Los Angeles, Calif., on motion of Mr. Robert E. Early; William S. Bodman, of Chicago, Ill., on motion of Mr. Peter A. Dammann; William E. Lamoreaux, of Los Angeles, Calif., on motion of Mr. Robert A. Wenke; Carl W. Milzer, of College Station, Tex., Dwight R. Rowland, of Robinson, Ill., Elbert L. McClung, of Louisville, Ky., Robert A. Butler, of

Columbus, Ohio, and Walter John Bradsky, of Rapid City, S. Dak., on motion of Mr. Maurice Francis Biddle; Claude Ehresmann Bittle, of Durham, N.C., on motion of Mr. K. Martin Worthy; Robert E. Gratz, of Milwaukee, Wis., on motion of Mr. Plato Ernest Papps; Pauli Murray, of New York, N.Y., on motion of Mrs. Dovey J. Roundtree; Marvin Henry Morse, of Louisville, Ky., on motion of Mr. Louis Lusky; Sidney Zagri, of Washington, D.C., on motion of Mr. Raymond Ward Bergan; and James S. Riggs, of Phoenix, Ariz., on motion of Mr. George Frederick Randolph, were admitted to practice.

OPINIONS

No. 16. United States, petitioner, *v.* Troyit Robinson et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed. Opinion by Mr. Justice Whittaker. Mr. Justice Black and Mr. Justice Douglas dissent.

No. 35. Nicholas A. Stirone, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment reversed. Opinion by Mr. Justice Black.

No. 50. Jesse Blackburn, petitioner, *v.* Alabama. On writ of certiorari to the Court of Appeals of Alabama. Judgment reversed. Opinion by Mr. Chief Justice Warren. Mr. Justice Clark concurs in the result.

No. 33. Mitchell, Secretary of Labor, petitioner, *v.* Oregon Frozen Foods Co. et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Writ of certiorari dismissed as improvidently granted. Opinion *per curiam* announced by Mr. Chief Justice Warren. Mr. Justice Black took no part in the consideration or decision of this case.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 490. In the Matter of Sidney Sarner, appellant. Appeal from the Supreme Court of New Jersey. The motion to use record in No. 803, **October Term, 1958**, is granted. The motion to dismiss is granted and the appeal is dismissed as moot. Opinion *per curiam*.

No. 495. Charles D. Stuart et al., appellants, *v.* Wilson, Attorney General of Texas, et al. Appeal from the United District Court for the Northern District of Texas. The motion to dismiss is granted

and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 540. Daniel Lewis, appellant, *v.* Flora Trudy Moore (Widow) et al. Appeal from the Supreme Court of North Carolina. The appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 252, Misc. In the Matter of the Application of Grover Cleveland McDaniel, appellant. Appeal from the Supreme Court of California. The appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 4, Original. State of New York, Complainant, *v.* State of Illinois and Sanitary District of Chicago et al. The motion for leave to file a supplemental and amended complaint and the response thereto are referred to the Special Master for an expression of his views as to the relationship of the matters presented therein to the issues in this cause.

No. 62. Maryland and Virginia Milk Producers Association, Inc., appellant, *v.* United States; and

No. 73. United States, appellant, *v.* Maryland and Virginia Milk Producers Association, Inc. The motion of Daniel J. Freed for leave to withdraw his appearance as counsel for the appellant in No. 62 and for the appellee in No. 73 is granted.

No. 319. Walter Schilling, petitioner, *v.* William P. Rogers, Attorney General. The motion of Hannah von Bredow et al. for leave to file brief, as *amici curiae*, is denied.

No. 368. Humble Oil & Refining Company, petitioner, *v.* Federal Power Commission. The motion to substitute Humble Oil & Refining Company, a Delaware Corporation, in the place of Humble Oil & Refining Company, a Texas Corporation, is granted.

CERTIORARI GRANTED

No. 538. United Steelworkers of America, petitioner, *v.* Enterprise Wheel and Car Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted and case set for argument immediately following No. 443.

No. 539. Edward J. Meyer et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted and case transferred to the summary calendar.

CERTIORARI DENIED

No. 446. E. Ingraham Company, petitioner, *v.* Board of Tax Review of the Town and City of Bristol. Petition for writ of certiorari to the Supreme Court of Errors of Connecticut denied.

No. 482. Herbert Frederick Korholz et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 511. Zelda Stewart, petitioner, *v.* Vernon T. Thomas et al. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 514. Marvin Roth, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 515. Robert S. Berson et al., petitioners, *v.* Graveraet Y. Kaufman et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 517. Quality Coal Corp., petitioner, *v.* John L. Lewis et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 518. Nathan L. Posner et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 519. Mildred Rittenberg et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 520. Holland Furnace Company, petitioner, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 521. Peter Casella, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 522. Senco Products, Inc., petitioner, *v.* Fastener Corp. et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 524. Nicola Panichella, petitioner, *v.* Pennsylvania Railroad Co. et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 525. Erma F. Springer et al., petitioners, *v.* Allstate Insurance Co. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 529. Security Insurance Co., et al., petitioners, *v.* Max Edlin et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 530. Blue Mountain Construction Co., petitioner, *v.* H. C. Werner et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 531. Peoria Housing Authority, petitioner, *v.* Security Insurance Co. et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 536. Max E. Greenberg, petitioner, *v.* American Surety Company of New York. Petition for writ of certiorari to the Supreme Court of New York, New York County, denied.

No. 543. The Philadelphia Saving Fund Society, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 545. Aircoach Transport Association, Inc., et al., petitioners, *v.* Atchison, Topeka & Santa Fe Railroad Co. et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 547. William A. Smith et al., petitioners, *v.* Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Eastern Division, denied.

No. 548. Frank Holder et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 551. Gladys Laycock, petitioner, *v.* Frank J. Kenney. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 553. La Gloria Oil and Gas Co., et al., petitioners, *v.* Scofield, Formerly Collector of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 558. Edward Vance, petitioner, *v.* American Society of Composers, Authors and Publishers et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 560. Pyramid Life Insurance Company, petitioner, *v.* Mildred S. Curry. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 561. John Kasper, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Middle Division, denied.

No. 562. Dickson, Warden of California State Prison at San Quentin, petitioner, *v.* Rayna Tom Carmen. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 577. Nathan W. Shavin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 460. Clifford B. Dye, petitioner, *v.* Michigan. The motion for leave to file supplement to petition for certiorari is granted. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 566. Skibs A/S Jolund, petitioner, *v.* American Smelting & Refining Company et al.; and

No. 567. Black Diamond Steamship Corp., petitioner, *v.* American Smelting & Refining Company et al. The motions of Koninklijke Nederlandsche Reedersvereniging (Royal Netherlands Shipowners' Association) et al. and The Britannia Steam Ship Insurance Association, Ltd., et al., for leave to file briefs, as *amici curiae*, are granted. The motions of The American Merchant Marine Institute, Inc., and Norges Rederforbund (The Norwegian Shipowners' Association) for leave to file briefs, as *amicus curiae*, are granted. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 18, Misc. Edward M. Hector, petitioner, *v.* State of California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 70, Misc. Thomas Kling, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 110, Misc. Jim Allen, petitioner, *v.* Los Angeles County District Council of Carpenters, etc., et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 121, Misc. Fred Bryant, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 175, Misc. Paul Alfred Carson, petitioner, *v.* W. Frank Smyth, Jr., Superintendent of the Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 217, Misc. Otis Robert Goodlow, petitioner, *v.* Raymond J. Buchkoe, Warden. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 222, Misc. George E. Evans, petitioner, *v.* Boyd Leedom et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 239, Misc. Douglas L. Burt, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 253, Misc. Sodoro Agnello, petitioner, *v.* Joseph D. Lohman, Sheriff, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 279, Misc. William H. Chapman, petitioner, *v.* Ralph W. Alvis, Warden. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 286, Misc. Bernard Niedzialkowski, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 295, Misc. David Kletter, petitioner, *v.* Christian A. Herter, Secretary of State. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 298, Misc. William Glass, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 301, Misc. Eherd Burman, petitioner, *v.* Florida et al. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 302, Misc. Robert Lee Lyons, Jr., petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 313, Misc. Lucius Bomar, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 322, Misc. William E. Scott, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 323, Misc. Amos Black, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 327, Misc. George E. C. Brown, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 332, Misc. Albert Fuller, petitioner, *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 333, Misc. Albert Spader, petitioner, *v.* David N. Myers, Superintendent of State Penitentiary at Graterford. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 341, Misc. George Harris, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 351, Misc. Kelsey D. Bartlett, petitioner, *v.* Dr. Robert E. Weimer. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 358, *Misc.* Harry Der Hagopian, petitioner, *v.* Khatoun Z. Eskandarian et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 369, *Misc.* Homer Fletcher Neal, petitioner, *v.* California. Petition for writ of certiorari to the District Court of Appeals of California, Second Appellate District, denied.

No. 374, *Misc.* John T. Keesler, petitioner, *v.* James F. Maroney, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 380, *Misc.* Richard Lee, petitioner, *v.* Tracy A. Hand, Warden, et al. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 386, *Misc.* James McCants, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 390, *Misc.* Luther Carpenter, petitioner, *v.* John H. Klinger et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 412, *Misc.* Damon Cooper, petitioner, *v.* J. E. La Vallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 421, *Misc.* Ralph Loran Wilson, petitioner, *v.* Florida. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 427, *Misc.* Leonard Blair, alias Chester Brown, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 442, *Misc.* James Bailey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 443, *Misc.* United States ex rel. Robert Caldwell, petitioner, *v.* Walter B. Martin, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 444, *Misc.* Emmett Caraker, petitioner, *v.* H. G. Cochran, Jr., Director of Division of Corrections. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 452, *Misc.* Willis Lee Grove, petitioner, *v.* W. Frank Smyth, Jr., Superintendent of Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 454, *Misc.* Frank West, Jr., petitioner, *v.* Virginia et al. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 456, Misc. Jeston Carl Kenyon, Jr., petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 467, Misc. James X. Crawford, petitioner, *v.* Raymond J. Buchkoe, Warden. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 478, Misc. Mack E. Adam, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 482, Misc. Richard Grant Wilson, petitioner, *v.* H. G. Cochran, Jr., Director, Division of Corrections. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 493, Misc. Henry H. Staples, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 14, Misc. George Robert Brown, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied without prejudice to an application for writ of habeas corpus in the appropriate United States District Court.

No. 349, Misc. Willie James Carter, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Whittaker took no part in the consideration or decision of this application.

LEAVE TO FILE FOR WRITS OF HABEAS CORPUS DENIED

No. 362, Misc. John Yancy, petitioner, *v.* Joseph E. Ragen, Warden;

No. 476, Misc. Chester L. Oughton, petitioner, *v.* United States;

No. 492, Misc. Norman Brabson, petitioner, *v.* Harry Sieberglitt, Warden; and

No. 527, Misc. C. J. McNally, petitioner, *v.* Texas et al. Motions for leave to file petitions for writs of habeas corpus denied.

LEAVE TO FILE PETITION FOR WRITS OF MANDAMUS AND CERTIORARI DENIED

No. 495, Misc. Lloyd G. Hatler, General Chairman of General Grievance Committee of the Brotherhood of Railroad Trainmen, etc., et al., petitioners, *v.* Hon A. Owen Dawson, U.S. District Judge for the Southern District of New York, et al. Motion for leave to file petition for writs of mandamus and certiorari denied.

LEAVE TO FILE PETITIONS FOR WRITS OF CERTIORARI DENIED

No. 143, Misc. Firstamerica Corporation, petitioner, *v.* United States of America; and

No. 491, Misc. Holland Furnace Company, petitioner, *v.* Federal Trade Commission. Motions for leave to file petitions for writs of certiorari denied.

REHEARINGS DENIED

No. 110. Firestone Tire & Rubber Company, a Corporation, appellant, *v.* Board of Supervisors of Los Angeles County et al.;

No. 237. Vera Giovannetti, Administratrix of the Estate of Henry G. Giovannetti, Deceased, petitioner, *v.* Georgetown University Hospital et al.;

No. 365. Eugene D. Guthrie, petitioner, *v.* Sinclair Refining Co.;

No. 434. Charles E. Leggett, petitioner, *v.* United States;

No. 453. Claudia Walker, petitioner, *v.* Bank of America National Trust & Savings Association et al.; and

No. 507. Richard A. Mack et al., petitioner, *v.* United States. Petitions for rehearings denied.

No. 266. Central States Drivers Council et al., petitioners, *v.* National Labor Relations Board. Motion for leave to file petition for rehearing denied.

No. 426. James H. Morrison, petitioner, *v.* California. Motion for leave to proceed further herein *in forma pauperis* granted. Petition for rehearing denied.

No. 803. October Term, 1958. In the Matter of Sidney Sarner, appellant. Motion for leave to file second petition for rehearing and for other relief denied.

No. 50, Misc. Arthur S. Curtis, petitioner, *v.* The United States; and

No. 137, Misc. Ray Fox, petitioner, *v.* California et al. Petition for rehearing denied.

No. 448, Misc. Caryl Chessman, petitioner, *v.* California et al. Petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this application.

ORAL ARGUMENT

No. 44. Local Lodge No. 1424, etc., et al., petitioners, *v.* National Labor Relations Board. Argued by Mr. Bernard Dunau for the petitioners and by Mr. Norton Come for the respondent. Memorandum to come.

No. 60. John W. Arnold, petitioner, *v.* Ben Kanowsky, Inc. Argued by Miss Bessie Margolin for the United States, as *amicus curiae*. Submitted on briefs by Mr. Arthur J. Riggs for the petitioner and by Mr. G. H. Kelsoe, Jr., for the respondent.

No. 59. Sam Thompson, petitioner, *v.* City of Louisville et al. Argument commenced by Mr. Louis Lusky for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, January 12, will be as follows: Nos. 59, 64, 56, and 119.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Hugh R. Manes, of Los Angeles, Calif., on motion of Mr. Fred Okrand; Max N. Edwards, of Hobbs, N. Mex., on motion of Mr. Joseph M. Montoya; Robert D. Wallick, of Washington, D.C., on motion of Mr. Earle W. Wallick; and Melvin Waldman, of Brooklyn, N.Y., Nathan K. Trynin, of New York, N.Y., Morris J. Greenspun, of Alexandria, Va., Norman W. Goldin, of Raleigh, N.C., and Michael F. Parrino, of New York, on motion of Mr. Maurice Francis Biddle, were admitted to practice.

ORAL ARGUMENT

No. 59. Sam Thompson, petitioner, *v.* City of Louisville et al. Argument continued by Mr. Herman E. Frick for the respondents and concluded by Mr. Louis Lusky for the petitioner. Memorandum to come.

No. 64. United States, appellant, *v.* James Griggs Raines et al. Argued by Mr. Attorney General Rogers for the appellant and by Mr. Charles J. Bloch for the appellees. Memorandum to come.

No. 56. United States, petitioner, *v.* Republic Steel Corp. et al. Argument commenced by Mr. Solicitor General Rankin for the petitioner and continued by Mr. Raymond T. Jackson for respondent, Interlake Iron Corporation.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, January 13, will be as follows: Nos. 56, 119, 152, and 154.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

John H. McCollom, of Chicago, Ill., Joe B. Brown, Jr., of Dallas, Tex., Arthur V. Zelezinski, of Chicago, Ill., and Robert P. Brandenburg, of Elmhurst, Ill., on motion of Mr. Solicitor General James Lee Rankin; Maupin Cummings, of Fayetteville, Ark., on motion of Mr. James W. Trimble; Stanley N. Nissel, of New York, N.Y., and Donald L. Hersh, of Hillside, N.J., on motion of Mr. F. Trowbridge vom Baur; Walter Gellhorn, of New York, N.Y., on motion of Mr. Oscar H. Davis; William Alfred Smith, of Washington, D.C., on motion of Mr. Curtis P. Mitchell; Charles J. Alexander, of Washington, D.C., on motion of Mr. Frederick Bernays Wiener; Philip P. Ardery, of Louisville, Ky., on motion of Mr. Neville Miller; Bruce R. Merrill, of Houston, Tex., on motion of Mr. Robert O. Koch; and James H. Falloon, of Falls City, Nebr., and James H. Falloon, Jr., of Washington, D.C., on motion of Mr. George B. Searls, were admitted to practice.

ORAL ARGUMENT

No. 56. United States, petitioner, *v.* Republic Steel Corp. et al. Argument continued by Mr. Paul R. Conaghan for respondent, Republic Steel Corporation, and concluded by Mr. Solicitor General Rankin for the petitioner. Submitted on brief by Mr. Peter A. Dammann and by Mr. W. S. Bodman for respondent, International Harvester Company.

No. 119. James Ivey Wyatt, petitioner, *v.* United States. Argued by Mr. Robert R. Rissman and by Mr. Fred Okrand for the petitioner and by Mr. Roger G. Connor for the respondent.

No. 152. Thomas W. Nelson and Arthur Globe, petitioners, *v.* County of Los Angeles et al. Argued by Mr. A. L. Wirin and by Mr. Fred Okrand for the petitioners and by Mr. William E. Lamoreaux for the respondents.

No. 154. Manuel D. Talley, petitioner, *v.* California. Argument commenced by Mr. A. L. Wirin for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, January 14, will be as follows: Nos. 154, 34, and 61.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Harold B. McSween, of Alexandria, La., and William M. Shaw, of Homer, La., on motion of Mr. Edwin E. Willis; Harold Jacob Goodman, of Norfolk, Va., and William Mazel, of Norfolk, Va., on motion of Mr. Robert D. Wallick; John Unger, of Danville, Ill., on motion of Mr. John L. Kilcullen; Harold Orlinsky, of Chicago, Ill., on motion of Mr. Frederick M. Rowe; and Harold W. Felton, of New York, N.Y., on motion of Mr. Raymond Fassett Brown, were admitted to practice.

ORAL ARGUMENT

No. 154. Manuel D. Talley, petitioner, *v.* California. Argument continued by Mr. A. L. Wirin for the petitioner, by Mr. Hugh R. Manes for the petitioner, by Mr. Philip E. Grey for the respondent and concluded by Mr. A. L. Wirin for the respondent.

No. 34. National Labor Relations Board, petitioner, *v.* Drivers, Chauffeurs, Helpers, Local Union No. 639, etc. Argued by Mr. Dominick L. Manoli for the petitioner and by Mr. Herbert S. Thatcher for the respondent. Memorandum to come.

No. 61. Federal Trade Commission, petitioner, *v.* Henry Broch and Company. Argument commenced by Mr. Daniel M. Friedman for the petitioner and continued by Mr. Henry J. Bison, Jr., for the National Association of Retail Grocers of the United States, as *amicus curiae*, and by Frederick M. Rowe for the respondent.

Adjourned until Monday, January 18, at 12 o'clock.

The day call for Monday, January 18, will be as follows: Nos. 61, and 549 (and 550).

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harland, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Lawrence X. Pusateri, of Melrose Park, Ill., Frank R. Hudak, of Collinsville, Ill., Joseph J. Saunders, of Washington, D.C., and William R. McNamer, of Billings, Mont., on motion of Mr. Oscar H. Davis; Albin P. Lassiter, of Monroe, La., John Ellett Jackson, Jr., of New Orleans, La., Ferdinand A. Cashio, of Shreveport, La., and Newton Cleburn Dalton, Jr., of Baton Rouge, La., on motion of Mr. Jack P. F. Gremillion; Wilmer M. Cox, of Atlanta, Ga., on motion of Mr. John Wilson Ellis; Edmund J. Hahn, of Brooklyn, N.Y., and Thomas J. F. Ford, of Brooklyn, N.Y., on motion of Mr. George E. Reed; Robert O. Fagg, of Dallas, Tex., and John J. McGovern, of Silver Spring, Md., on motion of Mr. Joseph P. O'Hara; Rollin Quinton Blakeslee, of Philadelphia, Pa., and Richard J. Cummins, of Fort Lee, N.J., on motion of Mr. William L. Otten, Jr.; George Michaels, of Boston, Mass., on motion of Mr. Gilbert A. Cuneo; Jean F. Du Paul, of San Diego, Calif., on motion of Mr. Northcutt Ely; Kenneth A. Cox, of Seattle, Wash., and Richard P. Donaldson, of Seattle, Wash., on motion of Mr. Harold Irving Baynton; Burton H. Brody, of New York, N.Y., on motion of Mr. John W. Burke, Jr., Jonathan P. Batdorf, of Reading, Pa., and David J. Batdorf, of Reading, Pa., on motion of Miss Doris Hope Spangenburg; S. David Rubenstein, of Washington, D.C., on motion of Mr. Morris Relson; Joseph Minsky, of Chicago, Ill., on motion of Miss Selma M. Levine; Armand I. Robinson, of Washington, D.C., on motion of Mr. Michael A. Schuchat; Chas. T. Dodrill, of Huntington, W. Va., on motion of Mr. Harold G. Hernly; and Ross G. Tharp of San Diego, Calif., on motion of Mr. Aaron Walter Reese, were admitted to practice.

OPINION

No. 5. Henry L. Hess, Jr., Administrator of the Estate of George William Graham, Deceased, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment set aside and case remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart. Mr. Chief Justice Warren,

Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Brennan join the opinion of the Court, but solely under compulsion of the Court's ruling in *The Tungus v. Skovgaard*, 358 U.S. 588. Dissenting opinion by Mr. Justice Harlan with whom Mr. Justice Frankfurter joins. Memorandum of Mr. Justice Whittaker joining in the dissent.

No. 39. Mitchell, Secretary of Labor, petitioner, *v.* Robert De-Mario Jewelry, Inc., et al. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Harlan. Mr. Justice Douglas, while joining in the opinion of the Court, agrees with Mr. Justice Whittaker that other remedies are available and that any remedy obtained in this equity action is complementary to them. Dissenting opinion by Mr. Justice Whittaker with whom Mr. Justice Black and Mr. Justice Clark join.

No. 48. United States, petitioner, *v.* Sydelle Price. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the United States District Court for the District of Arizona for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Stewart joins.

No. 22. Kinsella, Warden, appellant, *v.* United States ex rel. Singleton. Appeal from the United States District Court for the Southern District of West Virginia. Judgment affirmed. Opinion by Mr. Justice Clark. Separate opinion (covering cases Nos. 21, 22, 37, and 58) by Mr. Justice Whittaker, with whom Mr. Justice Stewart joins, concurring. Separate opinion (covering cases Nos. 21, 22, 37, and 58) by Mr. Justice Harlan, with whom Mr. Justice Frankfurter joins, dissenting.

No. 58. Albert H. Grisham, petitioner, *v.* Charles R. Hagan, Warden. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment reversed. Opinion by Mr. Justice Clark. Separate opinion (covering cases Nos. 21, 22, 37, and 58) by Mr. Justice Harlan, with whom Mr. Justice Frankfurter joins, concurring. Separate opinion (covering cases Nos. 21, 22, 37, and 58) by Mr. Justice Whittaker, with whom Mr. Justice Stewart joins, dissenting.

No. 21. McElroy, Secretary of Defense, et al., petitioners, *v.* United States ex rel. Dominic Guagliardo. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit; and

No. 37. Bruce Wilson, petitioner, *v.* Major General John F. Bohlander, Commander, Fitzsimmons Army Hospital. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment in No. 21 affirmed; and judgment in No. 37 reversed. Opinion by Mr. Justice Clark. Separate opinion (covering cases Nos. 21, 22, 37, and 58) by Mr. Justice Harlan, with whom Mr. Justice Frankfurter joins, dissenting. Separate opinion (covering cases Nos. 21, 22, 37, and 58) by Mr. Justice Whittaker, with whom Mr. Justice Stewart joins, dissenting.

No. 3. Ellen Goett, as Administratrix of the Estate of Marvin Paul Goett, Deceased, petitioner, *v.* Union Carbide Corporation and Amherst Barge Company. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment vacated and case remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Opinion *per curiam* announced by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Harlan with whom Mr. Justice Frankfurter joins. Dissenting opinion by Mr. Justice Whittaker. Dissenting opinion by Mr. Justice Stewart.

The Chief Justice said:

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

OPINION PER CURIAM

No. 526. State Corporation Commission of Kansas et al., appellants, *v.* Arrow Transportation Co. et al.;

No. 527. Alabama Great Southern Railroad Co. et al., appellants, *v.* Arrow Transportation Co. et al.; and

No. 528. Interstate Commerce Commission, appellant, *v.* Arrow Transportation Co. et al. Appeals from the United States District Court for the Northern District of Alabama. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 30. Ohio ex rel. Eaton, appellant, *v.* Price, Chief of Police. The motion of J. Harvey Crow for leave to present oral argument is denied. Mr. Justice Stewart took no part in the consideration or decision of this motion.

No. 165. The Brotherhood of Locomotive Engineers et al., petitioners, *v.* Missouri-Kansas-Texas Railroad Company et al. The motion to strike Items 1 and 2 of the cross-designation and amended

cross-designation of parts of the record to be printed is granted. The motion to strike other portions of the cross-designation and amended cross-designation is denied without prejudice to such further order of the Court as to the taxation of costs as it may deem proper if it appears that the respondents have caused unnecessary parts of the record to be printed. Rule 36, Par. 7.

CERTIORARI DENIED

No. 542. Al Marshall et al., petitioners, *v.* Brotherhood of Locomotive Firemen and Enginemen et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 559. National Labor Relations Board, petitioner, *v.* Pittsburgh Plate Glass Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 570. John Daquino et al., petitioners, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 578. Charles Mannina, petitioner, *v.* Industrial Accident Commission of California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 284, Misc. Edwin J. Gould, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 309, Misc. Earl Sherwood, petitioner, *v.* Jackson County Circuit Court. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 325, Misc. Thomas O. Spampinato et ux., petitioners, *v.* M. Breger & Co. et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 359, Misc. William Jackson Glancy, petitioner, *v.* John H. Klinger, Superintendent, California Men's Colony, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 477, Misc. Herold Murray, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 496, Misc. Henry Johnson, petitioner, *v.* Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 499, Misc. William C. Wright, petitioner, *v.* B. J. Rhay, Superintendent of Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 500, Misc. John F. Kelly, petitioner, *v.* B. J. Rhay, Superintendent of Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 506, *Misc.* Franklin E. Wright, petitioner, *v.* B. J. Rhay, Superintendent of Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 561, *Misc.* Edwin W. Swanson, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 635, *Misc.* James Merkouris, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 167, *Misc.* Luther Bailey, petitioner, *v.* Lee Henslee, Superintendent of Arkansas State Penitentiary. Petition for a writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied without prejudice to a further application for writ of habeas corpus in the appropriate United States District Court, on the question whether members of petitioner's race were deliberately and intentionally limited and excluded in the selection of petit jury panels, in violation of the Federal Constitution.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 594, *Misc.* Paul C. Niblett, petitioner, *v.* William F. Steiner, Warden; and

No. 595, *Misc.* Harrison Banks, petitioner, *v.* William F. Steiner, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

No. 573, *Misc.* Morris Goldberg, petitioner, *v.* John F. McNeill, Superintendent of Matteawan State Hospital. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied.

REHEARINGS DENIED

No. 12. The Minneapolis & St. Louis Railway Company, appellant, *v.* United States of America et al.;

No. 27. South Dakota et al., appellants, *v.* United States et al.; and

No. 28. Minnesota et al., appellants, *v.* United States et al.; and

No. 461. John F. Iselin et al., petitioners, *v.* Lester J. Meng et al.; and

No. 480. Local 135, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, AFL-CIO, petitioner, *v.* National Labor Relations Board. Petitions for rehearing denied.

No. 707, *Misc.* October Term, 1958. Edward J. Ellis, petitioner, *v.* United States. Motion for leave to file petition for rehearing denied.

RECESS ORDER

The Court will take a recess from Monday, January 25, until Tuesday, February 23.

ORAL ARGUMENT

No. 61. Federal Trade Commission, petitioner, *v.* Henry Broch and Company. Argument continued by Mr. Frederick M. Rowe for the respondent and concluded by Mr. Daniel M. Friedman for the petitioner.

No. 549. John A. Hannah et al., appellants, *v.* Margaret M. Larche et al; and

No. 550. John A. Hannah et al., petitioners, *v.* J. A. H. Slawson et al. Four hours allowed for oral argument. Argument on the petition for writ of certiorari, the jurisdiction on appeal, and on the merits of the cases commenced by Mr. Lawrence E. Walsh for the appellants in No. 549 and for the petitioners in No. 550.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, January 19, will be as follows: Nos. 549 (and 550), 62 (and 73), and 38.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Brigham E. Roberts, of Salt Lake City, Utah, Virginia D. Roberts, of Salt Lake City, Utah, and Wayne L. Black, of Salt Lake City, Utah, on motion of Mr. Frank E. Moss; Nelson Woodson, of Salisbury, N.C., on motion of Mr. Samuel J. Ervin, Jr.; Robert F. Moss, of Metuchen, N.J., on motion of Mr. William T. Cahill; Richard J. Daniels, of Phoenix, Ariz., on motion of Mr. John J. Rhodes; Harold D. Spears, of Ironton, Ohio, on motion of Mr. Egbert R. Ferguson, Jr.; Jay Clifford Brownlee, of Youngstown, Ohio, Earl R. Boonstra, of Detroit, Mich., and C. Kenneth Clark, of Youngstown, Ohio, on motion of Mr. Charles Sylvanus Rhyne; Wm. C. Steel, of Miami, Fla., on motion of Mr. Alexander George Hardy; Charles F. Hartsock, of Cincinnati, Ohio, and Irving Harris, of Cincinnati, Ohio, on motion of Mr. Llewellyn A. Luce; James B. Collier, of Ironton, Ohio, and Charles Conrad Klein, of Ironton, Ohio, on motion of Mr. C. Frank Reifsnyder; Leon F. Pesek, of Austin, Tex., on motion of Mr. Frank McReynolds Wozencraft; Frank C. Sterck, of Washington, D.C., and Herbert Betz Rickards, of Washington, D.C., on motion of Mr. Herbert A. Bergson; Cosmo M. Ansara, of Springfield, Mass., S. Thomas Martinelli, of Springfield, Mass., and John J. O'Connor, of Springfield, Mass., on motion of Mr. John J. Courtney; William J. Dryden, of Washington, D.C., on motion of Mr. Bernard D. Cahn; Charles Soren Iversen, of Bethesda, Md., on motion of Mr. James A. Crooks; and Frederick E. Stout, of Chicago, Ill., on motion of Mr. Herbert M. Bingham, were admitted to practice.

ORAL ARGUMENT

No. 549. John A. Hannah et al., appellants, *v.* Margaret M. Larche et al.; and

No. 550. John A. Hannah et al., petitioners, *v.* J. A. H. Slawson et al. Argument on the petition for writ of certiorari, the jurisdiction on appeal, and on the merits of the cases continued by Mr. Lawrence E. Walsh for the appellants in No. 549 and for the petitioners in No. 550, by Mr. Jack P. F. Gremillion for the appellees in No. 549 and concluded by Mr. W. M. Shaw for the respondents in No. 550.

No. 62. Maryland and Virginia Milk Producers Association, Inc., appellant, *v.* United States; and

No. 73. United States, appellant, *v.* Maryland and Virginia Milk Producers Association, Inc. Argument commenced by Mr. Herbert A. Bergson for the appellant in No. 62 and for the appellee in No. 73, and continued by Mr. Philip Elman for the appellee in No. 62 and for the appellant in No. 73.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, January 20, will be as follows: Nos. 62 (and 73), 38, 76, and 176.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Otto Oplatka, of Berwyn, Ill., Bernard Mosesson, of Cleveland, Ohio, Nathan D. Rollins, of Cleveland, Ohio, William I. Cohen, of New York, N.Y., Noah Chodos, of New York, N.Y., Myron J. Kleban, of New York, N.Y., Sheldon Gross, of New York, N.Y., Jacob W. Rozinsky, of New York, N.Y., Esther M. Kaufman, of New York, N.Y., Justin A. Rothstein, of New York, N.Y., George L. Spector, of New York, N.Y., Joseph Abrams, of New York, N.Y., Victor Jacobs, of New York, N.Y., Mannis Neumann, of New York, N.Y., Charles Graff, of New York, N.Y., Anton G. Sintich, of Astoria, N.Y., Helen E. Bertas, of Philadelphia, Pa., Ralph H. Aguilera, of Miami, Fla., Jack L. King, of Miami, Fla., Lloyd A. Tasoff, of Los Angeles, Calif., Arthur I. Schechter, of New York, N.Y., George Rudnick, of New York, N.Y., Arthur S. Schapira, of New York, N.Y., Saul Kies, of New York, N.Y., Andrew A. Costantino, of New York, N.Y., Leon Rosen, of New York, N.Y., George Gershenfeld, of Philadelphia, Pa., Andrew N. Farnese, of Philadelphia, Pa., Edward L. Dubroff, of Brooklyn, N.Y., William Suffin, of Brooklyn, N.Y., Albert J. Persichetti, of Philadelphia, Pa., Gregory G. Lagakos, of Philadelphia, Pa., Carl J. Melone, of Philadelphia, Pa., John S. Manos, of Philadelphia, Pa., Chester Charles Shore, of Washington, D.C., and I. Arthur Levy, of Newark, N.J., on motion of Mr. Solicitor General James Lee Rankin; Virgil Peter Cline, of Denver, Colo., on motion of Mr. Charles A. Vanik; Rene Goier, of Berwyn, Ill., on motion of Mr. C. Aubrey Gasque; Joseph H. Meyers, of Washington, D.C., on motion of Mr. Parke M. Banta; and Thormund Aubrey Miller, of Washington, D.C., on motion of Mr. Jeremiah C. Waterman, were admitted to practice.

ORAL ARGUMENT

No. 62. Maryland and Virginia Milk Producers Association, Inc., appellant, *v.* United States; and

No. 73. United States, appellant, *v.* Maryland and Virginia Milk Producers Association, Inc. Argument continued by Mr. Philip Elman for the appellee in No. 62 and for the appellant in No. 73 and

concluded by Mr. William J. Hughes, Jr., for the appellant in No. 62 and for the appellee in No. 73.

No. 38. George Lee Parker, petitioner, *v.* O. B. Ellis, General Manager, Texas Prison System. Argued by Mr. Frank M. Wozencraft for the petitioner and by Mr. Leon Pesek for the respondent.

No. 76. The Superior Court of the State of Washington for King County, et al., petitioners, *v.* The State of Washington on the Relation of Yellow Cab Service, Inc., a Corporation. Argued by Mr. Richard P. Donaldson for the petitioners and by Mr. Kenneth A. Cox for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, January 21, will be as follows: Nos. 176, 69, and 54.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Norman J. Putman, of Massillon, Ohio, on motion of Mr. Frank T. Bow; John Patrick Baker, of North Little Rock, Ark., Kay L. Matthews, of Little Rock, Ark., and Robert Vann Light, of Little Rock, Ark., on motion of Mr. John L. McClellan; Louis Carbonaro, of Chicago, Ill., and Joseph I. Carbonaro, of Chicago, Ill., on motion of Mr. Robert E. Redding; J. Harold Traverse, of Cleveland, Ohio, on motion of Mr. Robert A. Collier; Harold Alvin Levey, Jr., of Hollis, N.H., on motion of Mr. Perkins Bass; Arnold Harvey Cole, of University City, Mo., on motion of Mrs. Kitty Blair Frank; Allen M. Garfield, of San Francisco, Calif., on motion of Mr. James W. Knapp; and Elmer Howard Oltman, of St. Louis, Mo., on motion of Mr. Eugene J. Kaplan, were admitted to practice.

CERTIORARI DENIED

No. **673**, Misc. James Merkouris, petitioner, *v.* Fred R. Dickson, Warden, et al. Petition for writ of certiorari to the Supreme Court of California denied.

ORAL ARGUMENT

No. **176**. Frank C. Mitchell, petitioner, *v.* Trawler Racer, Inc. Argued by Mr. Morris D. Katz for the petitioner and by Mr. James A. Whipple for the respondent.

No. **69**. Cecil Jones, petitioner, *v.* United States. Argued by Mr. Louis Henkin for the petitioner and by Mr. James W. Knapp for the respondent.

Adjourned until Monday, January 25, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Herbert F. Roth, of New York, N.Y., John C. Lankenau, of New York, N.Y., Lewis C. Ryan, of Syracuse, N.Y., Burnett H. Radosh, of Neponsit, N.Y., Donald O'Dean Montgomery, of Washington, D.C., Isabel L. Blair, of Lebanon, Ohio, Warren L. Little, of Missoula, Mont., Charles Jefferson Powell, of Norman, Okla., and Paul Kenneth Kirkpatrick, Jr., of Monroe, La., on motion of Mr. Lawrence E. Walsh; Robert William Gelfman, of Woodmere, N.Y., on motion of Mr. Maurice Francis Biddle; Russell B. Pace, Jr., of Vienna, Va., on motion of Mr. C. Frank Reifsnyder; William D. Baer, of New York, N.Y., on motion of Mr. Morris Kanfer; George T. Sweeney, of Golden, Colo., Bernard Patrick O'Kane, of Lakewood, Colo., and Joseph F. Little, of Denver Colo., on motion of Mr. John A. Carroll; William H. Botzer, of Seattle, Wash., on motion of Mr. Warren G. Magnuson; Albert J. O'Melia, Sr., of Rhineland, Wis., on motion of Mr. John J. McGovern; Francis J. O'Brien, of New York, N.Y., and William J. McDonald, Jr., of New York, N.Y., on motion of Mr. John R. Sheneman; P. Kenneth Peterson, of Minneapolis, Minn., on motion of Mr. Robert A. Forsythe; Dale H. Hoscheit, of Washington, D.C., on motion of Mr. Harold J. Birch; Algerdas N. Cheleden, of Los Angeles, Calif., on motion of Mr. Frederick R. Tansill; George J. Schaefer, of New York, N.Y., on motion of Mr. John W. Cragun; and Marcus Bartlett Finnegan, of New York, N.Y., on motion of Mr. Martin T. Fisher, were admitted to practice.

OPINIONS

No. 42. Local No. 8-6, Oil, Chemical and Atomic Workers International Union, AFL-CIO, et al., appellants, *v.* Missouri. Appeal from the Supreme Court of Missouri. Judgment vacated and case remanded to the Supreme Court of Missouri for such proceedings as by that court may be deemed appropriate. Opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice Black with whom Mr. Chief Justice Warren and Mr. Justice Brennan join.

No. 53. Clifford M. Davis, petitioner, *v.* Virginian Railway Company. On writ of certiorari to the Supreme Court of Appeals of

Virginia. Judgment reversed and case remanded to the Supreme Court of Appeals of Virginia for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Clark. Separate opinion by Mr. Justice Whittaker, concurring in part and dissenting in part. Dissenting opinion by Mr. Justice Harlan. Mr. Justice Frankfurter is of the view that the writ of certiorari was improvidently granted.

No. 76. The Superior Court of the State of Washington for King County, et al., petitioners, *v.* The State of Washington on the Relation of Yellow Cab Service, Inc., a Corporation. On writ of certiorari to the Supreme Court of Washington. Judgment reversed and case remanded for proceedings not inconsistent with the opinion of this Court. Opinion *per curiam* announced by Mr. Chief Justice Warren.

The Chief Justice said :

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

OPINIONS PER CURIAM

No. 544. Harry A. Gair et al., appellants, *v.* Honorable David W. Peck et al., etc. Appeal from the Supreme Court of New York, New York County. The motion to dismiss is granted and the appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 552. Margaret Taylor, appellant, *v.* Hal R. Taylor, Sr. Appeal from the Supreme Court of Kansas. The appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 307, Misc. U. S. ex rel. Clifton Alton Poret and Edgar Labat, petitioners, *v.* Maurice Sigler, Warden. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Motion for leave to proceed *in forma pauperis*, and petition for writ of certiorari granted. On writ of certiorari, judgment vacated and case remanded for the District Court for disposition of the question whether members of petitioner's race were deliberately and intentionally limited and excluded in the selection of petit jury panels, in violation of the Federal Constitution. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 25. Honorable Julius J. Hoffman, Judge of the United States District Court for the Northern District of Illinois, Eastern Division, petitioner, *v.* John F. Blaski et al. ;

No. 26. Sullivan, Chief Judge of the United States District Court for the Northern District of Illinois, petitioner, *v.* Otto Behimer et al.; and

No. 229. Continental Grain Company, petitioner, *v.* Barge FBL-585 et al. The motion to postpone argument is granted.

No. 71. George De Veau, appellant, *v.* John M. Braisted, Jr., as District Attorney of Richmond County. Consideration of the motion of appellee to dismiss the appeal as moot is postponed to the hearing of the case on the merits.

No. 130. Willia Niukkanen, etc., petitioner, *v.* E. D. McAlexander, etc. The motion of National Lawyers Guild for leave to file brief, as *amicus curiae*, is denied.

APPEAL—JURISDICTION NOTED

No. 541. B. T. Shelton et al., appellants, *v.* Ed I. McKinley, Jr., et al. Appeal from the United States District Court for the Eastern District of Arkansas. In this case probable jurisdiction is noted.

CERTIORARI DENIED

No. 569. Lewis J. Ruskin, as Trustee under Collateral Agreement Dated May 19, 1954, petitioner, *v.* Charles H. Griffiths, Trustee in Reorganization of General Stores Corporation, Debtor; and

No. 592. Charles H. Griffiths, Trustee, petitioner, *v.* Lewis J. Ruskin, Trustee. Petitions for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 575. First National City Bank of New York, petitioner, *v.* Internal Revenue Service of the United States Treasury Department. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 576. Mildred G. Tanner, petitioner, *v.* Paul R. Eryin, Executor. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 580. Olga Forsberg Donnelly, petitioner, *v.* District of Columbia Redevelopment Land Agency et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 584. Edward Lewis Short, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 595. Great Northern Railway Company, petitioner, *v.* Nathaniel H. Bracy. Petition for writ of certiorari to the Supreme Court of Montana denied.

No. 598. Pacific Mutual Life Insurance Company, petitioner, *v.* George Graves Dixon. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 618. International Basic Economy Corporation, petitioner, *v.* Luis Blanco-Lugo. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 591. J. Edwin LaVallee, Warden, et al., petitioners, *v.* Joseph Corbo. The motion of respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 224, Misc. John Wesley Hatcher, petitioner, *v.* R. O. Culver, as State Prison Custodian. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 244, Misc. James West, petitioner, *v.* Donald Clemmer et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 277, Misc. Paul Mennelli, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 308, Misc. John Calvin Cannon, petitioner, *v.* Clarence T. Gladden, Warden. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 340, Misc. Alonzo Charles Spencer, petitioner, *v.* California. Petition for writ of certiorari to the District Court of Appeal of California, Fourth Appellate District, denied.

No. 419, Misc. Paul N. Van Horn, petitioner, *v.* Home of the Aged and Orphans of the Baltimore Conference, Methodist Church, South, Inc., et al. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS AND OTHER
RELIEF DENIED

No. 430, Misc. Fred Raymond Koenig, petitioner, *v.* Charles L. Powell, Judge, United States District Court for the Southern District of Washington, et al. Motion for leave to file petition for writ of mandamus and other relief denied.

REHEARINGS DENIED

No. 9. Eleazar Smith, appellant, *v.* The People of the State of California; and

No. 383. John Cunningham, petitioner, *v.* John F. English et al. Petitions for rehearing denied.

Adjourned until Tuesday, February 23, at 12 o'clock.

The day call for Tuesday, February 23, will be as follows: No. — (U.S. *v.* Thomas), No. 8 and No. 464.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ORDER

No. —. United States of America, petitioner, *v.* Curtis M. Thomas, Registrar of Voters of Washington Parish, Louisiana, et al. On application to vacate order of the Court of Appeals granting stay of injunction pending appeal and to reinstate injunction issued by the District Court. *Per Curiam*: The application of the United States for an order vacating the stay order of the Court of Appeals entered January 21, 1960, and reinstating the decree of the District Court, together with the request of the Attorney General of Louisiana for argument thereon, have been considered by the Court.

1. It appears, as respondents pointed out in their application to the Court of Appeals for the stay herein, that the issues in *United States v. Raines*, No. 64, now pending on appeal in this Court, are pertinent to the disposition of this case. In view of this, and of the fact that the issues raised by this application are closely related to those involved on the merits of the controversy now before the Court of Appeals, the Court believes that the entire matter should be considered at one time. In light of the foregoing, and of the imminence of the State general election scheduled for April 19, 1960, the Court will entertain a petition for certiorari to review the judgment of the District Court, 28 U.S.C. §§ 1254(1), 2101(e), if filed by the Solicitor General on or before January 29, 1960. The petition may be filed in typewritten form. See the action of the Court as to *Bolling v. Sharpe, et al.*, 344 U.S., at 3.

2. In the event that such a petition is so filed, the Court will hear argument upon the present application, the petition, and the merits, on February 23, 1960, the case to be set at the head of the calendar for that day. See *Hannah v. Larche*, No. 549; *Hannah v. Slawson*, No. 550, 361 U.S. —, December 7, 1959.

3. The record, which may be filed in typewritten form, and the Government's brief on all matters will be filed on or before February 10, 1960, and the answering briefs of the respondents will be filed on or before February 20, 1960. The Government may file a reply brief on or before February 22, 1960.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ORDER

No. 537. Communist Party of the United States of America, petitioner, *v.* Subversive Activities Control Board. Motion for leave to use as part of the record the printed record heretofore filed with this Court in No. 48, **October Term, 1955**, granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia granted.

No. 8. Junius Irving Scales, petitioner, *v.* United States of America; and

No. 464. John Francis Noto, petitioner, *v.* United States. These two cases were set for argument on February 23 next. In the meantime there intervened the filing of the petition in No. 537, which we have just granted. Nos. 8 and 464 arose under the Smith Act (Act of June 25, 1948, c. 645, § 2385, 62 Stat. 808) and No. 537 under Title I of the Internal Security Act of 1950 (Act of September 23, 1950, c. 1024, 64 Stat. 987). However, some of the constitutional and statutory issues raised by these two enactments are clearly interrelated and their determination in the two former cases may affect their determination in the latter case and *vice versa*. Accordingly, the Court deems it important that these three cases be heard and considered together. Since the Court's calendar for the remainder of the Term precludes this, Nos. 8 and 464 are reset for argument on Monday, October 10, 1960, to be followed immediately by the argument in No. 537.

MR. JUSTICE CLARK, dissenting.

This order, coming as it does in mid-Term with five months of sessions yet remaining, is without precedent. It delays for another year decisions on two important acts of the Congress—the Smith Act and the Internal Security Act of 1950.

Scales' case has already been on our active docket for five successive Terms and has twice been fully argued. Petition for certiorari was first granted during the October Term 1955, 350 U.S. 992, and the first oral argument was on October 10, 1956 (October Term 1956). The case was held under advisement until June 3, 1957, when it was put over to the October Term 1957 for reargument. At that time, on mo-

tion of the Solicitor General, it was remanded on a subsidiary issue in the light of our opinion in *Jencks v. United States* (353 U.S. 657), decided in the interim. 355 U.S. 1. On retrial, Scales was convicted again and the Court of Appeals affirmed, 260 F. 2d 21. We granted certiorari again on December 15, 1958, in our October Term 1958. 358 U.S. 917. It was argued the second time in 1959, and in June, over my objection, 360 U.S. 925, was reset for the October Term 1959. It was then set for November 19, but was put over to February 23, 1960, when certiorari was granted in *Noto*, 361 U.S. 813. The argument in the October Term 1960 will be the third argument. I have found no appellate case in the history of the Court that has been carried on the active docket so many consecutive Terms or argued so often. Ten hours argument time here will have been given to it alone. *Noto* admittedly involves the same issue as *Scales*. It has already been here two successive Terms and this order will make the third, placing it next to the unprecedented position occupied by *Scales*.

Likewise the *Communist Party* case, No. 537, has been argued here on the merits once before.¹ This case seeks registration of the Communist Party under the Internal Security Act which was passed by the Congress in 1950. Four years ago this Court had full argument on it and remanded it to the Board for reconsideration of its factual determinations. I dissented from this action. 351 U.S., at 125.

Nor do the briefs in these cases raise any overlapping *constitutional* issues. As I read them, the only interrelation would be the effect on the Smith Act of § 4(f) of the Internal Security Act.² Although *Noto* and the Communist Party have the same counsel, he has not pointed out any such overlapping or interrelation whatever, nor indicated in any way that the arguments should be set together. No such request has been made. In fact, by motion he has asked that the printed record used here on the previous argument in the *Communist Party* case be used again, as supplemented by the certified record made on remand. The Court has granted this motion. This paves the way for argument in the case this Term. Available time could be had in late March to hear all three cases by merely switching other cases to the six-hour argument period of *Scales* and *Noto* now set for February 23. I think that this would be entirely appropriate. It would give the Communist Party some 60 days in which to prepare its briefs. This is ample time, since the issues in its case are the same as when the case was here before, the record for the most part is identical, and the lawyers who argued it then are handling the case again. Although in regular course the *Communist Party* case would not be

¹ *Communist Party v. Control Board*, 351 U.S. 115 (1956).

² "Sec. 4(f). Neither the holding of office nor membership in any Communist organization by any person shall constitute per se a violation of subsection (a) or subsection (c) of this section or of any other criminal statute. . . ."

reached until next Term, there is ample precedent for advancing the same and setting it in March. Likewise, if the argument in the *Scales*, *Noto*, and *Communist Party* cases were set in March it would leave three months before our adjournment in which to prepare the opinions. This appears to me more than ample, since the cases have been argued and considered here before.

But whether the *Communist Party* case is advanced or not, I think we should hear *Scales* and *Noto* this Term. Noto has the same counsel in his case as does the Communist Party in its, and in the argument of *Noto* counsel will certainly cover in detail his position on § 4(f). Six hours are assigned to these cases this month. If the Party's position conflicts with *Scales* and *Noto*, he could present both positions, just as he would do next October in any event. In fact, I have said, the interpretation of § 4(f) is a subsidiary point in the *Communist Party* case, being covered in its brief by only three paragraphs, while it may be decisive in the *Scales* and *Noto* cases. Any overlap would not reach the constitutionality of either the Smith Act or the Internal Security Act.

For these reasons I dissent.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. —. Caryl Chessman, petitioner, *v.* Fred R. Dickson, Warden of the California State Prison at San Quentin, California. The motion for leave to file a petition for writ of habeas corpus is denied. The Chief Justice took no part in the consideration or decision of this application.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Joseph Peter Kinneary, of Columbus, Ohio, John C. Fontana, of Columbus, Ohio, Garrett S. Claypool, of Columbus, Ohio, George Raymond Wolfe, of Columbus, Ohio, Thomas J. Brennan III, of Arlington, Va., James Forbes Merow, of Arlington, Va., Earl L. Huntington, of Arlington, Va., David L. Norman, of Washington, D.C., Robert Alexander Hammond III, of Washington, D.C., Samuel Spec-
tor, of Tallahassee, Fla., Joseph C. Jacobs, of Tallahassee, Fla., Morey A. Rayman, of Miami, Fla., and Paul Anthony Cushman, of Kewanee, Ill., on motion of Mr. Solicitor General James Lee Rankin; Ira C. Rothgerber, Jr., of Denver, Colo., and Joseph M. McDonald, of Denver, Colo., on motion of Mr. John A. Carroll; Clair I. Peterkin, Jr., of Yuma, Ariz., on motion of Mr. Stewart L. Udall; Solomon D. Rosen, of New York, N.Y., on motion of Mr. Alfred E. Santangelo; Robert F. Guthrie, of Detroit, Mich., on motion of Mr. James G. O'Hara; George A. Kasem, of West Covina, Calif., and John Wm. Davis, of Pico Rivera, Calif., on motion of Mr. Joseph M. Montoya; John F. Hathaway, of Detroit, Mich., and John D. O'Hair, of Detroit, Mich., on motion of Mr. Brice Wilson Rhyne; Charles C. Allen, Jr., of St. Louis, Mo., on motion of Mr. Charles C. Allen; Eugene W. Christen, of Farmington, Mich., on motion of Mr. Frank J. Soucek; James Frederick Hart, of Little Rock, Ark., on motion of Mr. John Patrick Baker; Bruce C. Aultman, of Hattiesburg, Miss., on motion of Mr. William E. Cresswell; Arthur William Miller, of Long Beach, Calif., on motion of Mr. Robert A. Wenke; Mary K. Wall, of Austin, Tex., on motion of Mr. Homer Thornberry; Howard F. Cerny, of New York, N.Y., on motion of Mr. Douglas L. Edmonds; Samuel Goldstein, of New York, N.Y., on motion of Mr. Donald A. Brown; Marvin Garfinkel, of Philadelphia, Pa., on motion of Mr. Richard Bailey Pearl; Payson Wolff, of Los Angeles, Calif., on motion of Mr. Milton A. Rudin; Emil Oxfeld, of Newark, N.J. on motion of Mr. David E. Feller; Claudia Pearlman, of New York, N.Y., on motion of Mr. Edgar Allyn Buttle; Louis Flax, of Washington, D.C., on motion of Mrs. Mary Burke Flax; Lewis Delasos, of Washington, D.C., on motion of Mr. William H. Clarke; Howard L. DeMott, of

New York, N.Y., Melvin N. Feldman, of New York, N.Y., Howard Isadore Legum, of Norfolk, Va., Louis Herrmann Cohn, of Norfolk, Va., and James Patrick McAndrews, of Uniondale, N.Y., on motion of Mr. Maurice Francis Biddle; Rufus C. Kuykendall, of Indianapolis, Ind., on motion of Mr. Gordon M. Tiffany; Everett R. Hamilton, of Akron, Ohio, on motion of Mr. Ellsworth H. Mosher; and Weldon A. Cousins, of New Orleans, La., and Henry J. Roberts, Jr., of New Orleans, La., on motion of Mr. Jack P. F. Gremillion, were admitted to practice.

OPINIONS

No. 41. Daisy Bates et al., petitioners, *v.* City of Little Rock et al. On writ of certiorari to the Supreme Court of Arkansas. Judgments reversed and case remanded to the Supreme Court of Arkansas for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Stewart. Concurring opinion by Mr. Justice Black and Mr. Justice Douglas.

No. 18. John L. Lewis et al., petitioners, *v.* Benedict Coal Corporation; and

No. 19. United Mine Workers of America et al., petitioners, *v.* Benedict Coal Corporation. On writs of certiorari to the United States Court of Appeals for the Sixth Circuit. In No. 18 the judgment of the Court of Appeals is modified to provide that the District Court shall amend the judgment in favor of the trustees to allow immediate and unconditional execution, and interest, on the full amount of the trustees' judgment for \$76,504.26 against Benedict. In No. 19 the judgment of the Court of Appeals, so far as it sustains the holding of the District Court that the union violated the collective bargaining agreement, is affirmed by an equally divided Court. The cases are remanded to the United States District Court for the Eastern District of Tennessee for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brennan. Dissenting opinion in No. 18 by Mr. Justice Frankfurter. Mr. Justice Stewart took no part in the consideration or decision of this case.

No. 15. National Labor Relations Board, petitioner, *v.* Insurance Agents International Union, AFL-CIO. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed and case remanded to the Court of Appeals. Opinion by Mr. Justice Brennan. Separate opinion by Mr. Justice Frankfurter with whom Mr. Justice Harlan and Mr. Justice Whitaker join.

No. 43. William R. Forman, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed. Opinion by Mr. Justice Clark. Concurring

opinion by Mr. Justice Harlan. Concurring opinion by Mr. Justice Whittaker.

No. 31. United States, appellant, *v.* Bernard Mersky et al. Appeal from the United States District Court for the Southern District of New York. Judgment affirmed. Opinion by Mr. Justice Clark. Concurring opinion by Mr. Justice Brennan. Memorandum by Mr. Justice Whittaker joining in the Court's opinion. Dissenting opinion by Mr. Justice Frankfurter with whom Mr. Justice Harlan and Mr. Justice Stewart join. Dissenting opinion by Mr. Justice Stewart with whom Mr. Justice Frankfurter and Mr. Justice Harlan join.

No. 46. National Labor Relations Board, petitioner, *v.* Deena Artware, Inc., et al. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and case remanded to the Court of Appeals for proceedings in accordance with the opinion of this Court. Opinion by Mr. Justice Douglas. Concurring opinion by Mr. Justice Frankfurter with whom Mr. Justice Harlan joins. Mr. Justice Stewart took no part in the consideration or decision of this case.

No. 40. Phillips Chemical Company, appellant, *v.* Dumas Independent School District. Appeal from the Supreme Court of Texas. Judgment reversed and case remanded to the Supreme Court of Texas for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Warren. Mr. Justice Frankfurter concurs in the result.

No. 60. John W. Arnold, petitioner, *v.* Ben Kanowsky, Inc. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment of the Court of Appeals reversed, the judgment of the District Court is reinstated and the cause is remanded to that court for consideration of the prayer of petitioner for further counsel fees in accordance with the provision of the Act. Opinion by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Whittaker.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 45. George B. Petite, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Motion of respondent to vacate judgment and to dismiss the indictment granted and case remanded to the Court of Appeals to vacate its judgment and to direct the District Court to vacate its judgment and to dismiss the indictment. Opinion *per curiam*. Con-

curring opinion by Mr. Chief Justice Warren. Separate opinion by Mr. Justice Brennan with whom Mr. Justice Black and Mr. Justice Douglas join.

No. 563. Costenze P. Valenti, appellant, *v.* McCloskey, Sheriff of the City of New York, et al. Appeal from the Court of Appeals of New York. The motion to dismiss is granted and the appeal is dismissed for want of a properly presented federal question. Opinion *per curiam*.

No. 564. National Can Corporation, appellant, *v.* State Tax Commission of Maryland. Appeal from the Court of Appeals of Maryland. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 568. Margaret Jeffrey Siebel, appellant, *v.* Department of Welfare of the City of New York. Appeal from the Court of Appeals of New York. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 571. Board of Education of Union Free School District No. 3, etc., et al., appellants, *v.* James E. Allen, Jr., Commissioner of Education. Appeal from the Court of Appeals of New York. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 579. Allendale Congregation of Jehovah's Witnesses, appellant, *v.* Edwin W. Grosman et al. Appeal from the Supreme Court of New Jersey. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 581. Gerald Dunitz et al., appellants, *v.* The City of Los Angeles et al. Appeal from the Supreme Court of California. The motion to dismiss is granted and the appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 594. Ray J. Hughes, appellant, *v.* Oklahoma. Appeal from the Criminal Court of Appeals of Oklahoma. The appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 111, Misc. Philip N. McAbee, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. On writ of certiorari, upon the suggestion of the Solicitor General the judgment of the Court of Appeals is vacated and case remanded

to that court for consideration in light of *Johnson v. United States*, 352 U.S. 565, and *Ellis v. United States*, 356 U.S. 674. Opinion *per curiam*.

No. 389, Misc. John Michael Higgins, appellant, *v.* The State Bar of California. Appeal from the Supreme Court of California. The motion to dismiss is granted and the appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 490, Misc. James Patrick Ryan, appellant, *v.* Harry C. Tinsley, Warden. Appeal from the United States Court of Appeals for the Tenth Circuit. The appeal is dismissed. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 2, Original. The State of Wisconsin et al., complainants, *v.* The State of Illinois and Sanitary District of Chicago et al.;

No. 3, Original. The State of Michigan, complainant, *v.* The State of Illinois and Sanitary District of Chicago et al.; and

No. 4, Original. State of New York, complainant, *v.* State of Illinois and Sanitary District of Chicago et al. Upon the suggestion of the defendants, The Metropolitan Sanitary District of Greater Chicago is substituted as a party defendant in these cases in the place of The Sanitary District of Chicago.

No. 2, Original. The State of Wisconsin et al., complainants, *v.* The State of Illinois and Sanitary District of Chicago et al.;

No. 3, Original. The State of Michigan, complainant, *v.* The State of Illinois and Sanitary District of Chicago et al.;

No. 4, Original. State of New York, complainant, *v.* State of Illinois and Sanitary District of Chicago et al.; and

No. 12, Original. State of Illinois, plaintiff, *v.* States of Michigan, Ohio, Pennsylvania, Minnesota, New York, and Wisconsin. The motion of the United States for leave to intervene is granted and the parties are allowed 45 days within which to file responses to such petition of intervention.

APPEAL—JURISDICTION NOTED

No. 565. United States, appellant, *v.* John Hancock Mutual Life Insurance Co. et al. Appeal from the Supreme Court of Kansas. In this case probable jurisdiction is noted and the case is transferred to the summary calendar.

CERTIORARI GRANTED

No. 409. Bruce Boynton, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia granted.

No. 631. Gus Polites, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted.

No. 603. Karl F. Knetsch et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted and case transferred to the summary calendar.

No. 605. United States, petitioner, *v.* E. B. Hougham et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted and case transferred to the summary calendar.

No. 255, Misc. Robert J. McGrath and Lawrence D. Hoy, petitioners, *v.* B. J. Rhay, Superintendent of Washington State Penitentiary. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Washington granted. Case transferred to appellant docket.

No. 552, Misc. Harold D. Rogers, petitioner, *v.* Mark S. Richmond, Warden. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted. Case transferred to appellate docket.

No. 650, Misc. Leslie Irvin, petitioner, *v.* A. F. Dowd, Warden. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted. Case transferred to appellate docket.

CERTIORARI DENIED

No. 457. Nathaniel Castiel, petitioner, *v.* Superior Court of the State of California, in and for the City and County of San Francisco. Petition for writ of certiorari to the Supreme Court of California denied.

No. 523. AB Electrolux, petitioner, *v.* National Gas Appliance Corp. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 534. National Theaters Corp. *v.* Bertha Building Corp. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 572. Presley Gregory, petitioner, *v.* Hon. William J. Campbell, Chief Judge, etc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 583. Tomlinson Fleet Corporation, petitioner, *v.* Harold A. Herbst. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 588. Leslie J. Valleskey et al., petitioners, *v.* E. J. Nelson, District Director of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 596. Ashby O. Stewart, Executor, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 597. Jose Montalvo et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 599. George Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 600. William Langford Hodge et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 601. Horton & Horton, Inc., petitioner, *v.* "S.S. Robert E. Hopkins," etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 602. Catherine Louise Harms, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 604. Sam E. Murrell et al., petitioners, *v.* United States, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 606. Richfield Oil Corporation, petitioner, *v.* Karseal Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 607. Francis J. Curtis, Trustee, petitioner, *v.* Russell Baker et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 608. L. T. Montford et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 609. Raymond Everett Hackler, petitioner, *v.* Joseph D. Lohman, Sheriff. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 610. Joe Delegal, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 611. George C. Matthies, petitioner, *v.* Seymour Manufacturing Co. et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 612. Harold Franklin Cliff, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 613. The Deutsch Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 614. R. M. Stricker, petitioner, *v.* J. P. Morgan et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 615. R. L. Bradford, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 616. Mary Bridges, petitioner, *v.* Hon. Vernon D. Forbes, District Judge, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 619. Mason & Dixon Lines, Inc., petitioner, *v.* General Electric Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 623. Tinnerman Products, Inc., petitioners, *v.* Prestole Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 624. Charlie Joe Vaughn, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 625. Aeronautical Radio, Inc., et al. petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 626. Louis Fiano, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 627. Frank E. Monday, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 629. Societe Cotonniere du Tonkin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 630. Ruth F. Ives, petitioner, *v.* Franke, Secretary of the Navy. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 633. Albert Samuel Wright, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 634. George H. Brasier, petitioner, *v.* City of Tulsa, Oklahoma. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 635. Albert Slusarz, petitioner, *v.* Frank Cygan. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 636. Marvin E. Brawner, petitioner, *v.* Mattie Brawner. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 638. Germana E. Praidó Del Castillo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 639. Emmett Graham Hagy, petitioner, *v.* Norfolk and Western Railway Company. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 643. Louisiana & Arkansas Railway Company, petitioner, *v.* J. C. Mullins, Jr. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Sixth Supreme Judicial District, denied.

No. 646. James Moon et al., petitioners, *v.* Cabot Shops, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 586. Arthur Steier, petitioner, *v.* New York State Education Commissioner et al. The motion for leave to proceed on a type-written petition is granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit is denied.

No. 587. Fred Williams, petitioner, *v.* Walter A. Sahli, District Director of Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

No. 590. Clyde E. Clapper, petitioner, *v.* Original Tractor Cab Co., Inc., et al.; and

No. 617. Original Tractor Cab Company, Inc., et al., petitioners, *v.* Clyde E. Clapper. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Whittaker took no part in the consideration or decision of these applications.

No. 80, Misc. James E. Buck, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 191, Misc. Louis Battice, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 238, Misc. Minnesota ex rel. Joseph P. Redenbaugh, also known as E. H. Hamilton, petitioner, *v.* Douglas C. Rigg, Warden. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 289, **Misc.** In the Matter of Edward Leon Williams, petitioner. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 347, **Misc.** Ambrose King, petitioner, *v.* Don H. Carmichael et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 352, **Misc.** Lonnie Jackson, petitioner, *v.* Donald Clemmer et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 373, **Misc.** Clarence Cooper, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 383, **Misc.** John F. Beltowski, petitioner, *v.* Minnesota. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 392, **Misc.** Jerome Kirksey, petitioner, *v.* Donald Clemmer et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 401, **Misc.** Helen Louise Daniel, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 414, **Misc.** Walter Carey, Jr., petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 418, **Misc.** Raymond Adame, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 420, **Misc.** John H. Kelley, petitioner, *v.* Donald Clemmer. Petition for writ certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 424, **Misc.** Joseph Zachary Freeze, petitioner, *v.* W. Frank Smyth, Jr., Superintendent of Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 431, **Misc.** James H. McNutt, petitioner, *v.* Texas et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 435, **Misc.** John Marshall Nelson, petitioner, *v.* Warden of the Maryland Penitentiary. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 440, **Misc.** Pete Pollock, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 447, **Misc.** Marion James Linden, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 458, Misc. Ralph C. Stewart, petitioner, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 462, Misc. Icie M. Jackson, petitioner, *v.* United States Civil Service Commissioners et al. Petition for certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 463, Misc. Pennsylvania ex rel. Raymond Burge, petitioner, *v.* James F. Maroney, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 470, Misc. Bert W. John, petitioner, *v.* Hon. Phil S. Gibson, Chief Justice of the Supreme Court of California, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 473, Misc. Elmer L. Borges, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 475, Misc. Benjamin Kominski, petitioner, *v.* Delaware. Petition for writ of certiorari to the Supreme Court of Delaware denied.

No. 479, Misc. Alonzo Smith, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 498, Misc. Hilla B. Darden, petitioner, *v.* O. B. Ellis, Director of Texas Department of Corrections. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 501, Misc. James Johnson, petitioner, *v.* Walter B. Martin, Warden. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 509, Misc. Jack V. K. Ragan, petitioner, *v.* Paul J. Madigan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 511, Misc. Otis Parsons, petitioner, *v.* Texas et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 516, Misc. Joe D. White, petitioner, *v.* O. B. Ellis, Director of Texas Department of Corrections, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 524, Misc. Carl M. Misenheimer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 530, Misc. Jesse Casper Judy, petitioner, *v.* Warden of the Maryland Penitentiary. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 531, Misc. Thomas Richard Ingram, petitioner, *v.* Warden of the Maryland House of Correction. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 534, Misc. Kenneth Ray Stavely, petitioner, *v.* O. B. Ellis, Director of Texas Department of Corrections, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 538, Misc. Joe Flores, petitioner, *v.* O. B. Ellis, Director, Texas Department of Corrections, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 544, Misc. Clyde A. Rish, Sr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 560, Misc. Wilson Green, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 564, Misc. Rudolph Louis Kessler, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. 566, Misc. Otho Bays, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 567, Misc. Samuel G. Perroni, petitioner, *v.* Illinois. Petition for writ of certiorari to the Circuit Court of Logan County, Illinois, denied.

No. 570, Misc. James P. Thompson and Eugene Haas, petitioners, *v.* Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 585, Misc. Pennsylvania ex rel. Sebron Dandy, petitioner, *v.* William J. Banmiller, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 627, Misc. Louis Cuomo, petitioner, *v.* J. E. LaVallee, Warden. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 632, Misc. George Thomas Jordan, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 437, Misc. Conrad Schiebelhut and Bernadette Schiebelhut, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit and other relief denied.

No. 480, Misc. Stanley J. Tomkalski, petitioner, *v.* Walter B. Martin, Warden. Petition for writ of certiorari to the Court of Appeals of New York denied. The Chief Justice took no part in the consideration or decision of this application.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 345, **Misc.** DeWitt T. Harris, Sr., petitioner, *v.* New York et al.;

No. 526, **Misc.** Ray Black Carpenter, petitioner, *v.* H. G. Cochran, Jr., Director, Division of Corrections;

No. 533, **Misc.** James Taylor, petitioner, *v.* J. C. Taylor, Warden;

No. 548, **Misc.** In the Matter of Leo R. Heath, Coy Ringo, and William Walter, petitioners; and

No. 631, **Misc.** Dorothy M. Gray, petitioner, *v.* Curtis Reid, Superintendent of District of Columbia Jail. Motions for leave to file petitions for writs of habeas corpus denied.

No. 639, **Misc.** Daniel J. Connolly, petitioner, *v.* R. O. Settle, Warden; and

No. 664, **Misc.** Irvin Hian, petitioner, *v.* Russell O. Settle, Warden. Motions for leave to file petitions for writs of habeas corpus and for other relief denied.

No. 644, **Misc.** Edward M. Thrash, petitioner, *v.* Beryle C. Sacks, Warden; and

No. 649, **Misc.** John Collins, petitioner, *v.* Fred R. Dickson, Warden. Motions for leave to file petitions for writs of habeas corpus denied. Treating the papers submitted as petitions for writs of certiorari, certorari denied.

LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 402, **Misc.** Herman Barmore, petitioner, *v.* Wendell A. Miles et al. Motion for leave to file petition for writ of mandamus and other relief denied.

LEAVE TO FILE PETITION FOR WRIT OF PROHIBITION DENIED

No. 514, **Misc.** Addison Sam Taylor, petitioner, *v.* Honorable Kenneth P. Grubb, U.S. District Judge for the Eastern District of Wisconsin. Motion for leave to file petition for writ of prohibition denied.

REHEARINGS DENIED

No. 357. Gordon Larsen, petitioner, *v.* State of Idaho;

No. 547. William S. Smith, et al., petitioners, *v.* Tennessee;

No. 553. La Gloria Oil and Gas Co., et al., petitioners, *v.* Scofield, Formerly Collector of Internal Revenue;

No. 562. Dickson, Warden of California State Prison at San Quentin, petitioner, *v.* Rayna Tom Carmen;

No. 577. Nathan W. Shavin, petitioner, *v.* United States; and

No. 325, Misc. Thomas O. Spampinato, et ux., petitioners, *v.* M. Breger & Co., et al. Petitions for rehearing denied.

No. 440. The American Securit Company, petitioner, *v.* Shatter-proof Glass Corporation. The motion of Smith, Bucklin and Associates, Inc., for leave to file brief, as *amicus curiae*, in support of petition for rehearing denied. Petition for rehearing denied.

No. 472. Sol R. Rauch et al., petitioners, *v.* Joseph Stockinger et al. Motion for leave to file petition for rehearing denied.

ORAL ARGUMENT

No. 667. United States *v.* Curtis M. Thomas, Registrar of Voters of Washington Parish, Louisiana, et al. Argument on the application to vacate order of the Court of Appeals granting stay of injunction pending appeal and to reinstate injunction issued by the District Court, the petition for writ of certiorari, and the merits, commenced by Mr. Solicitor General Rankin for the petitioner and continued by Mr. Weldon A. Cousins and Mr. Henry J. Roberts, Jr., for the respondents.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, February 24, will be as follows: Nos. 667, 80, 54, and 214.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Wilbur K. Watkins, Jr., of Honolulu, Hawaii, Jack F. Blair, of Los Angeles, Calif., and Joseph P. Pike, of Louisville, Ky., on motion of Mr. Solicitor General James Lee Rankin; Ada E. Beckman, of Philadelphia, Pa., Myer Robert Beckman, of Philadelphia, Pa., and Robert Matthew Beckman, of Philadelphia, Pa., on motion of Mr. Robert S. Green; Neil Wilder Burd, of Philadelphia, Pa., and Martin S. Goodman, of Philadelphia, Pa., on motion of Mr. Benjamin H. Read; Frank K. Sloan, of Columbia, S.C., on motion of Mr. Robert W. Hemphill; James D. Nestroff, of Toledo, Ohio, on motion of Mr. Thomas William Ludlow Ashley; John J. Mathias, of Frostburg, Md., on motion of Mr. Anthony Joseph Kennedy, Jr.; Richard C. Ogden, Jr., of Mineola, N.Y., on motion of Mr. Gideon Franklin Rothwell IV; James Allen Wood, of Corpus Christi, Tex., on motion of Mr. Chester H. Johnson; Allan Lewis Miller, of Boston, Mass., on motion of Mr. Edward J. Taggart; and Eivind H. Barth, Jr., of Camden, N.J., Neil F. Deighan, Jr., of Camden, N.J., Edward J. Bauer, of Camden, N.J., Raymond H. Dodds, of Camden, N.J., Benjamin J. Dzick, of Camden, N.J., Allen S. Dolgin, of Camden, N.J., Phillip C. Daniels, Jr., of Camden, N.J., Herbert K. Reay, of Camden, N.J., Thomas J. Fallon, of Camden, N.J., Charles A. Rizzi, of Camden, N.J., A. Morton Shapiro, of Camden, N.J., William B. Scatchard, Jr., of Camden, N.J., Saul Teitelman, of Camden, N.J., David L. Visor, of Camden, N.J., George G. Tartar, of Camden, N.J., William E. Strouse, of Camden, N.J., Saverio R. Principato, of Camden, N.J., Henry C. Maiale, of Camden, N.J., Charles A. McGeary, of Camden, N.J., Paul A. Lowengrub, of Camden, N.J., William F. Hyland, of Camden, N.J., Clarence Patrick Reberkenny, of Camden, N.J., William S. Keown, of Camden, N.J., Joseph F. Greene, Jr., of Camden, N.J., Lillian J. Gruccio, of Camden, N.J., Morrey Lacktman, of Camden, N.J., George F. Kugler, Jr., of Camden, N.J., Lewis Feingold, of Camden, N.J., James Hunter III, of Camden, N.J., William Raymond Farr, of Camden, N.J., Emanuel Liebman, of Camden, N.J., Robert Wilinski, of Camden, N.J., David F. Greenberg, of Camden, N.J., George S. Friedman, of Salem, N.J., Wayland A. Lucas, of

Salem, N.J., Harry Norris Mangan, of Salem, N.J., Joseph Narrow, of Salem, N.J., William R. Smith, of Salem, N.J., Robert W. Richman, of Salem, N.J., Andrew Rhea, of Salem, N.J., John L. White, of Woodbury, N.J., Walter S. Hunter, of Woodbury, N.J., R. Edward Klaisz, Jr., of Woodbury, N.J., Edward L. O'Brien, of Woodbury, N.J., Joseph H. Enos, of Woodbury, N.J., Burton D. Zehner, of Woodstown, N.J., Oakford W. Acton, Jr., of Woodstown, N.J., Albert Boyd Sharp, of Haddonfield, N.J., Donald A. Curtis, of Haddonfield, N.J., Glenn Watson Kindle, of Clayton, N.J., Milton L. Silver, of Clayton, N.J., George Winne, of Hackensack, N.J., James J. Dooley, of Hackensack, N.J., Alvin G. Shpeen, of Glassboro, N.J., Joseph Minnite, of Paulsboro, N.J., H. Emil Paarz, Jr., of Williamstown, N.J., George H. Jacobs, of Moorestown, N.Y., and Henry W. De Luca, of Philadelphia, Pa., on motion of Mr. William T. Cahill, were admitted to practice.

ORAL ARGUMENT

No. 667. United States, petitioner, *v.* Curtis M. Thomas, Registrar of Voters of Washington Parish, Louisiana, et al. Argument continued by Mr. Henry J. Roberts, Jr., for the respondents and concluded by Mr. Solicitor General Rankin for the petitioner.

No. 80. Scripto, Inc., etc., appellant, *v.* Dale Carson, as Sheriff of Duval County, Florida, et al. Argued by Mr. George B. Haley, Jr., for the appellant and by Mr. Joseph C. Jacobs for the appellees.

No. 54. Flemming, Secretary of Health, Education, and Welfare, appellant, *v.* Ephram Nestor. Argued by Mr. John F. Davis for the appellant and by Mr. David Rein for the appellee.

No. 214. Miller Music Corporation, petitioner, *v.* Charles N. Daniels, Inc. Argument commenced by Mr. Julian T. Abeles for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, February 25, will be as follows: 214, 83, and 86.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

James Gayle Garner, of Longview, Tex., on motion of Mr. Ralph W. Yarborough; John D. Spellman, of Seattle, Wash., on motion of Mr. Harold E. Baynton; Jerome James McGrath, of Washington, D.C., and John A. McGrath, of Washington, D.C., on motion of Mr. W. K. Hopkins; Carlton S. Moorefield, of Alexandria, Va., and Franklin Leroy Carroll, of Falls Church, Va., on motion of Mr. Albert A. Stern; Morris W. Stein, of Detroit, Mich., and Max H. Fruhauf, of Detroit, Mich., on motion of Mr. Nestor Shea Foley; Powell Pierpoint, of New York, N.Y., on motion of Mr. Samuel Eugene Gates; Thomas Gasson Laughlin, of Washington, D.C., on motion of Mr. Thomas B. Lawrence; Benjamin Talbert Shuman, of Orlando, Fla., on motion of Mr. J. William Norman; Philip T. Seymour, of Syracuse, N.Y., on motion of Mr. Perry S. Patterson; and Severin Herbert Schurger, of Decatur, Ind., Leo J. Crum, of Kalamazoo, Mich., G. Daniel Ferrera, of Dearborn, Mich., Kenneth Thomas Hayes, of Grand Rapids, Mich., Harold E. Resteiner, of Flint, Mich., George F. Fisk, of Detroit, Mich., Charles E. Lowe, of Detroit, Mich., Orville F. Sherwood, of Detroit, Mich., John L. von Batchelder, of Detroit, Mich., Manuel Zechman, of Huntington Woods, Mich., and Edwin R. Oglesby, of Farmington, Mich., on motion of Mr. Clio Edwin Straight, were admitted to practice.

ORAL ARGUMENT

No. 214. Miller Music Corporation, petitioner, *v.* Charles N. Daniels, Inc. Argument continued by Mr. Julian T. Abeles for the petitioner, by Mr. Milton A. Rudin for the respondent and concluded by Mr. Julian T. Abeles for the petitioner.

No. 83. James P. Mitchell, Secretary of Labor, etc., petitioner, *v.* H. B. Zachry Company. Argued by Miss Bessie Margolin for the petitioner and by Mr. R. Dean Moorhead and Chester H. Johnson for the respondent.

Adjourned until Monday, February 29, at 12 o'clock.

The day call for Monday, February 29, will be as follows: Nos. 86, 319, and 71.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Roy H. Brooks, Jr., of Miami, Fla., Hilton R. Carr, Jr., of Miami, Fla., Herbert A. Warren, Jr., of Miami, Fla., Richard Kelly, of Zephyrhills, Fla., and Joseph J. Ticktin, of Chicago, Ill., on motion of Mr. Solicitor General James Lee Rankin; Robert M. Falasco, of Los Banos, Calif., on motion of Mr. Harlan Hagen; Julius Miller, of New York, N.Y., on motion of Mr. Thomas W. Gleason; Carl Bert Albert, of McAlester, Okla., on motion of Mr. Norman J. Futor; Richard McRae Hester, of Atlanta, Ga., James Matthew McDaniel, of Atlanta, Ga., William A. Moncrief, of Atlanta, Ga., and Frank B. Hester, of Atlanta, Ga., on motion of Mr. John Wilson Ellis; Romallus Olga Murphy, of Wilson, N.C., on motion of Mr. Charles Tignor Duncan; Miles Janney Brown, of Alexandria, Va., on motion of Mr. Alan B. Hobbes; Arthur John Joseph Bohn, of Fort Lauderdale, Fla., on motion of Mr. Leslie Hawes Fisher; Carl J. Batter, Jr., of Washington, D.C., on motion of Mr. Carl John Batter; William Edward Ryan, of Boston, Mass., on motion of Mr. John R. Kewer; Bertram Jacobson, of Quakertown, N.J., Carl W. Peterson, Jr., of Ilion, N.Y., and Percival B. Hamilton, of Denver, Colo., on motion of Mr. Carl W. Milzer; J. Duane Vance, of Seattle, Wash., on motion of Mr. John Paul Jennings; Arthur Karger, of New York, N.Y., on motion of Mr. James M. McInerney; William M. Osborn, of Indianapolis, Ind., on motion of Mr. Donald C. Beelar; and Merton Robert Clarkson, of Arlington, Va., on motion of Mr. Frank A. Barrett, were admitted to practice.

OPINIONS

No. 64. United States, appellant, *v.* James Griggs Raines et al. Appeal from the United States District Court for the Middle District of Georgia. Judgment reversed and case remanded to the District Court for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brennan. Separate opinion by Mr. Justice Frankfurter, with whom Mr. Justice Harlan concurs, joining in the judgment.

No. 20. United States, appellant, *v.* Parke, Davis and Company. Appeal from the United States District Court for the District of Columbia. Judgment reversed and case remanded to the District

Court with directions to enter an appropriate judgment enjoining Parke, Davis from further violations of the Sherman Act unless the company elects to submit evidence in defense and refutes the Government's right to injunctive relief established by the present record. Opinion by Mr. Justice Brennan. Concurring opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice Harlan with whom Mr. Justice Frankfurter and Mr. Justice Whittaker join.

No. 152. Thomas W. Nelson and Arthur Globe, petitioners, *v.* County of Los Angeles et al. On writ of certiorari to the District Court of Appeal of California, Second Appellate District. Judgments affirmed. Opinion by Mr. Justice Clark. Dissenting opinion by Mr. Justice Black with whom Mr. Justice Douglas joins. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Douglas joins. Mr. Chief Justice Warren took no part in the consideration or decision of this case.

No. 667. United States, petitioner, *v.* Curtis M. Thomas, Registrar of Voters of Washington Parish, Louisiana, et al. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Petition for writ of certiorari granted. On writ of certiorari, upon the opinion, finding of fact, and conclusions of law of the District Court and the decision of this Court rendered today in No. 64, *United States v. Raines*, the aforesaid stay order of the Court of Appeals is vacated and the judgment of the District Court as to the respondent Thomas is affirmed. Opinion *per curiam* announced by Mr. Chief Justice Warren.

The Chief Justice said:

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

ORDER IN PENDING CASE

No. 130. Willia Niukkanen, etc., petitioner, *v.* E. D. McAlexander, etc. The motion of the American Committee for Protection of Foreign Born for leave to file brief, as *amicus curiae*, is granted.

APPEAL—JURISDICTION NOTED

No. 434, Misc. Billy Ferguson, appellant, *v.* Georgia. Appeal from the Supreme Court of Georgia. Motion for leave to proceed *in forma pauperis* granted. In this case probable jurisdiction is noted and case transferred to the appellate docket.

CERTIORARI GRANTED

No. 582. Aro Manufacturing Co., Inc., et al., petitioners, *v.* Convertible Top Replacement Co., Inc. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit granted.

No. 593. Peter Chaunt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

CERTIORARI DENIED

No. 492. William B. Cross, petitioner, *v.* M. R. Pasley. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 585. Ralph Richardson, petitioner, *v.* C. C. Brunner. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 589. Gertrude A. Farnsworth et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 622. Don L. Rubenfield, petitioner, *v.* Robert C. Watson, Commissioner of Patents. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 640. Lena S. Tillman, Administratrix of the Estate of James A. Tillman, Deceased, petitioner, *v.* Robert B. Anderson, Secretary of the Treasury, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 641. David Lash, Treasurer, David's, Inc., petitioner, *v.* Laurence A. Nighosian, Revenue Agent, Internal Revenue Service. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 642. Philip Saxner and Rubin Saxner, d/b/a Phil's Tavern, et al., petitioners, *v.* Mary Ann Waynick et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 644. James L. Skinner, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 649. Farm and Home Agency, Inc., et al., petitioners, *v.* Securities and Exchange Commission. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 651. Kenneth John Berry, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 670. Peoples Loan and Finance Corporation, petitioner, *v.* Raymond Lawson. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 647. United Packinghouse Workers of America, petitioner, *v.* Maurer-Neuer, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice

Whittaker took no part in the consideration or decision of this application.

No. 39, Misc. Silverio Giron, petitioner, *v.* Harry C. Tinsley, Warden. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 310, Misc. Albert Karl Tag, petitioner, *v.* William P. Rogers, Attorney General, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 321, Misc. Kathryn Thorne Kelly and Ora L. Shannon, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 324, Misc. John McGill, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 372, Misc. Milton E. Powers, petitioner, *v.* Harold V. Langlois, Warden. Petition for writ of certiorari to the Supreme Court of Rhode Island denied.

No. 403, Misc. James H. Morrison, petitioner, *v.* California. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 474, Misc. Leroy Burley, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 523, Misc. Lowry L. Trent, petitioner, *v.* Joseph R. Blalock, M.D., Superintendent, Southwestern State Hospital. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 528, Misc. Wilbur Scott, Jr., petitioner, *v.* Carlton A. Hehle, Sheriff of Jefferson County, West Virginia, et al. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 529, Misc. MacDonald Mercer Bey, petitioner, *v.* James F. Maroney, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 582, Misc. Willie Eve, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 642, Misc. Robert W. Phillips, petitioner, *v.* Hon. William M. Carroll, Judge of the Circuit Court of McHenry County, etc. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 666, Misc. Joseph Hobbs, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland and denied.

No. 682, Misc. Charles Layton Cox, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 736, Misc. John Besmel, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 6, Misc. Lee Bryant, petitioner, *v.* State of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied in the light of the representation made by respondent in its brief in opposition that "Petitioner may at this time perfect an appeal to the Supreme Court of Ohio *in forma pauperis*, which appeal will be heard by that Court."

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 689, Misc. James Wolfe, petitioner, *v.* Beryle C. Sacks, Warden; and

No. 713, Misc. James A. Hoyland, petitioner, *v.* Paul J. Madigan, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

REHEARINGS DENIED

No. 495. Charles D. Stuart et al., appellants, *v.* Wilson, Attorney General of Texas, et al.;

No. 575. First National City Bank of New York, petitioner, *v.* Internal Revenue Service of the United States Treasury Department; and

No. 578. Charles Mannina, petitioner, *v.* Industrial Accident Commission of California et al. Petitions for rehearing denied.

No. 426. James H. Morrison, petitioner, *v.* California. Motion for leave to file second petition for rehearing denied.

No. 529. October Term, 1955. Marie DeSylva, petitioner, *v.* Marie Ballentine, as Guardian of the Estate of Stephen William Ballentine. Motion for leave to file petition for rehearing in the nature of a bill of review denied. Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart took no part in the consideration or decision of this application.

No. 291, Misc. October Term, 1953. Sigmund Pollack, petitioner, *v.* James T. Aspbury et al.;

No. 251, Misc. October Term, 1954. Sigmund Pollack, petitioner, *v.* James T. Aspbury et al., etc., and R. Lewis Townsend, Contemnor;

No. 364, Misc. October Term, 1954. Sigmund Pollack, petitioner, *v.* James T. Aspbury et al.;

No. 532, Misc. October Term, 1954. Sigmund Pollack, petitioner, *v.* James T. Aspbury et al.; and

No. 371, Misc. October Term, 1957. Sigmund Pollack, petitioner, *v.* The City of Newark, New Jersey, et al. Motions for leave to file petitions for rehearing denied. Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart took no part in the consideration or decision of these applications.

RECESS ORDER

The Court will take a recess from Monday, March 7 until Monday, March 21.

ORAL ARGUMENT

No. 86. Huron Portland Cement Company, etc., appellant, *v.* City of Detroit, etc., et al. Argued by Mr. Alfred E. Lindbloom for the appellant and by Mr. John F. Hathaway for the appellees.

No. 319. Walter Schilling, petitioner, *v.* William P. Rogers, Attorney General. Argument commenced by Mr. Henry I. Fillman for the petitioner and continued by Mr. Robert Kramer for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, March 1, will be as follows: 319, 71, 100, and 389.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

William Alfred Carver, of Bakersfield, Calif., on motion of Mr. Harlan Hagen; Richard Allen Jones, of Stilwell, Kans., and Lawrence E. Hoffman, of Miami Beach, Fla., on motion of Mr. Ralph Simon Spritzer; Robert J. Ables, of New York, N.Y., on motion of Mr. Walter Kurylo; Edward G. Raszus, of Chicago, Ill., on motion of Mr. Harold Albert Liebenson; Thaddeus Goode Holt, Jr., of Birmingham, Ala., on motion of Mr. Joseph F. Johnston; Benjamin Earl Hinden, of Washington, D.C., on motion of Mr. George H. Lynch; Oscar L. Spencer, of Pittsburgh, Pa., on motion of Mr. Cyrus V. Anderson; and Harris J. Winkelstein, of Greenbelt, Md., on motion of Mr. Jacob I. Karro, were admitted to practice.

ORAL ARGUMENT

No. 319. Walter Schilling, petitioner, *v.* William P. Rogers, Attorney General. Argument continued by Mr. Robert Kramer for the respondent and concluded by Mr. Henry I. Fillman for the petitioner.

No. 71. George De Veau, appellant, *v.* John M. Braisted, Jr., as District Attorney of Richmond County. Argued by Mr. Thomas W. Gleason for the appellant and by Mr. Thomas R. Sullivan for the appellee.

No. 100. The Order of Railroad Telegraphers, etc., et al., petitioners, *v.* Chicago and North Western Railway Company, a Corporation. Argument commenced by Mr. Lester P. Schoene for the petitioners and continued by Mr. Carl McGowan for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, March 2, will be as follows: Nos. 100, 389, 403, and 153.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Roland Victor Libonati, of Chicago, Ill., on motion of Mr. Basil Lee Whitener; Noah Schanfield Rosenbloom, of Redwood Falls, Minn., and Willard D. Hoot, of Fremont, Ohio, on motion of Mr. Paul F. Borden; Richard L. Maher, of New York, N.Y., and George Henry Hearn, of New York, N.Y., on motion of Mr. James M. Estabrook; Bert Cotton, of New York, N.Y., on motion of Mr. Philip Goldstein; Howard N. Mantel, of New York, N.Y., on motion of Mr. Jerome M. Alper; and Robert E. Childs, of Detroit, Mich., on motion of Mr. James P. Gerety, were admitted to practice.

ORAL ARGUMENT

No. 100. The Order of Railroad Telegraphers, etc., et al., petitioners, *v.* Chicago and North Western Railway Company, a Corporation. Argument continued by Mr. Carl McGowan for the respondent and concluded by Mr. Lester P. Schoene for the petitioners.

No. 389. Federal Trade Commission, petitioner, *v.* Anheuser-Busch, Inc. Argued by Mr. Philip Elman for the petitioner and by Mr. Edgar Barton for the respondent.

No. 403. Marine Cooks & Stewards, AFL, etc., et al., petitioners, *v.* Panama Steamship Company, Ltd., et al. Argument commenced by Mr. John Paul Jennings for the petitioners.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, March 3, will be as follows: Nos. 403, 153, 156, and 270.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Harriette W. Batipps, of Washington, D.C., on motion of Miss Helen N. Buckley; George T. Qualley, of Washington, D.C., on motion of Mr. George B. Searls; Leonard M. Salter, of Boston, Mass., on motion of Mr. Burton R. Thorman; and Morris R. Spelfogel, of Boston, Mass., on motion of Mr. Philip Goldstein, were admitted to practice.

ORAL ARGUMENT

No. 403. Marine Cooks & Stewards, AFL, etc., et al., petitioners, *v.* Panama Steamship Company, Ltd., et al. Argument continued by Mr. John D. Mosser and concluded by Mr. John Paul Jennings.

No. 153. Clarence Duke McGann, petitioner, *v.* United States. Argued by Mr. Thomas Homer Davis for the petitioner and by Mr. Theodore G. Gilinsky for the respondent.

No. 156. Hon. Julius H. Miner and Hon. Edwin A. Robson, etc., petitioners, *v.* H. Leslie Atlass. Argued by Mr. Harold A. Liebenson for the petitioners and by Mr. Edward B. Hayes for the respondent. Memorandum to come.

Adjourned until Monday, March 7, at 12 o'clock.

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520278—60—57

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Arthur P. Acher, of Helena, Mont., Jules R. Israel, of Miami, Fla., Roland W. Granat, of Miami Beach, Fla., and Kenneth Ethan Levin, of Terre Haute, Ind., on motion of Mr. Solicitor General James Lee Rankin; John W. Riley, of Olympia, Wash., and Jack E. Tanner, of Tacoma, Wash., on motion of Mr. Henry M. Jackson; Frederick Riley Blackwell, of West Columbia, S.C., on motion of Mr. Ralph W. Yarborough; John E. Hosmer, of Springfield, Mo., on motion of Mr. Craig Hosmer; J. Vincent Burke, Jr., of Pittsburgh, Pa., on motion of Mr. C. Brewster Rhoads; William H. Hoffstot, Jr., of Kansas City, Mo., on motion of Mr. Charles E. Pledger, Jr.; Frances Kahn, of New York, N.Y., on motion of Mr. Martin Brickman; Sam J. Shoemaker, of Roseburg, Oreg., on motion of Mr. Guy Cordon; Joe A. Moss, of Big Spring, Tex., on motion of Mr. Howard S. Spering; Kenneth C. McGuinness, of Washington, D.C., on motion of Mr. Dominick Manoli; William Joshua Arnold, of Batesville, Ark., on motion of Mr. Floyd Lee Williams; George Maslach, of Los Angeles, Calif., on motion of Mr. Robert E. Early; James P. Clowes, of Wheeling, W. Va., Carney Milton Layne, of Huntington, W. Va., and William C. Beatty, of Huntington, W. Va., on motion of Mr. David E. Feller; Otto B. Willett, of Redondo Beach, Calif., on motion of Mr. Harold D. Beaton; William T. Keogh, of Fort Bliss, Tex., on motion of Mr. Wm. H. Churchwell; Stuart Goldstein, of Buffalo, N.Y., on motion of Mr. Frank J. Lane, Jr.; John M. Robinson, of Houston, Tex., on motion of Mr. Bernard A. Foster, Jr.; Sylvan Heilbrunn, of Parlin, N.J., and I. Charles Lifland, of Jersey City, N.J., on motion of Mr. Kahl K. Spriggs; Charles W. Leinbach, Jr., of Los Angeles, Calif., on motion of Mr. Brackley Shaw; and Hilton A. Dickson, Jr., of Silver City, N. Mex., and Thomas O. Olson, of Albuquerque, N. Mex., on motion of Mr. Robert C. McConnell, were admitted to practice.

OPINIONS

No. 49. Florida Lime and Avocado Growers, Inc., et al., appellants, v. Jacobsen, Director of the Department of Agriculture of the State of California, et al. Appeal from the United States District Court

for the Northern District of California. Judgment reversed and case remanded to the District Court for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Whittaker. Mr. Justice Douglas joins in the part of the opinion that passes on the merits, the Court having held, contrary to his view, that the case is properly here on direct appeal from a three-judge court. Dissenting opinion by Mr. Justice Frankfurter with whom Mr. Justice Douglas joins.

No. 63. Federal Power Commission, petitioner, *v.* Tuscarora Indian Nation; and

No. 66. Power Authority of the State of New York, petitioner, *v.* Tuscarora Indian Nation. On writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and case remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Whittaker. Mr. Justice Brennan concurs in the result. Dissenting opinion by Mr. Justice Black with whom Mr. Chief Justice Warren and Mr. Justice Douglas join.

No. 154. Manuel D. Talley, petitioner, *v.* California. On writ of certiorari to the Appellate Department of the Superior Court of California, County of Los Angeles. Judgment reversed and case remanded to the Appellate Department of the Superior Court of California for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice Clark with whom Mr. Justice Frankfurter and Mr. Justice Whittaker join.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 652. Grace Corso, appellant, *v.* Security-First National Bank of Los Angeles, etc. Appeal from the District Court of Appeal of California, Second Appellate District. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*. Mr. Justice Black is of the opinion that probable jurisdiction should be noted.

No. 406, Misc. Calvin Sublett, petitioner, *v.* D. E. Adams, Warden. On petition for writ of certiorari to the Supreme Court of Appeals of West Virginia. Motion for leave to proceed in forma pauperis and petition for writ of certiorari granted. On writ of certiorari, judgment vacated and case remanded to the Supreme

Court of Appeals of West Virginia for proceedings not inconsistent with the opinion of this Court. Opinion *per curiam*. The Chief Justice took no part in the consideration or decision of this case.

ORDERS IN PENDING CASES

No. 4, **Original**. State of New York, complainant, *v.* State of Illinois and The Metropolitan Sanitary District of Greater Chicago et al. The report of the Special Master is received and ordered filed. The motion of the complainant for leave to file a supplemental and amended complaint is granted and the defendants are allowed 45 days within which to file answers thereto.

No. 55. United States, petitioner, *v.* Allen Kaiser; and

No. 376. Commissioner of Internal Revenue, petitioner, *v.* Mose Duberstein et al. The motion of Bernice Curry Myers for leave to file brief, as *amicus curiae*, is denied.

No. 633. Albert Samuel Wright, petitioner, *v.* Ohio. The motion to withhold issuance of the order denying certiorari is denied.

CERTIORARI GRANTED

No. 659. Robert Lawrence Company, Inc., petitioner, *v.* Devonshire Fabrics, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 661. Raphael Konigsberg, petitioner, *v.* State Bar of California et al. Motion to use record in No. 5, **October Term, 1956**, granted. Motion of American Civil Liberties Union of Southern California for leave to file brief, as *amicus curiae*, granted. Petition for writ of certiorari to the Supreme Court of California granted.

No. 666. Thomas Michalic, petitioner, *v.* Cleveland Tankers, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted and case transferred to summary calendar.

No. 67, **Misc.** Bill Bailey, petitioner, *v.* R. W. Alvis, Warden. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Ohio granted. Case transferred to the appellate docket.

No. 319, **Misc.** Elijah McNeal, Jr., petitioner, *v.* R. O. Culver, as State Prison Custodian. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Florida granted. Case transferred to the appellate docket.

No. 423, **Misc.** Alvin R. Campbell, Arnold S. Campbell and Donald Lester, petitioners, *v.* United States. Motion for leave to proceed

in forma pauperis granted. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit granted limited to Question No. 5 presented by the petition which reads as follows :

“Whether production of a statement which was read and signed by a government witness is excused after a complete foundation for it is made under 18 U.S.C. 3500 on the ground that the only document in the possession of the prosecutor is a summary by an F.B.I. Agent and not the statement signed by the witness without any showing as to what became of the original statement.”

The case is transferred to the appellate docket.

CERTIORARI DENIED

No. 637. Doeskin Products, Inc., et al., petitioners, *v.* William D. Pettit et al., Trustees. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 648. Chan Wing Cheung, etc., petitioner, *v.* Frank C. Hagerty, U.S. Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 653. William Meyers et al., petitioners, *v.* Famous Realty, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 654. Dyestuffs & Chemicals, Inc., petitioner, *v.* Flemming, Secretary of Health, Education, and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 656. Harry Hirschowitz et al., petitioners, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 657. J. A. Folger & Company, petitioner, *v.* United Fruit Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 658. Benjamin Franklin Collins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 660. Travelers Indemnity Company et al., petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 145, Misc. Harold Martin Brest, petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 292, **Misc.** Eddie Marks, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 364, **Misc.** Theodore Collins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 382, **Misc.** Charles Babouris, petitioner, *v.* P. A. Esperdy, District Director of Immigration and Naturalization for the District of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 400, **Misc.** L. E. Knight, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 429, **Misc.** Cambridge L. McMorris, petitioner, *v.* James F. Maroney, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 457, **Misc.** Edward L. Martin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 461, **Misc.** Frank Moriconi, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 481, **Misc.** Angel Fernandez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 483, **Misc.** Ex parte J. H. Hollis, petitioner. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 505, **Misc.** Leon R. Taylor, petitioner, *v.* Hugh F. Rivers, District of Columbia Board of Parole, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 525, **Misc.** D. L. Birchfield, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 549, **Misc.** Albert R. House, petitioner, *v.* Nathan Mayo, State Prison Custodian of Florida. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 551, **Misc.** Charles Hernandez and Manuel Ramirez, petitioners, *v.* Warden, New York City Prison. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 555, **Misc.** Charles E. O'Connor, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 556, *Misc.* Gino S. Trinci, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 565, *Misc.* Edward Hall, petitioner, *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 578, *Misc.* Odell Nelson, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 599, *Misc.* Martin Leo Benjamin, petitioner, *v.* Minnesota. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 608, *Misc.* Lindell Shoemake, petitioner, *v.* E. V. Nash, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 557, *Misc.* George J. Hurley, petitioner, *v.* Charles R. Hagan, Warden, et al. Motion for leave to file petition for writ of habeas corpus denied.

No. 133, *Misc.* Jack C. Massengale, petitioner, *v.* William P. Rogers, United States Attorney General, et al. Motion for leave to file petition for writ of habeas corpus denied. Mr. Justice Stewart took no part in the consideration or decision of this application.

No. 451, *Misc.* James Culver, petitioner, *v.* George F. Goodman, Warden. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied.

REHEARINGS DENIED

No. 580. Olga Forsberg Donnelly, petitioner, *v.* District of Columbia Redevelopment Land Agency et al.; and

No. 419, *Misc.* Paul Van Horn, petitioner, *v.* Home of the Aged and Orphans of the Baltimore Conference, Methodist Church, South, Inc., et al. Petitions for rehearing denied.

Adjourned until Monday, March 21, at 12 o'clock.

The day call for Monday, March 21, is as follows: 130, 137, and 183.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Louis J. Dukas, of New York, N.Y., Nicholas Scourby, of New York, N.Y., George Spiros, of Brooklyn, N.Y., Virgil M. Fogle, of Columbus, Ohio, and Richard M. Roberts, of Washington, D.C., on motion of Mr. Solicitor General James Lee Rankin; Marjorie Worland McLean, of Denver, Colo., Robert E. McLean, of Denver, Colo., Warren G. Elliott, of Pueblo, Colo., and Robert Patrick Dwyer, of Wallace, Idaho, on motion of Mr. Gordon L. Allott; William Albert Sanders, of Philadelphia, Pa., on motion of Mr. Hugh D. Scott, Jr.; John E. Jaqua, of Eugene, Oreg., on motion of Mr. Charles O. Porter; Alexander J. Palenscar, Jr., of New York, N.Y., and Joseph Henry LePla, of Palatka, Fla., on motion of Mr. Maurice Francis Biddle; Edmund B. Shotwell, of Maplewood, N.J., on motion of Mr. Charles T. Akre; Robert Hathaway Hastings, of Columbus, Ohio, on motion of Mr. Robert W. Kastenmeier; Eldon C. Parr, of San Francisco, Calif., on motion of Mr. Samuel Bradford Stewart, Jr.; Robert Thomas Killman, of Baltimore, Md., on motion of Mr. Harold J. Birch; William L. Jacob, of Pittsburgh, Pa., on motion of Mr. Daniel M. Friedman; Theodore Blanckenburg, of San Francisco, Calif., on motion of Mr. E. Robert Seaver; Marshall P. Eldred, of Louisville, Ky., on motion of Mr. Eli H. Brown III; Robert Reed Gray, of New York, N.Y., on motion of Mr. Horace M. Gray; Robert W. Beatty, of Media, Pa., on motion of Mr. Robert F. Jackson; Lyle B. Gill, of Fremont, Nebr., on motion of Mr. George C. Vournas; Paschal C. Reese, of West Palm Beach, Fla., on motion of Mr. Miles D. Kennedy; Ernest Nathan Morial, of New Orleans, La., on motion of Mr. Belford V. Lawson, Jr.; Edward Q. Carr, Jr., of New York, N.Y., on motion of Mr. Lawrence J. Latta; Theodore Alexander Bardy, of New York, N.Y., Daniel Leeds, of New York, N.Y., and Francis G. Mantzaris, of New York, N.Y., on motion of Mr. Michael Saytanides; Fred Daniel Gray, of Montgomery, Ala., on motion of Mr. Frank D. Reeves; Theodore A. Miller, of Green Bay, Wis., on motion of Mr. William S. McKinley; and Nels Peterson, of Portland, Oreg., on motion of Mr. Wayne Lyman Morse, were admitted to practice.

OPINIONS

No. 80. Scripto, Inc., etc., appellant, *v.* Dale Carson, as Sheriff of Duval County, Florida, et al. Appeal from the Supreme Court of Florida. Judgment affirmed. Opinion by Mr. Justice Clark. Mr. Justice Frankfurter concurs in the result. Mr. Justice Whittaker would reverse the judgment.

No. 59. Sam Thompson, petitioner, *v.* City of Louisville et al. On writ of certiorari to the Police Court of the City of Louisville, Kentucky. Judgments reversed and case remanded to the Police Court of the City of Louisville for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Black.

No. 492, October Term, 1957. Walter W. Flora, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment affirmed. Opinion by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Whittaker with whom Mr. Justice Frankfurter, Mr. Justice Harlan, and Mr. Justice Stewart join. Separate opinion by Mr. Justice Frankfurter.

No. 153. Clarence Duke McGann, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Writ of certiorari dismissed as improvidently granted. Opinion *per curiam* announced by Mr. Chief Justice Warren.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 628. City of Covington, Kentucky, appellant, *v.* Public Service Commission of Kentucky et al. Appeal from the Court of Appeals of Kentucky. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 645. Wilbur J. Smith et al., appellants, *v.* Columbia County, Oregon, et al. Appeal from the Supreme Court of Oregon. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 546, Misc. George Willis, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Motion for leave to proceed *in forma pauperis* granted. Upon the suggestion of the Solicitor

General that the case be remanded to the Court of Appeals in light of what we are informed is the present practice of that court "to appoint an attorney in all cases on direct appeal where the trial judge's certificate of bad faith is attacked" the petition for writ of certiorari is granted. On writ of certiorari, judgment vacated and case remanded to Court of Appeals for further proceedings. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. —. In the Matter of George A. Brenner. George A. Brenner, Esquire of New York, New York, having resigned as a member of the Bar of this Court, it is ordered that his name be stricken from the roll of attorneys admitted to practice in this Court.

No. 139. Diamond Kimm, petitioner, *v.* Richard C. Hoy, District Director, Immigration and Naturalization Service. The motion to substitute George K. Rosenberg, District Director, Immigration and Naturalization Service, in the place of Richard C. Hoy as the party respondent is granted.

No. 187. Joel A. Maloy and Ruth Maloy, his wife, petitioners, *v.* First Federal Savings and Loan Association of West Palm Beach, etc. The motion for order vacating order denying motion for leave to file a second petition for rehearing is denied. The motion for order directing District Court of Appeal, Second District of Florida, to recall and vacate mandate, etc., is denied.

No. 258. International Association of Machinists et al., appellants, *v.* S. B. Street et al. The motions of Railway Labor Executives' Association and The American Federation of Labor and Congress of Industrial Organizations for leave to file briefs, as *amicus curiae*, are granted.

CERTIORARI GRANTED

No. 668. C. G. Gomillion et al., petitioners, *v.* Phil M. Lightfoot, as Mayor of the City of Tuskegee, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 674. Arthur M. McPhaul, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted.

No. 689. Times Film Corporation, petitioner, *v.* City of Chicago et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

CERTIORARI DENIED

No. 621. Janis Zalcmanis et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 655. W. O. Murrell, Sr., petitioner, *v.* Houston White. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 663. Paul Ginsburg, petitioner, *v.* Hon. Wallace S. Gourley, Chief Judge, United States District Court for the Western District of Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 669. William A. Albaugh, petitioner, *v.* District of Columbia et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 671. Thomas J. Fitzgerald, Trustee, petitioner, *v.* Fidelity & Deposit Company of Maryland. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 672. Robert J. Grundler et al., petitioners, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 675. Solly K. Frankenstein et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 676. Richard Shongut, Jacob Shongut, Inc., et al., petitioners, *v.* Jules Golden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 677. Gregor Muryn, petitioner, *v.* The New York Central Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 680. Winn C. Hamrick, Trustee, petitioner, *v.* Indianapolis Humane Society, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 681. Weyerhaeuser Steamship Company, petitioner, *v.* Harold Yanow. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 682. Norwich Pharmacal Company, petitioner, *v.* Sterling Drug, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 683. International Terminal Operating Co., Inc., petitioner, *v.* Waterman Steamship Co. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 684. Helen Mary Robinson, Administratrix, petitioner, *v.* Gulf, Colorado and Santa Fe Railway Company. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Second Supreme Judicial District, denied.

No. 685. Mitchell S. Mohr, etc., et al., petitioners, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 691. Reynolds Metals Company, petitioner, *v.* Paul Martin et al. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 693. Charles Oliver Williamson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 719. Anne M. Evans, petitioner, *v.* Joseph Brussel et al. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 673. Roy L. Williams et al., petitioners, *v.* Cooperative Farm Chemicals Association et al. Petition for writ of certiorari to the Supreme Court of Kansas denied. Mr. Justice Whittaker took no part in the consideration or decision of this application.

No. 15, Misc. Jesus Arrellano-Flores, petitioner, *v.* Richard C. C. Hoy, as District Director of the Los Angeles District Immigration and Naturalization Service, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 312, Misc. John Richard Young, petitioner, *v.* Texas et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 355, Misc. Barbara Luella Rivers, petitioner, *v.* United States. Petition for writ of certiorari to the United States of Appeals for the Ninth Circuit denied.

No. 360, Misc. Carl Edmund Owens, petitioner, *v.* Richard A. McGee, Director, Department of Corrections of California, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 363, Misc. Homer Fletcher Neal, petitioner, *v.* C. C. Evensen, Clerk of the United States District Court for the Northern Division of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 455, Misc. William H. Earnshaw, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 464, Misc. John E. Jones, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 469, **Misc.** Glen E. Crow, petitioner, *v.* Clarence T. Gladden, Warden. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 485, **Misc.** In the Matter of the Application of Alfred Bundy and Kenneth P. Barnum, petitioners. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 486, **Misc.** Pedro Amado Torres, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 503, **Misc.** Thomas William Townsend, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 510, **Misc.** Gilbert Francis O'Brien, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 545, **Misc.** Sam Polur, petitioner, *v.* Samuel J. Kanner et al., as and Constituting the State Board of Bar Examiners of the State of Florida, et al. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 550, **Misc.** Maurice Chavigny, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 558, **Misc.** Charles Lawlor and Mitchell Pantzer, Co-Partners Trading as Independent Poster Exchange, petitioners, *v.* National Screen Service Corp. et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 559, **Misc.** Minniola O. Miller, petitioner, *v.* The Town of Suffolk et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 563, **Misc.** Sandy Brown, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 575, **Misc.** William Hill, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 580, **Misc.** Paul R. Bailleaux, petitioner, *v.* Oregon. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 587, **Misc.** Frank H. Filice, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 589, **Misc.** Merle H. Johnson, Individually and as Administratrix of the Estate of Stanley Matt Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 590, *Misc.* John Joseph Hill, Jr., petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 591, *Misc.* Benjamin Franklin Neville, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 597, *Misc.* Walter E. Skiba, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 603, *Misc.* William Wilfong, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 628, *Misc.* Melvin Joseph Conerly, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 661, *Misc.* Steve Armstrong, petitioner, *v.* William H. Banan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 669, *Misc.* Monroe R. Bell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 670, *Misc.* United States ex rel. Joseph Pelio, petitioner, *v.* Walter B. Martin, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 674, *Misc.* Almars Elksnis, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 691, *Misc.* Philip J. Watson, petitioner, *v.* Fred R. Dickson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 700, *Misc.* Walter D. Adams, petitioner, *v.* W. Frank Smyth, Jr., Superintendent of Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 704, *Misc.* George Galloway, petitioner, *v.* Warden of the Maryland Penitentiary. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 716, *Misc.* John R. Miller, petitioner, *v.* Texas et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 718, *Misc.* Kenneth Leonard Major, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 719, *Misc.* Nathaniel Johnson, petitioner, *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 10, Misc. Nick Rueda, petitioner, *v.* Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied in the light of the representations by respondent that petitioner has been furnished free transcripts of the lower court proceedings for use in the Supreme Court of Colorado.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 415, Misc. David H. Johnson, petitioner, *v.* Utah;

No. 602, Misc. Joseph Bert Richardson, petitioner, *v.* B. J. Rhay, Superintendent of Washington State Penitentiary; and

No. 658, Misc. Frank Emmett Tweedy, petitioner, *v.* J. C. Taylor, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

LEAVE TO FILE PETITIONS FOR WRITS OF CERTIORARI DENIED

No. 579, Misc. Robert B. Wyers, petitioner, *v.* Michigan et al.; and

No. 780, Misc. Eugene J. Curnyn, Jr., petitioner, *v.* Warden of the Maryland Penitentiary et al. Motions for leave to file petitions for writs of certiorari denied.

No. 342, Misc. Gordon Clayton, petitioner, *v.* California et al. Motion for leave to file petition for writ of certiorari and other relief denied.

LEAVE TO FILE PETITION FOR WRIT OF PROHIBITION AND/OR
MANDAMUS DENIED

No. 532, Misc. Fred Parks, Trustee for Gulf Transportation Company, petitioner, *v.* Judges of the United States District Court for the Eastern District of Louisiana. Motion for leave to file petition for writ of prohibition and/or mandamus denied.

REHEARINGS DENIED

No. 585. Ralph Richardson, petitioner, *v.* C. C. Brunner; and

No. 626. Louis Fiano, petitioner, *v.* United States. Petitions for rehearing denied.

ORAL ARGUMENT

No. 130. Willia Niukkanen, etc., petitioner, *v.* E. D. McAlexander, etc. Argued by Mr. Joseph Forer and Mr. Nels Peterson for the petitioner and by Mr. Oscar H. Davis for the respondent.

No. 137. United States of America, petitioner, *v.* William J. Brosnan et al. One and one-half hours allowed for oral argument. Argued by Mr. Daniel M. Friedman for the petitioner and by Mr. William L. Jacob for the respondents.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, March 22, will be as follows: Nos. 183, 164, 339, and 349.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Paul Ward, of Little Rock, Ark., on motion of Mr. John L. McClellan; Hortense Mound, of New York, N.Y., and Maurice Mound, of New York, N.Y., on motion of Mr. Bert Cotton; Jesse Manning Gregory, of Alexandria, Va., on motion of Mr. Carl W. Milzer; Jack Norman Rogers, of Baton Rouge, La., on motion of Mr. Robert H. Reiter; Arvo Van Alstyne, of Los Angeles, Calif., on motion of Mr. Robert Whitney Barker; Walter Samuel Kane, of Houston, Tex., on motion of Mr. Peter Anthony Chiregotis; Richard A. Chenoweth, of Akron, Ohio, and Charles E. Pierson, of Akron, Ohio, on motion of Mr. Wm. Arthur Kelly; Albert J. Krieger, of New York, N.Y., on motion of Mr. Wilfred L. Davis; and Michael Sibilio, of New York, N.Y., Anthony Serpone, of New York, N.Y., Anthony B. Tripodi, of New York, N.Y., Alfred F. Sica, of New York, N.Y., Leonard A. Conticello, of New York, N.Y., John H. Curcio, of New York, N.Y., Ralph A. Cavallo, of New York, N.Y., John C. Sacco, of New York, N.Y., Joseph Vincent Rubino, of New York, N.Y., Alfred F. Muscio, of New York, N.Y., Carmine J. Capozzola, of New York, N.Y., Annette M. Pollaci, of New York, N.Y., Salvatore Viscardi, of New York, N.Y., Murray E. Morrison, of New York, N.Y., Vincent J. Mandese, of New York, N.Y., Merritt T. Viscardi, of New York, N.Y., Joseph F. Romano, of New York, N.Y., Edward Howard Mollison, of New York, N.Y., Sabino J. Beradino, of New York, N.Y., William J. Bianchi, of New York, N.Y., Nicholas A. Basso, of New York, N.Y., John F. Aiello, of New York, N.Y., John J. Mangini, of New York, N.Y., John Jay Mangini, of New York, N.Y., Michael A. Del Greco, of New York, N.Y., Charles Bakos, of New York, N.Y., Carmine J. Perrotta, of New York, N.Y., Joseph A. Marchetti, of New York, N.Y., Pasquale A. Mele, of New York, N.Y., Anthony R. Martorano, of New York, N.Y., Max Feigin, of New York, N.Y., Pascal Marsico, of New York, N.Y., Arthur F. Lamanda, of New York, N.Y., Theodore R. Freschi, of New York, N.Y., Thomas Esposito, of New York, N.Y., Michael A. Di Salvo, of New York, N.Y., Joseph P. Giaimo, of New York, N.Y., and Pasquale Palumbo, of Roosevelt, N.Y., on motion of Mr. Alfred E. Santangelo, were admitted to practice.

ORAL ARGUMENT

No. 183. Bank of America National Trust and Savings Association, a National Banking Association, petitioner, *v.* United States of America. One and one-half hours allowed for oral argument. Argued by Mr. Samuel B. Stewart for the petitioner and by Mr. Daniel M. Friedman for the respondent.

No. 164. Morry Levine, petitioner, *v.* United States of America. Argued by Mr. Myron L. Shapiro for the petitioner and by Mr. Philip R. Monahan for the respondent.

No. 339. New Hampshire Fire Insurance Co., petitioner, *v.* Scanlon, District Director of Internal Revenue, et al. Argued by Mr. Jack Hart for the petitioner and by Mr. Richard M. Roberts for the respondents.

No. 349. John Clay, petitioner, *v.* Sun Insurance Office Limited. Leave granted Mr. Robert J. Kelly to appear and present oral argument as *amicus curiae*, for the State of Florida, *pro hac vice*, on motion of Mr. Paschal C. Reese. Argument commenced by Mr. Paschal C. Reese for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, March 23, will be as follows: Nos. 349, 98, 55, 376, and 546.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Clendon H. Lee, of New York, N.Y., on motion of Mr. Malcolm R. Wilkey; Frank W. C. Loo, of Honolulu, Hawaii, on motion of Mr. Estes Kefauver; Danny Dale Johnson, of New Philadelphia, Ohio, on motion of Mr. Robert W. Levering; Edgar Bernhard, of Chicago, Ill., on motion of Mr. John H. Pickering; Richard Bruce Bilder, of South Orange, N.J., on motion of Mr. John M. Raymond; Richard W. Insley, of Benton Harbor, Mich., on motion of Mr. Henry Martin Shine, Jr.; Murray M. Lerman, of New York, N.Y., on motion of Mr. Thomas J. Reynolds; and A. Fred Freedman, of Silver Spring, Md., on motion of Mr. Frederick Zazone, were admitted to practice.

ORAL ARGUMENT

No. 349. John Clay, petitioner, *v.* Sun Insurance Office Limited. Argument continued by Mr. Robert J. Kelly for the State of Florida, as *amicus curiae*, *pro hac vice*, by special leave of Court, and concluded by Mr. Bert Cotton for the respondent.

No. 98. Union Pacific Railroad Company, appellant, *v.* United States. Argued by Mr. Elmer B. Collins for the appellant and by Mr. John G. Laughlin for the appellee.

No. 55. United States, petitioner, *v.* Allen Kaiser. Argued by Mr. Wayne G. Barnett for the petitioner and Mr. Joseph L. Rauh, Jr., for the respondent.

No. 376. Commissioner of Internal Revenue, petitioner, *v.* Mose Duberstein et al. Argued by Mr. Philip Elman for the petitioner and by Mr. Sidney G. Kusworm, Sr., for the respondents.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, March 24, will be as follows: Nos. 546, 111, 122, and 270.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Joseph R. Rensch, of Los Angeles, Calif., on motion of Mr. John J. Allen, Jr.; David Freeman, of Philadelphia, Pa., on motion of Mr. William C. Wise; Joseph M. Girard, of Los Angeles, Calif., on motion of Mr. Bernard Gordon; and George S. Jonas, of San Antonio, Tex., Emil R. Pavelka, of San Antonio, Tex., Robert L. Summers, of Zanesville, Ohio, George F. deClaire, of Grosse Pointe, Mich., Paul V. Dixon, of Summit, Miss., Robert W. Norris, of Birmingham, Ala., David C. Yeoman, of Rensselaer, Ind., James F. Quiggle, of Canton, Ohio, Robert C. Donovan, of Berkeley, Calif., and William H. Robinson, of Knoxville, Tenn., on motion of Mr. Maurice Francis Biddle, were admitted to practice.

ORAL ARGUMENT

No. 546. Alden D. Stanton et al., petitioners, *v.* United States. Argued by Mr. Clendon H. Lee for the petitioners and by Mr. Wayne G. Barnett for the respondent.

No. 111. Max Schaffer and Norman Schaffer, petitioners, *v.* United States of America. Argued by Mr. Jacob Kossman for the petitioners and by Mr. John F. Davis for the respondent.

No. 122. Hyman Karp and Benjamin T. Marco, petitioners, *v.* United States of America. Argued by Mr. Harris B. Steinberg for the petitioners and by Mr. John F. Davis for the respondent.

Adjourned until Monday, March 28, at 12 o'clock.

The day call for Monday, March 28, will be as follows: Nos. 270, 126, and 52.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Josephine K. Oblinger, of Springfield, Ill., William R. Connole, of Naugatuck, Conn., and Walter P. Coombs, of Los Angeles, Calif., on motion of Mr. Solicitor General James Lee Rankin; J. Bruce Streett, of Camden, Ark., and J. Frank Holt, of Little Rock, Ark., on motion of Mr. Oren Harris; Abe Gardner, of Springfield, Ohio, Grace Fern Heck, of Springfield, Ohio, and William E. Bailey, of Springfield, Ohio, on motion of Mr. Vance Brand; Donald J. Yellon, of Chicago, Ill., Alan L. Reinstein, of Chicago, Ill., and John C. Klett, Jr., of New York, N.Y., on motion of Mr. Harry N. Wyatt; O. Malcolm Harper, of Los Angeles, Calif., on motion of Mr. Page Belcher; Joseph F. Loftus, of Scranton, Pa., on motion of Mr. Maurice Francis Biddle; Harvey M. Grossman, of Los Angeles, Calif., on motion of Mr. E. Barrett Prettyman, Jr.; Harold J. Willis, of Stockton, Calif., on motion of Mr. John J. McFall; Absalom F. Bray, Jr., of Martinez, Calif., on motion of Mr. Aubrey C. Gasque; Henry Arthur Dietz, of San Diego, Calif., on motion of Mr. Warren Olney III; Manuel Leon Kugler, of Chula Vista, Calif., on motion of Mr. Charles Sylvanus Rhyne; Sam T. Dell, Jr., of Gainesville, Fla., on motion of Mr. Norman C. Shepard; Seymour I. Sherman, of Springfield, Va., on motion of Mr. Bruce M. Forrester, and Jacob S. Richman, of Philadelphia, Pa., on motion of Mr. Lawrence Speiser, were admitted to practice.

OPINIONS

No. 51. Federal Trade Commission, petitioner, *v.* Travelers Health Association. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment vacated and case remanded to the Court of Appeals for further proceedings consistent with the views expressed in the opinion of this Court. Opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice Harlan with whom Mr. Justice Frankfurter and Mr. Justice Whittaker join.

No. 34. National Labor Relations Board, petitioner, *v.* Drivers, Chauffeurs, Helpers, Local Union No. 639, etc. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed. Opinion by Mr. Justice Brennan.

Memorandum by Mr. Justice Stewart with whom Mr. Justice Frankfurter and Mr. Justice Whittaker join.

No. 2. Rudolf Ivanovich Abel, also known as "Mark" and also known as Martin Collins and Emil R. Goldfus, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Black joins. Dissenting opinion by Mr. Justice Brennan with whom Mr. Chief Justice Warren, Mr. Justice Black, and Mr. Justice Douglas join.

No. 69. Cecil Jones, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment vacated and case remanded to the United States District Court for the District of Columbia to consider petitioner's contention under 18 U.S.C. § 3109, in the light of the decision of this Court that petitioner has standing to make it. Opinion by Mr. Justice Frankfurter. Separate opinion by Mr. Justice Douglas.

The Chief Justice said :

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

No. 135, **Misc.** Raymond E. Tilghman, petitioner, *v.* R. O. Culver, State Prison Custodian. On motion for leave to file petition for writ of habeas corpus. Motion for leave to proceed *in forma pauperis* granted. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari to the Supreme Court of Florida granted. On writ of certiorari, in view of the representations of the Attorney General of Florida that the cause has become moot, judgment vacated and cause remanded for such further proceedings as that Court may deem appropriate. Opinion *per curiam*.

No. 488, **Misc.** Clarence Duke McGann, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. On writ of certiorari, upon the suggestion of the Solicitor General that inasmuch as the petitioner had been granted leave to proceed *in forma pauperis* by the District Court, the application to the Court of Appeals was unnecessary, judgment vacated and case remanded to the Court of Appeals for further proceedings. Opinion *per curiam*.

CERTIORARI GRANTED

No. 703. Frank Wilkinson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 712. James Monroe et al., petitioners, *v.* Frank Pape et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 697. Waterman Steamship Corporation, petitioner, *v.* Dugan & McNamara, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted and case transferred to summary calendar.

CERTIORARI DENIED

No. 179. General Outdoor Advertising Co., Inc., petitioner, *v.* The United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 686. Virginia J. King, Administratrix, petitioner, *v.* Pan American World Airways. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 687. Mary C. Hudson, Administratrix, petitioner, *v.* Transocean Air Lines et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 690. John W. Porter, Jr., et al., petitioners, *v.* Oklahoma Bacone College Trust et al. Petition for writ of certiorari to the Supreme Court of Oklahoma denied.

No. 692. United States, petitioner, *v.* George Max Charles Wolff. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 694. Cato Brothers, Inc., et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 695. George Edward Sillifant, petitioner, *v.* Sheriff of the City of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 698. Howard Branklin Chapman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 701. Smith & Wesson, Inc., petitioner, *v.* Harold L. Cosper. Petition for writ of certiorari to the Supreme Court of California denied.

No. 707. Melvin Harris, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 708. Larry Joe Miller, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 710. Amana Refrigeration, Inc., petitioner, *v.* Columbia Broadcasting System, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 713. Christos Vassos, petitioner, *v.* Societa Trans-Oceanica Canopus, S.A., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 716. Constantine Macris, petitioner, *v.* Sociedad Maritima San Nicolas, S.A., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 732. Local Unions Nos. 189, 262, 320, 546, 547, 571, and 638, Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO, et al., petitioners, *v.* Jewel Tea Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 662. Robert Cushman Murphy et al., petitioners, *v.* Lloyd Butler, Area Supervisor, etc., et al. The motion to substitute a party respondent is withdrawn pursuant to stipulation of counsel. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas dissenting:

In my view the issues involved in this case are of such great public importance that I record my dissent to the denial of certiorari.

The petitioners in this case are residents of a heavily populated suburban area in Long Island, New York, who brought an action in 1957 to enjoin respondents, federal and state officials, from carrying out a threatened program of aerial spraying of their lands, homes, gardens, and orchards with a mixture of DDT and kerosene designed to eradicate the gypsy moth, an insect injurious to forests. The program is part of a campaign embarked in 1956 by the Department of Agriculture to spray more than 3,000,000 acres of land in 10 States.

Petitioners alleged in their complaint that the threatened spraying was unauthorized by statute and so injurious to health and property as to violate the Fifth and Fourteenth Amendments.

The District Court denied a motion for preliminary injunction on May 24, 1957. 151 F. Supp. 786. Pending trial petitioners' homes, persons and lands received the spray. Respondents then contended that, because they had completed the spraying, the request for an injunction had become moot.

At the trial numerous experts testified to the public need for the spraying and the feasible methods available for the eradication of the gypsy moth. Petitioners attempted to adduce evidence that the use of multi-engine airplanes was unnecessary, that their property

had not been infested with the moths, and that the use of ground spraying equipment and helicopters was a feasible means of avoiding uninfested areas with the spray.

Expert witnesses testified that the spraying of pastures with the mixture, which consisted of one pound of DDT in one gallon of kerosene base solvent, applied at the rate of one gallon per acre, inevitably produces measurable quantities of DDT in milk from cattle which feed on the pastures, and that crops¹ which have been sprayed by DDT should not be fed to cattle. Nevertheless, dairy farms, pastures, homes, gardens, orchards, swimming pools, and fish ponds received the spray; and in some cases, it seems, they received substantially more than the planned one gallon per acre.

There was evidence that one of the petitioners who sells milk from her dairy had measurable contamination in the milk as late as five months after the spraying, which made its sale illegal under both federal and state regulations.

There was evidence that the vegetables grown by one of the petitioners for family use were rendered inedible and the leaves on some of his vines turned brown, rotted and fell off as a result of the spraying. Another petitioner, who spent \$13,000 developing her land for chemical-free food production, testified that after the planes came over her plants were damaged and the fruit was withered, making it inedible. Several other petitioners complained that their fruits, vegetables, and berries were made unfit to eat.

Fish owned by two of the petitioners were said to have been killed by the spray; and dead birds were also reported. Predatory insects were also said to have been destroyed and as a result the quantity of red spiders and other pests increased. There was evidence that clothing was spotted and even ruined and that children coughed from the spraying and their eyes watered.

The extent of the danger of DDT to human health was a matter of sharp dispute among the numerous expert witnesses in the case. The testimony on many facets of this issue was extensive and elaborate. Yet the District Court made only one finding on the subject. It found: "The spraying program, which is the subject of this action, at the rate of one pound of DDT per gallon of solvent per acre, is not injurious to human health." No more specific findings were made on the matter and *the court refused to make any findings on the spray's effect on milk, fruits, vegetables or other crops or products*. Its only other finding on the issue of injury was that the spray "does not cause any considerable loss of birds, fish, bees or beneficial insects."

¹ See Grass, Yearbook of Agriculture, 1948, USDA, p. 278.

The complaint was dismissed on the ground, *inter alia*, that there was no proof of damages or that further spraying with airplanes was a likelihood. 164 F. Supp. 120.

The Court of Appeals, without reaching the merits, vacated the decision of the District Court with directions to dismiss on the ground of mootness. 270 F. 2d 419. It held that respondents' evidence that another wholesale spraying operation was unlikely precluded the petitioners from obtaining an injunction.² The respondents did not, however, give positive assurance that they would not spray the area again if it became necessary. In fact, it was indicated that if studies reveal that the eradication was not complete, respondents will resort to further poisoning, though perhaps only local in nature and possibly with different equipment. The program clearly was not abandoned.

In other cases we have held that the cessation of the activity complained of did not render the case moot, *e.g.*, *United States v. W. T. Grant & Co.*, 345 U.S. 629, 632, and if future activity of the nature complained of is feared, the courts are not impotent to fashion a remedy which minimizes any injury from a recurrence of the practice.

The public interest in this controversy is not confined to a community in New York. Respondents' spraying program is aimed at millions of acres of land throughout the Eastern United States. Moreover, the use of DDT in residential areas and on dairy farms is thought by many to present a serious threat to human health as evidenced by the record in this case as well as alarms sounded by others on the problem. The need for adequate findings on the effect of DDT is of vital concern not only to wildlife conservationists and owners of domestic animals but to all who drink milk or eat food from sprayed gardens.

We are told by the scientists that DDT is an insoluble that cows get from barns and fields that have been sprayed with it. The DDT enters the milk and becomes stored by people in the fatty tissues of the body.³ Because it is a potential menace to health the Food and Drug Administration maintains that any DDT in milk in interstate commerce is illegal.⁴

²The Court of Appeals remarked that in the event of a possible recurrence of spraying in the area, "it would seem well to point out the advisability for a district court, faced with a claim concerning aerial spraying or any other program which may cause inconvenience and damage as widespread as this 1957 spraying appears to have caused, to inquire closely into the methods and safeguards of any proposed procedures so that incidents of the seemingly unnecessary and unfortunate nature here disclosed, may be reduced to a minimum, assuming, of course, that the government will have shown such a program to be required in the public interest." 270 F. 2d, at 421, n. 1.

³See Marth and Ellickson, *Insecticide Residues in Milk and Milk Products*, 22 J. Milk and Food Technology, 112, 145, 179. For an extensive bibliography see *id.*, pp. 148-149, 181.

⁴There has been no formal regulation governing DDT in milk. By informal rulings however there can be no DDT in milk. For proposed regulations on other pesticide chemicals see 23 Fed. Reg. 324 (Jan. 1958); 23 Fed. Reg. 976 (Feb. 1958).

The effect of DDT on birds and on their reproductive powers and on other wildlife,⁵ the effect of DDT as a factor in certain types of disease in man such as poliomyelitis, hepatitis, leukemia and other blood disorders,⁶ the mounting sterility among our bald eagles⁷ have led to increasing concern in many quarters⁸ about the wisdom of the use of this and other insecticides. The alarms that many experts and responsible officials have raised about the perils of DDT underline the public importance of this case.

⁵ DeWitt, H-Bomb in the Garden Patch, No. Car. Wildlife, Sept. 1957, p. 4; Springer Insecticides, Boon or Bane? 58 Audubon Mag. 128, 176; Strother, Backfire in the War against Insects, Readers Digest, June 1959, p. 64.

⁶ Biskind, Public Health Aspects of the New Insecticides, 20 Am. J. Digestive Diseases (1953), p. 331; Longgood, Pesticides Poison Us, American Mercury, July 1958, p. 33.

⁷ N.Y. Times, Sept. 13, 1958, p. 21.

⁸ See the comments by Congressman Lee Metcalf, Cong. Rec. App., March 18, 1959, A2375, Sept. 2, 1959, pp. 16300-16301. Congressman Metcalf said:

"We all know of plant or wildlife loss from chemical controls—such as the death of fish in Montana trout streams in areas sprayed by DDT; the virtual wiping out of quail and rabbit populations in two areas treated with heptachlor in the South. Considerable damage to valuable fish and wildlife resources has occurred unnecessarily because chemicals were applied without sufficient knowledge of accepted procedures or without full regard to the consequences."

Rachel Carson wrote in the Washington Post, April 10, 1959, p. A12:

"During the past 15 years, the use of highly poisonous hydrocarbons and of organic phosphates allied to the nerve gases of chemical warfare has built up from small beginnings to what a noted British ecologist recently called 'an amazing rain of death upon the surface of the earth.' Most of these chemicals leave long-persisting residues on vegetation, in soils, and even in the bodies of earthworms and other organisms on which birds depend for food.

"The key to the decimation of the robins, which in some parts of the country already amounts to virtual extinction, is their reliance on earthworms as food. The sprayed leaves with their load of poison eventually fall to become part of the leaf litter of the soil; earthworms acquire and store the poisons through feeding on the leaves; the following spring the returning robins feed on the worms. As few as 11 such earthworms are a lethal dose, a fact confirmed by careful research in Illinois.

"The death of the robins is not mere speculation. The leading authority on this problem, Professor George Wallace of Michigan State University, has recently reported that 'Dead and dying robins, the latter most often found in a state of violent convulsions, are most common in the spring, when warm rains bring up the earthworms, but birds that survive are apparently sterile or at least experience nearly complete reproductive failure.'

"The fact that doses are sub-lethal may yet induce sterility is one of the most alarming aspects of the problem of insecticides. The evidence on this point, from many highly competent scientists, is too strong to question. It should be weighed by all who use the modern insecticides, or condone their use.

"I do not wish to leave the impression that only birds that feed on earthworms are endangered. To quote Professor Wallace briefly: 'Tree-top feeders are affected in an entirely different way, by insect shortages, or actual consumption of poisoned insects . . . Birds that forage on trunks and branches are also affected, perhaps mostly by the dormant sprays.' About two-thirds of the bird species that were formerly summer residents in the area under Professor Wallace's observation have disappeared entirely or are sharply reduced.

"To many of us, this sudden silencing of the song of birds, this obliteration of the color and beauty and interest of bird life, is sufficient cause for sharp regret. To those who have never known such rewarding enjoyment of nature, there should yet remain a nagging and insistent question: If this 'rain of death' has produced so disastrous an effect on birds, what of other lives, including our own?"

The article by Dr. George J. Wallace referred to is Insecticides and Birds, Audubon Mag. Jan.-Feb. 1959, p. 10. See also The Halogenated Hydrocarbons Toxicity and Potential Dangers (U.S. Dept. Health, Education and Welfare 1955) pp. 335 *et seq.*

I express no views on the merits of this particular controversy. Nor do I now take a position on the issue of mootness. But I do believe that the questions tendered are extremely significant and justify review by this Court.

No. 696. Federal Broadcasting System, Inc., petitioner, *v.* Federal Communications Commission et al. The motion for leave to use prior record is granted. The motion to perfect the record and petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 704. T. Lamar Caudle, petitioner, *v.* United States; and

No. 705. Matthew J. Connelly, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Douglas is of the opinion certiorari should be granted. Mr. Justice Clark and Mr. Justice Whittaker took no part in the consideration or decision of these applications.

No. 370, Misc. Graydon Arthur York, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, First Appellate District, denied.

No. 502, Misc. Belle Shapiro, petitioner, *v.* Herman Josephson and Josephson's, Inc. Petitioner for writ of certiorari to the Supreme Court of New York, New York County, denied.

No. 513, Misc. Robert Johnson and Dona Johnson, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 574, Misc. Joseph Jakalski, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 584, Misc. Thomas J. McGloin, petitioner, *v.* United States. Petition for writ of certiorari to the United States of Appeals for the District of Columbia Circuit denied.

No. 671, Misc. Harold E. Nance, petitioner, *v.* Warden, Maryland Penitentiary, et al. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 684, Misc. Robert Burd, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 422, Misc. Joseph Longstreth, petitioner, *v.* Richard A. McGee, Director of Corrections, et al. Petition for writ of certiorari to the Supreme Court of California denied. The Chief Justice took no part in the consideration or decision of this application.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 405, **Misc.** Raymond E. Hall, petitioner, *v.* O. B. Ellis, General Manager, Texas Department of Corrections, et al. Motion for leave to file petition for writ of habeas corpus denied.

No. 366, **Misc.** Joseph Devaney, petitioner, *v.* H. G. Cochran, Jr., Director, Division of Corrections of Florida; and

No. 831, **Misc.** Carroll N. Byrd, petitioner, *v.* Warden of the Maryland House of Correction. Motions for leave to file petitions for writs of habeas corpus denied. Treating the papers submitted as petitions for writs of certiorari, certiorari is denied.

LEAVE TO FILE FOR WRIT OF PROHIBITION DENIED

No 818, **Misc.** Joseph L. DeLeVay, petitioner, *v.* Albert V. Bryan, Judge, United States District Court for the Eastern District of Virginia, et al. Motion for leave to file petition for writ of prohibition and other relief denied.

REHEARINGS DENIED

No. 40. Phillips Chemical Company, appellant, *v.* Dumas Independent School District;

No. 43. William R. Forman, petitioner, *v.* United States;

No. 633. Albert Samuel Wright, petitioner, *v.* Ohio;

No. 648. Chan Wing Cheung, etc., petitioner, *v.* Frank C. Hagerty, U.S. Immigration and Naturalization Service;

No. 490, **Misc.** James Patrick Ryan, appellant, *v.* Harry C. Tinsley, Warden;

No. 538, **Misc.** Joe Flores, petitioner, *v.* O. B. Ellis, Director, Texas Department of Corrections, et al.; and

No. 649, **Misc.** John Collins, petitioner, *v.* Fred R. Dickson, Warden. Petitions for rehearing denied.

RECESS ORDER

The Court will take a recess from Monday, April 4, until Monday, April 18.

ORAL ARGUMENT

No. 270. Cecil W. Armstrong et al., petitioners, *v.* The United States. Argued by Mr. Burton R. Thorman for the petitioners and by Mr. Samuel D. Slade for the respondent.

No. 126. James Butler Elkins and Raymond Frederick Clark, petitioners, *v.* United States of America. Argument commenced by Mr.

Frederick Bernays Wiener for the petitioners and continued by Mr. Malcolm Richard Wilkey for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, March 29, will be as follows: Nos. 126, 52, 143, 283, and 141.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Rhea Morgan Burrow, of Springfield, Tenn., and Woodrow Alvin Baumgardner, of Arlington, Va., on motion of Mr. Estes Kefauver; E. Newton Vickers, of Topeka, Kans., Robert R. Jones, of Topeka, Kans., James E. Benfer, Jr., of Topeka, Kans., and Fred W. Rausch, Jr., of Topeka, Kans., on motion of Mr. Andrew F. Schoepfel; Louis Levy, of Tulsa, Okla., on motion of Mr. Ed. Edmondson; Christine Legate, of Ardmore, Okla., on motion of Mr. Carl Bert Albert; Lee Stubbs Penland, of San Francisco, Calif., on motion of Miss Helen R. MacGregor; Burton M. Greenberg, of San Francisco, Calif., on motion of Mr. F. Trowbridge von Baur; Kaliste J. Saloom, Jr., of Lafayette, La., Mack E. Barham, of Bastrop, La., and John C. Burden, Jr., of Alexandria, La., on motion of Mr. Gillis W. Long; Herbert H. Fuller, of Olympia, Wash., on motion of Mr. Jack Omega Padrick; Richard M. Ticktin, of New York, N.Y., on motion of Mr. Harry N. Wyatt; William R. Frazier, of Jacksonville, Fla., and George Creighead Cabel IV, of Washington, D.C., on motion of Mr. Frederick Stewart Gilbert, Jr.; Herbert Reginald Swofford, of Orlando, Fla., Harold Shapiro, of New York, N.Y., Edmund H. Schwenk, of Washington, D.C., Roger Lynn Murrel, of Little Rock, Ark., and Jacob Steinberg, of New York, N.Y., on motion of Mr. Maurice Francis Biddle; William S. Stern, of Washington, D.C., on motion of Mr. Gerald B. Greenwald; Alvin Gutttag, of Washington, D.C., on motion of Mr. Max C. Louis; James Thomas Phelan, of Silver Spring, Md., on motion of Mr. Arthur Bias Berg, Jr.; and Edward L. Bell, of Fanwood, N.J., on motion of Mr. Chester Arthur Williams, Jr., were admitted to practice.

ORAL ARGUMENT

No. 126. James Butler Elkins and Raymond Frederick Clark, petitioners, *v.* United States of America. Argument continued by Mr. Malcolm Richard Wilkey for the respondent and concluded by Mr. Frederick Bernays Wiener for the petitioners. Memorandum to come from respondent.

No. 52. Jose Terrones Rios, petitioner, *v.* United States of America. Argued by Mr. Harvey M. Grossman for the petitioner and by Mr. Malcolm Richard Wilkey for the respondent.

No. 143. Commissioner of Internal Revenue, petitioner, *v.* Robley H. Evans and Julia M. Evans. Argued by Mr. Howard A. Heffron for the petitioner and by Mr. Edgar Bernhard for the respondents.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, March 30, will be as follows: Nos. 283, 141, 295, and 342.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

J. LaMar Shelley, of Mesa, Ariz., and John Fitzgerald Molloy, of Tucson, Ariz., on motion of Mr. Stewart L. Udall; Joe H. Swinehart, of Kansas City, Kans., and George W. Thomas, of Kansas City, Kans., on motion of Mr. Newell A. George; Joseph P. Duffy, of Dayton, Ohio, on motion of Mr. Charles Sylvanus Rhyne; Roman S. Gribbs, of Detroit, Mich., on motion of Mr. Harold D. Beaton; James M. Tunnell, Jr., of Wilmington, Del., on motion of Mr. Andrew B. Kirkpatrick, Jr.; Norwick R. G. Goodspeed, of Fairfield, Conn., on motion of Mr. Vernon L. Wilkinson; Vernon A. Peltzer, of Washington, D.C., on motion of Mr. James E. Keys; William F. Smith, of New York, N.Y., on motion of Mr. Robert T. Murphy; Solie M. Ringold, of Seattle, Wash., on motion of Mr. Francis Hoague; Franklin DeWald, of Washington, D.C., on motion of Mr. Charles E. Curley; Gerald S. Ostrowski, of Arlington, Va., on motion of Mr. Roger M. Dougherty; and Howard W. Pollock, of Anchorage, Alaska, on motion of Mr. Charles Kinsley McWhorter, were admitted to practice.

ORAL ARGUMENT

No. 283. The Hertz Corporation, a Corporation (Successor by Merger to J. Frank Connor, Inc., a Corporation), petitioner, *v.* United States of America. Argued by Mr. Edgar Bernhard for the petitioner and by Mr. Howard A. Heffron for the respondent. Memoranda to come.

No. 141. Massey Motors, Inc., petitioner, *v.* United States of America. Argued by Mr. William R. Frazier for the petitioner and by Mr. Howard A. Heffron for the respondent.

No. 295. Rohr Aircraft Corporation, a California Corporation, appellant, *v.* County of San Diego, a Body Corporate, and City of Chula Vista, a Municipal Corporation. Argued by Mr. Leroy A. Wright for the appellant, by Mr. Myron C. Baum for the United States, as *amicus curiae*, by special leave of Court, and by Mr. Manuel L. Kugler and Mr. Henry A. Dietz for the appellees.

No. 342. Howard L. Nostrand et al., appellants, *v.* Thomas Balmer et al. Argument commenced by Mr. Francis Hoague for the appellants.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, March 31, will be as follows: Nos. 342, 350, and 485.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

G. Derk Green, of Brookfield, Mo., on motion of Mr. Morgan M. Moulder; William Hardin Boyd, of Nashville, Tenn., on motion of Mr. Joe L. Evins; Sarah H. McLean, of Washington, Conn., on motion of Mr. Thomas B. Scott; Leo E. Rattay, of Cleveland, Ohio, and Peter Di Leone, of Cleveland, Ohio, on motion of Mr. Robert Kramer; Paul W. Philips, of Fort Wayne, Ind., on motion of Mr. Charles Sylvanus Rhyne; John Kirkland Smith, Jr., of Columbia, S.C., Richard Eldred Hull, of Washington, D.C., Saul I. Serota, of Brooklyn, N.Y., and Samuel Kimmel, of Towson, Md., on motion of Mr. Paul F. Borden; F. Hastings Griffin, Jr., of Philadelphia, Pa., on motion of Mr. Theodore Voorhees; James Randolph Elliott, of Los Angeles, Calif., on motion of Mr. Henry F. Lippitt 2d; Macon M. Arthur, of Washington, D.C., James Harold Bastian, of Washington, D.C., and Robert Barrow Hankins, of Washington, D.C., on motion of Mr. Chas. H. Murchison; Aaron M. Fine, of Philadelphia, Pa., on motion of Mr. William T. Coleman, Jr.; Joseph Genser, of Richmond, Calif., on motion of Mr. Lawrence Speiser; Mary P. Sharp, of East Lansing, Mich., on motion of Mr. Harold D. Beaton; and Milton Morvitz, of New York, N.Y., on motion of Mr. William Massar, were admitted to practice.

ORAL ARGUMENT

No. 342. Howard L. Nostrand et al., appellants, *v.* Thomas Balmer et al. Argument continued by Mr. Francis Hoague for the appellants, and by Mr. Solie M. Ringold for the appellants, by Mr. Herbert H. Fuller for the appellees and concluded by Mr. Solie M. Ringold for the appellants.

No. 350. United States, appellant, *v.* Manufacturers National Bank of Detroit, etc. Argued by Mr. Robert Kramer for the appellant and by Mr. Henry I. Armstrong, Jr., for the appellee.

No. 485. Raymond P. Ward, petitioner, *v.* Atlantic Coast Line Railroad Company. Argued by Mr. Neal P. Rutledge for the petitioner and by Mr. Sam T. Dell, Jr., for the respondent.

Adjourned until Monday, April 4, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

W. Paul Flynn, of New Haven, Conn., Kenneth G. Bergquist, of Boise, Idaho, William Beaty Jones, of Louisville, Ky., Neil R. Farmelo, of Buffalo, N.Y., Joseph Samuel Bambacus, of Richmond, Va., Warner Hodges, of Memphis, Tenn., William H. Webster, of St. Louis, Mo., E. Coleman Madsen, of Miami, Fla., Joseph R. McNeany, of Albuquerque, N. Mex., Thomas Hinsdale Dyer, of Marcellus, N.Y., Clayton C. Hoskins, of Springfield, Ohio, Glenn E. Detling, of Springfield, Ohio, Charles B. Tebbs, of Washington, D.C., Frank R. Bayger, of Buffalo, N.Y., Carl Richard Thackston, of Greenville, S.C., Russell H. Volkema, of Columbus, Ohio, Charles D. Redmond, of Columbus, Ohio, Paul E. Marum, of Fall River, Mass., and Ralph F. Keil, of Wilmington, Del., on motion of Mr. Solicitor General James Lee Rankin; Thomas Marx Huff, of Forest, Miss., on motion of Mr. Wm. Ephraim Cresswell; Howard A. Moum, of Dallas, Tex., on motion of Mr. Albert M. Kuhfeld; Robert Edgar Jamison, of New Castle, Pa., on motion of Mr. S. White Rhyne, Jr.; Lynn N. Peterson, Sr., of Norwich, N.Y., on motion of Mr. Lynn N. Peterson, Jr.; Bryan Bradbury, of Abilene, Tex., on motion of Mr. Arthur C. Perry; Edwin A. Rothschild, of Chicago, Ill., on motion of Mr. Louis L. Rochmes; Geraldine S. Hemmerling, of Los Angeles, Calif., and Clifford A. Hemmerling, of Los Angeles, Calif., on motion of Mr. Robert S. Green; Charles S. Tindall, Jr., of Greenville, Miss., on motion of Mr. Frederick Stewart Gilbert, Jr.; Robert E. Lawther, of New York, N.Y., on motion of Mr. Eugene F. Sikorovsky; Donald G. Brotzman, of Boulder, Colo., on motion of Mr. Gordon L. Allott; Russell West McDonald, of Reno, Nev., on motion of Mr. Alan Bible; W. Brantley Brannon, of Lake City, Fla., and Clarence E. Brown, of Lake City, Fla., on motion of Mr. Charles E. Bennett; Howard C. Cook, of Toledo, Ohio, and Arthur R. Cline, of Toledo, Ohio, on motion of Mr. Jackson E. Betts; John E. Wasche, of Minneapolis, Minn., Raymond V. Hedelson, of Minneapolis, Minn., Robert Wm. Rischmiller, of Minneapolis, Minn., and Clarence E. Hagglund, of Minneapolis, Minn., on motion of Mr. Daniel Morris Singer; Albert G. Webber III, of Decatur, Ill., and George F. Limerick, of Decatur, Ill., on motion of Mr. William Lee Springer; C. C. Brough-

ton, of Childress, Tex., on motion of Mr. Walter Rogers; Jeta Taylor, of Ozark, Ark., on motion of Mr. James W. Trimble; Thomas J. McDermott, of Mansfield, Ohio, on motion of Mr. Robert Woodrow Levering; Thomas M. Reavley, of Austin, Tex., on motion of Mr. James W. Wilson; and Harry Etra, of New York, N.Y., Max J. Etra, of New York, N.Y., Harry B. Albert, of New York, N.Y., Rose Lehman Stein, of New York, N.Y., Lillian Alexander, of New York, N.Y., Anna Bardez, of New York, N.Y., Isabel Joffe, of New York, N.Y., Caroline Birman, of New York, N.Y., Mary Carmen Ballesteros, of Brooklyn, N.Y., Fannie J. Klein, of New York, N.Y., Tobie D. Frank, of New York, N.Y., Edna Geraldine Neumann, of New York, N.Y., Marie C. Connolly, of New York, N.Y., Demenica Marjorie Centrone, of Richmond Hill, N.Y., Marie Louise Stern, of New York, N.Y., Phyllis Helene Bender Drickman, of New York, N.Y., Lorraine D. Miller, of New York, N.Y., Jean S. Toigo, of Hudson, N.Y., Sandra W. Jacobson, of New York, N.Y., Hilda Lieberman, of New York, N.Y., Emma A. Grippa, of New York, N.Y., Eleanor H. Kurz, of Flushing, N.Y., Shirley Wohl Kram, of New York, N.Y., Regina B. Keller, of New York, N.Y., Freda Sibowitz, of New York, N.Y., Lillian M. Kooperstein, of New York, N.Y., Blanche G. Etra, of New York, N.Y., Grace D. Cox, of New York, N.Y., Mae T. Korn, of New York, N.Y., Violet Kelmenson, of New York, N.Y., Marion E. Lachs, of Freeport, N.Y., Rhea Josephson, of New York, N.Y., Selma Block Green, of Scarsdale, N.Y., Anne V. Phillips of New York, N.Y., Dagmar F. Harris, of New York, N.Y., Betty Cholst, of New York, N.Y., and Ethel F. Beaver, of New York, N.Y., on motion of Miss Lucille M. Gannon; and John Herbert Hultman of Rockville Centre, N.Y., Gabriel S. Kohn, of Mineola, N.Y., Allen J. Kaplan, of New York, N.Y., Samuel Milton Levine, of Elmont, Long Island, N.Y., Robert J. Lederman, of Cedarhurst, N.Y., Milton W. Halpern of Hicksville, N.Y., Franklin Herbert Ornstein, of Lido Beach, N.Y., Thomas O. Markey, of Babylon, N.Y., Edwin Newmark, of Garden City, N.Y., Daniel M. Honorof, of Hempstead, N.Y., George L. Marks, of Freeport, N.Y., Albert C. Neimeth, of Merrick, N.Y., Robert D. Kops, of Westbury, N.Y., Leo F. McGinity, of Mineola, N.Y., Newton Millham, of Locust Valley, N.Y., Alfred Olonoff, of Lido Beach, N.Y., Lawrence Henry Hahn, of Freeport, N.Y., Jacob J. Goldman, of Long Beach, N.Y., Harry H. Kutner, of Westbury, N.Y., Christopher C. Maffucci, Jr., of Hempstead, N.Y., Lawrence J. Goldstein, of Hempstead, N.Y., Samuel Kirschenbaum, of Roslyn, N.Y., John Kevin Murphy, of Westbury, N.Y., Albert A. Gombar, of Floral Park, N.Y., Edmund M. Greenwald, of Cedarhurst, N.Y., Robert Russell Hurst, of Garden City, N.Y., Edward M. Kolbell, of Hempstead, N.Y., Michael P. Gurlides, of Rockville Centre, N.Y., H. Bradley Moore,

of Centerport, N.Y., David Goldberg, of Cedarhurst, N.Y., Victor J. Carbonaro, of Roslyn, N.Y., August J. Botta, of Rockville Centre, N.Y., Francis X. Becker, of Lynbrook, N.Y., John F. Dobson, Jr., of Hicksville, N.Y., Leon C. Carlen, of Bethpage, N.Y., Irving Faber, of Long Beach, N.Y., John Richard Dunne, of Garden City, N.Y., Harry Beck, of Elmont, N.Y., Bernard E. Epstein, of Oceanside, N.Y., Harold Bobroff, of Woodmere, N.Y., Bernard Fremont, of Long Beach, N.Y., M. Francis Bravman, of New York, N.Y., Ruth Byer, of Great Neck, N.Y., John F. Coffey, of Syosset, N.Y., Richard F. Curran, of New York, N.Y., Robert C. Alexander, of Mineola, N.Y., Daniel H. Distler, of New York, N.Y., Francis Finotti Doran, of Port Washington, N.Y., Seymour M. Custen, of Long Beach, N.Y., Nathan Edelstein, of Rockville Centre, N.Y., Vincent R. Balletta, Jr., of Port Washington, N.Y., Barbara Proskauer, of East Meadow, N.Y., Irving Brand, of East Meadow, N.Y., Vincent W. Gillen, of New York, N.Y., Murray Goldberg, of East Meadow, N.Y., Ralph G. Caso, of Merrick, N.Y., Ray M. Brand, of East Meadow, N.Y., Stanley C. Fowler, Jr., of Garden City, N.Y., Aldo J. Caperna, of Merrick, N.Y., Charles E. Carbona, of Oceanside, N.Y., Richard D. Furlong, of Hempstead, N.Y., Adolph J. Eckhardt, of Baldwin, N.Y., Conrad B. Duberstein, of Wantagh, N.Y., Robert T. Fischer, of Roosevelt, N.Y., Kenneth H. Fast, of Maplewood, N.J., Easa Easa, of West Hempstead, N.Y., Louis Forman, of Hicksville, N.Y., Patrick M. Casey, of Garden City, N.Y., Clarence William Gaylor, of Lynbrook, N.Y., Robert Benjamin Fishkind, of Rockville Centre, N.Y., Maitland M. Axelrod, of East Meadow, N.Y., Irving Galt, of Atlantic Beach, N.Y., Harold Fertig, of Hicksville, N.Y., Morris Eisen, of Searington, N.Y., Henry H. Dillof, of Brookville, N.Y., Attilio E. Braune, of Massapequa Park, N.Y., Seymour D. Eichen, of Great Neck, N.Y., Peter Evan Becker, of Bellmore, N.Y., John F. Cordes, Jr., of Huntington, N.Y., Ross A. Baer, of Huntington Station, N.Y., Vincent J. Flanagan, of Bayville, N.Y., Hyman Asheroff, of Glen Cove, N.Y., Sol Halpern, of Mineola, N.Y., Raymond T. Hyer, of Port Washington, N.Y., Nathaniel A. Leavy, of Plainview, N.Y., Vincent H. McInerney, of Garden City, N.Y., Anthony J. Kali, of Wantagh, N.Y., Joseph P. McCartney, of Mineola, N.Y., John Owen Hughes, of Smithtown, N.Y., Richard H. McGill, of Garden City, N.Y., Stanley Harwood, of Levittown, N.Y., George W. Kelly, of Valley Stream, N.Y., Manuel W. Levine, of Port Washington, N.Y., Alphonso M. La Pera, of Port Washington, N.Y., W. Wesley Hill, of Lynbrook, N.Y., Harold S. Meltzer, of Plainview, N.Y., Edwin Ostrow, of New York, N.Y., Julio John Marino, of Great Neck, N.Y., Howard Wachtel, of Syosset, N.Y., Carl H. T. Voight, of Glen Cove, N.Y., Frederick B. Terens, of Port Washington, N.Y., John M. Smillie, of New York, N.Y., Stuart A. Sherman, of Rockville Centre,

N.Y., Howard Roseman, of Rockville Centre, N.Y., Myron Stern, of Rockville Centre, N.Y., David M. Shane, of Oceanside, N.Y., Murray H. Siegal, of Plainview, N.Y., Hugo F. Ricca, Jr., of New York, N.Y., George J. Panagot, of East Norwich, N.Y., Eugene Zimbalist, of Commack, N.Y., Harold M. Spitzer, of Woodmere, N.Y., Meyer Press, of New York, N.Y., William L. Rothenberg, of New York, N.Y., Seymour Stern, of Island Park, N.Y., Marvin N. Suss, of Long Beach, N.Y., Edward O. Werner, of New York, N.Y., Sheldon M. Weiss, of Massapequa, N.Y., Eugene David Skir, of Mineola, N.Y., Robert M. de Poto, of Syosset, N.Y., Ralph Philip Franco, of Freeport, N.Y., Jay Frankston, of Garden City, N.Y., Patrick Francis Adams, of Bay Shore, N.Y., John P. Dunne, of Manhasset, N.Y., John Joseph Dunn, of West Islip, N.Y., Donald F. Ayers, of New York, N.Y., Angelo D. Roncallo, of Massapequa, N.Y., Patrick Joseph Purcell, of Mineola, N.Y., Raphael P. Russakow, of Roosevelt, N.Y., Aaron H. Wein, of Long Beach, N.Y., Paul Shilkoff, of Roosevelt, N.Y., Alfred Lewis Plessler, of Great Neck, N.Y., Jules B. St. Germain, of Lynbrook, N.Y., Morris H. Schneider, of Rockville Centre, N.Y., Rosalie Ulrich, of Rockville Centre, N.Y., Herbert Eli Walters, of New York, N.Y., William L. Schrauth, of Rockville Centre, N.Y., Edward J. Walsh, Jr., of Merrick, N.Y., Howard W. Westphal, of Garden City, N.Y., Thomas O. Perrell, of New York, N.Y., Robert Roberto, Jr., of Manhasset, N.Y., Ezra J. Regen, of Great Neck, N.Y., Howard Rudnick, of Great Neck, N.Y., Martin Eugene Rinosberg, of New York, N.Y., Jules A. Wiener, of Freeport, N.Y., George Weisbrod, of New York, N.Y., Eugene Weisbein, of Oceanside, N.Y., Leonard L. Stark, of New York, N.Y., Elgin Shulsky, of New York, N.Y., David Harrison Storper, of Great Neck, N.Y., Sherman Driggs Warner, of Bellerose, N.Y., Warren W. Stumpf, of Baldwin, N.Y., Frederic J. Siyufy, of Baldwin, N.Y., Francis J. Rogers, of New York, N.Y., Paul V. Rudden, of Mineola, N.Y., Jacob S. Zimmerman, of New York, N.Y., Robert J. Shields, of Franklin Square, N.Y., Phillip F. Robinson, of Hicksville, N.Y., David H. Youdelman, of Hicksville, N.Y., Abby Katzman, of Syosset, N.Y., Walter F. Michaelis, of West Islip, N.Y., Edmund J. Kane, of Mineola, N.Y., Marcus D. Grayek, of Mineola, N.Y., William H. Kinn, of Mineola, N.Y., John W. Trapp, of Rockville Centre, N.Y., Leonard G. Miller, of Hicksville, N.Y., Thomas P. McAlduff, of Huntington, N.Y., Harold Lawrence Krainin, of Hicksville, N.Y., Gary Holman, of Roslyn, N.Y., Irving Moldauer, of New York, N.Y., Newton D. Klein, of Lynbrook, N.Y., John Francis O'Shea, of New York, N.Y., and Eugene S. Ginsberg, of East Meadow, N.Y., on motion of Mr. Steven B. Derounian, were admitted to practice.

OPINIONS

No. 83. James P. Mitchell, Secretary of Labor, etc., petitioner, *v.* H. B. Zachry Company. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Douglas with whom Mr. Chief Justice Warren, Mr. Justice Black, and Mr. Justice Brennan join.

No. 98. Union Pacific Railroad Company, appellant, *v.* United States. Appeal from the United States District Court for the Southern District of Iowa. Judgment affirmed. Opinion *per curiam* announced by Mr. Chief Justice Warren.

The Chief Justice said:

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

OPINION PER CURIAM

No. 316. United Rubber, Cork, Linoleum and Plastic Workers of America, AFL-CIO, et al., petitioners, *v.* National Labor Relations Board. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Petition for writ of certiorari granted. On writ of certiorari, judgment reversed. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 208. S. W. Richardson, petitioner, *v.* Federal Power Commission. The motion to substitute John B. Connally, Perry R. Bass, and Howell E. Smith, Independent Executors of the Estate of S. W. Richardson, deceased, as the party petitioners in the place of S. W. Richardson is granted.

No. 297. Great Northern Railway Company, a Corporation, appellant, *v.* United States of America, Interstate Commerce Commission, et al. Upon the joint motion of counsel suggesting mootness the judgment of the District Court is vacated and the case is remanded to that Court with instructions to dismiss the complaint as moot.

No. 631. Gus Polites, petitioner, *v.* United States. The motion of the petitioner for leave to proceed further herein *in forma pauperis* is granted.

CERTIORARI GRANTED

No. 650. United States, petitioner, *v.* Mississippi Valley Generating Co., etc. Petition for writ of certiorari to the United States Court of Claims granted.

No. 664. Giacomo Reina, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 752. Lawrence Callanan, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

No. 733. Harry R. Thomas, Executor, petitioner, *v.* Virginia. Petition for writ of certiorari to the Circuit Court of Arlington County, Virginia, granted and case transferred to the summary calendar.

CERTIORARI DENIED

No. 57. International Association of Machinists, Lodge 942, AFL-CIO, petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 711. Vida Jane McMillon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 714. David W. Erickson, etc., petitioner, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 715. Cleveland Lester Thompson, Jr., et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 718. Charles H. Sparrenberger, Trustee, petitioner, *v.* National City Bank of Evansville, Indiana. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 723. Douglas Rose et al., petitioners, *v.* Harriett Cotton Mills et al. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 724. Seaboard Machinery Corporation, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 725. Police Jury of Plaquemines Parish et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 727. Charles Kennedy, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 728. R. P. Farnsworth & Co., Inc., petitioner, *v.* Tri-State Construction Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 745. Samuel Insull, petitioner, *v.* New York World-Telegram Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 750. Ray Vaughn, petitioner, *v.* St. Louis-San Francisco Railway Company. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 755. Walter K. Riedel, petitioner, *v.* Atlas Van Lines, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 304, Misc. Sherman Brandon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 413, Misc. James Wright, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 426, Misc. William Rice, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 428, Misc. Petronio Burgos, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 459, Misc. Ernest Cooke, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 465, Misc. Archibald Lyles, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 568, Misc. Edward J. Whalen, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 588, Misc. Mack Kitchens, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 600, Misc. Maurice N. Whittington, petitioner, *v.* Paul F. Pegelow, Superintendent, District of Columbia Reformatory, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 607, Misc. Thomas E. Bratton, petitioner, *v.* Alfred F. Dowd, Warden. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 609, Misc. Samuel J. DeFreese, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 610, **Misc.** Samuel J. DeFreese and Marsha Jean DeFreese, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 626, **Misc.** James Williams, petitioner, *v.* California et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 675, **Misc.** Lawrence Janiec, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 737, **Misc.** Richard Ross, petitioner, *v.* B. J. Rhay, Superintendent of Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 539, **Misc.** Anderson Jones, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 629, **Misc.** George Rolland Kennelly, petitioner, *v.* California et al.; and

No. 709, **Misc.** Jesse E. Sturdevant, petitioner, *v.* R. O. Settle, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

REHEARINGS DENIED

No. 60. John W. Arnold, petitioner, *v.* Ben Kanowsky, Inc.;

No. 613. The Deutsch Company, petitioner, *v.* National Labor Relations Board;

No. 627. Frank E. Monday, petitioner, *v.* United States; and

No. 635. Albert Slusarz, petitioner, *v.* Frank Cygan. Petitions for rehearing denied.

Adjourned until Monday, April 18, at 12 o'clock.

The day call for Monday, April 18, will be as follows: Nos. 418, 497, and 30.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Ralph V. Greene, of Willoughby, Ohio, Stanley F. Krysa, of Alexandria, Va., Peter Edward McKeown, of Chicago, Ill., James Philip Turner, of Silver Spring, Md., Bernard J. Roetzel, of Akron, Ohio, Henry W. Schober, of Mineola, N.Y., Frank A. Fritz, Jr., of New York, N.Y., Marshall M. Holleb, of Chicago, Ill., Thomas Waldo Thompson, of Detroit, Mich., Joseph I. Heneghan, of North Bellmore, N.Y., Frank Peter Matarrese, of New York, N.Y., and Stanley S. Hausen, of New York, N.Y., on motion of Mr. Solicitor General James Lee Rankin; Edward Anthony Hume, of San Francisco, Calif., and John H. Gordon, of Los Angeles, Calif., on motion of Mr. Charles Kinsley McWhorter; Stuart E. Hertzberg, of Detroit, Mich., and Herbert N. Weingarten, of Detroit, Mich., on motion of Mr. Philip A. Hart; Bernard P. Harrison, of Skokie, Ill., on motion of Mr. Charles Sylvanus Rhyne; Stephen Reinhardt, of Los Angeles, Calif., on motion of Mr. Gerhard Van Arkel; Howard L. Williams, of Wilmington, Del., on motion of Mr. Jack Werner; John D. Jolliffe, of Canton, Ohio, on motion of Mr. Paul F. Borden; Harold Nash, of Milwaukee, Wis., on motion of Miss Nancy A. Murry; James S. Payne, of Los Angeles, Calif., on motion of Mr. Abraham J. Harris; George C. Lyon, of Los Angeles, Calif., on motion of Mr. George Herbert Goodrich; Julius Schnapper, of New York, N.Y., Louis Schifrin, of New York, N.Y., and Sidney L. Katz, of New York, N.Y., on motion of Mr. Jesse B. Messette; John L. Arrington, Jr., of Tulsa, Okla., on motion of Mr. Melvin Richter; Edward J. Peters, Jr., of Denison, Iowa, on motion of Mr. William C. Wise; DeWitt Foster Blase, of Los Angeles, Calif., on motion of Mr. George E. McMurray, Jr.; Horace D. Worman, of Dayton, Ohio, on motion of Mr. I. Martin Leavitt; Charles R. Esherick, of Port Washington, N.Y., on motion of Mr. Colin A. Smith; Julian M. Quarles, Jr., of Miami, Fla., on motion of Mr. Victor Don Baughman; Thomas A. Ziebarth, of Washington, D.C., on motion of Mr. Richard H. Heidermann; Stephen Bermas, of New York, N.Y., on motion of Mr. Robert S. Green; Frederick Lukens, of Washington, D.C., on motion of Mr. John Fritchle Lukens; Robert Warren Crown, of Alameda, Calif., on

motion of Mr. Edward R. FitzSimmons; and John W. Warner, of Washington, D.C., on motion of Mr. Oliver Gasch; were admitted to practice.

OPINIONS

No. 214. Miller Music Corporation, petitioner, *v.* Charles N. Daniels, Inc. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Harlan with whom Mr. Justice Frankfurter, Mr. Justice Whittaker, and Mr. Justice Stewart join.

No. 100. The Order of Railroad Telegraphers, etc., et al., petitioners, *v.* Chicago and North Western Railway Company, a Corporation. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment of the Court of Appeals reversed and that of the District Court affirmed insofar as it held that the court was without jurisdiction under the Norris-LaGuardia Act to enter the injunction and case remanded to the United States District Court for the Northern District of Illinois for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Clark. Dissenting opinion by Mr. Justice Whittaker with whom Mr. Justice Frankfurter and Mr. Justice Clark join. Mr. Justice Stewart dissents.

No. 403. Marine Cooks & Stewards, AFL, etc., et al., petitioners, *v.* Panama Steamship Company, Ltd., et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the United States District Court for the Western District of Washington with directions to dismiss the petition for injunction. Opinion by Mr. Justice Black. Mr. Justice Whittaker, believing that the controversy in this case does not constitute a lawful "labor dispute" within the meaning of the Norris-LaGuardia Act, dissents.

No. 29. Mackey, Commissioner of Immigration and Naturalization Service, et al., appellants, *v.* Francisco Mendoza-Martinez. Appeal from the United States District Court for the Southern District of California. Case remanded to the District Court with permission to the parties to amend the pleadings, if they so desire, to put in issue the question of collateral estoppel and to obtain an adjudication upon it. Opinion *per curiam* announced by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Clark with whom Mr. Justice Harlan and Mr. Justice Whittaker join. Separate opinion by Mr. Justice Frankfurter.

No. 47. Ernest Dossy Yancy, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Sixth Cir-

cuit. Judgment affirmed by an equally divided Court. Opinion *per curiam* announced by Mr. Chief Justice Warren. Mr. Justice Stewart took no part in the consideration or decision of this case.

No. 130. Willia Niukkanen, etc., petitioner, *v.* E. D. McAlexander, etc. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed. Opinion *per curiam* announced by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Douglas with whom Mr. Chief Justice Warren, Mr. Justice Black, and Mr. Justice Brennan join.

No. 485. Raymond P. Ward, petitioner, *v.* Atlantic Coast Line Railroad Company. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case remanded to the United States District Court for the Northern District of Florida for proceedings in conformity with the opinion of this Court. Opinion *per curiam* announced by Mr. Chief Justice Warren. Mr. Justice Frankfurter would dismiss the writ as improvidently granted. Mr. Justice Harlan and Mr. Justice Whittaker dissent.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 726. Burlington-Chicago Cartage, Inc., appellant, *v.* United States et al. Appeal from the United States District Court for the Southern District of Illinois. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*.

No. 760. Frank Bogle et al., petitioners, *v.* Jakes Foundry Company. On petition for writ of certiorari to the Court of Appeals of Tennessee. Petition for writ of certiorari granted. On writ of certiorari, the judgment is reversed insofar as it awards a permanent injunction. Opinion *per curiam*.

No. 504, Misc. Milton R. Dusky petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. On writ of certiorari, judgment of Court of Appeals affirming the judgment of conviction reversed, and case remanded to District Court for a new hearing to ascertain petitioner's present competency to stand trial, and for a new trial if petitioner is found competent. Opinion *per curiam*.

No. 772, Misc. Thomas Izzo, appellant, *v.* Illinois. Appeal from the Supreme Court of Illinois. The appeal is dismissed. Treating

the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 8. Junius Irving Scales, petitioner, *v.* United States of America. The order of June 29, 1959, setting this case for reargument is amended so as to allot one hour to each side for oral argument.

No. 342. Howard L. Nostrand et al., appellants, *v.* Thomas Balmer et al. The motion to substitute Herbert Little as a party appellee in the place of Thomas Balmer, Deceased, is granted.

No. 537. Communist Party of the United States of America, petitioner, *v.* Subversive Activities Control Board. The order of February 5, 1960, granting the petition for writ of certiorari is amended so as to allot two hours to each side for oral argument.

No. 765. Elijah McNeal, Jr., petitioner, *v.* R. O. Culver, as State Prison Custodian. The motion of the petitioner for the appointment of counsel is granted and it is ordered that Sam Daniels, Esquire, of Miami, Florida, be, and he is hereby, appointed to serve as counsel for petitioner in this case.

CERTIORARI GRANTED

No. 757. United States, petitioner, *v.* Virginia Electric and Power Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted.

No. 758. Eastern Railroad Presidents Conference et al., petitioners, *v.* Noerr Motor Freight, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 729. Small Business Administration, petitioner, *v.* G. M. McClellan, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted and case transferred to the summary calendar.

No. 748. Federal Power Commission, petitioner, *v.* Transcontinental Gas Pipe Line Corporation et al.; and

No. 749. National Coal Association et al., petitioners, *v.* Transcontinental Gas Pipe Line Corporation et al. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit granted. Cases consolidated and a total of two hours allotted for oral argument. The motion of The Southern California Gas Company et al. for leave to file brief, as *amici curiae*, in No. 748 is granted.

No. 756. System Federation No. 91, Railway Employees' Department, AFL-CIO, et al., petitioners, *v.* O. V. Wright et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted and case transferred to the summary calendar.

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

No. 596, Misc. Theodore Green, petitioner, *v.* United States. Motion for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit granted limited to question No. 3 presented by the petition which reads as follows:

"3. Whether the judgment was invalidated where the court did not offer the petitioner an opportunity to speak before sentence was imposed."

Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI DENIED

No. 632. Dean Ejnard Bjorson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 688. In the Matter of the Unauthorized Practice of Law in re J. Harvey Crow, petitioner. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 730. J. Francis Kicak, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 731. Frances E. Carlin, Administratrix, petitioner, *v.* Saverio D. Iovino et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 734. Bernard M. Wolfe et al., petitioners, *v.* National Lead Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 736. Gwendolyn Tucker, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 737. Fred Stein, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 738. Kiekhaefer Corporation, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 739. Stuart E. Hertzberg, Trustee, petitioner, *v.* Associates Discount Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 746. Charles S. Helmig, petitioner, *v.* Charles Alvin Jones et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 747. Athol Horne, petitioner, *v.* Clifford S. Woolever. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 754. Ruth Johnson Williams et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 759. William M. Johnson et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 761. Willis W. Ritter, Chief Judge, United States District Court for the District of Utah, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 762. Mary Helen Burton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 771. Charles Walder et al., petitioners, *v.* Paramount Publix Corp. et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 773. J. A. Edwards & Co., Inc., petitioner, *v.* Peter Reiss Construction Co., Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 774. J. A. Edwards & Co., Inc., petitioner, *v.* Thompson Construction Corp. et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 776. Robert H. Cain, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 787. City of East Detroit, et al., petitioners, *v.* Detroit Edison Company, etc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 793. Sinclair Oil & Gas Company, petitioner, *v.* R. B. Master-son et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 436, Misc. John Jefferson, petitioner, *v.* Donivon E. Adams, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 489, Misc. Walter E. Nolan, petitioner, *v.* E. V. Nash, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 508, Misc. Vincent Mummiami, petitioner, *v.* New York State Board of Parole. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 512, Misc. In re Petition of Wiley Blakeslee, petitioner. Petition for writ of certiorari to the Supreme Court of Montana denied.

No. 536, **Misc.** Kenneth R. Hulett, petitioner, *v.* Maurice H. Sigler, Warden. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 543, **Misc.** Isaac Allen Costner, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 554, **Misc.** John W. Siironen, petitioner, *v.* Texas et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 569, **Misc.** Robert Roberts, petitioner, *v.* Vernon L. Peper-sack, Warden. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 601, **Misc.** Donald Dobson, petitioner, *v.* Warden of the Maryland Penitentiary. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 611, **Misc.** Milton K. Whittington, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 612, **Misc.** William John McCormick, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 613, **Misc.** Dominick Zizzo, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 614, **Misc.** Joseph Orby Smith, Jr., et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 616, **Misc.** William R. Sims, petitioner, *v.* W. Frank Smyth, Jr., Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 617, **Misc.** Herman Faubert, petitioner, *v.* Michigan et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 619, **Misc.** Bernard Ephraim, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 620, **Misc.** Preston Holloway, petitioner, *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Errors of Connecticut denied.

No. 621, **Misc.** Chester Banks, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 622, *Misc.* James Morrison, petitioner, *v.* New York et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 623, *Misc.* John T. Kildare, petitioner, *v.* J. Vernel Jackson, Warden. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 624, *Misc.* Ralph A. Horton, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 630, *Misc.* James Faiola, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 634, *Misc.* United States ex rel. Roy Helwig, petitioner, *v.* James F. Maroney, Superintendent of Western State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 638, *Misc.* James C. White, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 640, *Misc.* Tommie Heads, Jr., petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 656, *Misc.* Benjamin F. Plater, petitioner, *v.* Warden of the Maryland House of Correction. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 681, *Misc.* New York ex rel. Leonard Stanley, petitioner, *v.* W. C. Johnston, Director of Dannemora State Hospital. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 688, *Misc.* William A. Tarpley, petitioner, *v.* Walter H. Wilkins, Warden. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 886, *Misc.* Fred Sturdivant, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 699, *Misc.* James R. Whiting, petitioner, *v.* Charles P. Chew, Director Parole Board. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit and other relief denied.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 697, *Misc.* Guy V. Whitener, petitioner, *v.* Wyndham M. Manning, Warden; and

No. 705, **Misc.** Thomas Clifton Livesay, petitioner, *v.* O. B. Ellis, Director, Texas Department of Corrections. Motions for leave to file petitions for writs of habeas corpus denied.

No. 581, **Misc.** Bennie LeRea, petitioner, *v.* H. G. Cochran, Jr., Director, Division of Corrections;

No. 652, **Misc.** James R. Whiting, petitioner, *v.* Beryle C. Sacks, Warden; and

No. 692, **Misc.** George Duke, petitioner, *v.* O. B. Ellis, Director, Texas Department of Corrections. Motions for leave to file petitions for writs of habeas corpus denied. Treating the papers submitted as petitions for writs of certiorari, certiorari is denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 542, **Misc.** Amos Black, petitioner, *v.* United States et al.;

No. 586, **Misc.** Grover Cleveland McDaniel, petitioner, *v.* United States District Court for the District of New Mexico et al.;

No. 637, **Misc.** Grover Cleveland McDaniel, petitioner, *v.* California Adult Authority et al.; and

No. 648, **Misc.** In the Matter of James Wilson, petitioner. Motions for leave to file petitions for writ of mandamus denied.

No. 592, **Misc.** Charles Larsen, petitioner, *v.* Honorable Sherril Halbert, Judge of the United States District Court for the Northern District of California. Motion for leave to file petition for writ of mandamus and other relief denied.

LEAVE TO FILE PETITION FOR WRIT OF CERTIORARI, ETC., DENIED

No. 823, **Misc.** Willis W. Ritter, Chief Judge, United States District Court for the District of Utah, petitioner, *v.* The Honorable Alfred P. Murrah, Chief Judge, et al., Constituting the Judicial Council of the Tenth Circuit of the United States. Motion for leave to file petition for writ of certiorari or alternatively for a writ of mandamus denied.

REHEARINGS DENIED

No. 63. Federal Power Commission, petitioner, *v.* Tuscarora Indian Nation; and

No. 66. Power Authority of the State of New York, petitioner, *v.* Tuscarora Indian Nation;

No. 640. Lena S. Tillman, Administratrix of the Estate of James A. Tillman, Deceased, petitioner, *v.* Robert B. Anderson, Secretary of the Treasury, et al.;

No. 658. Benjamin Franklin Collins, petitioner, *v.* United States;

No. 310, Misc. Albert Karl Tag, petitioner, *v.* William P. Rogers, Attorney General, et al.; and

No. 455, Misc. William H. Earnshaw, petitioner, *v.* United States. Petitions for rehearing denied.

ORAL ARGUMENT

No. 418. Communications Workers of America, AFL-CIO, et al., petitioners, *v.* National Labor Relations Board. Argued by Mr. J. R. Goldthwaite, Jr., for the petitioners and by Mr. Dominick L. Manoli for the respondent.

No. 497. Willard H. Phillips, petitioner, *v.* New York. Argued by Mr. Henry W. Schober for the petitioner and by Mr. Joseph I. Heneghan for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, April 19, will be as follows: Nos. 30, 25, 26, and 229.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

George Atherton Williams, of Iowa City, Iowa, on motion of Mr. Thomas Ellsworth Martin; Lawrence K. Gardner, of Milwaukee, Wis., and John A. Wittig, of Milwaukee, Wis., on motion of Mr. Henry S. Reuss; Nathan Thomas Notkin, of Chicago, Ill., Harry Randolph Posner, of Chicago, Ill., and Walter Arnold Amberg, of Chicago, Ill., on motion of Mr. Philip Elman; Richard B. McQuade, of Swanton, Ohio, on motion of Mr. Charles Sylvanus Rhyne; Robert L. Mitchell, of Atlanta, Ga., on motion of Mr. John Wilson Ellis; Roy F. Schaeperklaus, of Cincinnati, Ohio, on motion of Mr. William A. Smith, Jr.; Morris H. Rapoport, of Lynn, Mass., on motion of Mr. F. Joseph Donohue; Harold R. Banke, of Jonesboro, Ga., on motion of Mr. Robert Lowe Kunzig; Malvin R. Mandelbaum, of New York, N.Y., on motion of Mr. Harry M. Edelstein; Francis J. Sullivan, of Staten Island, N.Y., and Kasper T. Serijan, of Westfield, N.J., on motion of Mr. Seymour S. Bernfeld; Nicholas C. Petris, of Oakland, Calif., on motion of Mr. Edward R. FitzSimmons; Anthony Cavalcante, of Uniontown, Pa., on motion of Mr. Donald Cefaratti, Jr.; Herschel H. Friday, Jr., of Little Rock, Ark., on motion of Mr. John Patrick Baker; Leon D. Shapiro, of Chicago, Ill., on motion of Mr. Harry Stewart Weidberg; Elmer Pearce Barber, of Tallahassee, Fla., on motion of Mr. J. William Norman; George B. Matthews, of New Orleans, La., on motion of Mr. Charles J. Merriam; Louis J. Schneider, Jr., of Cincinnati, Ohio, on motion of Mr. Louis J. Schneider; and James M. Malloy, of Boston, Mass., and Ralph Warren Sullivan, of Boston, Mass., on motion of Mr. Clarence Worth Rowley, Jr., were admitted to practice.

No. 30. Ohio ex rel. Eaton, appellant, *v.* Price, Chief of Police. Argued by Mr. Greene Chandler Furman and Mr. Elbert E. Blakely for the appellant and by Mr. Charles S. Rhyne and Mr. Joseph P. Duffy for the appellee.

No. 25. Honorable Julius J. Hoffman, Judge of the United States District Court for the Northern District of Illinois, Eastern Division, petitioner, *v.* John F. Blaski et al. Argument commenced by

Mr. Charles J. Merriam for the petitioner and continued by Mr. Daniel V. O'Keeffe for the respondents.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, April 20, will be as follows: Nos. **25**, **26**, **229**, **165**, and **167** (and **170**).

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Robert B. Bates, of Oklahoma City, Okla., on motion of Mr. Toby Morris; Richard Laken Mitchell II, of Cookeville, Tenn., on motion of Mr. Joe L. Evins; Kenneth J. Ehlenbach, of Milwaukee, Wis., on motion of Mr. Henry S. Reuss; Francis Stewart Elliott, of Lima, Ohio, on motion of Mr. John F. Davis; Robert Lee May, Jr., of Salem, Oreg., on motion of Mr. Clifton W. Enfield; Melvin Katz, of New York, N.Y., on motion of Mr. Richard B. Pearl; John Myers Brant, of Chevy Chase, Md., on motion of Mr. Jacob I. Karro; Roderique Bernard Biron, of Bellingham, Mass., James Elwood Stauffer, of San Francisco, Calif., and James R. Holman, of Minneapolis, Minn., on motion of Mr. Vernon A. Peltzer; George J. Miller, of Philadelphia, Pa., on motion of Mr. Robert Matthew Beckman; Paul C. Hill, of Boston, Mass., on motion of Mr. John Gordon Lovrien; Everett H. Murray, Jr., of Philadelphia, Pa., on motion of Mr. Howard I. Forman; John T. Grant, of Omaha, Nebr., on motion of Mr. Richard J. Connor; and Clifford U. Cartwright, of Wewoka, Okla., on motion of Mr. Earl Foster, Jr., were admitted to practice.

ORAL ARGUMENT

No. 25. Honorable Julius J. Hoffman, Judge of the United States District Court for the Northern District of Illinois, Eastern Division, petitioner, *v.* John F. Blaski et al. Argument continued by Mr. Daniel V. O'Keeffe for the respondents and concluded by Mr. Charles J. Merriam for the petitioner.

No. 26. Sullivan, Chief Judge of the United States District Court for the Northern District of Illinois, petitioner, *v.* Otto Behimer et al. Argued by Mr. John C. Butler for the petitioner and by Mr. Warren E. King for the respondents.

No. 229. Continental Grain Company, petitioner, *v.* Barge FBL-585 et al. Argued by Mr. Eberhard P. Deutsch for the petitioner and by Mr. George B. Matthews for the respondents.

No. 165. The Brotherhood of Locomotive Engineers et al., petitioners, *v.* Missouri-Kansas-Texas Railroad Company et al. Argued

by Mr. Harold C. Heiss for the petitioners and by Mr. Monroe E. Clinton for the respondents.

No. **167**. Texas Gas Transmission Corporation et al., petitioners, *v.* Shell Oil Company; and

No. **170**. Federal Power Commission, petitioner, *v.* Shell Oil Company. Argument commenced by Mr. Willard W. Gatchell for the petitioner in No. **170**.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, April 21, will be as follows: Nos. **167** (and **170**), **359**, and **258**.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Malcolm Millar Lucas, of Long Beach, Calif., and Loyal Clayton Pulley, of Long Beach, Calif., on motion of Mr. Craig Hosmer; Thomas J. Neenan, of St. Louis, Mo., and John J. Shanahan, of St. Louis, Mo., on motion of Mr. Brice Wilson Rhyne; Harold Katz, of Winthrop, Mass., and Sydney D. Goldberg, of Winthrop, Mass., on motion of Mr. John C. Herberg; John P. Butler, of Cleveland, Ohio, on motion of Mr. Wayne Goodwin Barnett; Curtin Robert Coleman II, of Fort Lauderdale, Fla., on motion of Mr. Paul G. Rogers; Robert P. Adelman, of New York, N.Y., on motion of Mr. John A. Selby; Edwin V. Ladd, Jr., of New York, N.Y., on motion of Mr. Arnold B. Christen; Allan William Keusch, of Glen Moore, Pa., on motion of Mr. Edgar Parke Reese; Richard LeRoy Ackman, of Kankakee, Ill., on motion of Mr. Rolland Lee Nutt; Richard Van Thomas, of Cheyenne, Wyo., Paul Louis Miller, of Baltimore, Md., Lloyd Arnold Tholen, of San Antonio, Tex., David Leib, of New Haven, Conn., Allen A. Sperling, of Silver Spring, Md., James E. Caulfield, of West Roxbury, Mass., Everett Caselman, Jr., of Kansas City, Mo., and Timothy W. Donohue, of Springfield, Mo., on motion of Mr. Carl W. Milzer; and John Lee Edmonds, of New York, N.Y., Stanley J. Mayer, of New York, N.Y., Simon Schachter, of New York, N.Y., Charles T. McKinney, of New York, N.Y., Carl K. Harten, of New York, N.Y., Sidney Steinhauer, of New York, N.Y., Isidore G. Needleman, of New York, N.Y., Solomon Fisher, of New York, N.Y., Hyman Lewis Rutman, of New York, N.Y., Joseph George Krusch, of New York, N.Y., Louis Stone, of New York, N.Y., Jacob L. Molinas, of New York, N.Y., Richard O. Tolchin, of New York, N.Y., David H. Perlman, of New York, N.Y., Marvin Marcus, of New York, N.Y., Irwin Weinbaum, of New York, N.Y., Irving L. Spanier, of New York, N.Y., Morris Pottish, of New York, N.Y., Rhoda Laks, of New York, N.Y., Arthur W. Bailey, of New York, N.Y., Joseph Ettinger, of New York, N.Y., Murray E. Baron, of New York, N.Y., Mervin Stenzler, of New York, N.Y., George H. Skolsky, of New York, N.Y., Joseph H. Percoff, of New York, N.Y., Judah B. Felshin, of New York, N.Y., Harry Hausknecht, of New York, N.Y.,

Elias M. Schwarzbart, of New York, N.Y., Stanley M. Klebanoff, of New York, N.Y., Hyman Joseph, of New York, N.Y., Michael B. Atkins, of New York, N.Y., Sidney Schreiber, of New York, N.Y., Albert L. R. Colloms, of New York, N.Y., Philip D. Roache, of New York, N.Y., Morris Mitchell, of New York, N.Y., George Edelman, of New York, N.Y., B. Bruce Freitag, of New York, N.Y., Irwin Lowell Germaise, of New York, N.Y., Abraham Weisberg, of New York, N.Y., Joseph Fox, of New York, N.Y., Neta Margaret Taylor, of New York, N.Y., Ira Gammerman, of New York, N.Y., Joseph H. Crown, of Mamaroneck, N.Y., Bernard Fromartz, of Brooklyn, N.Y., David F. Mix, of Buffalo, N.Y., Morton Friedman, of Jamaica, N.Y., Moe L. Tandler, of Jamaica, N.Y., Isadore Arnold Berger, of Detroit, Mich., Israel Ernest Sachs, of Detroit, Mich., Isadore R. Starr, of Detroit, Mich., Bernard J. Fieger, of Detroit, Mich., Dean A. Robb, of Detroit, Mich., Esther Strum Frankel, of Paterson, N.J., Emerson L. Darnell, of Mount Holly, N.J., Louis F. McCabe, of Philadelphia, Pa., Max R. Millman, of Philadelphia, Pa., Pauline Epstein, of Los Angeles, Calif., Edwin Henry White, of Kansas City, Mo., and Gabriel Kantrovitz, of Boston, Mass., on motion of Mr. Royal W. France, were admitted to practice.

ORAL ARGUMENT

No. 167. Texas Gas Transmission Corporation et al., petitioners, *v.* Shell Oil Company; and

No. 170. Federal Power Commission, petitioner, *v.* Shell Oil Company. Argument continued by Mr. Mathias F. Correa for the petitioners in No. 167, by Mr. Oliver L. Stone for the respondent in both cases and concluded by Mr. Mathias F. Correa for the petitioners in No. 167.

No. 359. Commissioner of Internal Revenue, petitioner, *v.* Gillette Motor Transport, Inc. Argued by Mr. Wayne G. Barnett for the petitioner and by Mr. Joseph A. Maun for the respondent.

No. 258. International Association of Machinists et al., appellants, *v.* S. B. Street et al. Argued by Mr. Lester P. Schoene and Mr. Milton Kramer for the appellants and by Mr. E. Smythe Gambrell for the appellees.

Adjourned until Monday, April 25, at 12 o'clock.

The day call for Monday, April 25, will be as follows: Nos. 138, 278, 321, and 335.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

James William Cowell, of Toledo, Ohio, Harvey R. Monck, of Cleveland, Ohio, Donovan W. Ballenger, of Glendale, Calif., and Homer E. McEwen, Jr., of Tulsa, Okla., on motion of Mr. Solicitor General James Lee Rankin; Ivylyn Oliver Perry, of Gainesville, Ga., on motion of Miss Clara E. Smith; Edith G. McKinney, of Oklahoma City, Okla., and James R. McKinney, of Oklahoma City, Okla., on motion of Mr. William Pitt Shattuck; Clive S. Cummis, of Newark, N.J., on motion of Mr. Arnold R. Kent; Samuel Lang, of New Orleans, La., on motion of Mr. Theodore King Jackson, Jr.; Latimer A. Long, of Auburndale, Fla., on motion of Mr. J. William Norman; Paul L. Westerfield, of Lebanon, Ohio, on motion of Mr. Lawrence R. Lyons; Leo J. Hoffman, of Dallas, Tex., on motion of Mr. Martin A. Row; David Daar, of Los Angeles, Calif., on motion of Mr. Walter Freedman; Irving Anatole Bernstein, of Beverly Hills, Calif., on motion of Mr. John Stephne Nolan; Frank Joseph Violanti, of Buffalo, N.Y., on motion of Mr. Charles Q. Kelley; Lomax Benjamin Lamb, Jr., of Marks, Miss., on motion of Mr. Hugh Roberts Hovel Smith; Robert J. Bernard, of Skokie, Ill., on motion of Mr. John S. Guandolo; John F. Shantz, of Royal Oak, Mich., on motion of Mr. James M. McCullough; Edward R. Neaher, of New York, N.Y., on motion of Mr. Warren E. Baker; Richard Powell Nee, of Milwaukee, Wis., on motion of Mr. Ralph Herrod; James Francis Murphy, of Brooklyn, N.Y., Joseph Donald Di Cunto, of Brooklyn, N.Y., and Anthony Cagliostro, of Brooklyn, N.Y., on motion of Mr. William T. Stapleton; William Hodge Brown, of Casper, Wyo., on motion of Mr. Ralph E. Becker; and John C. Lombard, of Seattle, Wash., on motion of Mr. James M. Dolliver, were admitted to practice.

OPINIONS

No. 86. Huron Portland Cement Company, etc., appellant, *v.* City of Detroit, etc., et al. Appeal from the Supreme Court of Michigan. Judgment affirmed. Opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Frankfurter concurs.

No. 44. Local Lodge No. 1424, etc., et al., petitioners, *v.* National Labor Relations Board. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and case remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Whittaker with whom Mr. Justice Frankfurter joins.

No. 339. New Hampshire Fire Insurance Co., petitioner, *v.* Scanlon, District Director of Internal Revenue, et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed. Opinion by Mr. Justice Black.

No. 497. Willard H. Phillips, petitioner, *v.* New York. On writ of certiorari to the Court of Appeals of New York. Writ dismissed as improvidently granted. Opinion *per curiam* announced by Mr. Chief Justice Warren.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 740. Cleveland Electric Illuminating Company, appellant, *v.* City of Euclid, Ohio, et al. Appeal from the Supreme Court of Ohio. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 654, Misc. Dominick Cerminaro, Individually, and as Trustee Ad Litem of St. Peter's Roman Catholic Parish, Appellant *v.* Urban Redevelopment Authority of Pittsburgh et al. Appeal from the United States District Court for the Western District of Pennsylvania. The appeal is dismissed. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 2, Original. The State of Wisconsin et al., complainants, *v.* The State of Illinois and The Metropolitan Sanitary District of Greater Chicago et al.;

No. 3, Original. The State of Michigan, complainant, *v.* The State of Illinois and The Metropolitan Sanitary District of Greater Chicago et al.; and

No. 4, Original. State of New York, complainant, *v.* State of Illinois and The Metropolitan Sanitary District of Greater Chicago et al.

The petition of intervention of United States and the answer of State of Illinois and Metropolitan Sanitary District of Greater Chicago are referred to the Special Master.

No. 12, Original. State of Illinois, plaintiff, *v.* States of Michigan, Ohio, Pennsylvania, Minnesota, New York, and Wisconsin. The petition of intervention of United States and the answer of State of Illinois are referred to the Special Master.

No. 495. Charles D. Stuart et al., appellants, *v.* Wilson, Attorney General of Texas, et al. The motion to recall and amend judgment is granted. The order of January 11, 1960, is vacated, the motion to dismiss is granted and the appeal is dismissed for want of jurisdiction.

No. 513. United States, petitioner, *v.* Cannelton Sewer Pipe Company. The motion of National Coal Association for leave to file brief, as *amicus curiae*, is granted.

No. 541. B. T. Shelton et al., appellants, *v.* Ed I. McKinley, Jr., et al. The joint motion to substitute John E. Fox as a party appellee in the place of Ralph Mitchell, Jr., and to name Charles V. Kalkbrenner as a party appellee instead of J. C. Langley is granted. The motion to substitute Everett Tucker, Jr., as President of the Board of Directors of the Little Rock Special School District, J. H. Cottrell, B. F. Mackey and W. C. McDonald as parties appellee in the place of Ed I. McKinley, Jr., Ben D. Rowland and Robert W. Laster is granted.

APPEALS—JURISDICTION NOTED

No. 438. Margaret M. McGowan et al., appellants, *v.* Maryland. Appeal from the Court of Appeals of Maryland. In this case probable jurisdiction is noted. Case transferred to the summary calendar and set for argument immediately following No. 532.

No. 532. Gallagher, Chief of Police of the City of Springfield, Massachusetts, et al., appellants, *v.* Crown Kosher Super Market of Massachusetts, Inc., et al. Appeal from the United States District Court for the District of Massachusetts. The motion of George Michaels et al. for leave to intervene is denied. In this case probable jurisdiction is noted.

No. 699. Two Guys from Harrison-Allentown, Inc., appellant, *v.* Paul A. McGinley, District Attorney, County of Lehigh, Pennsylvania, et al. Appeal from the United States District Court for the Eastern District of Pennsylvania. In this case probable jurisdiction is noted. Case transferred to the summary calendar and set for argument immediately following No. 438.

CERTIORARI GRANTED

No. 779. Carl Braden, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and case set for argument immediately preceding No. 703.

CERTIORARI DENIED

No. 510. Hamish Scott MacKay, petitioner, *v.* McAlexander, Acting District Director, Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 700. Two Guys from Harrison-Allentown, Inc., petitioner, *v.* Paul A. McGinley, District Attorney, County of Lehigh, Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 702. John William Mills, petitioner, *v.* Panama Canal Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 717. Albert Flegenheimer, petitioner, *v.* William H. Caley, etc. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No 741. Tri-Continental Financial Corporation et al., petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 753. Ella Bell Benedict et al., petitioners, *v.* Hamilton County Board of Revision. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 769. Gemex Corporation, petitioner, *v.* A. C. Becken Co. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 770. Robert K. Mayo et al., petitioners, *v.* Pioneer Bank and Trust Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 775. Local 600, Highway & City Freight Drivers, Dockmen & Helpers, etc., petitioners, *v.* National Labor Relations Board; and

No. 794. Spector Freight System, Inc., petitioner, *v.* National Labor Relations Board. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 778. Local 1377 of the International Association of Machinists, AFL-CIO, petitioner, *v.* Hein-Werner Corp. et al. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 780. Davies-Young Soap Company, petitioner, *v.* Nu-Pro Manufacturing Company. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 783. Surfcomber Hotel Corp., petitioner, *v.* DeSoto Hotel Corp. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 784. Dominick Marccone, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 796. Beatrice Lyons, Temporary Administratrix, petitioner, *v.* United Fruit Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 799. Dalton Stocker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 742. Tri-Continental Financial Corporation, petitioner, *v.* Helene Glenmore et al. The motion of petitioner for leave to file supplementary appendix is granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1, Misc. Alfredo Ramirez Garcia, petitioner, *v.* Herbert Brownell, Jr., Attorney General of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 317, Misc. Fehr Kremer, petitioner, *v.* Oldham Clarke, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 353, Misc. Howard Vincent Perno, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 393, Misc. Ethel Darlene Smith, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Los Angeles, denied.

No. 395, Misc. John D. Gresham, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 537, Misc. Wilson Brewer, petitioner, *v.* West Virginia. Petition for writ of certiorari to the Circuit Court of Mingo County, West Virginia, denied.

No. 540, Misc. Wayne Patterson, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 547, **Misc.** Joseph Willis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 662, **Misc.** Stance W. James, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 742, **Misc.** Henry Gustave Schmidt, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 853, **Misc.** Norman J. Mackiewicz, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 3, **Misc.** Charles Robert Chapman, petitioner, *v.* Lawrence E. Wilson, Warden, et al. The motion to substitute Fred Dickson in the place of Lawrence E. Wilson is denied. Petition for writ of certiorari to Supreme Court of California denied.

No. 665, **Misc.** George Moses, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

No. 942, **Misc.** Caryl Chessman, petitioner, *v.* Fred R. Dickson, Warden. The application for stay of execution presented to Mr. Justice Douglas and by him referred to the Court is denied. Petition for writ of certiorari to the Supreme Court California denied. The Chief Justice took no part in the consideration or decision of these applications.

LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. 685, **Misc.** John A. Smith, petitioner, *v.* United States. Motion for leave to file petition for writ of habeas corpus denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 812, **Misc.** Tri-Continental Financial Corporation et al., petitioners *v.* United States Court of Appeals for the Second Circuit. Motion for leave to file petition for writ of mandamus and other relief denied.

No. 813, **Misc.** Tri-Continental Financial Corporation, petitioner, *v.* United States Court of Appeals for the Second Circuit. The motion of petitioner for leave to file supplementary appendix is granted. Motion for leave to file petition for writ of mandamus and other relief denied.

REHEARING DENIED

No. 575, Misc. William Hill, petitioner, *v.* Illinois. Petition for rehearing denied.

RECESS ORDER

The Court will take a recess from Monday, May 2, until Monday, May 16.

ORAL ARGUMENT

No. 138. United States of America, petitioner, *v.* American-Foreign Steamship Corp. et al. Argued by Mr. Philip Elman for the petitioner and by Mr. Arthur M. Becker and Mr. J. Franklin Fort for the respondents. Memorandum to come.

No. 278. Harry Needelman, petitioner, *v.* United States of America. Argument commenced by Mr. Herbert A. Warren, Jr., for the petitioner and continued by Mr. Oscar H. Davis for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, April 26, will be as follows: Nos. 278, 321, 335, and 360.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Lowell J. Myers, of Chicago, Ill., Louis J. Mark, of Chicago, Ill., S. Myron Klarfeld, of Boston, Mass., Gabriel R. Caggiano, of Boston, Mass., Sumner Kraft, of Malden, Mass., Melvin Ravech, of Boston, Mass., Arthur Sherman, of Boston, Mass., David Baye, of Boston, Mass., and Joseph G. Bramberg, of Boston, Mass., on motion of Mr. Oscar H. Davis; James E. Jones, Jr., of Madison, Wis., on motion of Mr. Harold C. Nystrom; Enos Rogers Pleasants, of Wilmington, Del., on motion of Mr. David C. Moore; Oscar Wayman Holmes, of Washington, D.C. on motion of Mr. Sydney J. Schneider; Arthur A. Allen, Jr., of Salt Lake City, Utah, on motion of Mr. Frank E. Moss; Ben Slosky, of Denver, Colo., on motion of Mr. Byron G. Rogers; Oswald M. Robbins, of Detroit, Mich., on motion of Mr. Thaddeus M. Machrowicz; James E. Zinchak, of Cincinnati, Ohio, on motion of Mr. William J. Schmid; Neal E. Smith, of Altoona, Iowa, and Bert A. Bandstra, of Pella, Iowa, on motion of Mr. Winfield K. Denton; Richard H. Winningham, of Chattanooga, Tenn., and Ray L. Brock, Jr., of Chattanooga, Tenn., on motion of Mr. J. Carlton Loser; John Milton, Jr., of Jersey City, N.J., on motion of Mr. John E. Powell; Walter R. Baylor, of Falls Church, Va., on motion of Mr. John R. Bronaugh; Paul A. Altier, of Chicago, Ill., Richard Altieri, of Chicago, Ill., Michael C. Artery, of Chicago, Ill., Jacob Baskin, of Chicago, Ill., Frank Benestante, of Chicago, Ill., Samuel Buonafede, of Chicago, Ill., Angelo J. Caliendo, of Chicago, Ill., William J. Catena, Jr., of Chicago, Ill., Anthony V. Champagne, of Chicago, Ill., Anthony R. Chiara, of Chicago, Ill., Peter J. Curielli, of Chicago, Ill., John L. Cifelli, of Chicago Heights, Ill., Benjamin Daidone, of Chicago, Ill., Vito Daleo, of Melrose Park, Ill., S. M. Del Principe, of Chicago, Ill., Francis M. Discipio, of Chicago, Ill., Joseph N. DuCanto, of Chicago, Ill., Genevieve Cacciatore Panarese, of River Forest, Ill., Earle E. Friedlander, of Glencoe, Ill., Alfred E. Gallo, of Chicago, Ill., George E. Graziadei, of Chicago, Ill., William Caponigri Jerome, of Elmhurst, Ill., Antone F. Gregorio, of Chicago, Ill., Peter E. Haleas, of Chicago, Ill., Howard A. Heldt, of Chicago, Ill., Maurice J. Higgins, of Chicago, Ill., Frank Anthony

Korda, Jr., of Chicago, Ill., Charles B. Fiduccia, of Lincolnwood, Ill., Frank D. Fodero, of Berwyn, Ill., Fred Lambruschi, of Chicago, Ill., Salvatore G. LaPlaca, of Chicago, Ill., Anthony R. Lazzara, of Chicago, Ill., Lucien D. Levaccare, of Chicago, Ill., Donald D. Panarese, of River Forest, Ill., Edward C. Maina, of Chicago, Ill., Joseph Scoville, of Chicago, Ill., Adam N. Stillo, of Chicago, Ill., Joseph E. Stillo, of Chicago, Ill., John W. Schelthoff, of Chicago, Ill., James A. Sullivan, of Chicago, Ill., Edward Joseph Walsh, of Chicago, Ill., Peter R. Scalise, of Chicago, Ill., Joseph A. Salerno, of Westchester, Ill., Humphrey W. Serritella, of Chicago, Ill., Anthony Louis Russo, of Chicago, Ill., Arnold Anthony Silvestri, of Chicago, Ill., John George Spatuzza, of Chicago, Ill., John G. Phillips, of Chicago, Ill., Frank N. Rago, of Chicago, Ill., Hugo R. Scala, of Lincolnwood, Ill., Philip Romiti, of Hillside, Ill., Angelo D. Mistretta, of River Forest, Ill., Roger Francis Maritote, of Chicago, Ill., Anthony Peter Pacelli, of Chicago, Ill., John C. Soffietti, of Chicago, Ill., Lawrence N. Marino, of Chicago, Ill., John L. White, of Chicago, Ill., Maurice R. Marchello, of Chicago, Ill., Charles V. Muscarello, of Niles, Ill., Samuel L. Montelione, of Chicago, Ill., and Joseph J. Strnad, of LaGrange, Ill., on motion of Mr. Roland Victor Libonati; Wilbur G. Dettmar, of Los Angeles, Calif., Gordon Oliver Frank, of Montebello, Calif., Patrick W. Fuller, of Los Angeles, Calif., Herbert B. Schlosberg, of Sherman Oaks, Calif., John G. Bonelli, of Los Angeles, Calif., Myron E. Harpole, of Los Angeles, Calif., John A. Andreos, of Los Angeles, Calif., Leonard Banks Hankins, of Long Beach, Calif., Robert Moses Schreiber, of Los Angeles, Calif., David L. Shane, of Van Nuys, Calif., and Lyford Hutchins, of Winchester, Mass., on motion of Mr. Clair Engle; and Jacob Matz, of Baltimore, Md., Saul M. Mandel, of Baltimore, Md., Malcolm W. Hardesty, of Baltimore, Md., Weldon Leroy Maddox, of Baltimore, Md., Calvin E. Cohen, of Baltimore, Md., Donald S. Hurwitz, of Baltimore, Md., Martin Moncarz, of Baltimore, Md., Jerome B. Monfred, of Baltimore, Md., Ralph C. Boyd, of Glen Burnie, Md., Morton Edelstein, of Baltimore, Md., Philip Z. Altfeld, of Baltimore, Md., Marvin L. Frankel, of Baltimore, Md., Jesse Spector, of Baltimore, Md., Lloyd S. Mailman, of Baltimore, Md., Melvin A. Steinberg, of Baltimore, Md., David J. Markoff, of Baltimore, Md., Irwin Marvin Sussman, of Baltimore, Md., George Christian Evering, of Baltimore, Md., Leon Hoffman, of Baltimore, Md., Marvin B. Steinberg, of Baltimore, Md., David Kimmelman, of Baltimore, Md., Alice Koone, of Baltimore, Md., Jack M. Fox, of Baltimore, Md., Arthur A. Anderson, Jr., of Annapolis, Md., Norman M. Owrutsky, of Baltimore, Md., Wallace Dann, of Baltimore, Md., Calvert Ross Bregel, of Baltimore, Md., Marvin E. Rothbloom, of Baltimore, Md., Stafford

H. Plimack, of Baltimore, Md., Joseph I. Pines, of Baltimore, Md., Alex Steinhorn, of Baltimore, Md., Mary Arabian, of Baltimore, Md., James O'Connor Gentry, of Baltimore, Md., Lawrence F. Rodowsky, of Baltimore, Md., Robert C. Murphy, of Baltimore, Md., John Martin Jones, Jr., of Baltimore, Md., Henry J. Frankel, of Baltimore, Md., Gerald Siegel, of Baltimore, Md., Joseph H. Omansky, of Baltimore, Md., Richard Theodore Rombro, of Baltimore, Md., Paul Wartzman, of Baltimore, Md., Leon J. Rudd, of Baltimore, Md., John B. Wright, of Annapolis, Md., Johnson Bowie, of Towson, Md., Jacob D. Hornstein, of Baltimore, Md., Albert B. Polovoy, of Baltimore, Md., Francis J. Valle, of Baltimore, Md., and Louis H. Fried, of Baltimore, Md., on motion of Mr. C. Ferdinand Sybert, were admitted to practice.

ORAL ARGUMENT

No. 278. Harry Needelman, petitioner, *v.* United States of America. Argument continued by Mr. Oscar H. Davis for the respondent and concluded by Mr. Herbert A. Warren, Jr., for the petitioner.

No. 321. Sun Oil Company, petitioner, *v.* Federal Power Commission. Argued by Mr. Leo J. Hoffman for the petitioner and by Mr. Howard E. Wahrenbrock for the respondent.

No. 335. Sunray Mid-Continent Oil Co., petitioner, *v.* Federal Power Commission. Argument commenced by Mr. Melvin Richter for the petitioner and continued by Mr. Howard E. Wahrenbrock for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, April 27, will be as follows: Nos. 335, 360, 443, and 538.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Peter Harvey Schiff, of Washington, D.C., on motion of Mr. Howard E. Wahrenbrock; Donald Paul MacDonald, of Washington, D.C., on motion of Mr. John A. Carroll; Jeanne Hurley Simon, of Troy, Ill., on motion of Mr. Roland Victor Libonati; Robert Wells Knowlton, of San Diego, Calif., on motion of Mr. Oscar H. Davis; Russell Robert Newell, of Columbus Junction, Iowa, on motion of Mr. Neal E. Smith; Paul Edward Anderson, of San Francisco, Calif., on motion of Mr. Valentine Brookes; Robert J. Jones, of Baton Rouge, La., John Victor Parker, of Baton Rouge, La., Hugh B. O'Connor, of Baton Rouge, La., and Lloyd Frederick Love, of Ferriday, La., on motion of Mr. Alan B. Todd; and A. Michael Lepore, of Union City, N.J., on motion of Mr. Henry P. Schmidt, were admitted to practice.

ORDERS IN PENDING CASES

No. —. Caryl Chessman, petitioner, *v.* Harley Teets, Warden, California State Prison. The application for stay of execution presented to Mr. Justice Douglas, and by him referred to the Court, is denied. The Chief Justice took no part in the consideration or decision of this application.

No. —. Kelly Moss, petitioner, *v.* State of Kentucky. The application for a stay of execution presented to Mr. Justice Stewart, and by him referred to the Court, is granted pending the timely filing and disposition of a petition for writ of certiorari.

ORAL ARGUMENT

No. 335. Sunray Mid-Continent Oil Co., petitioner, *v.* Federal Power Commission. Argument continued by Mr. Howard E. Wahrenbrock for the respondent and concluded by Mr. Melvin Richter for the petitioner.

No. 360. United Steelworkers of America, petitioner, *v.* American Manufacturing Company. Argued by Mr. David E. Feller for the petitioner and by Mr. John S. Carriger for the respondent. Memorandum to come.

No. **443**. United Steelworkers of America, petitioner, *v.* Warrior & Gulf Navigation Company. Argued by Mr. David E. Feller for the petitioner and by Mr. Samuel Lang for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, April 28, will be as follows: Nos. **538**, **391**, and **416**.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Marian M. C. Rushing, of Portland, Oreg., on motion of Mr. Charles Sylvanus Rhyne; Raymond Choate, of Los Angeles, Calif., and Raymond Charles Hieber, of Bellbrook, Ohio, on motion of Mr. Charles Kinsley McWhorter; Anthony J. Maloney, Jr., of New York, N.Y., and Edgar Owen Bottler, of Houston, Tex., on motion of Mr. Malcolm R. Wilkey; William C. Hastings, of Lincoln, Nebr., on motion of Mr. Carl T. Curtis; Robert Ellsworth McCollum, of Birmingham, Mich., on motion of Mr. Frank Soucek; George Faris, of Chicago, Ill., on motion of Miss Bessie Margolin; John F. Somerville, Jr., of Keyser, W. Va., and Joseph Andrew Blundon, of Keyser, W. Va., on motion of Mr. Gerhard Van Arkel; Dana Ripley Bullen II of Gainesville, Fla., on motion of Mr. Paul F. Borden; Nathan Newby, Jr., of Los Angeles, Calif., on motion of Mr. Maurice R. Barnes; Henry Joseph Guthmann, of Santa Fe, N. Mex., on motion of Mr. Dee C. Blythe; Thomas M. W. Collins, of Cedar Rapids, Iowa, on motion of Mr. Tyrrell M. Ingersoll; Byron D. Athan, of San Francisco, Calif., on motion of Mr. Peter S. Wondolowski; Lewis Stanton Bowdish, of Bernardsville, N.J., on motion of Mr. Gustav Drews; Alan A. Bruckner, of Tampa, Fla., on motion of Mr. George F. McInerny; Joseph A. Tracy, of New York, N.Y., on motion of Mr. Paul C. Warnke; Edwin J. Dettling, Jr., of Pompano Beach, Fla., on motion of Mr. Richard Powell Nee; Wm. Stanley Tennant, of Alexandria, Va., on motion of Mr. Robert B. Gaston; Yoshio Katayama, of Salt Lake City, Utah, on motion of Mr. Elmer Stewart; and Joseph A. Izzillo, of Greenwich, Conn., on motion of Mr. Clayton Lee Burwell, were admitted to practice.

ORAL ARGUMENT

No. 538. United Steelworkers of America, petitioner, *v.* Enterprise Wheel and Car Corporation. Argued by Mr. Elliott Bredhoff and Mr. David E. Feller for the petitioner and by Mr. William C. Beatty for the respondent.

No. 391. George B. Parr et al., petitioners, *v.* United States. Argued by Mr. Abe Fortas and Mr. T. Gilbert Sharpe for the petitioners and by Mr. Malcolm Richard Wilkey for the respondent. Memoranda to come.

Adjourned until Monday, May 2, at 12 o'clock.

The day call for Monday, May 2, will be as follows: Nos. 398 and 416.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Edwin R. Johnston, of Atlanta, Ga., Billy Maddox Jones, of Sylvester, Ga., Anthony L. Mondello, of Washington, D.C., Edwin C. Iliff, of Long Beach, Calif., Robert J. Edwards, of Atlanta, Ga., Morey M. Myers, of Scranton, Pa., C. Dino Efstation, of Staten Island, N.Y., Carl A. Frederick, of Cincinnati, Ohio, and Lester Reinwald, of Chicago, Ill., on motion of Mr. Solicitor General James Lee Rankin; Leon Sarpy, of New Orleans, La., on motion of Mr. Hale Boggs; Joseph Burton Willis, of St. Martinville, La., on motion of Mr. Edwin E. Willis; Jacob L. Sobieraj, of Detroit, Mich., on motion of Mr. Thaddeus M. Machrowicz; Jack E. Ornstein, of Cleveland, Ohio, Sidney Robert Davis, of Cleveland, Ohio, and Howard Francis Jensen, of Dallas, Tex., on motion of Mr. Frank Ikard; William C. McCoy, Jr., of Cleveland, Ohio, on motion of Mr. William C. McCoy; John George Brendel, of Houston, Tex., on motion of Mr. F. Cleveland Hedrick, Jr.; Boyd E. Harvey, of Nashville, Tenn., on motion of Mr. J. Carlton Loser; John R. B. Matthis, of Turkey, N.C., and Robert Leppy Clement, Jr., of Charleston, S.C., on motion of Mr. Maurice Francis Biddle; George Bernard Burke, of Troy, N.Y., on motion of Mr. Jack Omega Padrick; Daniel Irwin Sherry, of Wheaton, Md., on motion of Mr. Michael A. Schuchat; Robert H. Clark, Jr., of Des Moines, Iowa, on motion of Mr. Julian Mitchell Brown; Thomas Russell Foster, of Hartsville, S.C., on motion of Mr. John Anthony Finken; Michel A. Maroun, of Shreveport, La., on motion of Mr. David Carliner; Leonard B. Sadow, of New York, N.Y., on motion of Mr. Brown Morton, Jr.; Alexander Cooper, of Pittsburgh, Pa., on motion of Mr. Solis Horwitz; Francis B. Gianotti, Jr., of Memphis, Tenn., on motion of Mr. J. Harold Kilcoyne; William Bruce Renwick, of Los Angeles, Calif., on motion of Mr. Willard W. Gatchell; Joseph Wieder Salus II, of Philadelphia, Pa., on motion of Mr. James H. Shelton; John S. Newhouse, of Independence, Mo., on motion of Mr. Vincent B. Welch; Laurance Mastick Hyde, Jr., of St. Louis, Mo., on motion of Mr. Ernest D. Grinnell, Jr.; Ernest Paul Klipfel, of Pittsburgh, Pa., and Emanuel Herbert Liss, of Monroeville, Pa., on motion of Mr. Gordon S. Parker; Paul Edward Dixon, of St. Louis, Mo., on motion of Mr. Felix Sklagen; Richard

A. Sullivan, of Boston, Mass., on motion of Mr. C. Roger Nelson; Paul Sheehan Boyd, of Boise, Idaho, on motion of Mr. Royal E. Jackson; John W. Wellman, of Chester, Pa., Donald W. Lehrkinder, of Media, Pa., John P. Trevaskis, Jr., of Media, Pa., J. Robert Twombly, of Chester, Pa., Leon Bernstein, of Drexel Hill, Pa., William Cornell Archbold, Jr., of Media, Pa., George Wilson Thompson, of Landsdowne, Pa., Jacob Sapovits, of Chester Pa., Francis R. Lord, of Upper Darby, Pa., Lewis B. Beatty, Jr., of Media, Pa., Joseph R. Young, Jr., of Lansdowne, Pa., John Sullivan, of Rosemont, Pa., Samuel M. Tollen, of Chester, Pa., James H. Gorbey, of Chester, Pa., A. Sidney Johnson, Jr., of Media, Pa., Read Rocab, Jr., of Springfield, Pa., R. Paul Lessy, of Chester, Pa., James A. Calvin, of Chester, Pa., James Lincoln Johnson, of Upper Darby, Pa., Melvin G. Levy, of Chester, Pa., Walter T. ReDavid, of Chester, Pa., Guy Witherston Davis, of Chester, Pa., Melvin E. Caine, of Media, Pa., Angelo A. Di Pasqua, of Media, Pa., Vincent dePaul Desmond, of Chester, Pa., Francis J. Mirante, of Chester, Pa., Paul J. Carey, Jr., of Swarthmore, Pa., Charles F. Gillingham, of Media, Pa., Charles A. Greene, Jr., of Media, Pa., George S. Saulnier, of Media, Pa., Donald M. McCurdy, of Upper Darby, Pa., John Paul Corcoran, of Upper Darby, Pa., Walter Scott Johns III, of Wayne, Pa., Joseph Thomas Labrum, Jr., of Media, Pa., Harold Leroy Ervin, Jr., of Media, Pa., George Guyer Young, Jr., of Havertown, Pa., George R. Johnson, of Media, Pa., James L. Shea, of Upper Darby, Pa., Vram Nedurian, Jr., of Newtown Square, Pa., James C. Buckley, of Newtown Square, Pa., Vincent J. LaBrasca, of Springfield, Pa., Donald A. Purdy, of Chester, Pa., Edward F. Muller, Jr., of Havertown, Pa., Leonard J. Tripodi, of Drexel Hill, Pa., and John J. Harding, of Havertown, Pa., on motion of Mr. Hugh D. Scott, Jr.; and John J. Greaney, of New York, N.Y., John T. Gallagher, of New York, N.Y., Patrick J. Hughes, of New York, N.Y., Richard A. Lee, of Huntington, N.Y., Edward J. Mallon, of New York, N.Y., Bernard H. Lawson, of Old Westbury, N.Y., Harry G. Mason, of Springfield, N.J., Thomas R. McLoughlin, of New York, N.Y., Edmund B. Kawas, of New York, N.Y., Lawrence A. Mucci, of Binghamton, N.Y., Alex Kraut, of New York, N.Y., Allen Lang, of New York, N.Y., Henry McKenzie, of New York, N.Y., John A. Labella, of Brooklyn, N.Y., Jennie B. Levenson, of Closter, N.J., Jacob Mendelson, of New York, N.Y., Paul W. Miller, Jr., of Wantagh, N.Y., Roy E. Monaco, of Brooklyn, N.Y., Frank R. Monaco, of Queens, N.Y., Joseph P. Lebkuecher, of Woodbury, N.Y., John F. McGinn, of New York, N.Y., Harold T. King, of Seaford, N.Y., James Wilbur Loughlin, of Kew Gardens, N.Y., John G. McCarthy, of Huntington, N.Y., James P. McGarry, of Yonkers, N.Y., Donald F. Mooney, of New York, N.Y., Raphael Mertzell,

of Haverstraw, N.Y., Joseph T. Kearney, of Brooklyn, N.Y., Eugene M. McCarthy, of New York, N.Y., Elizabeth Therese Lynch, of Greenwood Lake, N.Y., Arthur J. McNaught, of New York, N.Y., William A. Magrath, of Malvern, N.Y., Ruth Lerner, of Rockville Centre, N.Y., Irwin B. Levitt, of New York, N.Y., Arthur Litz, of Great Neck, N.Y., Lewis C. Leighton, of New York, N.Y., Richard J. Lewis, Jr., of Massapequa, N.Y., Robert D. McCabe, of New York, N.Y., Raymond John Maloney, Jr., of New York, N.Y., Hyman I. Luster, of New York, N.Y., Hyman C. Levine, of Jeffersonville, N.Y., August J. Mick, of New York, N.Y., Leo Lefcourt, of Los Angeles, Calif., Edwin A. Livingston, of New York, N.Y., Antonia F. Mangano, of Brooklyn, N.Y., Andrew F. Modica, of Brooklyn, N.Y., Thomas J. Kavanagh, of New York, N.Y., Matilda Harriette Kiernan, of Queens Village, N.Y., William F. Kilgannon, of Yonkers, N.Y., John T. Manning, of Brooklyn, N.Y., Emanuel H. Mandelbaum, of Brooklyn, N.Y., G. Edward LaGatta, of Rome, N.Y., Jerome M. Kessler, of Brooklyn, N.Y., William P. McHale, of Garden City, N.Y., Edward D. Lory, of Flushing, N.Y., Harry Morgenstern, of New York, N.Y., Thomas N. Moore, of Bridgeport, Conn., Mario Matthew Cuomo, of New York, N.Y., Jack I. Bergen, of New York, N.Y., Edward Brucker, of New York, N.Y., Robert W. Dawe, of New York, N.Y., Harold Chapnick, of Brooklyn, N.Y., Thomas P. Coyle, of Brooklyn, N.Y., Andrew E. Brennan, of New York, N.Y., Charles L. Cusumano, of New York, N.Y., Pierce V. Brennan, of Yonkers, N.Y., Leon A. Abbene, of Brooklyn, N.Y., Frank A. Catalano, of Albany, N.Y., Leo A. Cianciosi, of Binghamton, N.Y., Francis G. Cohane, of New York, N.Y., Julius S. Boccia, of Beacon, N.Y., George Howard Aruny, of New York, N.Y., Robert E. Bolen, of Brooklyn, N.Y., Herman David Barshay, of Brooklyn, N.Y., Harry B. Ahrens, of Brooklyn, N.Y., Samuel W. Bernstein, of Binghamton, N.Y., Patrick F. Bosse, of Bridgeport, Conn., Charles S. Auerbach, of Brooklyn, N.Y., Edward E. Breger, of New York, N.Y., John Byrne Bennett, of Brooklyn, N.Y., Louis Cristo, of Rochester, N.Y., Santina A. Cuti, of New York, N.Y., Paul A. Caminiti, of Brooklyn, N.Y., Patricia D. Collins, of Freeport, N.Y., Lawrence Braunstein, of New York, N.Y., Louis Jacques Bellos, of Franklin Square, N.Y., David B. Brooks, of Brooklyn, N.Y., Thomas Joseph Brady, of New York, N.Y., A. Michael Bevilacqua, of Brooklyn, N.Y., Nathan Berne, of Lynbrook, N.Y., William P. Curran, of Rosendale, N.Y., Jeremiah B. Bloom, of New York, N.Y., Joseph A. Cusumano, of Brooklyn, N.Y., Alexander J. Crudo, of Brooklyn, N.Y., Anthony A. Caracciolo, of Brooklyn, N.Y., Charles J. Butera, of Brooklyn, N.Y., Joseph Bonacore, of Brooklyn, N.Y., Philomena C. D'Apice, of Yonkers, N.Y., Oscar A. Blitfield, of Brooklyn, N.Y., Herman Bass, of New York, N.Y., Michael M. D'Auria, of Plainview, N.Y., Richard

Lee Cannaday, of New York, N.Y., Joseph W. Conklin, of Brooklyn, N.Y., Mary Kathleen Blair, of New York, N.Y., William F. Campbell, of Brooklyn, N.Y., Richard G. Bohner, of Rego Park, N.Y., Arthur K. Ash, of Brooklyn, N.Y., Joseph A. Anzalone, of Elmhurst, N.Y., Frank K. Cannataro, of Rockville Centre, N.Y., Michael J. Cilmi, of New York, N.Y., Frank Mitchell Corso, of Bethpage, N.Y., Jules Bender, of Plainview, N.Y., Charles J. Bellew, of Johnson City, N.Y., Fred J. Carusona, of New York, N.Y., Harry Boyarsky, of Brooklyn, N.Y., W. Timothy Darrah, of East Meadow, N.Y., Merrill M. Spiegel, of New York, N.Y., L. A. Krafft-Kennedy, of New York, N.Y., Stanley M. Trattler, of New York, N.Y., James Francis Xavier Ryan, of Nyack, N.Y., Robert J. Sweeney, of Freeport, N.Y., Robert N. Van Benthuyzen, of Shoreham, N.Y., Sidney S. Sklaar, of New York, N.Y., Benjamin Tell, of Westbury, N.Y., Rose L. Weisler, of New York, N.Y., William H. Staves, of Brooklyn, N.Y., Martin J. Travers, of Brooklyn, N.Y., Raymond C. Williams, of New York, N.Y., Angela Vaughan, of Brooklyn, N.Y., Thomas J. Tighe, Jr., of Amsterdam, N.Y., Harold Warren, of Brooklyn, N.Y., Thomas Francis Ward, of Staten Island, N.Y., Frank Surowitz, of New York, N.Y., John Leo Supple, of Beacon, N.Y., William A. Todd, of Lynbrook, N.Y., Joseph A. Stack, of Valley Stream, N.Y., Joshua S. Vogel, of New York, N.Y., Eugene V. Weissman, of New York, N.Y., Pasquale J. Stallone, of Brooklyn, N.Y., Albert V. Testa, of New York, N.Y., Richard N. Stern, of New York, N.Y., James T. Whalen, of New York, N.Y., Charles E. Waldron, of Wantagh, N.Y., Murray E. Winnick, of New York, N.Y., Edward Charles Smith, of New York, N.Y., Arthur V. Edulian, of New York, N.Y., Anthony V. Vecchiarello, of New York, N.Y., Edna G. Thornton, of Bronxville, N.Y., Daniel Gerard Spaeth, of Rye, N.Y., Francis X. Tuzio, of Brooklyn, N.Y., Harold J. Walker, of Pittsburgh, Pa., Anne Winnizki, of New York, N.Y., Chester R. Thomas, of New York, N.Y., James P. Shannon, of Douglaston, N.Y., Arthur M. Shaw, of Brooklyn, N.Y., Elsa C. Schlobohm, of Yonkers, N.Y., Richard C. Schulz, of Bay Shore, N.Y., Frank X. O'Brien, of New York, N.Y., Hanna Katz, of New York, N.Y., James P. McMahon, of Brooklyn, N.Y., Ralph W. Lawrence, of Manhasset, N.Y., Seymour H. Metnick, of Franklin Square, N.Y., Louis J. Russo, of Brooklyn, N.Y., A. Alexander Pignato, of New York, N.Y., Carl D. Schlitt, of Brooklyn, N.Y., Lee J. Robbins, of New York, N.Y., Ralph Shapiro, of New York, N.Y., Sidney Schiffman, of New York, N.Y., John F. O'Connell, of New York, N.Y., Howard J. Schmidt, of New York, N.Y., C. Albert Parente, of New York, N.Y., Domenick A. Pelle, of Amityville, N.Y., Harry Seidell, of New York, N.Y., Edwin J. Mulhern, of Garden City, N.Y., Martin Rosen, of New York, N.Y., Benjamin Natter, of New York,

N.Y., Edward H. Pollaci, Jr., of New York, N.Y., Jerald Ordoover, of New York, N.Y., Harry Postol, of New York, N.Y., Alfred L. Renauto, of Rochester, N.Y., John A. O'Keefe, of Garden City, N.Y., Joseph W. Muldoon, of Glen Cove, N.Y., Anthony J. DiBuono, of New York, N.Y., Vincent Donald Flaherty, of Norwalk, Conn., John B. Herbert, of New York, N.Y., Peter P. Ferrari, of Rochester, N.Y., Leonard J. Dorfman, of Yonkers, N.Y., Gerhard W. Hohn, of Norwalk, Conn., Morel J. Fuchs, of New Rochelle, N.Y., Martin J. Duddy, Jr., of New York, N.Y., John J. Duggan, of Wading River, N.Y., Martin Ginsberg, of Plainview, N.Y., Maldwin L. Fertig, of Plainview, N.Y., Miriam Lazofsky, of New York, N.Y., Irving L. Kalish, of New York, N.Y., Milton M. Fidler, of Brooklyn, N.Y., Abraham A. Katz, of Scarsdale, N.Y., Emil C. Herrmann, of Stewart Manor, N.Y., Bernard Indelman, of New York, N.Y., Benjamin Gothelf, of Rockville Centre, N.Y., Jacob Firester, of Brooklyn, N.Y., David Gale, of Kings Point, N.Y., Everett J. Johns, of New York, N.Y., William H. Francke, Jr., of New City, N.Y., Alfred A. Franciscus, of New York, N.Y., Charles Fischer, of New York, N.Y., Justin C. Flannigan, of Binghamton, N.Y., Casper S. Fasullo, of Brooklyn, N.Y., Robert W. Durr, of Utica, N.Y., Louis J. Gallo, of Rochester, N.Y., Hyman Ehrlich, of Forest Hills, N.Y., Samuel J. Hasson, of New York, N.Y., Murray I. Dann, of Johnson City, N.Y., Charles Giambalvo, of Syosset, N.Y., John P. Kane, of Huntington Station, N.Y., Arthur D. Hickerson, of Huntington, N.Y., Ely Estroff, of New York, N.Y., Aaron Z. Kasson, of New York, N.Y., J. Donald Higgins, of Jamaica, N.Y., Joseph J. Dowd, of Brooklyn, N.Y., William E. Frost, of New York, N.Y., Howard J. Gardner, of New York, N.Y., Elizabeth V. Doogan, of Brooklyn, N.Y., Raymond M. Defosse, of New York, N.Y., John L. Farrell, Jr., of Dobbs Ferry, N.Y., George C. Garbesi, of Jackson Heights, N.Y., Arnold J. De Angelis, of Plainview, N.Y., Andrew A. Gore, of New York, N.Y., Eugene L. Dinallo, of Passaic, N.J., Raymond A. Fleck, of Brooklyn, N.Y., Mark J. Glynn, Jr., of Brooklyn, N.Y., Michael B. Fischer, of Brooklyn, N.Y., S. David Hoffman, of New York, N.Y., Vivien Hollander, of Brooklyn, N.Y., Alexander M. Inselman, of New York, N.Y., Daniel C. Houlihan, of Pearl River, N.Y., John H. Fisher, of Huntington, N.Y., James A. Higgins, of Brooklyn, N.Y., Fred H. Fick, of Larchmont, N.Y., Harry J. Donaghy, of Central Bridge, N.Y., Sol A. Raiskin, of Far Rockaway, N.Y., John Joseph Murphy, of New York, N.Y., Irving Seidman, of New York, N.Y., Irving Schneider, of New York, N.Y., Robert M. Rubenstein, of New York, N.Y., Edward I. O'Brien, of New York, N.Y., James G. Pappas, of Paramus, N.J., Joseph Bernard Murphy, of Staten Island, N.Y., Julius A. Silberbush, of New York, N.Y., James J. Pillinger;

of New York, N.Y., James Joseph O'Connell, of Falls Church, Va., Newcomb B. Pines, of Farmingdale, N.Y., Max Schlissel, of New York, N.Y., Harold F. O'Hare, of New York, N.Y., James S. Rowen, of New York, N.Y., Alan K. Roberts, of Roslyn Heights, N.Y., Charles A. Shanley, of Elmhurst, N.Y., Billy B. Olive, of Durham, N.C., Edward Peter Ruddy, of Hempstead, N.Y., William J. Ryan, of Massapequa, N.Y., Patrick J. Ryan, of Brooklyn, N.Y., Sam J. Raffa, of Brooklyn, N.Y., Joseph S. Ryan, of Brooklyn, N.Y., Margaret E. Murphy, of Garden City, N.Y., Morton A. Roth, of New York, N.Y., Joseph Paul Ritorto, of Brooklyn, N.Y., Eric A. Roeckl, of Massapequa, N.Y., James L. Murray, of New York, N.Y., James S. Reynolds, of Brooklyn, N.Y., John J. Murphy, of Brooklyn, N.Y., John A. Schultz, of Pelham, N.Y., Samuel M. Raiskin, of Elmont, N.Y., Abraham Satran, of Brooklyn, N.Y., Thomas Schleier, of Staten Island, N.Y., Charles J. Saccoman, of Kingston, N.Y., and Joseph Terranova, of New York, N.Y., on motion of Mr. Boris Kostelanetz, was admitted to practice.

OPINIONS

No. 62. Maryland and Virginia Milk Producers Association, Inc., appellant, *v.* United States; and

No. 73. United States, appellant, *v.* Maryland and Virginia Milk Producers Association, Inc. Appeals from the United States District Court for the District of Columbia. Judgment of the District Court finding violations of § 7 of the Clayton Act and § 3 of the Sherman Act affirmed, and its dismissal of the charges under § 2 of the Sherman Act reversed and remanded for a trial. Opinion by Mr. Justice Black.

No. 342. Howard L. Nostrand et al., appellants, *v.* Herbert Little et al. Appeal from the Supreme Court of Washington. Judgment vacated and case remanded for proceedings not inconsistent with the opinion of this Court. Opinion *per curiam* announced by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Black concurs.

No. 418. Communications Workers of America, AFL-CIO, et al., petitioners, *v.* National Labor Relations Board. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment modified and, as modified, affirmed. Opinion *per curiam* announced by Mr. Chief Justice Warren.

The Chief Justice said:

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

ORDER IN PENDING CASES

No. 326. Metlakatla Indian Community, Annette Island Reserve, appellant, *v.* Egan, Governor of Alaska, et al.; and

No. 327. Organized Village of Kake et al., appellants, *v.* Egan, Governor of Alaska. The motion of the Solicitor General for leave to participate in oral argument, as *amicus curiae*, is granted and one-half hour is allowed for that purpose.

CERTIORARI GRANTED

No. 709. New York, New Haven and Hartford Railroad Company, petitioner, *v.* Mary L. Donnelly Henagan. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit granted and case transferred to the summary calendar.

No. 801. In re George Anastaplo, petitioner. Petition for writ of certiorari to the Supreme Court of Illinois granted and case set for argument immediately preceding No. 661.

No. 842, Misc. Quincy Bullock, petitioner, *v.* South Carolina. Motion for leave to proceed in forma pauperis and petition for writ of certiorari to the Supreme Court of South Carolina granted. Case transferred to the appellate docket.

CERTIORARI DENIED

No. 679. Trans World Airlines, Inc., petitioner, *v.* Delta Air Lines, Inc., et al.; and

No. 777. Eastern Air Lines, Inc., petitioner, *v.* Civil Aeronautics Board. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 792. Ronald Molitor, a Minor, etc., petitioner, *v.* Kaneland Community Unit District No. 302 et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 800. Norwich, Connecticut Printing Specialties and Paper Products Union, Local No. 494, et al., petitioners, *v.* Boyd Leedom et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 803. Abe Giddins et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 814. S. Daniels et al., petitioners, *v.* Woodmont, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 818. Paul S. Woolley, petitioner, *v.* Eastern Air Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 785. Eastern Air Lines, Inc., petitioner, *v.* Civil Aeronautics Board; and

No. 786. Capitol Airways, Inc., petitioner *v.* Civil Aeronautics Board. The motions of Northwest Airlines, Inc., and Delta Air Lines to be named parties respondent and for leave to file briefs in opposition to the petitions for certiorari are granted. The motion of Capital Airlines, Inc., to be named a party respondent and for leave to file brief in opposition to the petition for certiorari in No. 785 is granted. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 518, Misc. Roy Ramsey, petitioner, *v.* Tracy A. Hand, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 583, Misc. Theodore A. Sewell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 657, Misc. Sam Amato, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 683, Misc. Frank Jackson, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Circuit Court of Peoria County, Illinois, denied.

No. 739, Misc. Pennsylvania ex rel. John Jackson, petitioner, *v.* William J. Banmiller, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 745, Misc. Wayne Patterson, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 751, Misc. John Ford Cowan, petitioner, *v.* Clerk of the Circuit Court of Lake County, etc. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 754, Misc. George Raymond Devine, petitioner, *v.* Warden, Kansas State Penitentiary. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 761, Misc. Richard Edwards, Jr., petitioner, *v.* Warden, Maryland Penitentiary. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 762, Misc. George Perez, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 776, **Misc.** Edward Gist, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 779, **Misc.** Thomas R. Ingram, petitioner, *v.* Warden of the Maryland House of Correction. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 787, **Misc.** In the Matter of John R. Stark, petitioner. Petition for writ of certiorari to the Supreme Court of California denied.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 838, **Misc.** Herbert Frederick Korholz, petitioner, *v.* United States. Motion for leave to file petition for writ of habeas corpus denied.

No. 663, **Misc.** H. Thomas Dunbar, petitioner, *v.* John F. McNeill, Superintendent of Matteawan State Hospital. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied.

LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 778, **Misc.** Milton Sparks, alias, Herman Howlery, petitioner, *v.* The Clerk of the United States District Court for the Northern District of Illinois. Motion for leave to file petition for writ of mandamus denied.

REHEARINGS DENIED

No. 492, **October Term, 1957.** Walter W. Flora, petitioner, *v.* United States of America; and

No. 559, **Misc.** Minniola O. Miller, petitioner, *v.* The Town of Suffield et al. Petitions for rehearing denied.

ORAL ARGUMENT

No. 398. United States of America, petitioner, *v.* State of Alabama et al. Argued by Mr. Solicitor General Rankin for the petitioner and by Mr. Gordon Madison and Mr. Nicholas S. Hare for the respondents.

No. 416. Raymond Gonzales, Jr., petitioner, *v.* United States. Argued by Mr. Hayden C. Covington for the petitioner and by Mr. Daniel M. Friedman for the respondent.

Adjourned until Monday, May 16, at 12 o'clock.

The day call for Monday, May 16, will be as follows: Nos. 466, 436, and 139.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Richard Collins Belser, of Montgomery, Ala., William Foster Hopkins, of Cincinnati, Ohio, Conrad Donald Philos, of Washington, D.C., Robert L. Handros, of New York, N.Y., Joseph Guandolo, of Bethesda, Md., Harold R. Tyler, Jr., of New York, N.Y., Theodore Dux Peyser, Jr., of Bethesda, Md., Louis L. Jurgemeyer, of Clinton, Ohio, and Arthur Challand Flinders, of Dallas, Tex., on motion of Mr. Solicitor General James Lee Rankin; Edward L. Twohey, of Grand Rapids, Mich., and Dale A. Winnie, of Birmingham, Mich., on motion of Mr. Philip A. Hart; Maurice C. Sherrill, of Riverside, Calif., on motion of Mr. Robert L. McCarty; Paul L. Hibbard, of Watertown, Wis., and Lawrence D. Hughes, of Brookfield, Wis., on motion of Mr. Robert W. Kastenmeier; William P. DeCarolis, of Leominster, Mass., on motion of Mr. James Thaddeus Clark; John Graham Detmer, of Denver, Colo., on motion of Mr. Parke M. Banta; Ralph Duane Nelson, of Lincoln, Nebr., on motion of Mr. Brice Wilson Rhyne; Sidney Reitman, of Newark, N.J., on motion of Mr. Joseph L. Rauh, Jr.; Charles Gurley Williamson, Jr., of Washington, D.C., and Karl Edward Bakke, of Arlington, Va., on motion of Mr. Paul F. Mickey; Robert Charles Helander, of Chicago, Ill., on motion of Mr. Lyon L. Tyler, Jr.; Daniel V. Sullivan, of New York, N.Y., on motion of Mr. Richard J. Sullivan; Lee Welch, of Antlers, Okla., on motion of Mr. James Harold Bastian; Francis E. Whitmer, of San Francisco, Calif., on motion of Mr. Hart Hunter Spiegel; Lawrence Vaeth Hastings, of Miami, Fla., on motion of Mr. Earl Hubert Davis; Erwin Carl Heininger, of Chicago, Ill., on motion of Mr. George Bunn; Henry Phillip Starr, of Los Angeles, Calif., on motion of Mr. Robert A. Wenke; Julius Wildstein, of Newark, N.J., on motion of Mr. S. G. Lippman; Edward B. Raub, Jr., of Indianapolis, Ind., and William A. Wick, of Indianapolis, Ind., on motion of Mr. Jacob S. White; William E. Knepper, of Columbus, Ohio, and Richard L. Miller, of Columbus, Ohio, on motion of Mr. Charles E. Pledger; Ethel Silver Sorokin, of Hartford, Conn., and Milton Sorokin, of Hartford, Conn., on motion of Mr. John D. Lane; Albert Thomson, of Kansas City, Mo., on motion of Mr. Lambert S. O'Malley; Edward Joseph

Murty, Jr., of Buffalo, N.Y., on motion of Mr. John Bronson Walsh; Angelo A. Maurino, of New York, N.Y., on motion of Mr. Arthur B. Carton; Laird P. Bowman, of Kansas City, Mo., on motion of Mr. Harry W. Blair; William Hershey Greer, Jr., of Washington, D.C., on motion of Mr. Thaddeus Goode Holt, Jr.; Laurence Joseph Di Stefano, Jr., of Philadelphia, Pa., and Donald James Williams, of Philadelphia, Pa., on motion of Mr. Filindo B. Masino; Lawrence M. Holloway, of Washington, D.C., on motion of Mr. Walter R. Baylor; James E. Ludlam, of Los Angeles, Calif., on motion of Mr. Frederick Oliver Graves; James L. Werner, of Chardon, Ohio, on motion of Mr. Donald Paul MacDonald; and James R. Lindsay, of Niagara Falls, N.Y., on motion of Mr. William J. O'Brien, Jr., were admitted to practice.

OPINIONS

No. 176. Frank C. Mitchell, petitioner, *v.* Trawler Racer, Inc. On writ of certiorari to the United States Court of Appeals for the First Circuit. Judgment reversed and case remanded to the United States District Court for the District of Massachusetts for a new trial on the issue of unseaworthiness. Opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice Frankfurter with whom Mr. Justice Harlan and Mr. Justice Whittaker join. Dissenting opinion by Mr. Justice Harlan with whom Mr. Justice Frankfurter and Mr. Justice Whittaker join.

No. 119. James Ivey Wyatt, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed. Opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Chief Justice Warren with whom Mr. Justice Black and Mr. Justice Douglas join.

No. 111. Max Schaffer and Norman Schaffer, petitioners, *v.* United States of America; and

No. 122. Hyman Karp and Benjamin T. Marco, petitioners, *v.* United States of America. On writs of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed. Opinion by Mr. Justice Clark. Dissenting opinion by Mr. Justice Douglas with whom Mr. Chief Justice Warren, Mr. Justice Black, and Mr. Justice Brennan join.

No. 56. United States, petitioner, *v.* Republic Steel Corp. et al. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Dissenting memorandum by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Harlan with whom Mr. Justice Frankfurter, Mr. Justice Whittaker, and Mr. Justice Stewart join.

No. 38. George Lee Parker, petitioner, *v.* O. B. Ellis, General Manager, Texas Prison System. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Writ of certiorari dismissed for want of jurisdiction and case remanded to the Court of Appeals to vacate its judgment and to direct the United States District Court for the Southern District of Texas to vacate its order and dismiss the application. Opinion *per curiam* announced by Mr. Chief Justice Warren. Mr. Justice Harlan, joined by Mr. Justice Clark, also considers this case moot on a further ground. Dissenting opinion by Mr. Chief Justice Warren with whom Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Brennan join. Dissenting opinion by Mr. Justice Douglas with whom Mr. Chief Justice Warren joins.

No. 278. Harry Needelman, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Writ of certiorari dismissed as improvidently granted. Opinion *per curiam* announced by Mr. Chief Justice Warren. Separate opinion by Mr. Justice Frankfurter with whom Mr. Justice Clark and Mr. Justice Harlan join.

No. 398. United States of America, petitioner, *v.* State of Alabama et al. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgments of the Court of Appeals and the District Court vacated and case remanded to the United States District Court for the Middle District of Alabama with instructions to reinstate the action as to the State of Alabama, and for further proceedings consistent with the opinion of this Court. Opinion *per curiam* announced by Mr. Chief Justice Warren.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 4. John Burch McMorrان, Superintendent of Public Works of the State of New York, appellant, *v.* Tuscarora Nation of Indians, also known as Tuscarora Indian Nation. Appeal from the United States Court of Appeals for the Second Circuit. Upon the suggestion of mootness, the judgment of the Court of Appeals is vacated and case remanded to the District Court with instructions to dismiss the complaint as moot. Opinion *per curiam*.

No. 768. Jack T. Helm et al., appellants, *v.* Robert Morrison, Attorney General of Arizona. Appeal from the Supreme Court of Arizona. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 813. Local 24 of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, AFL-CIO, et al., petitioners, *v.* Revel Oliver et al. On petition for writ of certiorari to the Supreme Court of Ohio. Motion for leave to use record in No. 49, **October Term, 1958**, granted. Petition for writ of certiorari granted. On writ of certiorari, judgment reversed and case remanded to the Supreme Court of Ohio for proceedings not inconsistent with the opinion of this Court. Opinion *per curiam*. Mr. Justice Whittaker dissents. Mr. Justice Frankfurter and Mr. Justice Stewart took no part in the consideration or decision of this case.

No. 645, **Misc.** Victor Donald Wilde, petitioner, *v.* Wyoming et al. On petition for writ of certiorari to the Supreme Court of Wyoming. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. On writ of certiorari, judgment vacated and case remanded to the Supreme Court of Wyoming for proceedings in conformity with the opinion of this Court. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 4, **Original.** State of New York, complainant, *v.* State of Illinois and The Metropolitan Sanitary District of Greater Chicago et al. The response of the United States and answer of the State of Illinois and The Metropolitan Sanitary District of Greater Chicago to the supplemental and amended complaint of the State of New York are referred to the Special Master.

No. 52. Jose Terrones Rios, petitioner, *v.* United States of America. The motion for the appointment of counsel is granted and Harvey M. Grossman, Esquire, of Los Angeles, California, a member of the Bar of this Court, is appointed *nunc pro tunc* to serve as counsel for petitioner in this case.

No. 720. Robert J. McGrath and Lawrence D. Hoy, petitioners, *v.* B. J. Rhay, Superintendent of Washington State Penitentiary. The motion for appointment of counsel is granted and it is ordered that Stanley C. Soderland, Esquire, of Seattle, Washington, be, and he is hereby, appointed to serve as counsel for petitioners in this case.

No. 870. Theodore Green, petitioner, *v.* United States. The motion for appointment of counsel is granted and it is ordered that James Vorenberg, Esquire, of Boston, Massachusetts, a member of the Bar of this Court be, and he is hereby, appointed to serve as counsel for petitioner in this case.

CERTIORARI GRANTED

No. 789. United States, petitioner, *v.* Gaetano Lucchese, etc.; and
No. 802. Frank Costello, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the

Second Circuit granted. The motion to amend the petition for certiorari in No. 802 is assigned for hearing and consolidated with the argument on the merits in No. 789 and a total of one hour is allowed for oral argument. Two hours are allowed for oral argument in No. 802.

No. 820. Eugene C. James, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted and case transferred to the summary calendar.

CERTIORARI DENIED

No. 735. Natale Evola et al., petitioners, *v.* United States;
No. 763. Salvatore Santora, petitioner, *v.* United States;
No. 772. Daniel Lessa et al., petitioners, *v.* United States;
No. 807. Jean Capece, petitioner, *v.* United States;
No. 812. Joseph DiPalermo, petitioner, *v.* United States; and
No. 817. Vito Genovese, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 751. Sarah Hunter Kelly, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 767. John Taxin et al., petitioners, *v.* Hon. Harold K. Wood, Judge, United States District Court, Eastern District of Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 808. Certain Interests in Property in Champaign County, State of Illinois, et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 815. Joseph Morris, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 827. Arkansas Public Service Commission and First Electric Cooperative Corporation, petitioners, *v.* Arkansas Power & Light Company. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 828. Eldon C. Odekirk, petitioner, *v.* Sears Roebuck & Co., and Vaughn & Bushnell Mfg. Co. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 830. International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 832. I. A. Dress Co., Inc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 833. M. Melinda Berry, Administratrix, petitioner, *v.* Atlantic Coast Line Railroad Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 835. Wyoming Construction Company et al., petitioners, *v.* Western Casualty and Surety Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 839. Smoot Sand & Gravel Corporation, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 826. Commissariat à L'Energie Atomique, etc., petitioner, *v.* Watson, Commissioner of Patents. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied. Mr. Justice Frankfurter took no part in the consideration or decision of this application.

No. 433, Misc. Wendy Murphy, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of San Francisco, denied.

No. 571, Misc. Michael Kane, petitioner, *v.* John F. McNeill, Superintendent of Matteawan State Hospital. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 633, Misc. Cicero Martin, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 641, Misc. Jim B. Edmonds, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 643, Misc. John Ray, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 647, Misc. Francisco Cepero, petitioner, *v.* Hon. Felisa Rincon de Gautier, Manager, City Government. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 651, Misc. Hyman Goldberg, petitioner, *v.* The City of New York and Daniel F. Sullivan. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 653, Misc. Roy Diaz Adriano, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 655, Misc. Earlie Burgess, petitioner, *v.* Warden, Maryland House of Correction. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 660, **Misc.** United States ex rel. Forrest Eugene Smith, petitioner, *v.* Alfred F. Dowd, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 668, **Misc.** Raymond Dwight Jackson, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 676, **Misc.** Anne L. Haagensen and Rosalia L. McAndrews, petitioners, *v.* Julian Moe and Maxwell Krause, etc., et al. Petition for writ of certiorari to the District Court of Winneshiek County, Iowa, denied.

No. 678, **Misc.** In the Matter of the Application of Robert Brock, petitioner. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 679, **Misc.** Roy Vester Clark, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 686, **Misc.** Guy N. Stafford, petitioner, *v.* Superior Court of the State of California, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 693, **Misc.** United States ex rel. Jose Castro Escalona, petitioner, *v.* John LaVallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 694, **Misc.** Janette Lawyer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 695, **Misc.** Grovene James Finley and Webber Heflin Mitchell, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 696, **Misc.** Jess S. Ivey, petitioner, *v.* E. V. Nash, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 698, **Misc.** Ronald Stultz, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 706, **Misc.** Thomas J. Davis, petitioner, *v.* Ohio et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 710, **Misc.** John Bartolillo, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 715, **Misc.** Tanney Hill J. Monroe, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 720, **Misc.** Joseph Morgan, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 721, **Misc.** Henry Long, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 722, **Misc.** Richard T. McKenna, petitioner, *v.* Harry C. Tinsley, Warden. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 723, **Misc.** In the Matter of Claude C. Barde, petitioner. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 725, **Misc.** Thomas Bernard O'Rourke, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 726, **Misc.** Daniel Boone Hymes, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 727, **Misc.** Albert F. Eckert, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 731, **Misc.** William Mahler, petitioner, *v.* Michigan. Petition for writ of certiorari to the Circuit Court for the County of Branch, Michigan, denied.

No. 741, **Misc.** Edward Buchanan, petitioner, *v.* H. G. Cochran, Jr., Director of Division of Corrections. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 743, **Misc.** Floyd Edgar Martin, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 750, **Misc.** Charles DiPalermo, petitioner, *v.* United States;

No. 792, **Misc.** Ralph Polizzano, petitioner, *v.* United States;

No. 793, **Misc.** Carmine Polizzano, petitioner, *v.* United States; and

No. 840, **Misc.** Charles Barcellona, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 752, **Misc.** Gene Goetz, petitioner, *v.* Tracy A. Hand, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 757, **Misc.** William W. Nunemaker, petitioner, *v.* People of the State of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 758, **Misc.** Roy Rudolph Drake, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 760, **Misc.** Calvin W. Pruitt, petitioner, *v.* W. Frank Smyth, Jr., Superintendent of Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 770, **Misc.** James Vernon Vassar, petitioner, *v.* R. R. Raines, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 771, **Misc.** Hiram Whittle, etc., petitioner, *v.* Elmer F. Munshower, Individually and as Superintendent of Maryland State Police. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 775, **Misc.** Walter Sally, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 777, **Misc.** Richard Watts, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 783, **Misc.** William P. Brown, petitioner, *v.* Vernon L. Peper-sack, Warden. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 784, **Misc.** Bert Wesley Harty, petitioner, *v.* B. J. Rhay, Superintendent, Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 786, **Misc.** Walter Raymond Smart, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 788, **Misc.** Earl Henry Turnbaugh, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 790, **Misc.** Pius Stancavage, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 791, **Misc.** Robert W. R. Baker, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 795, **Misc.** Albert Spader, petitioner, *v.* David N. Myers, Superintendent, State Penitentiary at Graterford. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 800, **Misc.** James Sweeney, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 803, **Misc.** Theodore Covington, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied.

No. 807, **Misc.** Jesse Root, petitioner, *v.* W. Frank Smyth, Jr., Superintendent of Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 809, **Misc.** William Tyrone Harris, petitioner, *v.* O. B. Ellis, Director, Texas Department of Corrections. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 810, **Misc.** Albert F. Eckert, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 817, **Misc.** Paul Barrett, petitioner, *v.* W. Frank Smyth, Jr., Superintendent of Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 819, **Misc.** Robert Ronald Willis, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 829, **Misc.** Archie A. White, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 866, **Misc.** Emmett Earl Leggett, petitioner, *v.* William J. Kirby, Judge. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 982, **Misc.** William Butler, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

REHEARINGS DENIED

No. 2. Rudolf Ivanovich Abel, also known as "Mark" and also known as Martin Collins and Emil R. Goldfus, petitioner, *v.* United States of America; and

No. 690. John W. Porter, Jr., et al., petitioners, *v.* Oklahoma Bacon College Trust et al. Petitions for rehearing denied.

No. 100. The Order of Railroad Telegraphers, etc., et al., petitioners, *v.* Chicago and North Western Railway Company, a Corporation. The motion of Bureau of Information of the Eastern Railways et al. for leave to file brief, as *amici curiae*, in support of petition for rehearing is granted. Petition for rehearing denied.

RECESS ORDER

The Court will take a recess from Monday, May 23, until Tuesday, May 31.

ORAL ARGUMENT

No. 466. Larry Dayton Hudson, petitioner, *v.* North Carolina. Argued by Mr. William Joslin for the petitioner and by Mr. Ralph Moody for the respondent.

No. 436. Cory Corporation et al., petitioners, *v.* Ernest J. Sauber. Argued by Mr. Edwin A. Rothschild for the petitioners and by Mr. Howard A. Heffron for the respondent.

No. 139. Diamond Kimm, petitioner, *v.* George K. Rosenberg, District Director, Immigration and Naturalization Service. Argument commenced by Mr. Joseph Forer for the petitioner.

Adjourned until tomorrow at 12 o'clock.

The day call for Tuesday, May 17, will be as follows: Nos. 139, 451, and 503.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Holland Meacham, of Elk City, Okla., on motion of Mr. Ed Edmondson; William Bland Allen, Jr., of Woodstock, Va., on motion of Mr. Burr P. Harrison; Evelyn E. Hicks, of Fort Smith, Ark., on motion of Mr. James W. Trimble; Edward J. Hladis, of Chicago, Ill., of Philip McKay Dunson, of Columbus, Ohio, and Benjamin B. Ferencz, of New York, N.Y., on motion of Mr. John F. Davis; James Theodore Kisgen, of Carroll, Iowa, on motion of Mr. Orville Vernon Bergren; Ralph E. Moody, of Juneau, Alaska, on motion of Mr. John L. Rader; Suzanna Blackwell, of Hodges, S.C., on motion of Mr. Joel D. Blackwell; Donald E. Cross, of Washington, D.C., on motion of Mr. Bryce Rea, Jr.; Roger Ernest Seidel, of New York, N.Y., Edward Tanner Post, of New York, N.Y., and Theodore H. Friend, of New York, N.Y., on motion of Mr. Howard L. DeMott; Elton B. Hunt, of Tulsa, Okla., on motion of Mr. Bolon B. Turner; Edward Wayne Boyce, Jr., of Newport, Ark., on motion of Mr. Floyd Lee Williams, Jr.; Joseph C. Brashares, of Pasadena, Calif., on motion of Mr. Dana Latham; John P. Boland, of New York, N.Y., on motion of Mr. Thomas B. Lawrence; William F. Baxter, of San Francisco, Calif., on motion of Mr. Gerhard A. Gessell; John Walker Gray, Jr., of Roanoke, Va., on motion of Mr. Dean G. Acheson; Murray Edward Gottesman, of New York, N.Y., on motion of Mr. R. G. de Quevedo; David Oscar Williams, Jr., of Arlington, Va., on motion of Mr. Florian J. Bartosic; William A. Goichman, of Philadelphia, Pa., on motion of Mr. Dayton M. Harrington; Arthur Harold Bernstein, of Chicago, Ill., on motion of Miss Selma M. Levine; and Jerome Charles Gilman, of New York, N.Y., on motion of Mr. Stanley Paul, were admitted to practice.

ORAL ARGUMENT

No. 139. Diamond Kimm, petitioner, *v.* George K. Rosenberg, District Director, Immigration and Naturalization Service. Argument continued by Mr. Joseph Forer for the petitioner and by Mr. John F. Davis for the respondent and concluded by Mr. Joseph Forer for the petitioner.

No. 451. Pennsylvania Railroad Company, petitioner, *v.* United States. Argued by Mr. Hugh B. Cox for the petitioner and by Mr. George Cochran Doub for the respondent.

No. 503. United States, petitioner, *v.* Grand River Dam Authority. Argued by Mr. Solicitor General Rankin for the petitioner and by Mr. Jess Larson for the respondent.

Adjourned until tomorrow at 12 o'clock.

The day call for Wednesday, May 18, will be as follows: Nos. 326 (and 327), and 74.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Frank Church, of Boise, Idaho, John A. Carver, Jr., of Boise, Idaho, Chas. E. Grandey, of Terry, Mont., and Wm. S. Hawkins, of Coeur d'Alene, Idaho, on motion of Mr. I. Lee Metcalf; Robert F. Harrington, of Salem, Oreg., on motion of Mr. Hall S. Lusk; William S. Eakes, of Durango, Colo., on motion of Mr. Gordon L. Allott; Cornelius E. Gallagher, of Bayonne, N.J., and Dominick V. Daniels, of Jersey City, N.J., on motion of Mr. William T. Cahill; David H. Horowitz, of New York, N.Y., on motion of Mr. Ludwig Teller; Conrad J. Sutherland, of New York, N.Y., Robert J. Casey, of New York, N.Y., Marshall B. Woodson, Jr., of Louisville, Ky., and Thomas N. Roupas, of Chicago, Ill., on motion of Mr. Oscar H. Davis; F. Byron Parker, of Richmond, Va., on motion of Mr. Donald Edward Van Koughnet; Larry A. Eskilsen, of Washington, D.C., on motion of Mr. Peter T. Beardsley; Lloyd L. Zickert, of Chicago, Ill., on motion of Mr. Robert J. Patch; Felix Liebmann, of De Witt, N.Y., and Frederick W. Danforth, Jr., of Buffalo, N.Y., on motion of Mr. Gray Thoron; Albert Raby, Jr., of San Francisco, Calif., and Edward F. Lussier, of Chicago, Ill., on motion of Mr. Samuel Craighead Caldwell, Frederick M. Fisk, of San Francisco, Calif., on motion of Mr. Stanley L. Temko; Jesse H. Graham, Jr., of Meridian, Miss., and Robert Franklin Nuttman, of San Diego, Calif., on motion of Mr. Thomas W. Collins; Bernard H. Q. Yim, of Washington, D.C., and Roger Berden Holmes, of Memphis, Tenn., on motion of Mr. Peter Anthony Chiregotis; Paul L. Wilbert, of Pittsburg, Kans., on motion of Mr. Joseph Skubitz; David Wolfstein Goldman, of Cincinnati, Ohio, on motion of Mr. Robert P. Goldman; Irving Surie, of Chicago, Ill., on motion of Mr. Theodore Haugh; Roger McK. Shea, of McLean, Va., on motion of Mr. James Joseph Bierbower; Stanley E. Preiser, of Charleston, W. Va., and John J. Lane, of Charleston, W. Va., on motion of Mr. Earl Hubert Davis; Numa L. Smith, Jr., of Washington, D.C., on motion of Mr. David W. Richman; Donal Edward McCarthy, of Valley Cottage, N.Y., on motion of Mr. Eugene Sabol; and Wilmer S. Schantz, Jr., of Washington, D.C., on motion of Mr. Cornelius H. Doherty, were admitted to practice.

ORAL ARGUMENT

No. 326. Metlakatla Indian Community, Annette Island Reserve, appellant, *v.* Egan, Governor of Alaska, et al.; and

No. 327. Organized Village of Kake, et al., appellants, *v.* Egan, Governor of Alaska. Argued by Mr. Richard Schifter for the appellant in No. 326, by Mr. John W. Cragun for the appellants in No. 327, by Mr. John D. Calhoun for the United States, as *amicus curiae*, by special leave of Court, in both cases and by Mr. John L. Rader for the appellees in both cases.

Adjourned until tomorrow at 12 o'clock.

The day call for Thursday, May 19, will be as follows: Nos. 74 and 513.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Donald Arthur Bierle, of Yankton, S. Dak., on motion of Mr. George L. Powell; Aloysius B. O'Mara, of Blissfield, Mich., on motion of Mr. George Meador; Stanley Grosshandler, of Highland Park, Ill., on motion of Mr. Brice Wilson Rhyne; Eric A. Rose, of Long Beach, Calif., on motion of Mr. Craig Hosmer; Charlotte Peirce Horwood, of Cambridge, Mass., on motion of Mr. Edwin Shafer Rockefeller III; James W. Bertolet, of Reading, Pa., on motion of Mr. Ross O'Donoghue; Ross Reid, of New York, N.Y., on motion of Mr. C. Roger Nelson; John Alexander Gray, of Washington, D.C., on motion of Mr. Harry J. Rudick; Bert Hylton Early, of Huntington, W. Va., on motion of Mr. Charles Kinsley McWhorter; Edmund Michael Jaskiewicz, of Washington, D.C., on motion of Mr. Earl R. Stanley; Richard J. Archer, of San Francisco, Calif., and Girvan Peck, of San Francisco, Calif., on motion of Mr. Herbert W. Clark; Cyrus R. Vance, of New York, N.Y., on motion of Mr. Whitney North Seymour; Hiram H. Lesar, of St. Louis, Mo., on motion of Mr. Walter Freedman; Gordon M. Netzorg, of Alma, Mich., on motion of Mr. Morris Miller; Nolan Howard Rogers, of Baltimore, Md., Harvey Jaffee, of Lynn, Mass., Robert Meyer Kennedy, of Dallas, Tex., Roy Irving Tennant, Jr., of Austin, Tex., and Jack Renick Todd, of Corpus Christi, Tex., on motion of Mr. Alan B. Todd; Ernest Lewis Crosson, of Houston, Tex., on motion of Mr. Lewis A. Schiller; Horst Kurnik, of New York, N.Y., on motion of Mr. Milton V. Freeman; Norman Berris, of Los Angeles, Calif., on motion of Mr. Joseph B. Danzansky; Morris C. Montgomery, of Liberty, Ky., on motion of Mr. H. G. Morison; Carl E. Heilman, of New York, N.Y., on motion of Mr. Cloyd LaPorte; Fred Fisher, of Philadelphia, Pa., on motion of Mr. Richard A. Solomon; Edward J. Burke, of Buffalo, N.Y., on motion of Mr. John Bronson Walsh; Alden L. Doud, of Douds, Iowa, on motion of Mr. Meredith M. Daubin; James Emmett Whealan, of Chicago, Ill., on motion of Mr. Walter E. Gallagher; Louis W. Lawson, of Santa Monica, Calif., on motion of Mr. Chester Charles Shore; and Joseph M. Lonergan, of New York, N.Y., Aaron E. Rennert, of New York, N.Y., George P. Stier, of New York, N.Y., Phil. Frank

Sherman, of New York, N.Y., Harry H. Schlacht, of New York, N.Y., Louis I. Rosenberg, of New York, N.Y., George P. Hennessy, of New York, N.Y., S. Sherman Steinberg, of New York, N.Y., Louis Fischhoff, of New York, N.Y., Harold R. Brophy, of New York, N.Y., Herbert Engel, of New York, N.Y., Raymond Kaliski, of New York, N.Y., Joseph S. Williams, Jr., of New York, N.Y., Anthony J. Falke, Jr., of New York, N.Y., Charles A. Duffy, of New York, N.Y., William J. Regan, of New York, N.Y., Desmond T. Barry, of New York, N.Y., Harry J. Ruthoser, of New York, N.Y., Sidney Ackerman, of New York, N.Y., Joseph Michael Boychuk, of New York, N.Y., Michael A. Martin, of New York, N.Y., Julius C. Schor, of New York, N.Y., Leonard Leigh Finz, of Jamaica, N.Y., Seymour Boyers, of Jamaica, N.Y., Morris Rosenblum, of Jamaica, N.Y., George M. Winston, of Jamaica, N.Y., Morris Himmelfarb, of Jamaica, N.Y., Kenneth N. Browne, of Jamaica, N.Y., Nicholas Jos. Caputo, of Jamaica, N.Y., Bartholomew Mustacchia, of Ridgewood, N.Y., Robert John Hall, of Ridgewood, N.Y., Robert M. Delson, of Flushing, N.Y., John M. Conroy, of Syosset, N.Y., Morris Mirsky, of Far Rockaway, N.Y., Jacob Mishler, of Long Island City, N.Y., Thomas F. McCoy, of Rockville Centre, N.Y., and Joseph Tannenbaum, of Bayside, N.Y., on motion of Mr. William B. Groat, Jr., were admitted to practice.

ORAL ARGUMENT

No. 74. American Trucking Associations, Inc., et al., appellants, *v.* United States of America, Interstate Commerce Commission, et al. Argued by Mr. Peter T. Beardsley for the appellants, by Mr. Richard A. Solomon for appellee, United States of America, by Mr. Robert W. Ginnane for appellee, Interstate Commerce Commission, and by Mr. Robert L. Pierce for appellees, Pacific Motor Trucking Company and General Motors Corporation.

No. 513. United States, petitioner, *v.* Cannelton Sewer Pipe Company. Argued by Mr. Ralph S. Spritzer for the petitioner and by Mr. Erwin N. Griswold for the respondent.

ORDER

It is ordered that the call of the docket, except for special assignments, be suspended for the term upon the conclusion of the argument in the cases listed for hearing today.

Adjourned until Monday, May 23, at 12 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Daniel C. Shea, of Washington, D.C., Kathryn H. Baldwin, of Kensington, Md., Jeanne L. Dailey, of Marysville, Ohio, Charles E. Hurley, of Yreka, Calif., Jere E. Hurley, Jr., of Redding, Calif., Jere E. Hurley, Sr., of Yreka, Calif., Donald W. Winne, of Champaign, Ill., and Paul Harkey, of Norman, Okla., on motion of Mr. Solicitor General James Lee Rankin; Robert J. Kutak, of Omaha, Nebr., on motion of Mr. Roman L. Hruska; Henry M. Grether, Jr., of Lincoln, Nebr., on motion of Mr. Carl T. Curtis; Virgil E. Meyer, of Chariton, Iowa, on motion of Mr. Thomas Ellsworth Martin; Robert C. Weaver, of Coshocton, Ohio, and William W. Mosholder, of Mount Vernon, Ohio, on motion of Mr. Robert Woodrow Levering; Robert M. Ervin, of Tallahassee, Fla., on motion of Mr. James P. McGranery; Daniel Joseph McCauley, Jr., of Philadelphia, Pa., on motion of Mr. Hugh D. Scott, Jr.; Jack C. Daw, of Indianapolis, Ind., on motion of Mr. William G. Bray; Walter S. Avery, of New York, N.Y., on motion of Mr. John H. Pickering; Edward W. Easterling, of Beaumont, Tex., on motion of Mr. Jack Brooks; Ralph J. Anderson, of Helena, Mont., on motion of Mr. B. K. Wheeler; Hurshal Carl Tummelson, Jr., of Champaign, Ill., and Enos L. Phillips, of Urbana, Ill., on motion of Mr. William Lee Springer; John R. Cook, Jr., of Lexington, Ky., on motion of Mr. Charles Sylvanus Rhyne; Paul L. Billhymer, of Salt Lake City, Utah, on motion of Mr. Byron G. Rogers; Gordon E. Brewer, of Madison, Wis., on motion of Mr. Robert W. Kastemeier; John A. Zalonis, Jr., of Laurel, Md., and Catherine Hodge Caveny, of Washington, D.C., on motion of Mr. George N. Anderson; Gerald Stanley Wolff, of Miami Beach, Fla., on motion of Mr. Victor Don Baughman; Marie Garofalo Santagata, of Westbury, N.Y., on motion of Mr. Frank J. Santagata; James Bernt Ueberhorst, of Ann Arbor, Mich., on motion of Mr. Lewis Andrew Carroll; Monroe H. Freedman, of Washington, D.C., on motion of Mr. Thomas E. Harris; Joseph V. Rowe, Jr., of Philadelphia, Pa., J. Wayne Woodbury, of Silver City, N. Mex., and J. Norman Hodges, of Silver City, New Mex., on motion of Mr. Simon Tucker; Dowell H. Anders,

of Little Rock, Ark., on motion of Mr. John Patrick Baker; Philip R. Kneeland, of Worcester, Mass., on motion of Mr. Philip R. Collins; Joseph A. Pennica, of Elizabeth, N.J., Wellman P. Thayer, of Los Angeles, Calif., Wilson Babcock Copes, of Los Angeles, Calif., and Frederick Willis Potter, of Chicago, Ill., on motion of Mr. John Frank Miller, Jr.; Thos. G. Godfrey, of Elkhorn, Wis., on motion of Mr. Donald M. Counihan; H. Franklin Brown, of Detroit, Mich., on motion of Mr. Joseph C. Waddy; Joseph Keig, Sr., of Chicago, Ill., on motion of Mr. James H. Heller; Thomas Milton Niblack, of Atlanta, Ga., and Harry Barnes Andrews, of Atlanta, Ga., on motion of Mr. Richard K. Stevens; Earl D. Yaffe, of Chicago, Ill., on motion of Mr. George W. Christensen; William A. Mansfield, of Salem, Oreg., on motion of Mr. Marion A. Hornbeck; George L. Crusier, of Riverhead, N.Y., H. Dexter Wetherell, of Sayville, N.Y., Maurice Letteau, of Brightwaters, N.Y., John Joseph Hart, Jr., of Patchogue, N.Y., William Francis Mackey, Jr., of Sayville, N.Y., Edgar Hills, of New York, N.Y., Isidore Scheinberg, of Riverhead, N.Y., Joseph Goldstein, of Sound Beach, N.Y., Donald H. Bohner, of New York, N.Y., James Edward McGiff, of Sayville, N.Y., Warren Max Deutsch, of Smithtown, N.Y., Howard Rosenstone, of Huntington, N.Y., Joseph M. O'Donnell, of Centereach, N.Y., George W. Lipp, Jr., of Babylon, N.Y., Henry Schantz, of Centerport, N.Y., Jack Stanislaw, of Smithtown, N.Y., Raymond A. Smith, Jr., of East Hampton, N.Y., Emil F. DePetris, of Southampton, N.Y., Saul Wolf, of East Hampton, N.Y., Sol Horenstein, of Babylon, N.Y., Bernard K. Meyer, of Smithtown, N.Y., Leonard D. Wexler, of Islip, N.Y., Mitchell B. Smith, of Smithtown, N.Y., Louis L. De Lia, of East Patchogue, N.Y., Bernard Joseph Reilly, of Babylon, N.Y., Leonard Cooper, of Deer Park, N.Y., Norman S. Abrams, of Deer Park, N.Y., Charles H. Hammond, of Huntington, Long Island, N.Y., Adolph H. Siegel, of Lindenhurst, N.Y., Ernest L. Signorelli, of Copiague, N.Y., Aaron B. Donner, of Bay Shore, N.Y., Lee Franklin, of Port Washington, N.Y., Roland E. LaGrange, of Smithtown, N.Y., Michael Mario Frasca, of Bellport, N.Y., Thomas A. Dwyer, of Huntington, N.Y., David H. Gilmartin, of Southampton, N.Y., Amideo Nicholas Guzzone, of Centereach, N.Y., Frank J. Gallagher, of Babylon, N.Y., Henry C. Weismann, of Smithtown, N.Y., Elbert W. Robinson, of Southampton, N.Y., and Rocco L. Moles, of Copiague, N.Y., on motion of Mr. Stuyvesant Wainwright; John D. Capilli, of Uniondale, N.Y., Louis W. Mele, of Hewlett, N.Y., Michael J. Capanegro, of Flushing, N.Y., Michael J. Pecora, of Flushing, N.Y., Frank Leuci, of Fresh Meadows, N.Y., Sebastian Destro, of Long Island City, N.Y., Charles A. Iovale, of Queens

Village, N.Y., James C. MacDevitt, Jr., of Great Neck, N.Y., Peter J. LaBarbera, of Bayside, N.Y., Louis Anthony Novarro, of Brooklyn, N.Y., Michael B. Grosso, of Queens Village, N.Y., Joseph A. Bondanza, Jr., of Corona, N.Y., Michael J. Greco, of New Hyde Park, N.Y., Frederick Andrew Brue, of Flushing, N.Y., Diego R. Stincone, of Long Island City, N.Y., Vincent Michael Crismahi, of Brooklyn, N.Y., Vincent Esposito, of Long Island City, N.Y., Anthony F. Zagame, of Astoria, N.Y., John L. Romeo, of Astoria, N.Y., Carl Nicholas Mione, of Brooklyn, N.Y., Thomas V. Polizzi, of Jackson Heights, N.Y., Nicholas J. Casson, of Woodside, N.Y., Anthony Joseph Guarino, of Glendale, N.Y., William A. Scorzari, of Flushing, N.Y., Vincent J. Giganti, of Brooklyn, N.Y., Nicholas Andrew Morotta, of New York, N.Y., Daniel Castoria, of Ridgewood, N.Y., Nicholas Ferraro, of New York, N.Y., Joseph J. Risi, of Long Island City, N.Y., John Marmarellis, of Long Island City, N.Y., Salvatore Coletti, of Jackson Heights, N.Y., Anthony A. Cocheo, of Jackson Heights, N.Y., Basil E. Lomenzo, of Jackson Heights, N.Y., Peter M. Nucci, of Greenlawn, N.Y., John Scalzi, Jr., of Jamaica, N.Y., Joseph Stabile, of New York, N.Y., Flavius N. Costarella, of Forest Hills, N.Y., William A. Silvestro, of Flushing, N.Y., Philip A. Calderone, of Elmhurst, N.Y., Milton Wolinetz, of New York, N.Y., Raphael J. Del Zio, of Huntington, N.Y., Richard A. Izzo, of Carle Place, N.Y., Joseph V. Giuliani, of Long Island City, N.Y., Rocco Salvatore Varlese, of Long Island City, N.Y., and Pasquale Mosca, of Huntington, N.Y., on motion of Mr. John F. Scileppi; and Bernard M. Herman, of New York, N.Y., Arthur Bernknopf, of New York, N.Y., Martin Shelby Eisenberg, of New York, N.Y., Alan Demar, of New York, N.Y., Paul Bank, of New York, N.Y., Hyman Hirsch, of New York, N.Y., Max Gross, of New York, N.Y., Sidney Horn, of New York, N.Y., Martin J. Abramson, of New York, N.Y., Seymour Brown, of New York, N.Y., Pincus Pierce Ettinger, of New York, N.Y., Morris Green, of New York, N.Y., Benjamin Hurwitz, of New York, N.Y., Louis Gorman, of Bronx, N.Y., Bertram E. Kessler, of New York, N.Y., David H. Greenwald, of Yonkers, N.Y., Barnett Davis, of Bronx, N.Y., Helen Davis, of Bronx, N.Y., Solomon I. Esterman, of New York, N.Y., Philip Esterman, of New York, N.Y., Joseph P. Freireich, of New York, N.Y., Rose Hildegard Nussbaum, of New York, N.Y., David Justin, of New York, N.Y., Harry Cohen, of New York, N.Y., Mayrose Friedman, of New York, N.Y., Abraham Bernstein, of New York, N.Y., Edgar P. Feeley, of City Island, N.Y., Eugene Justin, of New York, N.Y., Emory Gardiner, of New York, N.Y., Ira Baer Harkavy, of New York, N.Y., Henry Kaufman, of New York, N.Y., William J. Kavanagh, of New York, N.Y., Irwin Gouse, of New

York, N.Y., Robert Stuart Friedman, of White Plains, N.Y., Jerome Lester Green, of New York, N.Y., Albert M. Aronowitz, of New York, N.Y., Milton G. Tunick, of New York, N.Y., Gerald J. Silver, of New York, N.Y., Morris Wertkin, of New York, N.Y., Irving Paul, of New York, N.Y., Elihu A. Novick, of New York, N.Y., Carl S. Stutman, of New York, N.Y., Gilbert Rabin, of Yonkers, N.Y., Harry J. Walters, Jr., of New York, N.Y., Edward V. Morand, of New York, N.Y., Jacques Mantinband, of New York, N.Y., Isidore Shapiro, of New York, N.Y., Max L. Luman, of New York, N.Y., Samuel S. Ress, of New York, N.Y., Ruben Klein, of New York, N.Y., George A. Weissblum, of New York, N.Y., Alexander E. Scheer, of New York, N.Y., S. Alexander Sterenbuch, of New York, N.Y., Benjamin H. Schwartzman, of New York, N.Y., George Freedman, of New York, N.Y., Fred Queller, of New York, N.Y., Daniel Spooner, of New York, N.Y., Rose Schnepf, of New York, N.Y., Sally K. Merrick, of New York, N.Y., Harold J. Silbermann, of New York, N.Y., Irving H. Stolz, of New York, N.Y., Paul R. Shaw, of New York, N.Y., Carl Eill Schiffer, of New York, N.Y., Richard S. Pardes, of New York, N.Y., Alfred J. Pomeranz, of New York, N.Y., Arthur L. Levine, of New York, N.Y., Lewis B. Stackell, of New York, N.Y., Jack M. Marder, of New York, N.Y., Jacob Streiner, of New York, N.Y., Clara Tepper, of New York, N.Y., Zenaida Drabkin, of New York, N.Y., Mortimer H. Koenig, of New York, N.Y., Jesse Siskind, of New York, N.Y., Stuart Edward Levison, of New York, N.Y., Samuel A. Schorr, of New York, N.Y., Stanley Simon, of New York, N.Y., and Jesse G. Goldberg, of New York, N.Y., on motion of Mr. Jacob Nass, were admitted to practice.

OPINIONS

No. 295. Rohr Aircraft Corporation, a California Corporation, appellant, *v.* County of San Diego, a Body Corporate, and City of Chula Vista, a Municipal Corporation. Appeal from the Supreme Court of California. Appeal dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is granted. On writ of certiorari, judgment reversed and case remanded to the Supreme Court of California for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Clark. Mr. Justice Black and Mr. Justice Douglas dissent.

No. 164. Morry Levine, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Black with whom Mr. Chief Justice Warren and Mr. Justice Douglas join. Dissenting

opinion by Mr. Justice Brennan with whom Mr. Justice Douglas joins.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 823. Sims Motor Transport Lines, Inc., appellant, *v.* United States. Appeal from the United States District Court for the Northern District of Illinois. The motions of Holland Motor Express, Inc., et al., for leave to be named parties appellee and for leave to file a motion to affirm are granted. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*.

No. 833, Misc. John Williams, appellant, *v.* J. E. LaVallee, Warden. Appeal from the United States Court of Appeals for the Second Circuit. The appeal is dismissed for want of jurisdiction. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 59. Sam Thompson, petitioner, *v.* City of Louisville et al. The motion to tax costs is denied.

No. 436. Cory Corporation et al., petitioners, *v.* Ernest J. Sauber. The motions of the petitioners and respondent for leave to file supplemental memoranda are granted.

No. 23, Misc. In the Matter of Disbarment of Harry J. Alker, Jr.

It having been reported to the Court that Harry J. Alker, Jr., of Philadelphia, Pennsylvania, has been disbarred from the practice of the law by the Supreme Court of Pennsylvania; and this Court by order of June 15, 1959, having suspended the said Harry J. Alker, Jr., from the practice of the law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued and served upon the respondent who has filed a return thereto; now, upon consideration of the rule to show cause and the return aforesaid;

It is ordered that the said Harry J. Alker, Jr., be, and he is hereby, disbarred, and that his name be stricken from the roll of attorneys admitted to practice in this Court.

APPEALS—JURISDICTION NOTED OR POSTPONED

No. 781. United States, appellant, *v.* E. I. du Pont de Nemours and Company et al. Appeal from the United States District Court

for the Northern District of Illinois. In this case probable jurisdiction is noted. Mr. Justice Clark and Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 788. Sam Fox Publishing Company, Inc., et al., appellants, v. United States et al. Appeal from the United States District Court for the Southern District of New York. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits. Mr. Justice Clark took no part in the consideration or decision of this case.

No. 810. Paul Poe et al., appellants, v. Abraham S. Ullman, State's Attorney; and

No. 811. C. Lee Buxton, appellant, v. Abraham S. Ullman, State's Attorney. Appeals from the Supreme Court of Errors of Connecticut. In these cases probable jurisdiction is noted. The cases are consolidated and a total of three hours is allowed for argument. Mr. Justice Frankfurter took no part in the consideration or decision of these cases.

No. 845. Abraham Braunfeld et al., appellants, v. Thomas J. Gibbons, Commissioner of Police of the City of Philadelphia, et al. Appeal from the United States District Court for the Eastern District of Pennsylvania. In this case probable jurisdiction is noted. The case is transferred to the summary calendar and set for argument immediately following No. 532.

CERTIORARI GRANTED

No. 961, Misc. Veron Atchley, also known as Jack Atchley, petitioner, v. California. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of California granted. Case transferred to the appellate docket. The execution of the sentence of death imposed on the petitioner is stayed pending the decision of this Court and the issuance of the mandate thereon.

CERTIORARI DENIED

No. 678. Elliott J. Roschuni et al., petitioners, v. Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 782. Air Line Stewards and Stewardesses Association, International, AFL-CIO, petitioner, v. Trans World Airlines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 831. Rudolph Eule, petitioner, v. Mary Ellen Eule. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 836. Norine J. Augus, Admx., et al., petitioners, *v.* Herman T. Stichman, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 838. Anthony Bucciferro, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 843. Arthur Fowler, Jr., petitioner, *v.* Raybourn H. Smiser, Sr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 844. Edwin J. Sorkin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 847. Edmund Milton James, etc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 849. Juan Garcia, petitioner, *v.* Atchison, Topeka and Santa Fe Railway Company. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 850. United States, petitioner, *v.* Hon. Peirson M. Hall, Chief Judge, United States District Court for the Southern District of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 851. United States, petitioner, *v.* Daisey L. Cunningham et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 855. National Latex Products Company et al., petitioners, *v.* Sun Rubber Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 856. John L. Lewis et al., petitioners, *v.* Mike Myhalyk. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 860. Lillian Schlothman, petitioner, *v.* Territory of Alaska. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 871. Moore-McCormack Lines, Inc., petitioner, *v.* Armco Steel Corporation et al.; and

No. 904. Armco Steel Corporation et al., petitioners, *v.* Moore-McCormack Lines, Inc. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 857. John L. Lewis et al., petitioners, *v.* John A. Pavlovscak. The motion of the respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 507, *Misc.* Anthony Pollino, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 749, *Misc.* James Campbell Gaither, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 801, *Misc.* William A. Jackson, petitioner, *v.* The Justices of the Supreme Court, Appellate Division, Fourth Department; et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 824, *Misc.* Daniel H. Deal, petitioner, *v.* Warden of Maryland House of Correction. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 593, *Misc.* Nancy Cross, petitioner, *v.* The State Bar of California. Petition for writ of certiorari to the Supreme Court of California denied. The Chief Justice took no part in the consideration or decision of this application.

No. 636, *Misc.* Pervis Daniels, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

No. 711, *Misc.* Donald Hicks, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, and other relief, denied.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 46, *Misc.* Miguel Moran Ramirez, petitioner, *v.* Attorney General of the United States et al.;

No. 728, *Misc.* Albert Spader, petitioner, *v.* David N. Myers, Superintendent of State Penitentiary at Graterford, Pennsylvania; and

No. 821, *Misc.* James Grady Geraldson, petitioner, *v.* United States. Motions for leave to file petitions for writs of habeas corpus denied.

No. 884, *Misc.* In the Matter of Manuel Perales, petitioner. Motion for leave to file petition for writ of habeas corpus and for other relief denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied.

REHEARINGS DENIED

No. 696. Federal Broadcasting System, Inc., petitioner, *v.* Federal Communications Commission et al.;

No. 736. Gwendolyn Tucker, petitioner, *v.* Illinois;

No. 614, Misc. Joseph Orby Smith, Jr., et al., petitioners, *v.* United States;

No. 634, Misc. United States ex rel. Roy Helwig, petitioner, *v.* James F. Maroney, Superintendent of Western State Penitentiary;

No. 652, Misc. James R. Whiting, petitioner, *v.* Beryle C. Sacks, Warden;

No. 705, Misc. Thomas Clifton Livesay, petitioner, *v.* O. B. Ellis, Director, Texas Department of Corrections; and

No. 853, Misc. Norman J. Mackiewicz, petitioner, *v.* Florida. Petitions for rehearing denied.

Adjourned until Tuesday, May 31, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

John William Noonan, of Belleville, N.J., David George Lucas, of Bernardsville, N.J., Marc Joseph, of Englewood Cliffs, N.J., and Justin Kevin McCarthy, of Bethlehem, Pa., on motion of Mr. Harrison A. Williams, Jr.; A. T. Leveridge, Jr., of East Bernard, Tex., on motion of Mr. Ralph W. Yarborough; Victor L. Anfuso, of Brooklyn, N.Y., on motion of Mr. James P. McGranery; William P. Sexton, of Orange, Tex., on motion of Mr. Jack Brooks; Thomas J. McGrath, of Homewood, Ill., on motion of Mr. C. Aubrey Gasque; Florian A. Petrik, of Broken Arrow, Okla., on motion of Mr. John C. Herberg; Marten H. A. van Heuven, of Hamden, Conn., on motion of Mr. John M. Raymond; Howard L. Lydick, of Richardson, Tex., on motion of Mr. Joseph Skubitz; Samuel A. Stern, of Washington, D.C., on motion of Mr. J. Roger Wollenberg; Joseph G. Jue, of San Francisco, Calif., James H. Claytor, of Boston, Mass., Joseph S. Mitchell, of Boston, Mass., Morton Silfen, of New York, N.Y., James W. Johnson, of New York, N.Y., Harry C. Fischer, of Fort Lauderdale, Fla., Bernice Turkewitz, of New York, N.Y., Jean Taylor Jackson, of New York, N.Y., Milton Herson, of New York, N.Y., Gerald Blaustein, of New York, N.Y., Israel I. Davidson, of New York, N.Y., S. Newton Feldman, of Philadelphia, Pa., and Peter Megargee Brown, of New York, N.Y., on motion of Mr. Oscar H. Davis; Barlow Smith, of Minneapolis, Minn., on motion of Mr. Francis Bourne Upham III; Bertram R. Gelfand, of Bronx, N.Y., on motion of Mr. Richard J. Sullivan; Theodore Sachs, of Detroit, Mich., on motion of Mr. Elliott Bredhoff; Paul Russell Huddleston, of Bowling Green, Ky., on motion of Mr. Milton A. Jones; Frederick Moss, of New York, N.Y., on motion of Mr. Thomas G. Meeker; Keith L. Andrews, of Indianapolis, Ind., on motion of Mr. R. G. de Quevedo; James Andrew Smith, of St. Paul, Minn., on motion of Mr. Leo A. Rosetta; John F. Mahoney, Jr., of Alexandria, Va., Conrad A. Fontaine, of Washington, D.C., and Wallace T. Ward, of Birmingham, Ala., on motion of Mr. Charles E. Pledger; Waldo Willhoft, of San Bernardino, Calif., on motion of Mr. Harvey J. Gunderson; Leonard Santi Vadala, of Boston, Mass., on motion of Mr. Francis W. McInerney; John Christopher Keatts, Jr., of

Pomeroy, Wash., on motion of Mr. Donald D. Chapman; Maurice Carl Fleming, of Salisbury, Md., on motion of Mr. Justinus Gould; Raymond N. Shibley, of Washington, D.C., on motion of Mr. Guy Farmer; Jacob Scher, of Highland Park, Ill., on motion of Mr. Joseph A. MacDonald; Albert M. Horn, of Birmingham, Ala., on motion of Mr. Eugene R. Jackson; John F. Ryan, of Springfield, Va., on motion of Mr. Charles H. Vaughn; John L. Strubbe, of Cincinnati, Ohio, on motion of Mr. Abe Fortas; Homer John Askounis, of Chicago, Ill., Peter Bakakos, of Chicago, Ill., John Harry Secaras, of Chicago, Ill., Stella Adams Cuthbert, of Chicago, Ill., Chris D. Toulon, of Chicago, Ill., Constantine George Drugas, of Chicago, Ill., Daniel Parry, of Chicago, Ill., James A. Zafiratos, of Chicago, Ill., James A. Regas, of Chicago, Ill., William Thomas Regas, of Chicago, Ill., George John Murges, of Chicago, Ill., George J. Anos, of Chicago, Ill., Joseph Ash, of Chicago, Ill., George A. Askounis, of Chicago, Ill., Louis P. Yangas, of Chicago, Ill., Peter Ritsos, of Chicago, Ill., Constantine Lembares, of Chicago, Ill., John James Limperis, of Chicago, Ill., Themis N. Anastos, of Chicago, Ill., James Peter Iatropulos, of Chicago, Ill.; Demosthenes Ion Georgoulis, of Chicago, Ill., and Harry Fred Polos, of Chicago, Ill., on motion of Mr. William Lee Springer; and Richard L. Gold, of Larchmont, N.Y., Thomas J. O'Toole, of New Rochelle, N.Y., Fred I. Zabriskie, of New Rochelle, N.Y., Lee Magnus, of New Rochelle, N.Y., Edwin M. Freeman, of New Rochelle, N.Y., Richard D. Friedman, of Larchmont, N.Y., Samuel Fischer, of New York, N.Y., Alfred Fayer, of New York, N.Y., Michael J. Kenny, of New York, N.Y., Michael Levy, of New Rochelle, N.Y., Nathan N. Shuman, of New Rochelle, N.Y., Joseph T. McNamara, of New Rochelle, N.Y., Frank Moroze, of New Rochelle, N.Y., Morse J. Conroy, of New Rochelle, N.Y., Alfred F. Fanelli, of New Rochelle, N.Y., Alvin R. Ruskin, of New Rochelle, N.Y., Morris Motzkin, of New Rochelle, N.Y., James F. Reynolds, of New Rochelle, N.Y., Julian H. Hyman, of New Rochelle, N.Y., Philip Robbins, of New Rochelle, N.Y., Jacob Goodman, of New Rochelle, N.Y., Joseph Giglio, of New Rochelle, N.Y., Herman D. Schmier, of New Rochelle, N.Y., Harry G. Davidson, of New Rochelle, N.Y., Joseph Price Cummings, of New Rochelle, N.Y., Morris Block, of New Rochelle, N.Y., Theodore F. Gilligan, of New Rochelle, N.Y., John J. Gardner, of New Rochelle, N.Y., Arnold D. Roseman, of New Rochelle, N.Y., Rudolph D. Raiford, of New Rochelle, N.Y., Henry M. Kaufmann, of New Rochelle, N.Y., Daniel W. Boddie, of New Rochelle, N.Y., Robert G. Fanelli, of New Rochelle, N.Y., Arthur L. Pulley, of New Rochelle, N.Y., Thomas F. Fanelli, of New Rochelle, N.Y., John W. Herz, of Larchmont, N.Y., Frederick Harry Otto, of New Rochelle, N.Y., Margaret O'Brien, of New Rochelle, N.Y., Arthur P. Scolari, of Scarsdale, N.Y., Grenville T. Keogh, Jr.,

of New Rochelle, N.Y., Albert F. Campbell, of New Rochelle, N.Y., and Frank C. Praete, Jr., of New Rochelle, N.Y., on motion of Mr. James R. Rooney, were admitted to practice.

OPINION

No. 10, Original. United States of America, plaintiff, *v.* States of Louisiana, Texas, Mississippi, Alabama, and Florida. On motion for judgment on the pleadings.

As to the States of Louisiana, Mississippi, and Alabama, a decree will be entered (1) declaring that the United States is entitled, as against these States, to all the lands, minerals, and other natural resources underlying the Gulf of Mexico more than three geographic miles from the coast of each such State, that is, from the line of ordinary low-water mark and outer limit of inland waters, and extending seaward to the edge of the Continental Shelf; (2) declaring that none of these States is entitled to any interest in such lands, minerals, and resources; (3) enjoining these States from interfering with the rights of the United States therein; (4) directing each such State appropriately to account to the United States for all sums of money derived therefrom subsequent to June 5, 1950; and (5) dismissing the cross-bill of the State of Alabama.

As to the State of Texas, a decree will be entered (1) declaring that the State is entitled, as against the United States, to the lands, minerals, and other natural resources underlying the Gulf of Mexico to a distance of three leagues from Texas' coast, that is, from the line of ordinary low-water mark and outer limit of inland waters; (2) declaring that the United States is entitled, as against Texas, to no interest therein; (3) declaring that the United States is entitled, as against Texas, to all such lands, minerals, and resources lying beyond that area, and extending to the edge of the Continental Shelf; (4) enjoining the State from interfering with the rights of the United States therein; (5) directing Texas appropriately to account to the United States for all sums of money derived since June 5, 1950, from the area to which the United States is declared to be entitled.

Jurisdiction over this case will be retained for such further proceedings as may be necessary to effectuate the rights adjudicated herein.

The motions of Louisiana and Mississippi to take depositions and present evidence are denied, without prejudice to their renewal in such further proceedings as may be had in connection with matters left open by this opinion. The same disposition is made of the similar averment in Alabama's answer. Texas' motion for similar relief and for a severance is rendered moot by our decision as to it.

The alternative motion of Louisiana, contained in its answer to the original complaint herein, to transfer the case as to it to the United States District Court in Louisiana is denied.

The parties may submit an appropriate form of decree giving effect to the conclusions reached in the opinion of this Court. Opinion by Mr. Justice Harlan. Separate opinion by Mr. Justice Black, concurring in part and dissenting in part. Dissenting opinion by Mr. Justice Douglas. Mr. Chief Justice Warren and Mr. Justice Clark took no part in the consideration or decision of this case.

No. 10, Original. United States of America, plaintiff, *v.* State of Florida et al. On motion for judgment on the pleadings. The motion of the United States for judgment on the pleadings as to Florida is denied. It is held that the Submerged Lands Act grants Florida a three-marine-league belt of land under the Gulf, seaward from its coastline, as described in Florida's 1868 Constitution. The cause is retained for such further proceedings as may be necessary more specifically to determine the coastline and fix the boundary and all other relevant matters. The parties may submit an appropriate form of decree giving effect to the conclusions reached in the opinion of this Court. Opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Frankfurter with whom Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart join. Dissenting opinion by Mr. Justice Harlan. Mr. Chief Justice Warren and Mr. Justice Clark took no part in the consideration or decision of this case.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 620. John L. Senior, Jr., appellant, *v.* Zoning Commission of the Town of New Canaan. Appeal from the Supreme Court of Errors of Connecticut. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 799, Misc. Filbert Garfinkle, appellant, *v.* Isadore Garfinkle. Appeal from the Supreme Court of New Jersey. The motion to dismiss is granted and the appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

CERTIORARI GRANTED

No. 837. Julius Silverman et al., petitioners, *v.* United States. Petition for certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. 866. National Labor Relations Board, petitioner, *v.* Radio & Television Broadcast Engineers Union, Local 1212, International Brotherhood of Electrical Workers, AFL-CIO. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 875. Paul John Carbo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 75. Maurice E. Travis, petitioner, *v.* United States;

No. 479. Maurice E. Travis, petitioner, *v.* United States; and

No. 872. Maurice E. Travis, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Tenth Circuit granted. Cases consolidated and a total of three hours allowed for argument.

No. 384, Misc. Stephen Franklin Reynolds, petitioner, *v.* H. G. Cochran, Jr., Director of Division of Corrections. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari to the Supreme Court of Florida granted. Petitioner is permitted to proceed *in forma pauperis* and case transferred to appellate docket.

No. 453, Misc. Stuart W. Newsom, petitioner, *v.* W. Frank Smyth, Jr., Superintendent of Virginia State Penitentiary. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Appeals of Virginia granted. Case transferred to appellate docket.

CERTIORARI DENIED

No. 790. Aluminum Company of America, petitioner, *v.* Sam H. Loveday et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 791. Edward J. Bloom, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 797. Wood-Mosaic Company et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 798. Lee Wan Nam a/k/a Hong Lee, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 804. Nellie Davenport, etc., et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 854. Karl Strech, petitioner, *v.* Blissfield Community Schools District. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 858. Raymond J. Funkhouser et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 861. Metropolitan Stevedore Company, petitioner, *v.* Dampskisaktieselskabet International. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 862. Insurance Workers International Union, AFL-CIO, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 863. Mrs. Anne Martin, petitioner, *v.* Toye Bros. Airport Service, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 864. Edward Kwiek, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 867. Pacific Cement and Aggregates, Inc., petitioner, *v.* California Bank et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 882. Max Winzelberg, petitioner, *v.* R. K. Baking Corp. et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 876. James Flood et al., Trustees, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

No. 52, Misc. David Kaplan, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 460, Misc. Eugene Porter, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 484, Misc. Paul D. Isom, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 618, Misc. James M. Walker, petitioner, *v.* United States Gypsum Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 659, Misc. Charles Coakley, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 672, Misc. Richard Butts, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 733, Misc. Robert H. Ellis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 753, Misc. Fred Hunter, petitioner, *v.* Ross V. Randolph, Warden, et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 766, Misc. Harlan Scott and Ella Scott, petitioners, *v.* Central Commercial Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 789, Misc. Archie Frank Ragavage, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 798, Misc. Morton Brilliant, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 811, Misc. Donald Edward Clark, petitioner, *v.* D. E. Adams, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 815, Misc. Joseph Smith, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 816, Misc. Leon Tillery, petitioner, *v.* Warden of the Maryland Penitentiary. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 825, Misc. John F. Watson, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 826, Misc. Giles E. Bullock, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 827, Misc. Jay R. Kurth, petitioner, *v.* John E. Bennett, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 828, Misc. William Howard Duncan, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 830, Misc. Leo Tafarella, petitioner, *v.* Tracy A. Hand, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 834, Misc. Roy G. Jacobsen, petitioner, *v.* The Trustees of Columbia University. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 836, Misc. Irwin William Anderten, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 839, Misc. Robert E. Williams, petitioner, *v.* California. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 844, Misc. Percy S. Haines, petitioner, *v.* William J. Bannmiller, Warden. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 845, Misc. Willie Hugh Scott, petitioner, *v.* Raymond J. Buchkoe, Warden. Petition for writ of certiorari to the Supreme Court of Michigan, denied.

No. 935, Misc.. Peter Quintero, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 969, Misc. Howard B. Stickney, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas, denied.

LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 837, Misc. Eusebius J. Biggs, petitioner, *v.* John S. Hastings, Chief Judge, U.S. Court of Appeals for the Seventh Circuit, et al. Motion for leave to file petition for writ of mandamus denied.

LEAVE TO FILE PETITION FOR WRIT OF CERTIORARI DENIED

No. 843, Misc. Robert Allen Streit, petitioner, *v.* Mark D. Buchheit. Motion for leave to file petition for writ of certiorari denied.

REHEARINGS DENIED

No. 403. Marine Cooks & Stewards, AFL, etc., et al., petitioners, *v.* Panama Steamship Company, Ltd., et al.;

No. 726. Burlington-Chicago Cartage, Inc., appellant, *v.* United States et al.;

No. 734. Bernard M. Wolfe et al., petitioners, *v.* National Lead Company;

No. 746. Charles S. Helmig, petitioner, *v.* Charles Alvin Jones et al.; and

No. 793. Sinclair Oil & Gas Company, petitioner, *v.* R. B. Master-
son et al. Petitions for rehearing denied.

RECESS ORDER

The Court will take a recess from today until Monday, June 6.

Adjourned until Monday, June 6, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Thomas H. Lee, of New York, N.Y., Cyril Francis Damon, Jr., of Honolulu, Hawaii, Dai Wah Moy, of New York, N.Y., Gene Loy Chu, of New York, N.Y., Norman Lau Kee, of New York, N.Y., and Kenneth H. Nakamura, of Honolulu, Hawaii, on motion of Mr. Hiram Leong Fong; Jay B. White, of Cleveland, Ohio, William John Tosko, of Garfield Heights, Ohio, Joseph W. Gatz, of Parma, Ohio, William J. Shields, of Cleveland, Ohio, Kenneth R. Stralka, of Garfield Heights, Ohio, Albert J. Vasek, of Cleveland, Ohio, George W. Whitehead, of Cleveland, Ohio, and Raymon Fetzek, of Breckville, Ohio, on motion of Mr. Charles A. Vanik; Waldo T. Oden, of Altus, Okla., and Charles Doyle Watson, of Drumright, Okla., on motion of Mr. Ed Edmondson; Anton Francis Solms, Jr., of Savannah, Ga., and Robert H. Jordan, of Talbotton, Ga., on motion of Mr. John James Flynt, Jr.: D. M. Martin, of Plant City, Fla., on motion of Mr. William C. Cramer: Clarence Williams Howe, of Elmhurst, Ill., on motion of Mr. Royal E. Jackson; Thomas B. Lemann, of New Orleans, La., on motion of Mr. John Lord O'Brien; Charles R. Jonas, of Lincolnton, N.C., on motion of Mr. Charles Sylvanus Rhyne; Monroe N. Langdon, of Stockton, Calif., on motion of Mr. John J. McFall; Morris J. Dean, of Philadelphia, Pa., on motion of Mr. Fred M. Vinson, Jr.; James N. McNally, of Grosse Park, Mich., on motion of Mr. Wilber M. Brucker; John Fujio Aiso, of Los Angeles, Calif., on motion of Mr. Frederick Bernays Wiener; George Cechmanek, of Arlington, Va., Otto Kratochvil, of Baton Rouge, La., George H. Hempstead, Jr., of Hempstead, N.Y., Charles Joseph Hughes, of St. Louis, Mo., George T. Popcheff, of Indianapolis, Ind., and Patrick J. Hadler, of Indianapolis, Ind., on motion of Mr. Maurice Francis Biddle; Donald M. Baker, of Detroit, Mich., on motion of Mr. James G. O'Hara; Robert Pierce Kelley, of Miami, Fla., William Douglass Ward, of Miami, Fla., and John W. Watson III, of Miami, Fla., on motion of Mr. J. William Norman: Archibald Francis Robertson, Jr., of Bedford, Va., on motion of Mr. J. Fielding Jones; William D. Flaskamp, of Minneapolis, Minn., George Byers, of St. Cloud, Minn., and Jerome Edward Franke, of St. Paul, Minn., on motion of Mr. Lawrence C. Merthan; Angelo W. Karras, of Chicago, Ill., and

Constantine Farmans, of Chicago, Ill., on motion of Mr. Hal M. Christensen; Jeremiah Frederick McCarthy, of Boston, Mass., and Arthur E. Flynn, of Boston, Mass., on motion of Mr. Myer Feldman; Peter E. Bradt, of Port Huron, Mich., and Theodore G. Albert, of Ironwood, Mich., on motion of Mr. Thomas B. Scott; Robert C. Weber, of Cleveland, Ohio, on motion of Mr. Norman A. Flaningam; Monard V. Hayes, Jr., of New York, N.Y., on motion of Mr. Robert E. Redding; Vincent P. Pirri, of White Plains, N.Y., on motion of Mr. Eugene Sabol; Merrill Charlton, of New York, N.Y., on motion of Mr. Joseph A. McDonald; Dale H. Cooper, of Wichita, Kans., on motion of Mr. James H. Heller; Herbert S. Schwab, of New York, N.Y., on motion of Mr. Homer A. Walkup; James F. Shumaker, of Nelsonville, Ohio, on motion of Mr. Samuel B. Erskine; Theodore E. Stevenson, of Boston, Mass., on motion of Mrs. Helen M. Allen; Richard Caleb Cahn, of Huntington, N.Y., on motion of Mr. Irving Cahn; F. Murray Callahan, of Washington, D.C., on motion of Mr. Smith W. Brookhart; William T. Mallison, Jr., of Seattle, Wash., on motion of Mr. Harold P. Green; Mildred Levin, of San Francisco, Calif., on motion of Mr. Hugh T. Fullerton; Francis L. Swift, of Boston, Mass., on motion of Mr. Francis W. McInerny; Jack H. Young, of Jackson, Miss., on motion of Mr. William S. Thompson; Hyman H. Lev, of New York, N.Y., Will Robinson Watters, of Columbus, Ohio, James Andrew Nelson, of Columbus, Ohio, James Ralph Burchfield, Jr., of Columbus, Ohio, Richard Warren Riggs, of Columbus, Ohio, Harold Lee Orchid, of Los Angeles, Calif., Dennis R. Anderson, of New Castle, Ind., Abraham Grossman, of Rockland, Maine, Billie Lois Murray, of Waco, Tex., Joseph Pistone, of New York, N.Y., Olin H. LeCompte, of New York, N.Y., Chalmers P. Wylie, of Columbus, Ohio, Warren Dell Schumacher, of Columbus, Ohio, Blaine T. Sickles, of Columbus, Ohio, Virgil Victor Becker, of Pasadena, Calif., John W. Boyd, of Westport, Conn., Edmund W. O'Brien, of Waterford, Conn., Donald T. Dorsey, of Meriden, Conn., Jerry Wagner, of Bloomfield, Conn., Alexander A. Goldfarb, of Hartford, Conn., Julian A. Gregory, of Wilton, Conn., William B. Fitzgerald, of Waterbury, Conn., John Henry Norton, of Fairfield, Conn., Joseph L. Zalenski, of Meriden, Conn., Nathan Randall Bassett, of New Haven, Conn., Harry Sohcot, of New Haven, Conn., Alan M. Solomon, of Meriden, Conn., Robert L. Sullivan, of New Milford, Conn., Paul Louis Blawie, of Fairfield, Conn., Daniel E. Holland, Jr., of Hartford, Conn., Robert M. Anstett, of Westport, Conn., Harry Theodore Pryplesh, of Shelton, Conn., Robert N. Morrissey, of Stratford, Conn., Andrew P. Denuzze, of New Britain, Conn., A. William Rondos, of Stamford, Conn., Bronislaw Winnick, of Shelton, Conn., Morton A. Elsner, of Hartford, Conn., Philip R. Dunn, of Hartford, Conn., Theodore H. Goldstein, of Danbury,

Conn., Henry J. Naruk, of Torrington, Conn., Pasquale De Cicco, of Waterbury, Conn., Edward S. Downes, Jr., of Cheshire, Conn., Bernard Insler, of New Haven, Conn., William M. Stremlau, of Meriden, Conn., Burton Jay Bloom, of New York, N.Y., James Leslie Young, of Columbus, Ohio, Milton L. Platt, of Brooklyn, N.Y., Sidney K. Lane, of New York, N.Y., Rosario George Antonello, of Brooklyn, N.Y., Henry Thrush Synek, of Chicago, Ill., George Wise, of Stamford, Conn., David M. Wise, of Stamford, Conn., Robert B. Wise, of Stamford, Conn., Harold N. Godlin, of Stamford, Conn., Theodore Godlin, of Stamford, Conn., Daniel J. Downing, of Stamford, Conn., Mary Catherine Fitzgerald, of Hartford, Conn., William Prall Aspell, of Hartford, Conn., Paul Volpe, of Hartford, Conn., Harvey L. Koizim, of Westport, Conn., Archie L. Mendillo, of Waterbury, Conn., Robert Edward Mellon, of Waterbury, Conn., Paul W. Orth, of Hartford, Conn., Leo Rosen, of Hartford, Conn., Edward J. Brennan, of New Haven, Conn., William J. Murray, of Stamford, Conn., Morton S. Kramer, of Waterbury, Conn., Donald N. Vitale, of Waterbury, Conn., Donald Wallace Henry, of Waterbury, Conn., Chester J. Later, of Hartford, Conn., Max R. Lepofsky, of Norwalk, Conn., Selig Schwartz, of Meriden, Conn., Warren S. Randall, of Hartford, Conn., Henry McDonald, Jr., of Westport, Conn., Harold J. Ivey, of North Stamford, Conn., James T. Healey, of West Hartford, Conn., Francis McDonald, of Waterbury, Conn., James B. Lefebvre, of Torrington, Conn., John A. Mettling, of Torrington, Conn., and Frederick W. Beach, of Bristol, Conn., on motion of Mr. Oscar H. Davis; William M. Perry, of Huntington, N.Y., Warren Alan Liburt, of Huntington, N.Y., William E. Titus, of Greenlawn, N.Y., Joan C. Geiler, of Huntington, N.Y., William R. Geiler, of Huntington, N.Y., Alan Henry Reinitz, of Huntington, N.Y., Charles T. Matthews, of Huntington, N.Y., Harry Richard Brown, of East Northport, N.Y., Valentine G. Ryan, of Northport, N.Y., Arthur R. Wilson, of Huntington, N.Y., Frank L. Gates, Jr., of Huntington, N.Y., Francis E. Carberry, of Brooklyn, N.Y., Alfred J. Schmitt, of Huntington, N.Y., Dirk B. Kuzmier, of Huntington, N.Y., Robert L. Corwin, of Huntington, N.Y., John Marshall Lockwood, of Huntington, N.Y., J. Henry Alexandre III, of Huntington, N.Y., Arthur A. Schmidt, of Huntington, N.Y., Max G. Morris, of Manchester, N.Y., Paul I. Goldstein, of Seaford, N.Y., Edmund J. Murphy, of Staten Island, N.Y., John F. Sottile, of Staten Island, N.Y., Pierce J. Power, of Huntington, N.Y., Stanley Kermit Rosoff, of Huntington, N.Y., Eugene Jonathan Levitt, of Centerport, N.Y., Maurice Levenbron, of Huntington, N.Y., John K. Hawkins, of Northport, N.Y., Herbert Herold, of Huntington, N.Y., Joseph E. Fox, Jr., of East Northport, N.Y., William L. McGuire, Sr., of East Northport, N.Y., Richard W. Hawkins, of Northport, N.Y., Millard

Henlein, of Centerport, N.Y., Robert A. Kelly, of Kings Park, N.Y., Bernard B. Rubin, of East Northport, N.Y., Kenneth W. Beesting, of Kings Park, N.Y., and Sherman Lewis Quinto, of Waterbury, Conn., on motion of Mr. Stuyvesant Wainwright; Anthony J. Iuliani, of Newark, N.J., Jack J. Berlly, of Union, N.J., Julius A. Feinberg, of Newark, N.J., Salvatore R. Scillieri, of East Paterson, N.J., Sigmund C. Bernstein, of Newark, N.J., Carmine Grimaldi, of Hackensack, N.J., Louis N. Goldman, of Newark, N.J., Sidney K. Werbel, of Newark, N.J., Louis J. Douglass, of Rumson, N.J., David Maurer, of Maplewood, N.J., Leon S. Wolk, of Cliffside Park, N.J., Ira A. Levy, of Newark, N.J., Marvin S. Fish, of Springfield, N.J., Sanford Gallanter, of Newark, N.J., Lewis H. Cohen, of New York, N.Y., Hymen B. Mintz, of Newark, N.J., and Leonard Goldblatt, of Bayonne, N.J., on motion of Mr. Aristo Dallavalle; Mitchel W. Garber, of New Haven, Conn., on motion of Mr. David W. Goldman; Harry Bowers Cannon, of Palm Desert, Calif., on motion of Mr. Robert A. Wenke; Harold Kalina, of Minneapolis, Minn., and Richard J. Kantorowicz, of Minneapolis, Minn., on motion of Mr. Wiley S. Messick; Robert J. Silva, Jr., of New Orleans, La., and Maurice P. Pujol, of New Orleans, La., on motion of Mr. Philip R. Collins; Keith C. Reese, of Indianapolis, Ind., Robert G. Robb, of Indianapolis, Ind., and Abner Joseph Mikva, of Chicago, Ill., on motion of Mr. Arthur J. Goldberg; Wentworth Beggs Clapham, of Chappaqua, N.Y., and Donald C. Roylance, of Washington, D.C., on motion of Mr. J. Hanson Boyden; Albert D. Barnes, of Ventura, Calif., on motion of Mr. Robert T. Patton; Elmer R. Nafziger, of Springfield, Ill., on motion of Mr. Moultrie Hitt; Richard Schwartz, of New York, N. Y., on motion of James P. Murray, Jr.; William B. Mooney, of Waverly, Iowa, on motion of Mr. Richard Arthur Bishop; Albert O. Kiesow, of Kansas City, Kans., on motion of Mr. Errett P. Scrivner; Fred M. Winner, of Denver, Colo., on motion of Mr. Carl W. Berueffy; Ray P. Johnston, of Glendale, Mo., on motion of Mr. Ronald J. Foulis; David M. Phelan, of Washington, D.C., on motion of Mr. Peyton Ford; William Charles Lengel, of New York, N.Y., on motion of Mr. Max Chopnik; Milton John Stickles, Jr., of Washington, D.C., on motion of Mr. James M. Dolliver; Arthur John Walters, of Bethesda, Md., on motion of Mr. Clifton W. Enfield; and James Frederick Bell, of Washington, D.C., on motion of Mr. L. Welch Pogue, were admitted to practice.

OPINIONS

No. 61. Federal Trade Commission, petitioner, *v.* Henry Broch and Company. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals for proceedings in conformity with the opin-

ion of this Court. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Whittaker with whom Mr. Justice Frankfurter, Mr. Justice Harlan, and Mr. Justice Stewart join.

No. 71. George De Veau, appellant, *v.* John M. Braisted, Jr., as District Attorney of Richmond County. Appeal from the Court of Appeals of New York. Judgment affirmed. Mr. Justice Brennan, on behalf of Mr. Justice Frankfurter, announced the judgment of the Court. Separate opinion by Mr. Justice Frankfurter with whom Mr. Justice Clark, Mr. Justice Whittaker, and Mr. Justice Stewart join announced by Mr. Justice Brennan. Mr. Justice Brennan agrees that the judgment should be affirmed. Dissenting opinion by Mr. Justice Douglas with whom Mr. Chief Justice Warren and Mr. Justice Black concur. Mr. Justice Harlan took no part in the consideration or decision of this case.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 824. Wassil A. Kreshik et al., petitioners, *v.* Saint Nicholas Cathedral of the Russian Orthodox Church of North America. On petition for writ of certiorari to the Court of Appeals of New York. Motion for leave to proceed upon the record in No. 3, **October Term, 1952**, and petition for certiorari granted. On writ of certiorari, judgment reversed and case remanded to the Court of Appeals of New York for proceedings not inconsistent with the opinion of this Court. Opinion *per curiam*.

No. 438, Misc. Roy Douglas, petitioner, *v.* Lamoyne Green et al. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. On writ of certiorari, judgment reversed and case remanded to the District Court for proceedings in conformity with the opinion of this Court. Opinion *per curiam*. Mr. Justice Stewart took no part in the consideration or decision of this case.

ORDER IN PENDING CASE

No. 326. Metlakatla Indian Community, Annette Island Reserve, appellant, *v.* Egan, Governor of Alaska, et al. The motion of Edward G. Dobrin for leave to withdraw his appearance as counsel for appellant is granted.

CERTIORARI GRANTED

No. 816. Charles F. Leahy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 884. Radiant Burners, Inc., petitioner, *v.* Peoples Gas Light and Coke Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted and case transferred to the summary calendar.

No. 921. Albert Martin Cohen, petitioner, *v.* Denis M. Hurley. Petition for writ of certiorari to the Court of Appeals of New York granted. Case transferred to the summary calendar and set for argument immediately following No. 661.

No. 680, Misc. Vernon Kimbrough, petitioner, *v.* United States. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted. Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI DENIED

No. 805. Thomas Robinson et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 819. Commercial Credit Corporation, petitioner, *v.* C. Wylie Allen, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 822. Patrolmen's Benevolent Association of the City of New York et al., petitioners, *v.* Robert F. Wagner et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 840. Edna M. Fauci, petitioner, *v.* United States et al.; and

No. 841. Frances C. Denehy, petitioner, *v.* Edwin F. Hannon, Jr., Receiver, et al. Petitions for writs of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 853. Michael P. Grace, II, etc., petitioner, *v.* Deepdale, Inc., et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 868. Darrell Barron, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 869. Herman Schwabe, Inc., petitioner, *v.* United Shoe Machinery Corp. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 873. James A. Gainey et al., petitioners, *v.* The Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and

Station Employees, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 874. Insurance Company of North America, petitioner, *v.* Nelson H. Leo, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 877. Dowell, Inc., et al., petitioners, *v.* J. J. Tyler et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 880. William Lev et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 888. L. B. Binion, petitioner, *v.* William A. O'Brien, United States Marshal for the Eastern District of Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 890. Bowers Manufacturing Co., Inc., petitioner, *v.* All-Steel Equipment, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 893. Manhattan Fruit Export Corporation, petitioner, *v.* Royal Netherlands Steamship Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 899. Kansas Turnpike Authority, petitioner, *v.* Edwin John Abramson et al., Executors. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 809. Paul E. Kern et al., petitioners, *v.* Columbia Gas System, Inc., et al.; and

No. 883. Vanston Bondholders Protective Committee, etc., petitioner, *v.* Columbia Gas System, Inc., et al. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Clark took no part in the consideration or decision of these applications.

No. 879. William Wold et al., petitioners, *v.* Shoreline School District No. 412 et al. Petition for writ of certiorari to the Supreme Court of Washington denied. The Chief Justice, Mr. Justice Douglas, and Mr. Justice Brennan are of the opinion certiorari should be granted.

No. 541, Misc. Fred Sardo, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 732, Misc. Daniel Moore, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 748, Misc. Leroy A. Frazier and Geraldine E. Gravette, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 756, Misc. Wesley Wright, petitioner, *v.* Walter H. Wilkins, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 781, Misc. Minnesota ex rel. John Williams, petitioner, *v.* Douglas C. Rigg, Warden. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 802, Misc. Fred C. Farrell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 808, Misc. James Stanton, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the Criminal Court of Cook County, Illinois, denied.

No. 832, Misc. William C. MacLaren, petitioner, *v.* Wilfred L. Denno, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 835, Misc. James A. Richards, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 847, Misc. Harvey Stewart, petitioner, *v.* Texas et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 852, Misc. Frank Abel and John G. Grimes, petitioners, *v.* Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 854, Misc. Clarence Nesmith, petitioner, *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 856, Misc. Orville McKinney, petitioner, *v.* Warden, United States Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 857, Misc. Calvin Johnson, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 859, Misc. Rayford Stevens, petitioner, *v.* David N. Myers, Superintendent of State Penitentiary at Graterford, Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 865, Misc. Ernest LeRoy Smith, petitioner, *v.* Clarence T. Gladden, Warden. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 873, **Misc.** Amos E. Ward, petitioner, *v.* Warden of the Maryland House of Correction. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 878, **Misc.** Samuel J. McKinney, petitioner, *v.* Parole Board of the State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 895, **Misc.** Acie Estelle, petitioner, *v.* James F. Maroney, Superintendent of State Correctional Institution at Pittsburgh. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 899, **Misc.** John Ashley, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 900, **Misc.** James D. Douglas, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 862, **Misc.** J. B. Hicks, petitioner, *v.* Francis F. Springer et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Stewart took no part in the consideration or decision of this application.

LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. 890, **Misc.** Wilford W. Cato, petitioner, *v.* Beryle C. Sacks, Warden. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari to the Supreme Court of Ohio, certiorari is denied.

REHEARINGS DENIED

No. 317, **Misc.** Fehr Kremer, petitioner, *v.* Oldham Clarke, Trustee;

No. 547, **Misc.** Joseph Willis, petitioner, *v.* United States;

No. 654, **Misc.** Dominick Cerminaro, Individually, and as Trustee Ad Litem of St. Peter's Roman Catholic Parish, appellant, *v.* Urban Redevelopment Authority of Pittsburgh et al.; and

No. 778, **Misc.** Milton Sparks, alias, Herman Howlery, petitioner, *v.* The Clerk of the United States District Court for the Northern District of Illinois. Petitions for rehearing denied.

No. 130. Willia Niukkanen, etc., petitioner, *v.* E. D. McAlexander, etc. Motion for leave to file petition for rehearing denied.

No. 627. Frank E. Monday, petitioner, *v.* United States. Motion for leave to file second petition for rehearing denied.

RECESS ORDER

The Court will take a recess from today until Monday, June 13.



Adjourned until Monday, June 13, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, and Mr. Justice Whittaker.

ADMISSIONS TO THE BAR

Ralph M. Immell, of Madison, Wis., on motion of Mr. Alexander Wiley; Harry Hansbrough Richardson, of Bogalusa, La., on motion of Mr. Hale Boggs; Edwin S. Thomas, of Long Beach, Calif., on motion of Mr. Craig Hosmer; John P. McCord, of Pottsville, Pa., on motion of Mr. Hugh D. Scott, Jr.; Stuart Cardell Hyer, of Rockford, Ill., F. James Bear, of National City, Calif., George Elias, Jr., of Arlington, Va., and Earl E. Pollock, of Chicago, Ill., on motion of Mr. Oscar H. Davis; Frederick Arthur Ross, of New York, N.Y., John F. Gleason, of New York, N.Y., and James Vincent Phelan, of New York, N.Y., on motion of Mr. George Bowdoin Craighill; Paul R. Huot, of Ramsey, N.J., on motion of Mr. Harrison A. Williams; Edwin W. Dudley, of Madill, Okla., on motion of Mr. Ed Edmondson; Erwin A. Friedman, of Savannah, Ga., on motion of Mr. Warren Olney III; Catherine T. England, of Cold Spring Harbor, N.Y., and William F. Reed, of Washington, D.C., on motion of Mr. Francis E. Lucey; Joseph J. Rekofke, of Spokane, Wash., and Richard W. Dameyer, of Seattle, Wash., on motion of Mr. Michael Cafferty; Thomas A. Baird, of Los Angeles, Calif., on motion of Mr. Walter J. Little; Herman J. Morton, of Savannah, Ga., and Edward H. Boyett, of Little Rock, Ark., on motion of Mr. Garner J. Waddel; John J. Olszewski, of Lathrup Village, Mich., on motion of Mr. Eugene J. Kaplan; James P. Hamill, of Washington, D.C., on motion of Miss Helen Rose Lally; Anthony P. LaPorta, of Hoboken, N.J., on motion of Mr. Walter R. Gottschalk; Robert Gordon Bidwell, of Washington, D.C., on motion of Mr. J. Fielding Jones; Earl W. Cory, of Blackfoot, Idaho, on motion of Mr. Kenneth N. Parkinson; Norman Jacobson, of New York, N.Y., on motion of Mr. Richard J. Sullivan; Mark Edwin Richardson II, of Gunnison, Colo., on motion of Mr. Edwin Shaffer Rockefeller III; Henry Cunningham Todd, of San Francisco, Calif., on motion of Mr. J. L. Searles; Saul Katz, of Arlington, Va., on motion of Mr. Herbert S. Schwab; Harold Ramsey Allison, of Houston, Tex., on motion of Mr. Charles M. Johnston; Julius Merwin Jacobs, of New York, N.Y., on motion of Mr. Thomas McParlin Davis; Clarence Arthur Murphy,

of San Francisco, Calif., on motion of Mr. Loren B. Poush; Antonio E. Rodas-Mendoza, of San Juan, P.R., on motion of Mr. George Bunn; Robert Leighty Gardner, of Van Nuys, Calif., on motion of Mr. Robert W. Barker; Marcus Rohlfs, of Seattle, Wash., on motion of Mr. Aaron Friedenber; Robert Oberndoerfer Harris, of New York, N.Y., on motion of Mr. Jacob I. Karro; William N. Early, of Washington, D.C., on motion of Mr. Vernon L. Wilkinson; Jerome Martin Feltman, of Chicago, Ill., on motion of Mrs. Ruby K. Peterson; John Marshall Niswander, of Washington, D.C., on motion of Mr. Walter H. E. Jaeger; Bernard J. Hammett, of Alexandria, Va., on motion of Mr. Cullen B. Jones, Jr.; John Frederick Grogan, of Dearborn, Mich., and Aldo Herbert Loos, of Kansas City, Mo., on motion of Mr. Alan B. Todd; Robert L. Augenblick, of New York, N.Y., on motion of Mr. Lawrence C. Moore; and Mr. Bernard J. McMahon, of New York, N.Y., Frank L. Nolan, of New York, N.Y., Donald J. Sullivan, of New York, N.Y., Francis W. Doheny, of New York, N.Y., James J. McConnell, of New York, N.Y., Edward G. Hearn, of New York, N.Y., Thomas Bernard Treacy, of New York, N.Y., Francis Patrick Waters, of New York, N.Y., Joseph J. Kelly, of New York, N.Y., Michael C. Dolan, of New York, N.Y., and John P. McConnell, Jr., of Brooklyn, N.Y., on motion of Mr. John J. Lynch, were admitted to practice.

OPINIONS

No. 25. Honorable Julius J. Hoffman, Judge of the United States District Court for the Northern District of Illinois, Eastern Division, petitioner, *v.* John F. Blaski et al.; and

No. 26. Sullivan, Chief Judge of the United States District Court for the Northern District of Illinois, petitioner, *v.* Otto Behimer et al. On writs of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgments affirmed. Opinion by Mr. Justice Whittaker. Mr. Justice Stewart concurs in No. 25. Dissenting opinion in No. 25 by Mr. Justice Frankfurter with whom Mr. Justice Harlan and Mr. Justice Brennan join. Dissenting opinion in No. 26 by Mr. Justice Frankfurter with whom Mr. Justice Harlan and Mr. Justice Brennan join.

No. 391. George B. Parr et al., petitioners, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case remanded to the United States District Court for the Southern District of Texas for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Whittaker. Dissenting opinion by Mr. Justice Frankfurter with whom Mr. Justice Harlan and Mr. Justice Stewart join.

No. 167. Texas Gas Transmission Corporation et al., petitioners, *v.* Shell Oil Company; and

No. 170. Federal Power Commission, petitioner, *v.* Shell Oil Company. On writs of certiorari to the United States Court of Appeals for the Third Circuit. Judgment reversed and cases remanded to the Court of Appeals for further proceedings consistent with the opinion of this Court. Opinion by Mr. Justice Brennan. Mr. Justice Black concurs in the result.

No. 376. Commissioner of Internal Revenue, petitioner, *v.* Mose Duberstein et al. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit; and

No. 546. Alden D. Stanton et al., petitioners, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Second Circuit. In No. 376, judgment reversed and case remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court; in No. 546, judgment vacated and case remanded to the United States District Court for the Eastern District of New York for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Brennan. Mr. Justice Whitaker concurs in the results. Mr. Justice Harlan concurs in the result in No. 376 and would affirm the judgment of the Court of Appeals in No. 546 for the reasons stated by Mr. Justice Frankfurter. Separate opinion by Mr. Justice Black concurring in No. 376 and dissenting in No. 546. Separate opinion by Mr. Justice Frankfurter concurring in the judgment in No. 376 and dissenting in No. 546. Mr. Justice Douglas dissents.

No. 55. United States, petitioner, *v.* Allen Kaiser. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment affirmed. Mr. Justice Brennan announced the judgment of the Court and delivered an opinion in which Mr. Chief Justice Warren, Mr. Justice Black, and Mr. Justice Douglas join. Concurring opinion by Mr. Justice Douglas. Separate opinion by Mr. Justice Frankfurter, with whom Mr. Justice Clark joins, concurring in the result. Dissenting opinion by Mr. Justice Whittaker with whom Mr. Justice Harlan and Mr. Justice Stewart join.

No. 137. United States of America, petitioner, *v.* William J. Brosnan et al. On writ of certiorari to the United States Court of Appeals for the Third Circuit; and

No. 183. Bank of America National Trust and Savings Association, a National Banking Association, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment in No. 137 affirmed; judgment in No. 183 reversed and case remanded to the United States District Court for the Northern District of California for

proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice Clark with whom Mr. Chief Justice Warren, Mr. Justice Black, and Mr. Justice Frankfurter join.

No. 503. United States, petitioner, *v.* Grand River Dam Authority. On writ of certiorari to the United States Court of Claims. Judgment reversed and case remanded to the Court of Claims for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas announced by Mr. Justice Harlan.

No. 349. John Clay, petitioner, *v.* Sun Insurance Office Limited. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment vacated and case remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Black with whom Mr. Chief Justice Warren and Mr. Justice Douglas join. Dissenting opinion by Mr. Justice Douglas.

No. 451. Pennsylvania Railroad Company, petitioner, *v.* United States. On writ of certiorari to the United States Court of Claims. Judgment reversed and case remanded to the Court of Claims for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black.

No. 139. Diamond Kimm, petitioner, *v.* George K. Rosenberg, District Director, Immigration and Naturalization Service. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed. Opinion *per curiam* announced by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Douglas with whom Mr. Chief Justice Warren and Mr. Justice Black join. Dissenting opinion by Mr. Justice Brennan with whom Mr. Chief Justice Warren and Mr. Justice Douglas join.

No. 350. United States, appellant, *v.* Manufacturers National Bank of Detroit, etc. Appeal from the United States District Court for the Eastern District of Michigan. Judgment reversed and case remanded to the District Court for proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Warren. Mr. Justice Douglas took no part in the consideration or decision of this case.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 852. Manuel M. Bernstein et al., appellants, *v.* Real Estate Commission of Maryland et al. Appeal from the Court of Appeals

of Maryland. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 865. Levitt and Sons, Incorporated, appellant, *v.* Division Against Discrimination in the State Department of Education et al. Appeal from the Supreme Court of New Jersey. The motions to dismiss are granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*. Mr. Justice Black would note probable jurisdiction.

No. 896. Geraldine DeFoe, appellant, *v.* Isidore Suchman et al. Appeal from the Supreme Court of Appeals of Virginia. The appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 905. Securities and Exchange Commission, petitioner, *v.* Lea Fabrics, Inc., et al. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. Petition for writ of certiorari granted. On writ of certiorari, judgment vacated and case remanded to the District Court with instructions to dismiss the petition as moot. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 663. Paul Ginsburg, petitioner, *v.* Hon. Wallace S. Gourley, Chief Judge, United States District Court for the Western District of Pennsylvania. The motion to vacate order denying petition for certiorari and for leave to amend petition is denied. The motion for production of records is denied.

No. 23, Misc. In the Matter of Disbarment of Harry J. Alker, Jr. In view of the pendency of disbarment proceedings in the United States Court of Appeals and the United States District Court, the motion to vacate the order of disbarment and reinstate the order of suspension is held until those matters are determined.

CERTIORARI GRANTED

No. 914. Pan American Petroleum Corporation, petitioner, *v.* Superior Court of the State of Delaware in and for New Castle County, et al.;

No. 915. Texaco, Inc., petitioner, *v.* Superior Court of the State of Delaware in and for New Castle County, et al.; and

No. 916. Columbian Fuel Corporation, petitioner, *v.* Superior Court of the State of Delaware in and for New Castle County, et al. Petitions for writs of certiorari to the Supreme Court of Delaware granted. Cases consolidated and a total of two hours allowed for argument.

No 974, Misc. Willie Lee Stewart, petitioner, *v.* United States. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted. Case transferred to the appellate docket.

CERTIORARI DENIED

No. 821. R. C. Owen Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 885. Nathaniel G. Graves, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 889. Edward Leon Williams, petitioner, *v.* Raines, Warden, Oklahoma State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 900. Constantine Guinness, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 901. Alfred G. Seckler, Trustee, petitioner, *v.* J. I. Case Company. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 903. Walter Seidman, petitioner, *v.* Anne Hamilton. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 928. Marshall & Huschart Machinery Co., petitioner, *v.* Department of Revenue, State of Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 935. Henry J. Caruso, petitioner, *v.* California. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied.

No. 744. George Olshausen, petitioner, *v.* Commissioner of Internal Revenue. The motion for leave to file supplement to petition for certiorari is granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 806. Lionel Richman, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of San Bernardino, denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

No. 940. Crane Packing Company et al., petitioners, *v.* Spitfire Tool & Machine Co., Inc. The motion of American Patent Law Association for leave to file brief, as *amicus curiae*, is granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 702, Misc. Ambrose King, petitioner, *v.* William H. Bannan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 841, **Misc.** Frank Mistretta, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 846, **Misc.** Allan Clayton West, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 851, **Misc.** Henderson Richardson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 872, **Misc.** William P. Bischell, petitioner, *v.* Warden, Maryland House of Correction, et al. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 874, **Misc.** Martin Sostre, petitioner, *v.* Lee B. Mailler, Chairman of the New York State Board of Parole, et al. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 879, **Misc.** George H. Moore, petitioner, *v.* Walter B. Martin, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 880, **Misc.** In the Matter of Andrew Emmitte Pope, petitioner. Petition for writ of certiorari to the Supreme Court of California denied.

No. 883, **Misc.** John Mangia, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 885, **Misc.** William Tines, petitioner, *v.* Lynn Bomar, Warden. Petition for writ of certiorari to the Supreme Court of Tennessee, Eastern Division, denied.

No. 887, **Misc.** George H. Scott, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 891, **Misc.** Albert R. House, petitioner, *v.* Nathan Mayo, State Prison Custodian of Florida. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 897, **Misc.** Richard Kamrowski, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 901, **Misc.** Alfred Shackelford, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 908, **Misc.** James H. Phillips, petitioner, *v.* Kansas et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 909, **Misc.** John G. Oppenheimer, petitioner, *v.* Southern Pacific Company et al. Petition for writ of certiorari to the Appel-

late Department of the Superior Court of California, County of Los Angeles, denied.

No. 913, Misc. Earl Bundy, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 916, Misc. Harry De Stefano, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 917, Misc. Paul Adam Gibbs, petitioner, *v.* O. B. Ellis, Director of Texas Department of Corrections, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 918, Misc. Clayton Rankins, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 919, Misc. Alex Harold Cox, petitioner, *v.* Tracy A. Hand, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 922, Misc. Isaac Gray, by Alberta Johnson, as Administratrix of the Estate of Isaac Gray, et al., petitioners, *v.* St. Marys Kraft Corporation et al. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 936, Misc. Willis D. Hill, petitioner, *v.* New Mexico. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 951, Misc. Alexander Nicholas Bogish, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 959, Misc. George Harris, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 960, Misc. Edward C. Davis, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 995, Misc. Fred J. Odell, petitioner, *v.* John C. Burke. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 450, Misc. Edward J. Kiernan, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied without prejudice to an application for writ of habeas corpus in the appropriate United States District Court.

No. 905, Misc. Richard J. Thomas, petitioner, *v.* C. P. Burford, Warden. The motion to substitute M. J. Wiman as the party respondent in place of C. P. Burford is granted. Petition for writ of certiorari to the Supreme Court of Alabama denied.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 747, Misc. J. C. McDonald, petitioner, *v.* William H. Bannan, Warden; and

No. 907, Misc. Robert B. Wyers, petitioner, *v.* Raymond J. Buchkoe, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

No. 850, Misc. Robert Anderson, petitioner, *v.* California et al. Motion for leave to file petition for writ of habeas corpus and other relief denied.

RECESS ORDER

The Court will take a recess from today until Monday, June 20. Adjourned until Monday, June 20, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Clark, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

Chester H. Smith, of Las Vegas, Nev., on motion of Mr. Alan Bible; R. Neill Walshe, of El Paso, Tex., on motion of Mr. Ralph W. Yarborough; William Edward Doyle, of Denver, Colo., on motion of Mr. John A. Carroll; Harold B. Putnam, Jr., of Needham, Mass., on motion of Mr. Leverett Saltonstall; Thomas O. Abbott, of El Dorado, Ark., on motion of Mr. Oren Harris; Daniel K. Inouye, of Honolulu, Hawaii, and Alfred Laureta, of Honolulu, Hawaii, on motion of Mr. Roland Victor Libonati; Calvin M. Whitesell, of Montgomery, Ala., Rex Ellis, of Los Angeles, Calif., John Joseph Forbes, of Towson, Md., and Roger J. Henkener, of New Knoxville, Ohio, on motion of Mr. Oscar H. Davis; George Dewey Railsback, of Meridian, Tex., and Forest R. Patterson, of Lubbock, Tex., on motion of Mr. George H. Mahon; Ann Cooper Penning, of Detroit, Mich., on motion of Mrs. Martha W. Griffiths; Robert Wilson Lett, of Ashland, Ohio, on motion of Mr. Robert Woodrow Levering; Richard Hyatt Lansdale, Jr., of Washington, D.C., on motion of Mr. Alexander M. Bickel; Thomas J. Griffin, of Memphis, Tenn., on motion of Mr. Clifford Davis; Robert Cross Hawley, of Douglas, Wyo., on motion of Mr. Jack Werner; John Leslie Goddard, of Los Angeles, Calif., on motion of Mr. John F. Davis; John Wallace Barnum, of New York, N.Y., Alan Robert Finberg, of New York, N.Y., Peter W. Anson, of New York, N.Y., John Roscoe Hupper, of New York, N.Y., and Grosvenor Blair, of New York, N.Y., on motion of Mr. John D. Calhoun; Raymond B. Haizlip, of San Francisco, Calif., on motion of Mr. Paul E. Treusch; Lancaster Smith, of Dallas, Tex., on motion of Mr. Henry Martin Shine, Jr.; Dennis G. Lyons, of Washington, D.C., on motion of Mr. Robert E. Herzstein; Louis F. Racine, Jr., of Pocatello, Idaho, on motion of Mr. John A. Carver, Jr.; Louis J. Gregory, of Escanaba, Mich., on motion of Mr. Harold D. Beaton; John B. Forrest, of Larchmont, N.Y., on motion of Mr. Joseph Gannon; Raymond Vahan Najarian, of Wilmette, Ill., on motion of Mr. Martin Warren Bell; Wilbert Louis Whitsett, of Washington, D.C., Simon Lawrence Cain, of Washington, D.C., and Henry Halvor Jones, Sr., of Washington, D.C., on motion of Mr. James W. Cobb; Valdemar Harry Myhre, of Honolulu, Hawaii, on motion of Mr. Cyril Francis Damon, Jr.; Wil-

liam B. McDonald, of New York, N.Y., on motion of Mr. Joseph W. Di Silvestro; Robert Charles Steelman, of Anchorage, Alaska, on motion of Mr. Roger G. Connor; Victor M. Reid, Jr., of Los Angeles, Calif., on motion of Mr. S. Stuart Wilson; Burton L. Ansell, of Detroit, Mich., on motion of Mr. Joseph B. Kennedy, Jr.; Robert B. Langworthy, of Kansas City, Mo., on motion of Mr. John Palmer Witsil; George Fullen Rudy, of Dallas, Tex., on motion of Mr. Thomas J. O'Connell; Charles D. Littleton, Jr., of Troy, Ohio, on motion of Mr. Leo A. Rosetta; and Allan D. Mockabee, of Los Angeles, Calif., on motion of Mr. Felix A. Russell, were admitted to practice.

OPINIONS

No. 138. United States of America, petitioner, *v.* American-Foreign Steamship Corp. et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment vacated and case remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice Harlan with whom Mr. Justice Frankfurter and Mr. Justice Brennan join.

No. 466. Larry Dayton Hudson, petitioner, *v.* North Carolina. On writ of certiorari to the Supreme Court of North Carolina. Judgment reversed and case remanded to the Supreme Court of North Carolina for proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice Clark with whom Mr. Justice Whittaker joins.

No. 54. Flemming, Secretary of Health, Education, and Welfare, appellant, *v.* Ephram Nestor. Appeal from the United States District Court for the District of Columbia. Judgment reversed and case remanded to the District Court for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Brennan with whom Mr. Chief Justice Warren and Mr. Justice Douglas join.

No. 156. Hon. Julius H. Miner and Hon. Edwin A. Robson, etc., petitioners, *v.* H. Leslie Atlass. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment affirmed. Opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Douglas and Mr. Justice Stewart join.

No. 319. Walter Schilling, petitioner, *v.* William P. Rogers, Attorney General. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed. Opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice

Brennan with whom Mr. Chief Justice Warren, Mr. Justice Black, and Mr. Justice Douglas join.

No. 360. United Steelworkers of America, petitioner, *v.* American Manufacturing Company. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and case remanded to the United States District Court for the Eastern District of Tennessee for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Concurring opinion by Mr. Justice Brennan, with whom Mr. Justice Harlan joins, in Nos. 360, 443, and 538. Mr. Justice Frankfurter concurs in the result and joins the observations in the concurring opinion. Mr. Justice Whittaker concurs in the result. Mr. Justice Black took no part in the consideration or decision of this case.

No. 443. United Steelworkers of America, petitioner, *v.* Warrior & Gulf Navigation Company. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case remanded to the United States District Court for the Southern District of Alabama for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Concurring opinion by Mr. Justice Brennan, with whom Mr. Justice Harlan joins, in Nos. 360, 443, and 538. Mr. Justice Frankfurter concurs in the result and joins the observations in the concurring opinion. Dissenting opinion by Mr. Justice Whittaker. Mr. Justice Black took no part in the consideration or decision of this case.

No. 538. United Steelworkers of America, petitioner, *v.* Enterprise Wheel and Car Corporation. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment of the Court of Appeals reversed except insofar as it modifies the judgment of the District Court so that the amounts due the employees may be definitely determined by arbitration and the case remanded to the United States District Court for the Southern District of West Virginia for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Concurring opinion by Mr. Justice Brennan, with whom Mr. Justice Harlan joins, in Nos. 360, 443, and 538. Mr. Justice Frankfurter concurs in the result and joins the observations in the concurring opinion. Dissenting opinion by Mr. Justice Whittaker. Mr. Justice Black took no part in the consideration or decision of this case.

No. 326. Metlakatla Indian Community, Annette Island Reserve, appellant, *v.* Egan, Governor of Alaska, et al., and

No. 327. Organized Village of Kake et al., appellants, *v.* Egan, Governor of Alaska. Appeals from the District Court for Alaska. It is ordered that these cases be held on the docket of this Court to afford the Supreme Court of Alaska an opportunity to rule on ques-

tions open to it for decision in these cases and that these causes be continued with directions to appellants to pursue their appeals to the Supreme Court of Alaska for disposition not inconsistent with the opinion of this Court and the stay granted by Mr. Justice Brennan on July 11, 1959, is continued until the final disposition of these cases. Opinion by Mr. Justice Frankfurter. Mr. Chief Justice Warren, Mr. Justice Black, and Mr. Justice Douglas dissent.

No. 549. John A. Hannah et al., appellants, *v.* Margaret M. Larche et al. Appeal from the United States District Court for the Western District of Louisiana; and

No. 550. John A. Hannah et al., petitioners, *v.* J. A. H. Slawson et al. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Jurisdiction is noted in No. 549 and petition for writ of certiorari in No. 550 is granted. Judgments reversed and cases remanded to the United States District Court for the Western District of Louisiana with direction to vacate the injunctions. Opinion by Mr. Chief Justice Warren. Concurring opinion by Mr. Justice Harlan with whom Mr. Justice Clark joins. Separate opinion by Mr. Justice Frankfurter concurring in the result. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Black joins.

No. 1. Robert Aquilino and Joseph Spero, d/b/a Home Maintenance Company, and Colonial Sand and Stone Co., Inc., petitioners, *v.* United States of America, Ada Bottone, et al. On writ of certiorari to the Court of Appeals of New York. Judgment vacated and case remanded to the Court of Appeals of New York so that it may ascertain the property interests of the taxpayer under state law and then dispose of the case according to established principles of law. Opinion by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Harlan in Nos. 1 and 23. Mr. Justice Black concurs in the dissenting opinion.

No. 23. United States, petitioner, *v.* Durham Lumber Co. et al. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment affirmed. Opinion by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Harlan in Nos. 1 and 23. Mr. Justice Black concurs in the dissenting opinion.

No. 165. The Brotherhood of Locomotive Engineers et al., petitioners, *v.* Missouri-Kansas-Texas Railroad Company et al. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case remanded to the United States District Court for the Northern District of Texas for proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Warren. Mr. Justice Harlan and Mr. Justice Stewart, while agreeing with the Court that the District Court had power to condi-

tion the issuance of the injunction, would vacate the judgment of the Court of Appeals and remand the case to that court for consideration of respondents' contention that the District Court's action involved an abuse of discretion.

No. 389. Federal Trade Commission, petitioner, *v.* Anheuser-Busch, Inc. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Warren.

No. 436. Cory Corporation et al., petitioners, *v.* Ernest J. Sauber. On writ of certiorari to the United State Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Opinion *per curiam* announced by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Justice Clark with whom Mr. Chief Justice Warren and Mr. Justice Black join.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 859. Jacob J. Greenwald, appellant, *v.* Maryland. Appeal from the Court of Appeals of Maryland. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 878. Thraves Lockett Anderson, appellant, *v.* Thorington Construction Co., Inc. Appeal from the Supreme Court of Appeals of Virginia. The appeal is dismissed for want of a properly presented substantial federal question. Opinion *per curiam*.

No. 881. American Legion Post No. 51, appellant, *v.* Pennsylvania. Appeal from the Supreme Court of Pennsylvania, Western District. The motion to dismiss is granted and the appeal is dismissed for want of a properly presented substantial federal question. Opinion *per curiam*.

No. 920. Jacob J. Greenwald, appellant, *v.* Maryland. Appeal from the Court of Appeals of Maryland. The motion to dismiss is granted and the appeal is dismissed for want of a properly presented substantial federal question. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 258. International Association of Machinists et al., appellants, *v.* S. B. Street et al. There having been no certification to the Attorney General of the United States that the constitutionality of § 2 Eleventh of the Railway Labor Act, 45 U.S.C. § 152 Eleventh, an Act of Congress affecting the public interest, is drawn in question, it is ordered that this case be set for reargument in the 1960 Term; and the Court hereby certifies to the Attorney General, pursuant to 28 U.S.C. 2403, that the constitutionality of said statute is drawn in question in the cause.

No. 973. Stephen Franklin Reynolds, petitioner, *v.* H. G. Cochran, Jr., Director of Division of Corrections, Florida. The motion of the petitioner for the appointment of counsel is granted and it is ordered that Claude Pepper, Esquire, of Miami, Florida, a member of the Bar of this Court be, and he is hereby, appointed to serve as counsel in this case.

APPEAL—JURISDICTION NOTED

No. 829. Brown Shoe Company, Inc., appellant, *v.* United States. Appeal from the United States District Court for the Eastern District of Missouri. In this case probable jurisdiction is noted.

CERTIORARI GRANTED

No. 886. National Labor Relations Board, petitioner, *v.* Mattison Machine Works. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted and case transferred to the summary calendar.

No. 910. Mike Milanovich et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted and case transferred to the summary calendar.

No. 917. Max Carr et al., petitioners, *v.* R. A. Young et al. Petition for writ of certiorari to the Supreme Court of Arkansas granted and case set for argument immediately following No. 541. Each case is allotted one hour and thirty minutes for oral argument.

No. 1005, Misc. Arthur Culombe, petitioner, *v.* Connecticut. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Errors of Connecticut granted. Case transferred to the appellate docket.

CERTIORARI DENIED

No. 795. In re Estate of John S. Chojnacki, an Incompetent, petitioner. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 842. United States Rubber Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 894. Harold Willey, petitioner, *v.* Review Committee, Venue VII, Commodity Stabilization Service, United States Department of Agriculture. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 897. Stanford R. Brookshire et al., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 902. Maurice A. Wheeler, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 906. Matson Navigation Company, petitioner, *v.* Pacific Far East Line, Inc., et al.; and

No. 907. Federal Maritime Board et al., petitioners, *v.* Pacific Far East Line, Inc., et al. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 908. Thomas McCaffrey, Jr., et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 911. Jones & Laughlin Steel Corporation, petitioner, *v.* Hardinge Company, Incorporated. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 912. Joseph Manfredi, petitioner, *v.* United States; and

No. 913. Pasquale De Luca, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 918. Ohio State Life Insurance Company et al., petitioners, *v.* Ray A. Clark, et al.; and

No. 919. Ted W. Brown, Secretary of State, et al., petitioners, *v.* James I. Keller et al. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 922. Mrs. Amelia Mills Byram, petitioner, *v.* Equitable Life Assurance Society of the United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 923. Oral Wilkinson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 924. District Court of Montezuma County, Colorado, et al., petitioners, *v.* Clifford Becher Whyte. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 925. H. J. Wilson, petitioner, *v.* Charles Henry Beville et al. Petition for writ of certiorari to the District Court of Appeals of California, Second Appellate District, denied.

No. 926. Hartley Pen Company, petitioner, *v.* Formulabs, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 933. Luther M. Nisbet, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 936. Raser Tanning Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 943. Edward Lamb, petitioner, *v.* Pat Sutton et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 951. Ernest Graziani et al., petitioners, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 983. Harold Gross, etc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 834. Oldham Clarke, Trustee, petitioner, *v.* United States. The motion of Fehr Kremer for leave to dispense with printing brief, as *amicus curiae*, is granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 909. Girten Investment Company et al., petitioners, *v.* Kansas ex rel. John Anderson, Jr., Attorney General, et al. The motion of George Docking, Governor of Kansas, for leave to file brief, as *amicus curiae*, is granted. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 927. United States, petitioner, *v.* Raymond Saulnier. Petition for writ of certiorari to the United States Court of Claims denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

No. 466, Misc. James Joseph Leather, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 646, Misc. Ralph K. Forsythe, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 708, **Misc.** Ralph H. Allen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 717, **Misc.** Richard Manfredonia, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 904, **Misc.** John C. Howard, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 932, **Misc.** Thomas Rowan, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1040, **Misc.** Joseph L. Cosby, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 598, **Misc.** Clifford Bramble, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. The Chief Justice took no part in the consideration or decision of this application.

REHEARINGS DENIED

No. 108. Mill Ridge Coal Company, petitioner, *v.* George D. Patterson, District Director of Internal Revenue;

No. 839. Smoot Sand & Gravel Corporation, petitioner, *v.* Commissioner of Internal Revenue;

No. 647, **Misc.** Francisco Cepero, petitioner, *v.* Hon. Felisa Rincon de Gautier, Manager, City Government;

No. 791, **Misc.** Robert W. R. Baker, Jr., petitioner, *v.* United States; and

No. 833, **Misc.** John Williams, appellant, *v.* J. E. LaVallee, Warden. Petition for rehearing denied.

ORDER

IT IS ORDERED that paragraph 2 of Rule 33 of the Rules of this Court be amended by designating said paragraph "2(a)." and by adding paragraph "(b)." as follows:

(b) In any proceeding in whatever court arising wherein the constitutionality of any Act of Congress affecting the public interest is drawn in question and the United States or any agency, officer or employee thereof is not a party, all initial pleadings, motions or papers in this Court shall recite that 28 U.S.C. 2403 may be applicable and shall be served upon the Solicitor General, Department of Justice, Washington, D.C. In proceedings from any court of the United States as defined by 28 U.S.C. 451, such initial pleading, motion of paper shall state whether or not any such court has, pursuant to 28

U.S.C. 2403, certified to the Attorney General the fact that the constitutionality of such Act of Congress was drawn in question.

ORDER

The Court will take a recess from today until Monday, June 27, next, upon which day it will adjourn for the term unless otherwise ordered.

Adjourned until Monday, June 27, at 12 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Clark, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Whittaker, and Mr. Justice Stewart.

ADMISSIONS TO THE BAR

John Kieran Keeler, of Buffalo, N.Y., Averom Black, of Paterson, N.J., James Edward Moriarty, of Los Angeles, Calif., Robert Ward Harrison, Jr., of Saint Marys, Ga., Henry William Clar, of Miami, Fla., and William Trueman McInarnay, of Jacksonville, Fla., on motion of Mr. Oscar H. Davis; J. Edgar Chenoweth, of Trinidad, Colo., and Gordon H. Rowe, Jr., of Monte Vista, Colo. on motion of Mr. Gordon L. Allott; Dan D. Weiner, of St. Louis, Mo., and Bruce M. Parks, of Hawthorne, Nev., on motion of Mr. Maurice Francis Biddle; Max Cohen, of Gary, Ind., and Porter R. Draper, of Gary, Ind., on motion of Mr. Ray J. Madden; C. Arthur Nisson, Jr., of Santa Ana, Calif., on motion of Mr. James B. Utt; Bryson Paine Burnham, of Chicago, Ill., on motion of Mr. Charles A. Horsky; James E. Barlow, of San Antonio, Tex., on motion of Mr. Paul J. Kilday; Harry J. Snead, Jr., of Bethesda, Md., on motion of Mr. Paul F. Borden; Guin Menard Fisher, of Ada, Okla., on motion of Mr. J. Fielding Jones; Douglas Wilber Metz, of Hamilton, N.Y., on motion of Mr. Alexander Pirnie; Robert Mermod Booth, Jr., of Washington, D.C., on motion of Mr. James Thaddeus Clark; Janet Mary Riley, of New Orleans, La., on motion of Mr. Vernon X. Miller; Peter J. Paolucci, of Lacon, Ill., on motion of Mr. C. Aubrey Gasque; Carl Minton, of Los Angeles, Calif., and Jere N. Sullivan, of Bakersfield, Calif., on motion of Mr. Robert A. Wenke; Arthur B. Craig, of East Lansing, Mich., on motion of Mr. Charles E. Chamberlain; Sidney E. Smith, of Coeur d'Alene, Idaho, Bernard A. Gould, of New York, N.Y., and Hamer H. Budge, of Boise, Idaho, on motion of Abe Goff; Percival R. Rieder, of Abington, Pa., on motion of Mr. Hugh D. Scott, Jr.; Ashley Stewart Orr, of San Marino, Calif., on motion of Mr. Richard Greeley Wynne; Landman Teller, of Vicksburg, Miss., on motion of Mr. Wm. Ephraim Cresswell; William Thurlow Weed Brotherton, Jr., of Charleston, W. Va., on motion of Mr. Francis W. McInerny; Hugh J. Beins, of Washington, D.C., on motion of Mr. Thomas E. Pyne; Ivan Meyer, of New York, N.Y., on motion of Mr. Abraham Tunick; Willard George Woelper, of Newark, N.J., on motion of Mr. Roy Leiffen; George A. Schmiedigen,

of Washington, D.C., on motion of Mr. John K. Pickens; Hans A. Nathan, of Arlington, Va., and Edward L. Wolf, of Philadelphia, Pa., on motion of Mr. Charles M. Trammell; Alfred E. Page, of Tarrytown, N.Y., on motion of Mr. Herbert J. Jacobi; Douglas McCord Cochran, of Washington, D.C., on motion of Mr. Aloysius B. McCabe; James Matthew Breen, of Fairfax, Va., on motion of Mr. Walter J. Newlon; Albert J. Kramer, of Washington, D.C., on motion of Mr. William T. Stephens; Sommers Terry Brown, of Memphis, Tenn., on motion of Mr. Beverley Singleton Simms; Rufus Lee Thompson, of Akron, Ohio, and Walter S. Houston II, of Cincinnati, Ohio, on motion of Mr. Belford V. Lawson, Jr.; Martin J. Scheiman, of New York, N.Y., on motion of Mr. Seymour Efros; Edward T. Nedder, of Boston, Mass., on motion of Mr. Wallace L. Schubert; Edna W. Chastain, of Washington, D.C., on motion of Mrs. Ruby Kettles Peterson; William Franklin Parker, of Miami, Fla., on motion of Mr. Downey Rice; Jerome B. Klose, of Olympia Fields, Ill., on motion of Mr. Joseph A. De Grandi; Allen A. Meyer, Jr., of Irvington-on-Hudson, N.Y., on motion of Mr. Robert Russell Reque; Lera Jeanne Rowlette, of Texarkana, Ark., and Gene E. Rowlette, of Texarkana, Ark., on motion of Mr. John Patrick Baker; Walter Hollis, of Kensington, Md., on motion of Mr. John Joseph Czyzak; John Edward Hogan, of Janesville, Minn., on motion of Mr. George Elias, Jr.; John Thomas Halliday, of Arlington, Va., on motion of Mr. Roy Halquist, and Lowell W. Lundy, of Barbourville, Ky., on motion of Mr. Adolph M. Edwards, Jr., were admitted to practice.

OPINIONS

No. 7. Leon Wolfe, George Simkins, Jr., et al., appellants, *v.* State of North Carolina. Appeal from the Supreme Court of North Carolina. Appeal dismissed for want of a federal question. Opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Chief Justice Warren with whom Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Brennan join.

No. 126. James Butler Elkins and Raymond Frederick Clark, petitioners, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment vacated and case remanded to the United States District Court for the District of Oregon for proceedings consistent with the opinion of this Court. Opinion by Mr. Justice Stewart. Dissenting opinion in Nos. 52 and 126 by Mr. Justice Frankfurter with whom Mr. Justice Clark, Mr. Justice Harlan, and Mr. Justice Whittaker join. Separate opinion in Nos. 52 and 126 by Mr. Justice Harlan with whom Mr. Justice Clark and Mr. Justice Whittaker join.

No. 52. Jose Terrones Rios, petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment vacated and case remanded to the United States District Court for the Southern District of California for proceedings consistent with the opinion of this Court. Opinion by Mr. Justice Stewart. Dissenting opinion in Nos. 52 and 126 by Mr. Justice Frankfurter with whom Mr. Justice Clark, Mr. Justice Harlan, and Mr. Justice Whittaker join. Separate opinion in Nos. 52 and 126 by Mr. Justice Harlan with whom Mr. Justice Clark and Mr. Justice Whittaker join.

No. 321. Sun Oil Company, petitioner, *v.* Federal Power Commission. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed. Opinion by Mr. Justice Brennan. Dissenting opinion in Nos. 321 and 335 by Mr. Justice Harlan with whom Mr. Justice Frankfurter, Mr. Justice Whittaker, and Mr. Justice Stewart join. Separate opinion in Nos. 321 and 335 by Mr. Justice Frankfurter.

No. 335. Sunray Mid-Continent Oil Co., petitioner, *v.* Federal Power Commission. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment affirmed. Opinion by Mr. Justice Brennan. Dissenting opinion in Nos. 321 and 335 by Mr. Justice Harlan with whom Mr. Justice Frankfurter, Mr. Justice Whittaker, and Mr. Justice Stewart join. Separate opinion in Nos. 321 and 335 by Mr. Justice Frankfurter.

No. 359. Commissioner of Internal Revenue, petitioner, *v.* Gillette Motor Transport, Inc. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Harlan. Mr. Justice Douglas dissents.

No. 416. Raymond Gonzales, Jr., petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment affirmed. Opinion by Mr. Justice Clark. Dissenting opinion by Mr. Chief Justice Warren with whom Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Brennan join.

No. 513. United States, petitioner, *v.* Cannelton Sewer Pipe Company. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the United States District Court for the Southern District of Indiana for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Clark. Concurring opinion by Mr. Justice Harlan.

No. 141. Massey Motors, Inc., petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit; and

No. 143. Commissioner of Internal Revenue, petitioner, *v.* Robley H. Evans and Julia M. Evans. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment in No. 141 affirmed; judgment in No. 143 reversed and case remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Clark. Separate opinion by Mr. Justice Harlan with whom Mr. Justice Whittaker and Mr. Justice Stewart join, dissenting in Nos. 141 and 143 and concurring in the judgment in No. 283. Mr. Justice Douglas would reverse in No. 141, affirm in No. 143 and reverse in No. 283.

No. 283. The Hertz Corporation, a Corporation (Successor by Merger to J. Frank Connor, Inc., a Corporation), petitioner, *v.* United States of America. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed. Opinion by Mr. Justice Clark. Separate opinion by Mr. Justice Harlan with whom Mr. Justice Whittaker and Mr. Justice Stewart join, dissenting in Nos. 141 and 143 and concurring in the judgment in No. 283. Mr. Justice Douglas would reverse in No. 141, affirm in No. 143, and reverse in No. 283.

No. 14. United States, appellant, *v.* Lucille Aldine Dege et al. Appeal from the United States District Court for the Southern District of California. Judgment reversed and case remanded to the District Court for proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Frankfurter. Dissenting opinion by Mr. Chief Justice Warren with whom Mr. Justice Black and Mr. Justice Whittaker join.

No. 229. Continental Grain Company, petitioner, *v.* Barge FBL-585, et al. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Whittaker with whom Mr. Justice Douglas joins. Separate opinion by Mr. Justice Frankfurter with whom Mr. Justice Harlan joins.

No. 270. Cecil W. Armstrong et al., petitioners, *v.* The United States. On writ of certiorari to the United States Court of Claims. Judgment reversed and case remanded to the Court of Claims for proceedings to determine the value of the property taken. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Harlan with whom Mr. Justice Frankfurter and Mr. Justice Clark join. Mr. Justice Stewart concurs in the result.

No. 74. American Trucking Associations, Inc., et al., appellants, *v.* United States of America, Interstate Commerce Commission, et al.

Appeal from the United States District Court for the District of Columbia. Judgment reversed and case remanded to the District Court with directions to remand to the Commission for such further proceedings, not inconsistent with the opinion of this Court, as may be appropriate. Opinion by Mr. Chief Justice Warren.

No. 30. Ohio ex rel. Eaton, appellant, v. Price, Chief of Police. Appeal from the Supreme Court of Ohio. Judgment affirmed by an equally divided court. Opinion *per curiam* announced by Mr. Chief Justice Warren. Separate opinion by Mr. Justice Brennan with whom Mr. Chief Justice Warren, Mr. Justice Black, and Mr. Justice Douglas join. Mr. Justice Stewart took no part in the consideration or decision of this case.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 535. United Railroad Workers Division of Transport Workers Union of America, etc., et al., petitioners, v. The Baltimore and Ohio Railroad Co., et al. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Petition for writ of certiorari granted. On writ of certiorari, judgment vacated and case remanded for reconsideration in light of *The Brotherhood of Locomotive Engineers et al. v. Missouri-Kansas-Texas R. Co.*, No. 165, October Term, 1959, decided June 20, 1960. Opinion *per curiam*.

No. 720. Robert J. McGrath and Lawrence D. Hoy, petitioners, v. B. J. Rhay, Superintendent of Washington State Penitentiary. On writ of certiorari to the Supreme Court of Washington. Respondent's motion to dismiss the writ of certiorari denied. Judgment vacated and case remanded for determination of the following questions of Washington law now involved in the case: (1) whether the case is moot as a habeas corpus proceeding; and (2) if it is, whether, to avoid mootness, it can properly be treated as an application for some other form of appropriate relief. Opinion *per curiam*.

No. 848. Luckenbach Steamship Company, Inc., appellant, v. United States et al. Appeal from the United States District Court for the District of Delaware. Judgment of United States District Court for the District of Delaware, so far as it relates to the suspension of rates phase of the dispute, vacated and case remanded to the District Court with instructions to dismiss the cause as moot. With respect to the antitrust phase of the dispute, judgment of the District Court affirmed. Opinion *per curiam*. Mr. Justice Black and Mr. Justice Douglas dissent on the holding of *Georgia v. Pennsylvania R. Co.*, 324 U.S. 439.

No. 895. Otis W. Livingston et al., appellants, *v.* United States et al. Appeal from the United States District Court for the Eastern District of South Carolina. The motion to substitute Harold Murph and Robert C. Wasson in the place of Francis M. Pickney and James W. Crain as parties appellant is granted. Motion to affirm granted and judgment affirmed. Opinion *per curiam*. Mr. Justice Black and Mr. Justice Douglas are of the opinion probable jurisdiction should be noted.

No. 119, Misc. Robert Leon Euziere, petitioner, *v.* United States. On petitioner for writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. On writ of certiorari, judgment vacated and case remanded for consideration in light of *Elkins v. United States*, No. 126, October Term, 1959, decided this day. Opinion *per curiam*. Mr. Justice Frankfurter dissents on the basis of his dissenting opinion in *Rios v. United States*, No. 52, October Term, 1959, and *Elkins v. United States*, No. 126, October Term, 1959, decided this day.

No. 417, Misc. John Clifford McCrary, petitioner, *v.* Indiana. On petition for writ of certiorari to the Supreme Court of Indiana. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. On writ of certiorari, order of dismissal of Supreme Court of Indiana vacated and case remanded to it for further consideration of the appeal not inconsistent with the opinion of this Court. Opinion *per curiam*.

No. 605, Misc. Carlos Manuel Camara, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. On writ of certiorari, judgment vacated and case remanded for consideration in light of *Elkins v. United States*, No. 126, October Term, 1959, decided this day. Opinion *per curiam*. Mr. Justice Frankfurter would reverse on the basis of his dissenting opinion in *Rios v. United States*, No. 52, October Term, 1959, and *Elkins v. United States*, No. 126, October Term, 1959, decided this day.

No. 759, Misc. Robert Earl Deitle, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. On writ of certiorari, judgment vacated and case remanded to the United States District Court for the Western District of Wisconsin for a hearing. Opinion *per curiam*.

No. 925, Misc. Audrey I. Cutting, appellant, *v.* Bank of Alaska, etc., et al. Appeal from the United States Court of Appeals for the

Ninth Circuit. The appeal is dismissed. The motions for other relief are denied. Opinion *per curiam*.

No. 956, Misc. Donald E. De Groat, appellant, *v.* New York. Appeal from the County Court of Ulster County of New York. The appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 1, Original. The State of New Mexico, complainant, *v.* The State of Colorado. The report of the Boundary Commissioner is received and ordered filed. Exceptions, if any, to the report of the Boundary Commissioner may be filed by the parties within 90 days.

No. —. In the Matter of Mary Elizabeth Burke. The motion to amend the attorneys' roll to show the change of name of Mary Elizabeth Burke to Mary Burke Flax is granted.

No. —. In the Matter of Nathan A. Borkowski. The motion to amend the attorneys' roll to show the change of name of Nathan A. Borkowski to Nathan Alfred Bork is granted.

No. 764. Bill Bailey, petitioner, *v.* R. W. Alvis, Warden. The order of March 7, 1960, granting certiorari is amended so as to limit review to the question decided in *Burns v. Ohio*, 360 U.S. 252. The motion of the petitioner for the appointment of counsel is granted and it is ordered that Milton H. Schmidt, Esquire, of Cincinnati, Ohio, a member of the Bar of this Court be, and he is hereby, appointed to serve as counsel in this case.

No. 974. Stuart W. Newsom, petitioner, *v.* W. Frank Smyth, Jr., Superintendent of Virginia State Penitentiary. The motion of the petitioner for the appointment of counsel is granted and it is ordered that Armistead L. Boothe, Esquire, of Alexandria, Virginia, a member of the Bar of this Court be, and he is hereby, appointed to serve as counsel in this case.

No. 987. Vernon Kimbrough, petitioner, *v.* United States. The motion of the petitioner for the appointment of counsel is granted and it is ordered that Edward L. Barrett, Esquire, of Berkeley, California, a member of the Bar of this Court be, and he is hereby, appointed to serve as counsel in this case.

APPEAL

No. 785, Misc. Neil Merle Smith, appellant, *v.* John E. Bennett, Warden. Appeal from the Supreme Court of Iowa. Motion for leave to proceed *in forma pauperis* granted. The motion to dismiss

is granted and the appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is granted limited to the question decided in *Burns v. Ohio*, 360 U.S. 252. Case transferred to the appellate docket and consolidated for hearing with Nos. 446, Misc. and 515, Misc. A total of two hours allowed for the argument of these cases. It is ordered that Luther L. Hill, Jr., Esquire, of Des Moines, Iowa, be, and he is hereby, appointed to serve as counsel for appellant in this case.

CERTIORARI GRANTED

No. 931. Tampa Electric Company, petitioner, *v.* Nashville Coal Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted.

No. 932. Thomas D. Clancy et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 963. Robert F. Nolan, Administrator, et al., petitioners, *v.* Transocean Air Lines. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 968. Burton N. Pugach, petitioner, *v.* Hon. Isidore Dollinger, District Attorney of Bronx County, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 825. Local 357, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, petitioner, *v.* National Labor Relations Board; and

No. 929. National Labor Relations Board, petitioner, *v.* Local 357, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted. Cases consolidated and a total of two hours allowed for oral argument.

No. 846. Local 60, United Brotherhood of Carpenters and Joiners of America, AFL-CIO, et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted. Case transferred to the summary calendar and set for argument immediately following No. 929.

No. 942. Otho G. Bell et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims granted and case transferred to the summary calendar.

No. 949. Wm. G. Lewis, Trustee, petitioner, *v.* Manufacturers National Bank of Detroit. Petition for writ of certiorari to the United

States Court of Appeals for the Sixth Circuit granted and case transferred to the summary calendar.

No. 952. John M. Kossick, petitioner, *v.* United Fruit Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted and case transferred to the summary calendar.

No. 730, Misc. Elmer Samuel Chapman, petitioner, *v.* United States. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted. Case transferred to the appellate docket.

No. 941, Misc. Leonard Saldana, petitioner, *v.* United States. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted. Case transferred to the appellate docket.

No. 446, Misc. Richard W. Marshall, petitioner, *v.* John E. Bennett, Warden; and

No. 515, Misc. Henry Hooper, petitioner, *v.* John E. Bennett, Warden. Motions for leave to proceed *in forma pauperis* and petitions for writs of certiorari to the Supreme Court of Iowa granted limited to the question decided in *Burns v. Ohio*, 360 U.S. 252. Cases transferred to the appellate docket and consolidated with **No. 785, Misc.** A total of two hours is allowed for the argument of these three cases. It is ordered that Luther L. Hill, Jr., Esquire, of Des Moines, Iowa, be, and he is hereby, appointed to serve as counsel for the petitioners in **Nos. 446, Misc.** and **515, Misc.**

No. 712, Misc. Theodore Green, petitioner, *v.* United States. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the First Circuit granted. Case transferred to the appellate docket and consolidated for argument with **No. 870.** A total of two hours is allowed for the argument of these cases. It is ordered that James Vorenberg, Esquire, of Boston, Massachusetts, a member of the Bar of this Court be, and he is hereby, appointed to serve as counsel for the petitioner in **No. 712, Misc.**

No. 729, Misc. Harry Joseph Payne, petitioner, *v.* Paul J. Madigan, Warden. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted. Case transferred to the appellate docket and placed on the summary calendar.

No. 920, Misc. Emil Reck, petitioner, *v.* Joseph E. Ragen, Warden. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the

Seventh Circuit granted. Case transferred to the appellate docket and placed on the summary calendar.

No. 921, Misc. Bernard Wilson, petitioner, *v.* Donald F. Schnettler, Arthur E. Doll and Robert E. Waltz. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted. Case transferred to the appellate docket and placed on the summary calendar.

No. 966, Misc. Eugene E. Maynard, petitioner, *v.* Durham and Southern Railway Company. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of North Carolina granted. Case transferred to the appellate docket and placed on the summary calendar.

No. 814, Misc. Thomas E. Young, petitioner, *v.* United States. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted. Case transferred to the appellate docket and placed on the summary calendar. It is assigned for argument immediately following **No. 729, Misc.**

No. 1071, Misc. Augustine Baldonado, petitioner, *v.* California;

No. 1074, Misc. Luis Estrada Moya, petitioner, *v.* California; and

No. 1075, Misc. Elizabeth Ann Duncan, petitioner, *v.* California. Motion for leave to proceed *in forma pauperis* and petitions for writs of certiorari to the Supreme Court of California granted limited to the following questions:

1. Was petitioner's right to the trial guaranteed by the Due Process Clause of the XIV Amendment violated in view of the conduct of the District Attorney, the resulting publicity, and the other circumstances under which the trial was held?

2. Was there a violation of petitioner's right to a fair trial, as guaranteed by the Due Process Clause of the XIV Amendment of the Constitution of the United States of America, where in a trial of a capital offense by jury, the trial court permitted to remain in the jury box and sit in judgment, three jurors who had entered the jury box with fixed opinion as to petitioner's guilt, and retained such opinions while being examined on *voir dire*?

Cases transferred to the appellate docket and consolidated with a total of three hours for oral argument. The orders of Mr. Justice Douglas of June 10, 1960, staying the execution of the death sentences are continued pending the issuance of the mandates of this Court.

CERTIORARI DENIED

No. 208. John B. Connally, Perry R. Bass, and Howell E. Smith, Independent Executors of the Estate of S. W. Richardson, Deceased,

petitioners, *v.* Federal Power Commission. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 259. United States of America, petitioner, *v.* Bernard W. Coblentz et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 322. American Foreign Steamship Corp., petitioner, *v.* United States of America. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 323. Hunt Oil Company, petitioner, *v.* Federal Power Commission. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 334. Stockard Steamship Corp., et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 340. J. Virgil Scott et al., petitioners, *v.* Union Producing Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 352. Socony Mobil Oil Company, Inc., petitioner, *v.* Federal Power Commission. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 368. Humble Oil & Refining Company, petitioner, *v.* Federal Power Commission. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 396. Bernard Goldfine et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 468. Atlas Building Products Company, petitioner, *v.* Diamond Block & Gravel Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 533. General Grievance Committee of the Brotherhood of Railroad Trainmen, etc., et al., petitioners, *v.* Stichman, Trustee of the Debtor. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 934. James Gilbert Glass, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 938. Chilean Nitrate and Iodine Sales Corporation, petitioner, *v.* Amicizia Societa Navegazione. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 944. Rudy Salomons, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Los Angeles, denied.

No. 945. E. E. Elmer, etc., petitioner, *v.* United States Fidelity & Guaranty Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 947. Pauline Maas, etc., petitioner, *v.* Board of Education of Mountain Lakes et al. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 948. James Malcolm Bearden, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 966. G. & K. Investment Company, petitioner, *v.* George M. Harrison et al. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 972. Socony-Vacuum Oil Company, Inc., etc., et al., petitioners, *v.* Cecil Lawlor. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 554. United States Potash Co., petitioner, *v.* Local 1912, International Association of Machinists. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Black took no part in the consideration or decision of this application.

No. 706. Brass and Copper Workers Federal Labor Union, No. 19,322, AFL-CIO, petitioner, *v.* American Brass Company, etc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Black took no part in the consideration or decision of this application.

No. 991. Edward F. Quirke, petitioner, *v.* St. Louis-San Francisco Railway Company et al. The motion for leave to amend the petition for writ of certiorari is granted. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 223, Misc. Frederick S. Graff, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 410, Misc. Frank Mayfield, petitioner, *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 517, Misc. In re Petition of Wilburn A. Nelson, petitioner. Petition for writ of certiorari to the Supreme Court of Montana denied.

No. 553, Misc. Ezra Williams, petitioner, *v.* Robert A. Heinze, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 562, Misc. Arthur Q. Leon, petitioner, *v.* John H. Klinger, Superintendent of California Men's Colony. Petition for writ of certiorari to the Supreme Court of California denied.

No. 577, Misc. Lloyd Eldon Miller, Jr., petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 625, Misc. George Stine Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 667, Misc. George Thomas Bevins, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 677, Misc. Robert John Rickerson, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 687, Misc. George Phillips, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 690, Misc. In the Matter of the Application of Franklin O'Neal Butler, petitioner. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 703, Misc. Jesse Mitts, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma denied.

No. 707, Misc. Darnell Cooper and Ronald Enrico Dobbins, petitioners, *v.* District of Columbia. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 714, Misc. Eugene Marvin Davis, petitioner, *v.* B. J. Rhay, Superintendent of Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 724, Misc. Jerome Henry Duchon, petitioner, *v.* Missouri et al. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 738, Misc. Harold E. Newman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 763, Misc. Joseph Kirkwood, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 764, Misc. Mary Martinez, petitioner, *v.* The Southern Ute Tribe. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 768, **Misc.** Charlie Mack McGrady, petitioner, *v.* W. Frank Smyth, Jr., Superintendent of Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 769, **Misc.** Jess Davis, petitioner, *v.* W. Frank Smyth, Jr., Superintendent of Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 773, **Misc.** William Schenck, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 782, **Misc.** Joseph Irvin Eastman, petitioner, *v.* W. Frank Smyth, Jr., Superintendent of the Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 794, **Misc.** John Koczvara, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 858, **Misc.** Clarence Beard, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 860, **Misc.** Burnice Howard Dunn and Martha Lee Brown Dunn, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 864, **Misc.** Edward Smith, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 870, **Misc.** Robert Dranow, petitioner, *v.* The Committee on Character and Fitness in the Appellate Division of the Supreme Court of New York, First Department, et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 875, **Misc.** James Walker, etc., et al., petitioners, *v.* Bruicie Walker et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 877, **Misc.** Thomas Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 882, **Misc.** Lewis Woodard Larson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 892, **Misc.** Leigh Fowler, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 896, **Misc.** Aaron Ostrofsky et al., petitioners, *v.* United Steelworkers of America, AFL-CIO, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 898, **Misc.** Pierre Edward Martel, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 910, **Misc.** William T. Fulwood, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 911, **Misc.** Montrose Solomon, petitioner, *v.* William H. Bannan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 915, **Misc.** Gerald Adamietz, petitioner, *v.* James C. Smith, Postmaster, Pittsburgh. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 924, **Misc.** Nelson Rhyce, petitioner, *v.* Mark S. Richmond, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 926, **Misc.** Nathan W. Grant, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 931, **Misc.** Carl Edelson, petitioner, *v.* Robert E. Murphy, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 934, **Misc.** James V. Alexander, petitioner, *v.* Wyoming et al. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. 937, **Misc.** Hubert Locke, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 938, **Misc.** Hershel Baker Wesson, petitioner, *v.* O. B. Ellis, General Manager, Texas Department of Corrections, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 939, **Misc.** Bill Bailey, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 940, **Misc.** Charles F. Hanovich, petitioner, *v.* Beryle C. Sacks, Warden. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 943, **Misc.** Caril Ann Fugate, petitioner, *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 945, **Misc.** Albin H. Youngquist, petitioner, *v.* Wilber Brucker, Secretary of the Army. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 946, **Misc.** Ex Parte Earl Sherwood, petitioner. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 947, **Misc.** Teresa Mae Smith, petitioner, *v.* Industrial Accident Commission, etc., et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 948, **Misc.** In the Matter of the Application of Robert Winchester, petitioner. Petition for writ of certiorari to the Supreme Court of California denied.

No. 950, **Misc.** Robert Croxton, petitioner, *v.* New York. Petition for writ of certiorari to the Court of General Sessions of County of New York, New York, denied.

No. 952, **Misc.** Samuel J. McKinney, petitioner, *v.* William H. Bannan, Warden. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 953, **Misc.** James Jacob Stubbs, petitioner, *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 954, **Misc.** Gustavo Caballero, petitioner, *v.* Walter H. Wilkins, Warden. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 955, **Misc.** Edward O'Neal, petitioner, *v.* California. Petition for writ of certiorari to the District Court of Appeals of California, Third Appellate District, denied.

No. 957, **Misc.** James T. Diggs, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 962, **Misc.** Grant Rigg, petitioner, *v.* Correction Department, Parole Board Division, Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 964, **Misc.** Lawrence M. Morrison, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 965, **Misc.** Lucius H. Sheffield, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 967, **Misc.** Thomas Wardell Young, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 968, **Misc.** Gerald Gordon, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 971, **Misc.** Moses Sheppard, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 973, **Misc.** Billy Joe Sisk, petitioner, *v.* Texas et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 975, **Misc.** In the Matter of the Application of Raymond Leroy Mercer, petitioner. Petition for writ of certiorari to the Supreme Court of California denied.

No. 977, **Misc.** Gordon W. Tibbett, petitioner, *v.* Tracy A. Hand, Warden. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 978, **Misc.** James H. McNutt, petitioner, *v.* Texas et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 981, **Misc.** Jack Wright Twining, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 983, **Misc.** Charles T. McCaffrey, petitioner, *v.* United Aircraft Corporation. Petition for writ of certiorari to the Supreme Court of Errors of Connecticut denied.

No. 987, **Misc.** Henry Beene, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 991, **Misc.** Catherine Wilson, Individually, and as Natural Tutrix of her Minor Child, Linda Wilson, petitioner, *v.* Sampson Brothers & Cooper, Inc., and the Hartford Accident & Indemnity Co. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 992, **Misc.** Albert Andrews, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1011, **Misc.** Harold Elsten, petitioner, *v.* United States and Federal Communications Commission. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1014, **Misc.** Theophilus Batson, petitioner, *v.* J. E. LaVallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1026, Misc. Charles Clarence Hamilton, petitioner, *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 1052, Misc. George Albert Scott, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1058, Misc. Parnell Smith, petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 7, Misc. Floyd Jackson, petitioner, *v.* Commonwealth of Pennsylvania. On petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District;

No. 186, Misc. Charles Smith, petitioner, *v.* Pennsylvania. On writ of certiorari to the Supreme Court of Pennsylvania, Eastern District;

No. 376, Misc. Eugene Godfrey, petitioner, *v.* William J. Banmiller, Warden. On writ of certiorari to the Supreme Court of Pennsylvania, Eastern District;

No. 487, Misc. Pennsylvania ex rel. Kenneth W. Harris, petitioner, *v.* James F. Maroney, Warden. On writ of certiorari to the Supreme Court of Pennsylvania, Western District;

No. 519, Misc. Pennsylvania ex rel. Charles H. Smith, petitioner, *v.* James F. Maroney, Warden. On petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District;

No. 522, Misc. Pennsylvania ex rel. Alfonzo Fachenno Moyer, petitioner, *v.* James F. Maroney, Warden. On petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District;

No. 535, Misc. Woodie Adams, petitioner, *v.* William J. Banmiller, Warden. On petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District;

No. 572, Misc. Pennsylvania ex rel. Charles Haun, petitioner, *v.* James F. Maroney, Warden, et al. On petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District;

No. 615, Misc. Roy L. Brown, petitioner, *v.* James F. Maroney, Warden. On petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District;

No. 804, Misc. Frank Luzzi, petitioner, *v.* William Banmiller, Warden. On writ of certiorari to the Supreme Court of Pennsylvania, Eastern District; and

No. 869, Misc. Vincent F. Slaughenhaupt, petitioner, *v.* James F. Maroney, etc. On petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District. In view of the representations by the Attorney General of Pennsylvania that the Supreme

Court of Pennsylvania has agreed to allow the filing of appeals by indigent litigants without the payment of the required statutory filing fee, the petitions for writs of certiorari are denied.

No. 231, **Misc.** Pennsylvania ex rel. Arthur Bruno, petitioner, *v.* Angelo C. Cavell, Warden. The motion to substitute James F. Maroney in the place of Angelo C. Cavell as the party respondent is granted. In view of the representations by the Attorney General of Pennsylvania that the Supreme Court of Pennsylvania has agreed to allow the filing of appeals by indigent litigants without the payment of the required statutory filing fee, petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 744, **Misc.** Herbert LeBeau, petitioner, *v.* The Illinois Department of Public Safety, Joseph D. Bibb, Director. The motions of Talbot Jennings, Allen Foster, Douglas McMiller, and Frank Johnson for leave to file briefs, as *amicus curiae*, are denied. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 797, **Misc.** Melvin S. Carter, Clifton Franks, Raymond L. Kasey, et al., petitioners, *v.* Neil H. McElroy, Secretary of Defense, et al. The motion to substitute Thomas S. Gates, Jr., in the place of Neil H. McElroy as a party respondent is granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 861, **Misc.** Mack Thomas, petitioner, *v.* Joseph E. Ragen, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas is of the opinion certiorari should be granted.

No. 881, **Misc.** Johnny Ray Smith, petitioner, *v.* Fred T. Wilkinson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit and for other relief denied.

No. 893, **Misc.** Robert Allen Ladd, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California and for other relief denied.

No. 963, **Misc.** James Armstrong, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California and for other relief denied.

No. 993, **Misc.** John D. Lofton, petitioner, *v.* James H. Douglas et al. The motion to substitute Dudley C. Sharp in the place of James H. Douglas as a party respondent is granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 755, Misc. Wilson Wooten, petitioner, *v.* Lynn Bomar, Warden;

No. 933, Misc. Ralph L. Williams, petitioner, *v.* Joseph E. Ragen, Warden;

No. 944, Misc. Grayford W. Moore, petitioner, *v.* William H. Bannan, Warden;

No. 980, Misc. Commodore Perry Sam, petitioner, *v.* B. J. Rhay, Superintendent of Washington State Penitentiary;

No. 1006, Misc. Thomas R. Hicks, petitioner, *v.* Vernon L. Peper-sack, Warden, et al.;

No. 1020, Misc. William Roy Miller, petitioner, *v.* J. C. Taylor, Warden; and

No. 1042, Misc. Theodore Way, petitioner, *v.* R. O. Settle, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

No. 765, Misc. Fred Paul Stehlin, petitioner, *v.* Elbert V. Nash, Warden;

No. 888, Misc. Robert Byrd, petitioner, *v.* Vernon L. Peppersack, Warden;

No. 1031, Misc. Lester Mangle, petitioner, *v.* Paul L. Winsor, Commissioner of the Department of Health and Welfare; and

No. 1050, Misc. Joseph Bert Richardson, petitioner, *v.* B. J. Rhay, Superintendent of Washington State Penitentiary. Motions for leave to file petitions for writs of habeas corpus denied. Treating the papers submitted as petitions for writs of certiorari, certiorari is denied.

No. 970, Misc. Herman Faubert, petitioner, *v.* Michigan et al. Motion for leave to file petition for writ of habeas corpus denied. Mr. Justice Stewart took no part in the consideration or decision of this application.

No. 1023, Misc. William B. Sullivan, petitioner, *v.* Fred R. Dickson, Warden, et al. Motion for leave to file petition for writ of habeas corpus and for other relief denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 497, Misc. Grover Cleveland McDaniel, petitioner, *v.* Joseph Campbell, Comptroller General of the United States, et al.;

No. 876, Misc. Dewright Baxter, petitioner, *v.* Roy H. Johnson, Clerk, United States District Court, Northern District of Illinois, et al.; and

No. 1000, **Misc.** Chauffeurs, Teamsters and Helpers "General" Local No. 200, petitioner, *v.* United States Court of Appeals for the Seventh Circuit et al. Motions for leave to file petitions for writs of mandamus denied.

REHEARINGS DENIED

No. 56. United States, petitioner, *v.* Republic Steel Corp. et al.;
No. 111. Max Schaffer and Norman Schaffer, petitioners, *v.* United States of America;

No. 164. Morry Levine, petitioner, *v.* United States of America;
No. 278. Harry Needelman, petitioner, *v.* United States of America;

No. 817. Vito Genovese, petitioner, *v.* United States;
No. 694, **Misc.** Janette Lawyer, petitioner, *v.* United States;
No. 732, **Misc.** Daniel Moore, petitioner, *v.* United States; and
No. 836, **Misc.** Irwin William Anderten, petitioner, *v.* United States. Petitions for rehearing denied.

No. 221. Philco Corporation, petitioner, *v.* The United States. Motion for leave to file petition for rehearing denied.

No. 398. United States of America, petitioner, *v.* State of Alabama et al. Petition for rehearing and motion to retax costs denied.

No. 435. Kinnear-Weed Corporation, petitioner, *v.* Humble Oil and Refining Company. Motion for leave to file petition for rehearing and for other relief denied.

No. 813. Local 24 of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, AFL-CIO, et al., petitioners, *v.* Revel Oliver et al. Petition for rehearing denied. Mr. Justice Frankfurter and Mr. Justice Stewart took no part in the consideration or decision of this application.

No. 593, **Misc.** Nancy Cross, petitioner, *v.* The State Bar of California. Petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this application.

The Chief Justice announced the following order of the Court:
"All cases submitted and all business before the Court at this term in readiness for disposition having been disposed of,

"It is ordered by this Court that all cases on the docket be, and they are hereby, continued to the next term."

Adjourned to the time and place appointed by law.