

SUPREME COURT REPORTER



VOLUME 66

COVERING
VOLUMES 326-328 U. S. REPORTS

CASES ARGUED AND DETERMINED
IN THE
SUPREME COURT OF THE UNITED STATES

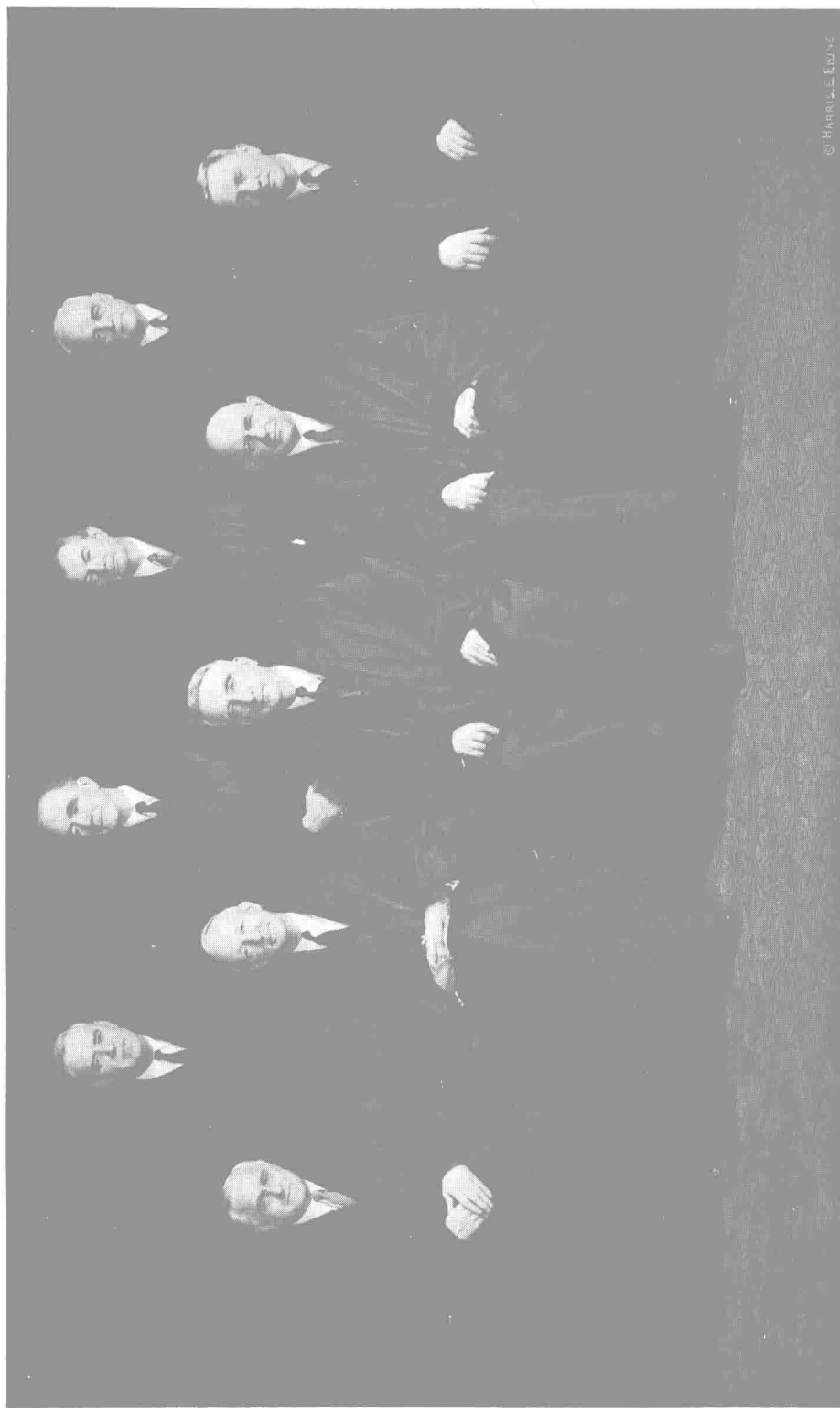
OCTOBER TERM, 1945

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WILEY RUTLEDGE	FRANK MURPHY	ROBERT H. JACKSON	HAROLD H. BURTON
FELIX FRANKFURTER	HUGO L. BLACK	FRED M. VINSON Chief Justice	STANLEY F. REED
			WILLIAM O. DOUGLAS

UNITED STATES SUPREME COURT

JUSTICES

OCTOBER TERM, 1945.

CHIEF JUSTICE

HON. HARLAN FISKE STONE ¹

ASSOCIATE JUSTICES

HON. HUGO L. BLACK
HON. STANLEY F. REED
HON. FELIX FRANKFURTER
HON. WILLIAM O. DOUGLAS
HON. FRANK MURPHY
HON. ROBERT H. JACKSON
HON. WILEY RUTLEDGE
HON. HAROLD H. BURTON ²

RETIRED JUSTICES—28 U.S.C.A. § 375

HON. JAMES CLARK McREYNOLDS
HON. CHARLES EVANS HUGHES

RESIGNED

HON. OWEN J. ROBERTS ³

ATTORNEY GENERAL

HON. FRANCIS BIDDLE ⁴
HON. TOM C. CLARK ⁵

SOLICITOR GENERAL

HON. CHARLES FAHY ⁶
HON. J. HOWARD McGRATH ⁷

CLERK

CHARLES ELMORE CROPLEY

MARSHAL

THOMAS E. WAGGAMAN

REPORTER

WALTER WYATT ⁸

¹ Died April 22, 1946.
² Appointed October 1, 1945.
³ Resigned July 31, 1945.
⁴ Resigned June 30, 1945.

⁵ Appointed June 30, 1945.
⁶ Resigned September 27, 1945.
⁷ Appointed October 8, 1945.
⁸ Appointed March 1, 1946.

ALLOTMENT OF THE JUSTICES

DISTRICT OF COLUMBIA.

CHIEF JUSTICE HARLAN FISKE STONE, of New York.
Appointed Justice February 5, 1925, by President Coolidge.
Appointed Chief Justice July 3, 1941, by President Roosevelt.

FIRST CIRCUIT.

Maine, Massachusetts, New Hampshire, Rhode Island, and Puerto Rico.

JUSTICE FELIX FRANKFURTER, of Massachusetts.
Appointed January 17, 1939, by President Roosevelt.

SECOND CIRCUIT.

Connecticut, New York, and Vermont.

JUSTICE STANLEY REED, of Kentucky.
Appointed January 25, 1938, by President Roosevelt.

THIRD CIRCUIT.

Delaware, New Jersey, Pennsylvania, and Virgin Islands.

JUSTICE HAROLD H. BURTON, of Ohio.
Appointed October 1, 1945, by President Truman.

FOURTH CIRCUIT.

Maryland, North Carolina, South Carolina, Virginia, and West Virginia.

CHIEF JUSTICE HARLAN FISKE STONE, of New York.
Appointed Justice February 5, 1925, by President Coolidge.
Appointed Chief Justice July 3, 1941, by President Roosevelt.

FIFTH CIRCUIT.

Alabama, Florida, Georgia, Louisiana, Mississippi, Texas, and Canal Zone.

JUSTICE HUGO L. BLACK, of Alabama.
Appointed August 17, 1937, by President Roosevelt.

SIXTH CIRCUIT.

Kentucky, Michigan, Ohio, and Tennessee.

JUSTICE STANLEY REED, of Kentucky.
Appointed January 25, 1938, by President Roosevelt.

ALLOTMENT OF THE JUSTICES

SEVENTH CIRCUIT.

Illinois, Indiana, and Wisconsin.

JUSTICE FRANK MURPHY, of Michigan.
Appointed January 18, 1940, by President Roosevelt.

EIGHTH CIRCUIT.

*Arkansas, Iowa, Minnesota, Missouri, Nebraska, North Dakota, and
South Dakota.*

JUSTICE WILEY RUTLEDGE, of Iowa.
Appointed Feb. 11, 1943, by President Roosevelt.

NINTH CIRCUIT.

*Alaska, Arizona, California, China, Hawaii, Idaho, Montana, Nevada,
Oregon, and Washington.*

JUSTICE WILLIAM O. DOUGLAS, of Connecticut.
Appointed April 4, 1939, by President Roosevelt.

TENTH CIRCUIT.

Colorado, Kansas, New Mexico, Oklahoma, Utah and Wyoming.

JUSTICE WILEY RUTLEDGE, of Iowa.
Appointed Feb. 11, 1943, by President Roosevelt.

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1	65 1416	687	66 87	708	66 96	741	66 54	766	66 168	795	66 489
60	65 1490	687	66 88	708	66 140	742	66 54	766	66 170	796	66 489
77	65 1499	687	66 89	709	66 141	742	66 55	767	66 171	796	66 487
88	65 1483	687	66 94	709	66 143	742	66 56	767	66 166	796	66 490
99	65 1464	688	66 94	709	66 144	743	66 56	767	66 169	797	66 490
120	65 1475	688	66 95	709	66 146	743	66 57	768	66 165	797	66 491
135	65 1443	689	66 125	710	66 139	744	66 58	768	66 166	797	66 492
179	65 1504	689	66 142	710	66 145	744	66 59	768	66 167	797	66 493
203	66 66	689	66 134	710	66 139	744	66 60	769	66 168	798	66 484
207	66 61	690	66 134	711	66 142	745	66 21	769	66 170	798	66 485
217	66 84	690	66 140	711	66 167	745	66 22	769	66 171	798	66 486
219	66 72	690	66 164	711	66 169	745	66 47	769	66 167	799	66 487
224	66 78	690	66 172	712	66 171	745	66 29	770	66 175	799	66 488
230	66 69	691	66 173	712	66 176	745	66 34	771	66 175	800	66 488
236	66 75	691	66 226	712	66 177	746	66 51	771	66 176	800	66 489
242	66 81	691	66 227	713	66 177	746	66 59	772	66 176	800	66 490
249	66 101	691	66 66	713	66 231	746	66 53	772	66 177	800	66 491
265	66 108	691	66 228	713	66 232	746	66 43	772	66 174	801	66 491
271	66 116	691	66 232	713	66 229	747	66 48	772	66 230	801	66 492
279	66 112	692	66 263	714	66 265	747	66 26	773	66 230	801	66 485
287	66 120	692	66 268	714	66 266	747	66 33	773	66 231	801	66 486
295	66 125	692	66 269	714	66 267	747	66 34	773	66 232	801	66 490
310	66 154	692	66 270	714	66 268	748	66 34	774	66 232	801	66 86
327	66 148	693	66 270	715	66 271	748	66 35	774	66 229	802	66 469
340	66 178	693	66 269	715	66 336	748	66 37	774	66 230	802	66 6
367	66 191	694	66 191	715	66 337	748	66 40	775	66 231	803	66 7
371	66 219	694	66 219	716	66 338	748	66 41	775	66 228	803	66 8
376	66 203	694	66 273	716	66 472	749	66 41	775	66 265	803	66 9
404	66 193	694	66 338	717	66 21	749	66 42	776	66 267	803	66 10
425	66 222	695	66 328	717	66 22	749	66 43	776	66 268	803	66 11
432	66 247	695	66 329	717	66 29	749	66 44	777	66 267	804	66 11
438	66 242	695	66 468	718	66 23	749	66 45	777	66 265	804	66 12
446	66 238	695	66 471	719	66 23	749	66 46	777	66 263	804	66 13
455	66 233	696	66 471	719	66 24	750	66 47	778	66 264	804	66 14
465	66 250	696	66 472	720	66 24	750	66 49	778	66 271	805	66 14
480	66 257	696	66 482	720	66 25	750	66 50	779	66 271	805	66 15
490	66 296	696	66 492	721	66 25	750	66 54	779	66 272	805	66 16
496	66 307	697	66 493	721	66 26	750	66 55	780	66 270	806	66 7
501	66 276	697	66 481	721	66 27	750	66 57	780	66 271	806	66 8
517	66 274	698	66 481	722	66 27	751	66 39	780	66 334	806	66 13
521	66 299	698	66 482	722	66 28	751	66 55	780	66 336	806	66 15
536	66 290	698	66 299	723	66 28	751	66 88	781	66 336	806	66 86
549	66 284	699	66 24	724	66 29	751	66 91	781	66 338	807	66 86
561	66 322	699	66 31	725	66 30	751	66 89	781	66 339	807	66 94
572	66 310	699	66 40	726	66 31	752	66 90	781	66 335	807	66 96
599	66 409	699	66 50	726	66 32	752	66 91	781	66 336	807	66 97
607	66 402	699	66 51	727	66 32	753	66 91	782	66 337	807	66 133
620	66 445	700	66 52	727	66 33	753	66 92	782	66 338	807	66 134
630	66 389	700	66 54	728	66 33	754	66 92	782	66 336	807	66 135
638	66 393	700	66 55	728	66 34	754	66 93	783	66 331	808	66 136
657	66 413	700	66 58	728	66 35	755	66 93	783	66 332	808	66 137
679	66 6	701	66 23	729	66 35	755	66 91	784	66 332	808	66 138
679	66 31	701	66 28	729	66 37	756	66 88	784	66 333	808	66 164
680	66 31	701	66 31	729	66 36	756	66 89	784	66 334	808	66 165
680	66 37	701	66 35	730	66 37	756	66 96	785	66 334	808	66 166
680	66 42	702	66 40	730	66 38	756	66 97	785	66 335	809	66 164
681	66 43	702	66 44	731	66 38	756	66 98	786	66 470	809	66 165
681	66 49	702	66 48	731	66 39	757	66 97	786	66 469	809	66 173
681	66 51	702	66 26	732	66 39	757	66 98	787	66 470	809	66 174
682	66 58	703	66 30	732	66 40	757	66 99	787	66 469	809	66 172
682	66 60	703	66 39	732	66 41	758	66 99	787	66 480	810	66 173
683	66 59	703	66 52	733	66 41	758	66 100	787	66 472	810	66 174
683	66 20	703	66 55	733	66 42	759	66 96	788	66 472	810	66 227
683	66 1	703	66 47	734	66 42	759	66 98	788	66 473	810	66 228
683	66 16	704	66 53	734	66 43	759	66 138	789	66 473	810	66 229
684	66 6	704	66 56	734	66 44	759	66 139	789	66 474	810	66 230
684	66 8	704	66 54	735	66 44	760	66 139	790	66 475	811	66 228
684	66 59	705	66 22	735	66 45	760	66 140	790	66 476	811	66 229
684	66 18	705	66 27	736	66 45	760	66 141	791	66 476	811	66 263
684	66 17	705	66 33	736	66 46	761	66 141	791	66 477	811	66 264
684	66 19	705	66 90	737	66 46	761	66 142	792	66 477	811	66 331
685	66 19	705	66 88	737	66 47	762	66 143	792	66 478	811	66 335
685	66 17	706	66 90	738	66 48	762	66 144	792	66 479	811	66 468
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685	66 34	706	66 92	739	66 49	763	66 145	793	66 480	812	66 469
685	66 57	706	66 97	739	66 50	764	66 145	794	66 483	812	66 471
696	65 1227	706	66 98	739	66 51	764	66 146	794	66 484	812	66 480
686	66 25	707	66 99	740	66 52	765	66 147	795	66 484	812	66 481
686	66 89	707	66 96	740	66 53	765	66 146	795	66 486	812	66 482
686	66 86	708	66 100	741	66 53	765	66 137	795	66 488	812	66 483

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1	66 889	817	66 983	831	66 1342	845	66 1024	858	66 1353	872	66 1365
8	66 841	818	66 1007	831	66 1338	845	66 1022	859	66 1351	872	66 1366
12	66 843	818	66 1016	831	66 1364	845	66 1023	859	66 1352	872	66 1367
25	66 861	819	66 1007	832	66 1360	845	66 1025	859	66 1353	872	66 1368
39	66 889	819	66 1018	832	66 1378	845	66 1026	859	66 1349	872	66 1373
46	66 893	819	66 1019	832	66 1382	846	66 1026	860	66 1350	873	66 1373
50	66 884	819	66 1017	832	66 1371	846	66 1027	860	66 1348	873	66 1374
61	66 826	820	66 1020	833	66 1375	847	66 1028	860	66 1349	873	66 1377
80	66 850	820	66 1122	833	66 1382	847	66 1021	861	66 1351	873	66 1378
85	66 872	820	66 1116	833	66 975	847	66 1118	861	66 1352	874	66 1379
108	66 925	820	66 1117	833	66 976	847	66 1119	861	66 1353	874	66 1380
123	66 947	820	66 1336	833	66 977	848	66 1119	861	66 1354	875	66 1380
134	66 937	821	66 1340	834	66 977	848	66 1120	862	66 1354	875	66 1381
152	66 906	821	66 1335	834	66 978	849	66 1120	862	66 1363	875	66 1382
189	66 923	821	66 1354	834	66 979	849	66 1121	862	66 1366	876	66 1387
193	66 932	821	66 1347	834	66 980	849	66 1122	862	66 1367	876	66 1366
204	66 992	822	66 1347	835	66 980	849	66 1123	863	66 1367	876	66 975
211	66 996	822	66 1348	835	66 981	850	66 1123	863	66 1368	877	66 976
217	66 984	822	66 1358	836	66 981	850	66 1117	864	66 1369	877	66 975
234	66 1000	822	66 1360	836	66 982	850	66 1118	864	66 1370	877	66 1009
246	66 1096	822	66 1361	836	66 983	850	66 1119	864	66 1375	877	66 1010
252	66 1094	823	66 1363	836	66 1007	850	66 1121	865	66 1370	877	66 1015
256	66 1062	823	66 1364	837	66 1010	851	66 1122	865	66 1371	877	66 1008
275	66 1105	823	66 1378	837	66 1012	851	66 1123	865	66 1372	877	66 1009
293	66 1100	824	66 1355	838	66 1012	851	66 1124	866	66 1372	878	66 1020
303	66 1073	824	66 1357	838	66 1013	851	66 1339	866	66 1373	878	66 1017
331	66 1029	824	66 1356	838	66 1014	852	66 1339	866	66 1374	878	66 1019
373	66 1050	825	66 1355	839	66 1014	852	66 1341	866	66 1376	878	66 1116
395	66 1086	825	66 1356	839	66 1015	852	66 1342	867	66 1376	878	66 1117
408	66 1142	825	66 1382	840	66 1016	853	66 1343	867	66 1377	878	66 1118
440	66 1160	825	66 979	840	66 1017	853	66 1344	867	66 1358	879	66 1118
463	66 1318	826	66 978	840	66 1011	854	66 1345	867	66 1365	879	66 1117
495	66 1282	826	66 980	840	66 1009	854	66 1346	868	66 1365	879	66 1335
495	66 1384	826	66 981	841	66 1010	854	66 1340	868	66 1361	879	66 1336
549	66 1198	826	66 983	841	66 1011	854	66 1344	868	66 1372	879	66 1340
575	66 1176	827	66 983	841	66 1012	855	66 1345	869	66 1374	879	66 1341
582	66 1256	827	66 1011	841	66 1014	855	66 1336	869	66 1376	879	66 1335
624	66 1277	827	66 1013	841	66 1015	855	66 1337	869	66 1377	879	66 1337
633	66 1172	827	66 1009	842	66 1016	856	66 1338	869	66 1380	880	66 1337
640	66 1180	828	66 1017	842	66 1017	856	66 1339	870	66 1381	880	66 1348
654	66 1304	828	66 1021	842	66 1010	856	66 1343	870	66 1383	880	66 1362
680	66 1187	828	66 1023	842	66 1020	856	66 1344	870	66 1363	880	66 1363
699	66 1213	828	66 1024	842	66 1021	856	66 1345	870	66 1366	881	66 1364
707	66 1218	829	66 1025	843	66 1022	857	66 1345	870	66 1362	881	66 1366
750	66 1239	829	66 1020	843	66 1023	857	66 1346	871	66 1375	881	66 1370
781	66 1125	830	66 1123	844	66 1023	857	66 1347	871	66 1360	881	66 1373
817	66 982	830	66 1121	844	66 1024	857	66 1349	871	66 1361	881	66 1358
817	66 974	830	66 1341	844	66 1025	858	66 1350	871	66 1364	881	66 1361
817	66 979	830	66 1338	844	66 1026	858	66 1351	871	66 1376		

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