

SUPREME COURT REPORTER



VOLUME 67

COVERING
VOLUMES 329-332 U. S. REPORTS

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

OCTOBER TERM, 1946

ST. PAUL, MINN.
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1948

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JUSTICES

OCTOBER TERM, 1946.

CHIEF JUSTICE

HON. FRED M. VINSON 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

RETIRED JUSTICES—28 U.S.C.A. § 375

HON. JAMES CLARK McREYNOLDS ²
HON. CHARLES EVANS HUGHES

ATTORNEY GENERAL

HON. TOM C. CLARK

SOLICITOR GENERAL

HON. J. HOWARD McGRATH ³
HON. PHILIP B. PERLMAN ⁴

CLERK

CHARLES ELMORE CROPLEY

MARSHAL

THOMAS E. WAGGAMAN

REPORTER

WALTER WYATT

¹ Appointed Chief Justice, took office June 24, 1946.

² Died Aug. 24, 1946.

³ Resigned Oct. 7, 1946.

⁴ Appointed July 31, 1947.

ALLOTMENT OF THE JUSTICES

DISTRICT OF COLUMBIA.

CHIEF JUSTICE FRED M. VINSON, of Kentucky.
Appointed Chief Justice June 24, 1946, by President Truman.

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 ROBERT H. JACKSON, of New York.
Appointed July 11, 1941, 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 FRED M. VINSON, of Kentucky.
Appointed Chief Justice June 24, 1946, by President Truman.

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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804	67	488	811	67	632	817	67	620	823	67	107
804	67	490	812	67	632	818	67	25	823	67	108
804	67	492	812	67	633	818	67	24	824	67	107
805	67	492	812	67	634	818	67	25	824	67	110
805	67	493	812	67	635	818	67	26	824	67	116
805	67	495	813	67	636	819	67	27	824	67	117
805	67	496	813	67	633	819	67	26	825	67	118
806	67	496	813	67	634	819	67	28	825	67	119
806	67	497	813	67	637	819	67	29	825	67	120
806	67	501	814	67	630	820	67	29	825	67	180
806	67	502	814	67	631	820	67	30	825	67	181
807	67	502	814	67	633	820	67	31	826	67	182
807	67	503	815	67	633	820	67	32	826	67	183
808	67	503	815	67	634	821	67	32	827	67	184
808	67	620	815	67	635	821	67	33	827	67	185
808	67	621	815	67	636	821	67	34	827	67	186
809	67	622	816	67	636	822	67	34	828	67	186
809	67	623	816	67	637	822	67	35	828	67	187
809	67	624	817	67	638	822	67	36	828	67	188
810	67	624	817	67	637	822	67	25	828	67	182
811	67	623	817	67	627	823	67	28	828	67	184
811	67	626	817	67	353	823	67	24	828	67	199
									832	67	488

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1	67	504	767	67	1026	812	67	1090	824	67	860
75	67	556	799	67	767	813	67	1092	824	67	862
127	67	544	800	67	767	813	67	675	824	67	865
148	67	639	800	67	768	813	67	772	825	67	866
158	67	644	800	67	857	814	67	864	825	67	867
160	67	645	801	67	859	814	67	863	825	67	868
169	67	650	801	67	857	814	67	867	826	67	863
183	67	657	801	67	858	814	67	869	826	67	864
212	67	752	802	67	862	814	67	868	826	67	865
219	67	756	802	67	857	815	67	965	827	67	866
238	67	742	802	67	962	815	67	967	827	67	867
248	67	747	802	67	963	815	67	968	827	67	868
258	67	677	803	67	972	815	67	969	828	67	868
386	67	810	804	67	973	816	67	969	828	67	869
395	67	775	804	67	962	816	67	970	828	67	870
422	67	815	804	67	963	816	67	1081	829	67	870
446	67	847	804	67	974	816	67	1086	829	67	861
464	67	798	805	67	975	817	67	1082	829	67	860
469	67	801	806	67	978	817	67	1081	830	67	861
485	67	789	806	67	975	817	67	1091	830	67	863
501	67	839	806	67	1078	818	67	1093	830	67	864
518	67	828	807	67	1081	818	67	674	830	67	865
539	67	891	807	67	1087	818	67	675	831	67	865
545	67	883	808	67	1087	819	67	676	831	67	866
552	67	910	808	67	1088	819	67	675	831	67	868
567	67	894	809	67	1077	820	67	675	831	67	870
585	67	918	809	67	1079	820	67	676	831	67	871
610	67	903	810	67	1080	820	67	770	832	67	871
622	67	886	810	67	1085	821	67	771	832	67	872
631	67	874	810	67	1079	821	67	772	833	67	873
649	67	931	811	67	1083	822	67	771	833	67	859
695	67	954	811	67	1082	822	67	769	833	67	964
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731	67	1009	812	67	1095	823	67	774	834	67	970
743	67	1015	812	67	1089	824	67	774	835	67	971
									848	67	1091
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									841	67	981
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									842	67	1081
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									843	67	1084
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									845	67	1086
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									846	67	1081
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1	67 1047	789	67 1346	804	67 1757	823	67 1314	843	67 1534	861	67 1756
17	67 1056	789	67 1509	805	67 1186	824	67 1314	844	67 1534	861	67 1748
28	67 1041	790	67 1517	805	67 1187	824	67 1315	844	67 1535	861	67 1751
40	67 982	790	67 1524	805	67 1188	824	67 1316	844	67 1537	861	67 1754
70	67 1062	790	67 1521	806	67 1188	825	67 1316	845	67 1535	862	67 1757
96	67 1165	791	67 1521	806	67 1189	825	67 1314	845	67 1534	862	67 1758
100	67 1140	791	67 1522	807	67 1189	826	67 1317	845	67 1537	862	67 1759
111	67 1129	791	67 1523	807	67 1190	826	67 1318	846	67 1536	863	67 1759
125	67 1136	791	67 1508	808	67 1191	827	67 1348	846	67 1529	863	67 1186
132	67 1168	792	67 1508	808	67 1192	827	67 1349	846	67 1729	863	67 1187
145	67 1098	792	67 1521	808	67 1193	828	67 1350	846	67 1731	863	67 1194
199	67 1178	792	67 1526	808	67 1194	828	67 1351	846	67 1732	864	67 1194
210	67 1175	793	67 1526	808	67 1186	829	67 1351	847	67 1732	864	67 1195
218	67 1146	793	67 1727	808	67 1187	829	67 1352	847	67 1733	864	67 1196
247	67 1160	793	67 1728	809	67 1189	829	67 1353	847	67 1736	864	67 1197
256	67 1287	794	67 1723	809	67 1190	830	67 1347	848	67 1733	864	67 1198
284	67 1207	794	67 1724	809	67 1191	830	67 1348	848	67 1734	864	67 1199
367	67 1249	794	67 1725	809	67 1192	830	67 1352	848	67 1735	864	67 1200
398	67 1265	794	67 1726	810	67 1199	830	67 1353	849	67 1735	864	67 1201
416	67 1274	795	67 1726	810	67 1200	831	67 1354	849	67 1736	865	67 1195
432	67 1283	795	67 1731	810	67 1201	831	67 1510	849	67 1737	865	67 1196
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461	67 1340	795	67 1735	811	67 1202	832	67 1512	850	67 1730	865	67 1303
469	67 1330	796	67 1740	812	67 1203	833	67 1513	850	67 1742	865	67 1302
477	67 1334	796	67 1723	812	67 1205	833	67 1514	851	67 1744	865	67 1313
486	67 1400	796	67 1726	812	67 1200	834	67 1514	851	67 1743	865	67 1315
503	67 1431	796	67 1748	813	67 1196	834	67 1515	851	67 1727	866	67 1314
519	67 1387	797	67 1748	813	67 1197	834	67 1516	851	67 1728	866	67 1346
532	67 1394	797	67 1751	814	67 1198	835	67 1516	852	67 1728	866	67 1347
543	67 1428	797	67 1755	814	67 1199	835	67 1517	852	67 1729	866	67 1351
549	67 1409	797	67 847	814	67 1201	836	67 1519	852	67 1730	866	67 1353
586	67 1355	797	67 1188	814	67 1202	836	67 1518	852	67 1731	866	67 1527
642	67 1443	797	67 1189	814	67 1203	836	67 1520	852	67 1733	866	67 1528
682	67 1482	798	67 1199	815	67 1203	837	67 1520	853	67 1735	867	67 1529
694	67 1477	798	67 1200	815	67 1204	837	67 1524	853	67 1737	867	67 1530
704	67 1463	798	67 1202	815	67 1205	837	67 1522	853	67 1738	867	67 1531
722	67 1473	798	67 1305	815	67 1206	837	67 1511	854	67 1738	867	67 1526
731	67 1440	799	67 1306	816	67 1301	837	67 1512	854	67 1739	867	67 1527
737	67 1489	799	67 1307	816	67 1303	838	67 1511	854	67 1740	868	67 1526
745	67 1382	799	67 1309	816	67 1305	838	67 1515	855	67 1741	868	67 1527
752	67 1493	800	67 1348	817	67 1305	838	67 1518	855	67 1742	868	67 1528
783	67 1185	800	67 1514	817	67 1306	839	67 1521	855	67 1743	868	67 1531
784	67 1191	800	67 1517	818	67 1306	839	67 1508	856	67 1744	868	67 1533
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784	67 1205	801	67 1513	818	67 1308	840	67 1510	857	67 1745	868	67 1725
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786	67 1301	802	67 1736	821	67 1310	841	67 1522	858	67 1751	869	67 1729
786	67 1304	802	67 1731	821	67 1304	841	67 1523	858	67 1752	869	67 1730
786	67 1312	802	67 1737	821	67 1305	841	67 1524	858	67 1754	869	67 1724
787	67 1314	802	67 1741	822	67 1302	841	67 1525	859	67 1755	869	67 1749
787	67 1318	803	67 1738	822	67 1303	842	67 1525	859	67 1756	869	67 1750
788	67 1313	803	67 1728	822	67 1304	842	67 1531	830	67 1756	870	67 1754
788	67 1316	803	67 1751	822	67 1309	842	67 1532	830	67 1757	870	67 1750
788	67 1346	804	67 1754	823	67 1311	842	67 1533	860	67 1751	870	67 1748
789	67 1347	804	67 1755	823	67 1312	843	67 1533	861	67 1755	870	67 1749

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1	67 1538	126	67 1547	155	67 1569	194	67 1575	234	67 1599	261	67 1613
19	67 1658	134	67 1716	168	67 1584	194	67 1760	245	67 1552	301	67 1604
46	67 1672	145	67 1711	174	67 1588	218	67 1560	258	67 1558	319	67 1634

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