

SUPREME COURT REPORTER



VOLUME 62

COVERING
VOLUMES 314-316 U. S. REPORTS

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

OCTOBER TERM, 1941

ST. PAUL, MINN.
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JUSTICES

OCTOBER TERM, 1941

CHIEF JUSTICE

HON. HARLAN FISKE STONE¹

ASSOCIATE JUSTICES

HON. OWEN J. ROBERTS

HON. HUGO L. BLACK

HON. STANLEY F. REED

HON. FELIX FRANKFURTER

HON. WILLIAM O. DOUGLAS

HON. FRANK MURPHY

HON. JAMES FRANCIS BYRNES²

HON. ROBERT H. JACKSON³

RETIRED JUSTICES—28 U.S.C.A. § 375

HON. GEORGE SUTHERLAND⁴

HON. JAMES CLARK McREYNOLDS

HON. CHARLES EVANS HUGHES

ATTORNEY GENERAL

HON. FRANCIS BIDDLE⁵

SOLICITOR GENERAL

HON. CHARLES FAHY⁶

CLERK

CHARLES ELMORE CROPLEY

MARSHAL

THOMAS E. WAGGAMAN

REPORTER

ERNEST KNAEBEL

¹ Became Chief Justice July 3, 1941.

² Appointed June 25, 1941.

³ Appointed July 11, 1941.

⁴ Died July 18, 1942.

⁵ Appointed Sept. 5, 1941.

⁶ Appointed Nov. 15, 1941.

ALLOTMENT OF THE JUSTICES

DISTRICT OF COLUMBIA.

CHIEF JUSTICE HARLAN FISKE STONE, of New York.
Appointed February 5, 1925, by President Coolidge.

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 OWEN J. ROBERTS, of Pennsylvania.
Appointed May 20, 1930, by President Hoover.

FOURTH CIRCUIT.

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

CHIEF JUSTICE HARLAN FISKE STONE, of New York.
Appointed February 5, 1925, by President Coolidge.

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 JAMES FRANCIS BYRNES, of South Carolina.

Appointed June 25, 1941, by President Roosevelt.

EIGHTH CIRCUIT.

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

JUSTICE FRANK MURPHY, of Michigan.

Appointed January 18, 1940, 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 FRANK MURPHY, of Michigan.

Appointed January 18, 1940, by President Roosevelt.

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1	62	422	501	62	701	784	62	801	797	62	487
8	62	418	510	62	712	784	62	802	797	62	488
15	62	432	521	62	642	785	62	803	798	62	489
25	62	415	543	62	754	785	62	805	798	62	579
32	62	425	561	62	780	786	62	801	798	62	580
42	62	430	568	62	766	786	62	491	799	62	580
44	62	442	575	62	736	786	62	802	799	62	622
50	62	445	610	62	784	786	62	808	799	62	628
57	62	449	626	62	777	787	62	905	799	62	625
60	62	457	631	62	763	787	62	911	800	62	628
94	62	438	637	62	771	787	62	915	800	62	625
100	62	452	649	62	857	788	62	909	801	62	625
110	62	523	657	62	870	788	62	402	801	62	628
126	62	513	666	62	853	788	62	651	802	62	630
139	62	508	668	62	839	789	62	488	802	62	631
143	62	520	681	62	862	789	62	490	802	62	634
148	62	491	685	62	846	789	62	579	802	62	630
179	62	540	698	62	827	790	62	625	803	62	630
185	62	544	722	62	807	790	62	631	803	62	631
189	62	537	740	62	820	790	62	633	803	62	632
194	62	546	752	62	854	791	62	640	804	62	632
203	62	552	769	62	865	791	62	639	804	62	633
257	62	510	789	62	816	791	62	641	805	62	633
262	62	529	779	62	485	792	62	796	805	62	634
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282	62	608	779	62	487	792	62	795	806	62	641
283	62	618	779	62	490	792	62	801	806	62	640
289	62	581	779	62	580	793	62	804	806	62	638
343	62	608	780	62	579	793	62	805	806	62	639
357	62	651	781	62	806	793	62	903	807	62	639
373	62	717	781	62	620	794	62	907	807	62	640
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447	62	676	783	62	637	796	62	489	809	62	794
475	62	722	783	62	793	797	62	490	809	62	795
495	62	732	784	62	793	797	62	485			

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4	62	875	535	62	1110	654	62	1044	670	62	1043
23	62	899	547	62	1139	654	62	1038	670	62	1045
31	62	886	556	62	1146	654	62	1039	670	62	1046
52	62	920	572	62	1216	654	62	1041	671	62	1047
56	62	925	584	62	1234	654	62	1047	671	62	1041
69	62	922	624	62	1223	655	62	1046	671	62	1046
74	62	932	641	62	946	655	62	1048	671	62	1042
89	62	978	641	62	947	656	62	1268	672	62	1042
98	62	962	641	62	940	656	62	1266	672	62	1043
101	62	964	642	62	688	656	62	1267	673	62	1044
105	62	960	642	62	1031	657	62	1269	673	62	1045
107	62	959	642	62	1036	657	62	1278	674	62	1040
114	62	1000	643	62	1030	657	62	1277	674	62	1042
129	62	993	643	62	712	657	62	1283	674	62	1047
143	62	969	643	62	1031	657	62	1290	675	62	1043
149	62	966	643	62	1032	658	62	1305	675	62	1044
153	62	975	643	62	1036	658	62	1307	675	62	1045
159	62	972	644	62	1109	658	62	1310	675	62	1046
164	62	984	644	62	1037	659	62	1302	676	62	1046
168	62	986	644	62	1271	659	62	1303	676	62	1047
174	62	1008	644	62	1048	659	62	1304	676	62	1104
203	62	1022	645	62	1104	659	62	1306	676	62	1105
209	62	1026	645	62	1108	659	62	1305	677	62	1106
216	62	948	645	62	1102	660	62	1310	677	62	1107
241	62	1088	646	62	1279	660	62	940	677	62	1108
255	62	1068	646	62	1283	661	62	946	678	62	1107
258	62	1064	647	62	1271	661	62	941	678	62	1108
265	62	1070	647	62	1272	661	62	943	678	62	1106
283	62	1085	647	62	1061	662	62	943	679	62	1106
286	62	1049	647	62	1292	662	62	944	679	62	1104
310	62	1061	648	62	1298	662	62	942	680	62	1107
317	62	1095	648	62	1299	663	62	942	680	62	1107
332	62	1080	648	62	1286	663	62	943	680	62	1107
342	62	1137	648	62	1285	664	62	944	680	62	1270
346	62	1166	649	62	943	665	62	945	681	62	1267
350	62	1171	649	62	1288	665	62	946	681	62	1268
354	62	1154	649	62	1312	665	62	1036	682	62	1268
364	62	1179	649	62	1301	665	62	1033	682	62	1269
394	62	1162	650	62	1301	666	62	1034	682	62	1270
400	62	1159	650	62	1300	666	62	1035	683	62	1270
407	62	1194	651	62	1049	667	62	1033	683	62	1272
447	62	1244	651	62	941	667	62	1034	684	62	1284
450	62	1144	651	62	945	668	62	1035	684	62	1275
455	62	1252	652	62	946	668	62	1035	684	62	1282
481	62	1168	652	62	1033	669	62	1039	684	62	1285
486	62	1122	653	62	1032	669	62	1041	685	62	1276
491	62	1173	653	62	1036	669	62	1042	685	62	1277
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