

# **Simon Ernest Sobeloff**

**A Register of His Papers in the Library of Congress**

**Prepared by Paul Ledvina with the assistance of Sherralyn  
McCoy, Susie Moody, and Cassandra Ricks  
Revised by Michael Spangler**



**Manuscript Division  
Library of Congress**

**Washington, D.C.**

**1999**

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Latest revision: 2004-08-13

## Collection Summary

**Title:** Papers of Simon Ernest Sobeloff

**Span Dates:** 1882-1973

**Bulk Dates:** (bulk 1950-1973)

**ID No.:** MSS50674

**Creator:** Sobeloff, Simon Ernest, 1894-1973

**Size:** 95,000 items; 395 containers; 158 linear feet; 3 microfilm reels

**Language:** Collection material in English

**Repository:** Manuscript Division, Library of Congress, Washington, D.C.

**Abstract:** General correspondence, appointment books, solicitor general files, case and office files of the United States Court of Appeals, speeches and writings, subject file, and miscellany relating to Sobeloff's involvement in Baltimore and Maryland law and politics, his duties as solicitor general, and cases heard before the Fourth Circuit U.S. Court of Appeals.

## Selected Search Terms

The following terms have been used to index the description of this collection in the Library's online catalog. They are grouped by name of person or organization, by subject or location, and by genres and listed alphabetically therein.

### Names:

Sobeloff, Simon Ernest, 1894-1973

Bazelon, David L. (David Lionel), 1909- --Correspondence

Burger, Warren E., 1907- --Correspondence

Douglas, William O. (William Orville), 1898- --Correspondence

Eisenhower, Dwight D. (Dwight David), 1890-1969--Correspondence

Frankfurter, Felix, 1882-1965--Correspondence

Haynsworth, Clement F. (Clement Furman), 1912- --Correspondence

Hoover, J. Edgar (John Edgar), 1895-1972--Correspondence

Javits, Jacob K. (Jacob Koppel), 1904-1986--Correspondence

Kennedy, Robert F., 1925-1968--Correspondence

Leventhal, Harold, 1915-1979--Correspondence

McKeldin, Theodore R. (Theodore Roosevelt), 1900-1974--Correspondence

Mencken, H. L. (Henry Louis), 1880-1956--Correspondence

Parker, John Johnston, 1885-1958--Correspondence

Paul, John, 1883-1964--Correspondence

Soper, Morris Ames, 1873-1963--Correspondence

Watkins, R. Dorsey (Robert Dorsey), 1900- --Correspondence

Wright, J. Skelly--Correspondence

United States. Court of Appeals (4th Circuit)

United States. Solicitor General

United States. Subversive Activities Control Board

American Bar Association

American Jewish Congress

Baltimore Urban League (Md.)

National Council on Crime and Delinquency

Courts--United States

Jews--Societies, etc.

Law--Maryland

Law--Maryland--Baltimore

Law--United States--Cases

Race relations

School integration

Segregation in education

### Subjects:

Baltimore (Md.)--Politics and government  
Maryland--Politics and government

**Occupations:**

Jurists  
Lawyers  
Public officials

## Administrative Information

**Provenance:**

The papers of Simon Ernest Sobeloff, lawyer, solicitor general of the United States, and judge of the United States Court of Appeals for the Fourth Circuit, were given to the Library of Congress in 1980 by his daughters Ruth Mayer and Evva Vale. Scrapbooks pertaining to Sobeloff were lent by his grandson, Michael S. Mayer, to the Library of Congress for microfilming in 1984.

**Processing History:**

The papers of Simon Ernest Sobeloff were arranged and described in 1983. This register was revised to incorporate the scrapbook microfilm in 1999. A description of the Sobeloff Papers appears in the *Quarterly Journal of the Library of Congress*, v. 31, Oct. 1974, p. 271, and in *Library of Congress Acquisitions: Manuscript Division, 1982*, pp. 23-26.

**Copyright Status:**

The status of copyright in the unpublished writings of Simon Ernest Sobeloff is governed by the Copyright Law of the United States (Title 17, U.S.C.).

**Microfilm:**

A microfilm edition of scrapbooks relating to Sobeloff is available on three reels. Consult a reference librarian in the Manuscript Division concerning availability for purchase or interlibrary loan.

**Preferred Citation:**

Researchers wishing to cite this collection should include the following information: Container number, Simon Ernest Sobeloff Papers, Manuscript Division, Library of Congress, Washington, D.C.

## Biographical Note

<i>Date</i>	<i>Event</i>
1894, Dec. 3	Born, Baltimore, Md.
1909	Page, U.S. House of Representatives
1915	LL.B., University of Maryland, College Park, Md. Began private law practice in Baltimore, Md.
1918	Married Irene Ehrlich
1919-1923	Assistant city solicitor, Baltimore, Md.
1923	Resumed private law practice, Baltimore, Md.
1927-1931	Deputy city solicitor, Baltimore, Md.

1931-1934	U.S. attorney for the District of Maryland
1935-1936	Conducted Baltimore Trust Company Investigation
1936	Resumed private law practice, Baltimore, Md.
1943-1947	City solicitor, Baltimore, Md.
1948	Resumed private law practice, Baltimore, Md.
1952-1954	Chief judge, Maryland Court of Appeals
1954-1955	Solicitor General of the United States
1956-1973	Judge, Fourth Circuit, U.S. Court of Appeals
1973, July 11	Died, Baltimore, Md.

## Scope and Content Note

The papers of Simon Ernest Sobeloff (1894-1973) span the years 1882-1973, but are concentrated in the period 1950-1973. Sobeloff's duties as United States Solicitor General are represented in the collection. Documentation of his tenure as judge and chief judge of the Fourth Circuit Court of Appeals is particularly extensive and comprehensive. The papers are divided into eight series: [Appointment Books](#), [General Correspondence](#), [United States Solicitor General Files](#), [United States Court of Appeals Files](#), [Speeches and Writing Files](#), [Subject File](#), [Miscellany](#), and [Scrapbooks](#).

Few items from Sobeloff's youth and early professional career are contained in the collection. Letters in the [General Correspondence](#) series, 1930-1973, contain references to his early childhood in Baltimore, his experiences as a page in the United States House of Representatives, and his early law practice. The correspondence concerns both his professional duties and his social activities. The letters in this series complement correspondence found in the [Solicitor General Files](#), [United States Court of Appeals Files](#), and the [Speeches and Writings File](#). Correspondents in these series include the justices of the United States Supreme Court, judges of the Courts of Appeals and circuit courts, and various political, government, and literary figures, among them being David Bazelon, Warren Burger, William O. Douglas, Dwight D. Eisenhower, Felix Frankfurter, Clement F. Haynsworth, Jr., J. Edgar Hoover, Jacob Javits, Robert F. Kennedy, Harold Leventhal, Theodore McKeldin, H. L. Mencken, John J. Parker, John Paul, Morris Soper, Dorsey Watkins, and J. Skelly Wright.

The [Solicitor General Files](#), 1953-1956, while not extensive, reveal how Sobeloff conducted the office and decided which cases the government should appeal and when it should confess error. Files for cases which Sobeloff either argued personally or was on the brief before the Supreme Court include notes and drafts of briefs detailing his methods of argumentation as well as correspondence relating to the cases. Among the cases were those concerning actions of the Subversive Activities Control Board, the validity of trying a civilian by court-martial, federal preemption of state sedition laws, and segregation in the public schools. When the Supreme Court outlawed racial segregation in the public schools in May 1954, it ordered reargument the following term on the question of an appropriate decree to implement the decision. Opposing counsel were invited to address the court on this point, and Sobeloff appeared for the government. President Eisenhower took a personal interest in this case and called Sobeloff as solicitor general to the White House on a Saturday morning to review the brief. A copy of the brief with Eisenhower's notations is in the papers along with other related material on the segregation issue.

Sobeloff's confirmation as a judge of the Fourth Circuit Court of Appeals was held up for a year by several members of the Senate Judiciary Committee, mainly because of his role in the desegregation decision and his views on other controversial issues of the 1950s. This period is documented in the correspondence and the published hearings in the [United States Court of Appeals Files](#) series. When he became a judge and subsequently chief judge of the Fourth Circuit, Sobeloff rendered several important decisions in cases from counties in Virginia and North Carolina, striking down certain school districting plans and ordering a more speedy implementation of desegregation.

The [Court of Appeals](#) series contains a comprehensive record of Sobeloff's seventeen years on the federal bench and provides the opportunity for a close study of the judicial process in one appellate court. The case files include correspondence among the judges, intracourt memoranda, bench memoranda, notes, draft opinions, and other related material produced and collected by Sobeloff. Also included are records of the judicial conferences, which provide an account of the topics of interest discussed at the annual meetings of the judges of the Fourth Circuit. The United States Judicial Conference files contain correspondence, notes, and working drafts for various advisory committees upon which Sobeloff served. The Court of Appeals series also includes an office file of personnel records, court dockets and other scheduling matters, financial records, and general reference material relevant to the operation of the court.

Throughout his public life, Sobeloff made a great number of speeches both before the legal profession and various philanthropic organizations. Correspondence, notes, and rough drafts are included with these speeches, which make up the greater part of the [Speeches and Writings File](#), 1928-1972. The writings consist of book reviews and scholarly articles which appeared mainly in legal journals. Major subjects include criminal insanity, courts and the press, civil liberties, freedom and security, administration of immigration laws, the criminal code, and the work of the solicitor general's office. At the end of this series is a group of speeches written by Sobeloff for the use of others, including his close friend and advisee, Theodore McKeldin, governor of Maryland.

The [Subject File](#), 1936-1973, documents Sobeloff's activities in the American Bar Association, the Federal Bar Association, Maryland Commission on Administrative Organization of the State, National Council on Crime and Delinquency, Institute of Judicial Administration, the Jewish Court of Arbitration and Defamation League, and the Baltimore Urban League. These files reveal Sobeloff's involvement in the Jewish community both locally and nationally. He served as director of the Association of Jewish Charities, director of the Jewish Educational Alliance, and as an officer in the American Jewish Congress. Locally he served on the Baltimore Board of Jewish Education and the Baltimore Jewish Council. He was a trustee of Brandeis University and a member of the Visiting Committee in the Social Sciences at Johns Hopkins University.

Some of Sobeloff's early work in municipal and state functions is noted in the [Miscellany](#) series, 1882-1973, including material from the 1930s concerning the Baltimore Employment Stabilization Commission and Sobeloff's appointment as the United States attorney for the district of Maryland in 1931. Also included in this series are fragmentary files of Sobeloff's tenure as chief judge of the Maryland Court of Appeals, 1952-1954, which consist of drafts and printed copies of opinions and a small amount of correspondence and memoranda. Social correspondence, gift lists, travel files, and other personal and financial material are also included as well as biographical material for both Sobeloff and his wife, Irene. Few items in this series concern Sobeloff's early years, with the exception of a phonetic shorthand manual used while he served as a page in the House of Representatives in 1909. Additional biographical information can be found in an oral history transcript at the Maryland Historical Society.

The [Scrapbook](#) series consists of microfilm copies of fourteen volumes of scrapbooks relating to Sobeloff's career, 1914-1972.

## Organization of the Papers

The collection is arranged in eight series:

- [Appointment Books, 1952-1972.](#)
- [General Correspondence, 1930-1973, n.d.](#)
- [United States Solicitor General Files, 1953-1956.](#)
- [United States Court of Appeals Files, 1955-1973, n.d.](#)
- [Speeches and Writings File, 1928-1972, n.d.](#)
- [Subject File, 1936-1973, n.d.](#)
- [Miscellany, 1882-1973, n.d.](#)
- [Scrapbooks, 1914-1972.](#)

## Description of Series

<i>Container</i>	<i>Series</i>
BOX 1-8	<p><b><u>Appointment Books, 1952-1972</u></b></p> <p>Volumes including a daily record of Sobeloff's professional and social activities. Arranged chronologically.</p>
BOX 9-20	<p><b><u>General Correspondence, 1930-1973, n.d.</u></b></p> <p>Letters sent and received, memoranda, and miscellaneous attachments and enclosures. Arranged alphabetically, with correspondence relating to family matters at the end.</p>
BOX 21-33	<p><b><u>United States Solicitor General Files, 1953-1956</u></b></p> <p>Correspondence, memoranda, Supreme Court files, and office files including research material, printed matter, and clippings. Arranged by subject, and chronologically or alphabetically therein.</p>
BOX 34-307	<p><b><u>United States Court of Appeals Files, 1955-1973, n.d.</u></b></p>
BOX 34-109	<p><b><u>Opinions, Dissents, and Special Concurrences.</u></b></p> <p>Correspondence, memoranda, opinions in manuscript, near-print, and printed form, research material, and printed matter. Arranged chronologically by term and alphabetically therein by name of case.</p>
BOX 110-125	<p><b><u>Three-Judge Courts.</u></b></p> <p>Correspondence, memoranda, opinions in manuscript, near-print, and printed form, research material, and printed matter. Arranged alphabetically by name of case.</p>
BOX 126-253	<p><b><u>Opinions, Dissents, and Special Concurrences by Other Judges.</u></b></p> <p>Correspondence, memoranda, opinions in manuscript, near-print, and printed form, research material, and printed matter. Arranged chronologically by term and alphabetically therein by name of case.</p>
BOX 254-258	<p><b><u>Case File Miscellany.</u></b></p> <p>District court cases and District of Columbia court cases (1971-1973). Organized alphabetically by name of case. Also included is a miscellany of unidentified material organized by docket number.</p>
BOX 259-307	<p><b><u>Office Files.</u></b></p> <p>Material related to Sobeloff's appointment to the Fourth Circuit Court of Appeals, judicial conferences, court dockets and other scheduling matters, personnel records, financial records, and general research material. Organized alphabetically by subject and, where applicable, chronologically therein.</p>
BOX 308-343	<p><b><u>Speeches and Writings File, 1928-1972, n.d.</u></b></p> <p>Speeches and writings by Sobeloff, correspondence, and other related material. Arranged chronologically with speeches and writings by Sobeloff for others filed at the end of the series.</p>

**BOX 344-367**

**Subject File, 1936-1973, n.d.**

Correspondence, notes, memoranda, reports, material related to organizations in which Sobeloff was active, moot courts, and general reference material.

Arranged alphabetically by subject.

**BOX 368-395**

**Miscellany, 1882-1973, n.d.**

Correspondence, notes, memoranda, biographical material, clippings, material relating to family members, social invitations, printed matter, personal legal and financial matters.

Arranged alphabetically by topic or type of material.

**REEL 1-3**

**Scrapbooks, 1914-1972**

Primarily clippings pertaining to Sobeloff's career. Available only on three rolls of microfilm, shelf no. 18,939.

# Container List

<i>Container</i>	<i>Contents</i>
<b>BOX 1-8</b>	<b>Appointment Books, 1952-1972</b> Volumes including a daily record of Sobeloff's professional and social activities. Arranged chronologically.
<b>BOX 1</b>	1952-1953, 1957-1958 (4 vols.)
<b>BOX 2</b>	1958-1959 (3 vols.)
<b>BOX 3</b>	1960-1961 (3 vols.)
<b>BOX 4</b>	1962-1963 (3 vols.)
<b>BOX 5</b>	1963-1964 (3 vols.)
<b>BOX 6</b>	1965-1966 (3 vols.)
<b>BOX 7</b>	1967-1969 (6 vols.)
<b>BOX 8</b>	1970-1972 (3 vols.)
<b>BOX 9-20</b>	<b>General Correspondence, 1930-1973, n.d.</b> Letters sent and received, memoranda, and miscellaneous attachments and enclosures. Arranged alphabetically, with correspondence relating to family matters at the end.
<b>BOX 9</b>	"A" miscellaneous, 1951-1973 (2 folders) Barksdale, Alfred D., 1958-1972 Bazelon, David L., 1955-1956, 1972 Bell, J. Spencer, 1961-1967 Biggs, John, Jr., 1957-1962 Boreman, Herbert S., 1958-1972 Bryan, Albert V., 1958-1972
<b>BOX 10</b>	Butler, Algernon L., 1959-1968 Butzner, John D., Jr., 1962-1973 "B" miscellaneous, 1950-1972 (3 folders) Chestnut, W. Calvin, 1958-1963 Clark, Chase A., 1958-1960
<b>BOX 11</b>	Craven, J. Braxton, Jr., 1961-1973 "C" miscellaneous, 1951-1973 (2 folders)



**General Correspondence, 1930-1973, n.d.**

*Container*

*Contents*

---

	Dalton, Theodore R., 1959-1971 (2 folders)
	Dobie, Armistead M., 1956-1964
	"D" miscellaneous, 1951-1972
<b>BOX 12</b>	"E" miscellaneous, 1951-1956
	Feldman, William Taft, 1953-1970
	Field, John A., 1959-1973
	Frankfurter, Felix, 1955-1956, 1961
	"F" miscellaneous, 1933, 1953-1973 (2 folders)
	Gibson, Ernest W., 1959
	Gilliam, Don, 1958-1959
	Gordon, Eugene A., 1964-1967
	Grooms, H. H., 1958-1959
	"G" miscellaneous, 1953-1972
<b>BOX 13</b>	Hamley, Frederick G., 1960
	Haynes, Johnson J., 1958-1962
	Haynsworth, Clement F., Jr., 1957-1972 (4 folders)
	Hemphill, Robert W., 1964-1967
	Hoffman, Walter E., 1959-1973
<b>BOX 14</b>	Holland, John W., 1958-1959
	Hutcheson, Sterling, 1958-1969
	"H" miscellaneous, 1951-1963 (2 folders)
	"I" miscellaneous, 1953
	"J" miscellaneous, 1952-1967
	"K" miscellaneous, 1951-1972 (2 folders)
<b>BOX 15</b>	Lamb, Frances, 1954-1956
	Larkins, John Davis, Jr., 1961-1962, 1971
	Lewis, Oren R., 1960-1970
	"L" miscellaneous, 1951-1972 (3 folders)
	Martin, James R., 1961-1964
	McKeldin, Theodore R., 1950-1956
	McMillan, James B., 1968-1973
	Medina, Harold R., 1966
	Merhige, Robert R., Jr., 1968-1971
	Michie, Thomas J., 1961-1967, 1973
	Miner, Julius H., 1955-1960
<b>BOX 16</b>	"M" miscellaneous, 1950-1973
	"Mc" miscellaneous, 1953-1973 (2 folders)
	Northrop, Edward S., 1961-1970
	"N" miscellaneous, 1952-1958
	"O" miscellaneous, 1948-1964

## General Correspondence, 1930-1973, n.d.

<i>Container</i>	<i>Contents</i>
BOX 17	Parker, John J., 1952-1958 Paul, Charles F., 1960-1965 Paul, John, 1958-1965 Preyer, L. Richardson, 1961-1963, 1969 "P" miscellaneous, 1951-1970 Reeves, Albert L., 1959-1960 Rhyne, Charles S., 1955-1957 Russell, Donald S., 1967-1972 "R" miscellaneous, 1951-1973 (2 folders) Soper, Morris A. 1930-1932
BOX 18	1933-1963 (3 folders) Stanley, Edwin M., 1958-1971 "S" miscellaneous, 1951-1971 (3 folders)
BOX 19	Thompson, Roby C., 1959-1962 Thomsen, Roszel C., 1954-1968 Timmerman, George Bell, 1958-1962 "T" miscellaneous, 1951-1968 "U" miscellaneous, 1933, 1953-1956 "V" miscellaneous, 1956-1967 Warlick, Wilson, 1958-1968 Watkins, Harry E., 1958-1963 Watkins, R. Dorsey, 1951-1973 Widener, H. Emory, Jr., 1969-1973 Wilkin, Robert N., 1958-1959 Williams, Ashton H., 1958-1962
BOX 20	Winter, Harrison, 1961-1972 Wyche, Charles C., 1958-1966 "W" miscellaneous, 1951-1966 "X-Z" miscellaneous, 1953-1956 Unidentified, 1954, 1971 Family matters, 1953-1956 (2 folders)
BOX 21-33	<b>United States Solicitor General Files, 1953-1956</b> Correspondence, memoranda, Supreme Court files, and office files including research material, printed matter, and clippings. Arranged by subject, and chronologically or alphabetically therein.
BOX 21	Appointment as solicitor general, 1954 Correspondence A-M (7 folders)

## United States Solicitor General Files, 1953-1956

<i>Container</i>	<i>Contents</i>
BOX 22	N-Z (4 folders) Induction and testimonial dinner, Feb. 1954 (2 folders)
BOX 23	(2 folders) Nomination hearings Testimonial dinner, Oct. 1954 Supreme Court file General October term, 1953 Franklin Nat'l Bank v. New York (1 folder)
BOX 24	(2 folders) Phillips Petroleum v. Wisconsin
BOX 25	October term, 1954 General Am. Investors Co. v. Internal Revenue Service (2 folders) United States v. Capps (2 folders)
BOX 26	School segregation cases, nos. 1-5 (3 folders) October term, 1955 Communist Party v. Subversive Activities Control Bd. (2 folders)
BOX 27	(1 folder) Federal Power Comm'n v. Detroit Greenwood v. United States Pennsylvania v. Nelson United States v. Quarles (2 folders)
BOX 28	Admissions (3 folders) American Bar Association ABA <i>Journal</i> article "Attorney for the Government," Mar. 1955 Chicago, 1954 (3 folders)
BOX 29	Dallas, 1956 House of Delegates, 1955-1956 Philadelphia, 1955 Sentencing file (2 folders)
BOX 30	American Law Institute Attorney General's Office Baltimore County Bar Association Conference of chief justices, 1955 Judicial Conference of the United States

## United States Solicitor General Files, 1953-1956

### Container

### Contents

---

	Judicial conferences, circuit court
	Maryland Bar Association
	Memoranda notebook, 1955-1956
BOX 31	Office personnel--law clerk applicants
	Parole and probation
	Recommendations by Sobeloff (2 folders)
	Republican National Committee
	Segregation file (2 folders)
BOX 32	(4 folders)
BOX 33	State Department
	Stonewall Jackson Hall of Fame
	Subversive, etc.
	Wallace, Weldon, interview, 1954
BOX 34-307	<b>United States Court of Appeals Files, 1955-1973, n.d.</b>
BOX 34-109	<b>Opinions, Dissents, and Special Concurrences.</b> Correspondence, memoranda, opinions in manuscript, near-print, and printed form, research material, and printed matter. Arranged chronologically by term and alphabetically therein by name of case.
BOX 34	1956 term Algodon Mfg. Co. v. Internal Revenue Serv. American Monorail Co. v. Parks-Cramer Co. Blalock v. United States Brooks Transp. Co. v. United States Brown v. Brock Burna v. United States Cagle v. Norfolk S. Ry. Chesapeake Motor Lines v. United States
BOX 35	Christian v. United States Colonial-American Nat'l Bank v. United States Corsa v. Tawes (2 folders) Cowles v. Ohio Farmers Ins. Curtis Bay Towing Co. v. Sadowski Dorsett v. Shore
BOX 36	Erlanger Mills v. Cohoes Fibre Mills Girard v. Internal Revenue Serv. Hawkins v. United States Internal Revenue Serv. v. Poe Mfg. Co. Jersey Ins. Co. v. Heffron Knipp v. Internal Revenue Serv. Kress v. Aghnides Lester Coal Co. v. National Shawmut Bank

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

	McCracken v. Richmond, Fredericksburg & Potomac R.R.
	McDonald v. Patton
	McJunkin Corp. v. Orangeburg
	McKnight v. M. & J. Fin. Corp.
	Meredith v. United States
	Meredith v. United States
	Mid-Century v. Internal Revenue Serv.
	Middleton v. United States
	North Beach Amusement Co. v. United States
	Pennsylvania Threshermen & Farmers' Mut. Casualty Ins. Co. v. Owens
	Pennsylvania Threshermen & Farmers' Mut. Casualty Ins. Co. v. Thornton
	Ralston Purina v. Edmunds
<b>BOX 37</b>	Romm v. Internal Revenue Serv.
	Rosedale Coal Co. v. United States Bureau of Mines
	Smoot Sand & Gravel v. Internal Revenue Serv.
	Southern Ry. v. United States
	(2 folders)
	Spriggs v. Hoffstot
	United States v. Kyle
	United States v. Smoot Sand & Gravel
	Utica Mut. Ins. Co. v. Rollason
	Ventimiglia v. United States
	Zoby v. American Fidelity
<b>BOX 38</b>	Miscellaneous correspondence
	1956-1957
	(2 folders)
	Matters concerning Judge Parker
	West Publishing Co.
	Williams, R. M. F.
	1957 term
	Armприester v. United States
	Atlantic Coast Line R.R. v. Truett
	Citizens Bank of Weston v. Internal Revenue Serv.
	Davies v. Kahn
	Davis v. Peppersack
	Export Leaf Tobacco Co. v. American Ins. Co.
	Farmer v. Fidelity Casualty Co.
	Finn v. United States
<b>BOX 39</b>	Guest v. Breedin
	Hall v. United States
	Hart v. United States
	Harvey v. Smyth
	Herd v. Krawill
	Hilton v. Duke Power Co.
	Hunt v. Bradshaw
	Ieronimakis v. Steamship <i>Johnstar</i>
	(2 folders)

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

BOX 40	Internal Revenue Serv. v. Reynolds Tobacco Co.
	Johnson & Johnson v. Carolina Lee Knitting Co.
	Largent v. Lemley
	Linden v. United States
	Loesch v. Federal Trade Comm'n
	Manke v. United States
	McCall v. United States
	McCoy v. United States
	Meek & Bledsoe v. Harris
	Miller Motors v. Ford Motor Co.
	National Labor Relations Bd. v Broadway Express
	National Labor Relations Bd. v. Jones Sausage Co.
	National Labor Relations Bd. v. Moss Planing Mill
	National Labor Relations Bd. v. School-Timer Frocks
	Nicholson v. Stroup
	Ore Navigation Corp. v. Thomsen
	BOX 41
Passaro v. Norfolk & W. Ry.	
Pittsburgh Plate Glass v. United States	
Rock-Ola Mfg. Corp. v. Wertz	
Romm v. Internal Revenue Serv.	
Scott v. United States	
Sims v. United States	
Smith v. Smith	
Stroud v. Benson	
Sullivan v. Internal Revenue Serv.	
BOX 42	Tiedman v. American Pigment Corp.
	Tuck v. Chesapeake & Ohio Ry.
	United States v. Metropolitan Life Ins. Co.
	United States v. Seaboard Airline R.R.
	United States v. Shirah
	Via v. United States
	Westley v. Southern Ry.
	Willis v. United States
	Miscellaneous correspondence, 1957-1958 (2 folders)
	BOX 43
American Export Lines v. Revel	
Atlantic Coast Line R.R. v. Massengill	
Becket v. School Bd. of Norfolk	
Bogley v. Internal Revenue Serv.	
Bounds v. United States	
Burkley v. Great Atlantic & Pacific Tea Co.	
Calmar S.S. Corp. v. Naciremen Operating Co.	
Carriker v. United States	
Carter Products v. Colgate-Palmolive Co.	

United States Court of Appeals Files, 1955-1973, n.d.

Container

Contents

---

BOX 44

Clark v. United States  
Commodity Credit Corp. v. Worthington  
Continental Casualty Co. v. White  
Fletcher v. Bryan  
Freeman v. Swink  
Funkhouser v. United States  
General Elec. Co. v. Moretz  
Gentry v. United States  
Girard v. Gill  
Glatt v. G. C. Murphy Co.  
Gosnell v. United States  
Grady v. State Farm Mut. Auto. Ins. Co.  
Grooms v. Minute-Maid  
Grove v. Smyth  
Guest v. Farm Bureau Mut. Auto. Ins. Co.  
Gundlach v. United States  
Hamm v. Arlington County School Bd.  
Holcombe v. United States  
Holley v. Steamship *Manfred Stansfield*  
Hollman v. Manning  
Home Indem. Co. v. J. H. Poladian & Son  
Hood v. Gordy Homes

BOX 45

Inland Mut. Ins. Co. v. Stallings  
Janaf v. John W. Daniel & Co.  
Jones v. United States  
Kilby v. School Bd.  
Kirkpatrick v. Sanders  
Lee v. Smyth  
Liverman v. United States  
Lynn v. Nationwide Ins. Co.  
MacCrowe v. Internal Revenue Serv.  
Madison v. Reichelt  
McElhenny Co. v. Western Auto Supply Co.  
McGann v. United States  
McKinney v. Appalachian Elec. Power Co.

BOX 46

Mearns v. Lewis  
Metz v. Tusico  
Moore v. Order Minor Conventuals  
Morehead v. Barksdale  
Nardini v. Gilbert  
National Labor Relations Bd. v. United Rubber  
Navios Corp. v. Steamship *Ulysses II*  
P. Lorillard Co. v. Federal Trade Comm'n  
Patapsco Scrap Corp. v. Maryland Shipbuilding & Drydock Co.  
Prindes v. Steamship *African Pilgrim*  
Rich v. United States

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

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	Richardson v. Internal Revenue Serv.
	Royal Oil Corp. v. Federal Trade Comm'n
	Saint Lawrence v. Clemmer
<b>BOX 47</b>	Schoppel v. United States
	Sharpe v. United States
	Smith v. United States
	Snider v. Smyth
	Stancil v. United States
	Sutton v. United States
	Tank Steamer Fort Fetterman v. South Carolina Highway Dep't
	United States v. One 1956 Model Oldsmobile
	United States v. Bland
	United States v. Harrington
	Virginia Ry. v. Rose
	Weathersbee v. United States
	Webb v. United States
	Williams v. United States
	Witherspoon v. United States
	Woodside Mills v. United States
	1959 term
	Aiken v. United States
	American Ins. Co. v. Peyton
	American Tramp Shipping v. Coal Export Corp.
	Bland v. Britt
<b>BOX 48</b>	Brown v. Smyth
	Carolina Lee Knitting Co. v. Johnson & Johnson
	Charles v. United States
	Cooner v. United States
	Cunningham v. United States
	Davis v. United States
	Farley v. Turner
	Funkhouser v. United States
	Goins v. County School Bd.
	Grove v. Metropolitan Life Ins. Co.
	Hill v. School Bd.
	(1 folder)
<b>BOX 49</b>	(1 folder)
	Holly v. Smythe
	Ingram v. United States
	Janaf Shopping Center v. Chase Manhattan Bank
	Katz v. Cie Generale Transatlantique
	King v. United States
	Mickel-Hopkins v. Frassinetti
	Milanovich v. United States
<b>BOX 50</b>	Mitchell v. Emala & Assocs.
	Morrison v. Smyth



United States Court of Appeals Files, 1955-1973, n.d.

Container

Contents

---

	Morse v. Arthur H. Richland Co.
	Myers v. Blalock
	National Labor Relations Bd. v. Spartanburg Sportswear
	Nichols v. Cities Serv. Oil Co.
	Orthopedic Equip. Co. v. Eutsler
	Osborn v. Sinclair Ref. Co.
	(3 folders)
	Penedo Cia Naviera v. Maniatis
	Pledger v. United States
BOX 51	Ploster v. Internal Revenue Serv.
	Pride of Va. Poultry Corp. v. Rocco Feeds
	Puerto Sequor Cia v. Pitsillos
	Rhodes v. United States
	Rish v. United States
	Roberts v. Henry V. Dick & Co.
	Rock-Ola Mfg. Co. v. Wertz
	Rollins v. Internal Revenue Serv.
	Roper v. United States
BOX 52	Sansbury v. Pepersack
	Smoot Sand & Gravel Co. v. Internal Revenue Serv.
	Souter v. State Mut. Life Assurance Co.
	Spangler v. Internal Revenue Serv.
	Steamship <i>Santa Madre</i> v. Dagounakis
	Textile Workers Union of Am. v. American Thread Co.
	Tickle v. Summers
	Timanus v. Internal Revenue Serv.
	Tonkins v. City of Greensboro
	Trent v. Blalock
	Tribble v. Bruin
	United States v. Holcombe
	United States v. Mohr
	United States v. Mountain State Fabricating Co.
BOX 53	Walker v. Walker
	Whiting v. Chew
	Wright v. Carrigg
	1960 term
	Angell v. Fleming
	Austin v. United States
	Auto Fin. Co. v. Martin
	Bell v. O'Hearne
	Brown v. Posin
	Brown v. United States
	Burgess v. Maryland House of Correction
	City of Lexington v. Federal Power Comm'n
	Clark v. Warden, Md. Penitentiary
	Davis v. Nelson

**United States Court of Appeals Files, 1955-1973, n.d.**

**Container**

**Contents**

---

	Davis v. Saint Paul Mercury Indem. Co.
	Dodson v. School Bd.
	Entron v. Jerrold Elecs. Corp.
	Fox v. Steamship <i>Moremacwind</i>
	Galloway v. Warden, Md. Penitentiary
	German v. South Carolina
<b>BOX 54</b>	Gary v. Citizens Casualty Co.
	Grundler v. North Carolina
	Hall v. United States
	(3 folders)
<b>BOX 55</b>	Harper v. Flemming
	Holly v. Smyth
	Hostetler v. Brotherhood of R.R. Trainmen
	Jennings v. United States
	Jones v. Cunningham
	Lewis v. Lowry
	Lynchburg Traffic Bureau v. Smith's Transfer Corp.
	McElhenney Co. v. Western Auto Supply Co.
	McLean v. Internal Revenue Serv.
	Mounts v. Boles
	National Labor Relations Bd. v. Threads
	National Labor Relations Bd. v. Washington Aluminum Co.
<b>BOX 56</b>	Nelms v. United States
	Neterer v. United States
	Noel v. Isbrandtsen Co.
	Penello v. Retail Store Employees
	Perkins v. Banster
	Pitt v. United States
	Player v. Steiner
	Price v. United States
	Reed v. United States
	Rich v. Naviera Vacuba
	Sewell v. Pegelow
	Shelton v. South Carolina
	Sims v. Smyth
	Sizer v. United States
	Slack v. Atlantic White Tower Sys.
	Southern Cross S.S. Co. v. Firipis
	State Farm Mut. Auto. Ins. Co. v. Drewry
	Textile Workers Union of Am. v. American Thread Co.
<b>BOX 57</b>	Textile Workers Union of Am. v. Cone Mills Corp.
	United States v. Bagdasian
	United States v. Baker
	United States v. Boyette
	United States v. Carnley
	United States v. Goodman

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

	United States v. Price
	United States v. Stone
	United States v. Wilson
	1961 term
	Aiken v. United States
	Ball v. National Labor Relations Bd.
	Blanco v. Phoenix Compania
	Bourke v. Krick
	Burgess v. Williams
	Clarke v. Montgomery Ward & Co.
<b>BOX 58</b>	Davis v. North Carolina
	Dillard v. School Bd.
	Division 14, Railroad Telegraphers v. Leighty
	Gardner v. National Bulk Carriers
	(2 folders)
<b>BOX 59</b>	Green v. School Bd.
	Guilford Nat'l Bank v. Southern Ry.
	Heyward v. Internal Revenue Serv.
	Hobbs v. Peppersack
	International Ass'n of Machinists v. International Aircraft Servs.
	Jeffers v. Whitleu
	Jones v. Cunningham
	Kirby v. Maryland Penitentiary
	Kissinger v. Frankhouser
<b>BOX 60</b>	Lee v. Veatch
	McIntosh v. United States
	Marsh v. School Bd.
	Mitchell v. Internal Revenue Serv.
	National Labor Relations Bd. v. Overnite Transp.
	(2 folders)
	Northern Va. Steel Corp. v. National Labor Relations Bd.
	Pannell v. Cunningham
	Poyner v. Internal Revenue Serv.
	Rederi v. Maher
	Simmons v. United States
<b>BOX 61</b>	Stephens v. Ribicoff
	Thomas v. Hogan
	Turner v. Maryland
	United States v. Eldridge
	United States v. Foster
	United States v. Funkhouser
	United States v. Milanovich
	United States v. Pledger
	United States v. Sorce
	Vaughan v. Atkinson
	Wheeler v. Durham City Bd. of Educ.

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

	Whitaker v. Blidberg Rothchild Co.
	Whitley v. Steiner
	Yaeger v. Department of Welfare & Insts.
	Young v. Clinchfield R.R.
<b>BOX 62</b>	1962 term
	American Export Lines v. Atlantic & Gulf Stevedores
	Bell v. School Bd.
	Berry Bros. Corp. v. Sigmon
	Broida v. United States
	Carpenter v. United States
	Childs v. Pegelow
	Dudley v. Inland Mut. Ins. Co.
	Fisher v. United States
	Jackson v. School Bd.
	Jennings v. United States
	Jones v. Cunningham
	Jones v. Cunningham
<b>BOX 63</b>	Lee v. Hodges
	Lowe's v. Fidelity Mut. Life Ins. Co.
	Lynchburg Traffic Bureau v. Smith's Transfer Corp.
	National Labor Relations Bd. v. Davison
	National Labor Relations Bd. v. Globe Products Corp.
	National Labor Relations Bd. v. Jesse Jones Sausage Co.
	Nelms v. United States
	North Am. Loan & Thrift Co. v. Internal Revenue Serv.
	Osborn v. Sinclair Ref. Co.
<b>BOX 64</b>	Parks v. International Bhd. of Elec. Workers
	(2 folders)
	Pilkington v. United States
	Simkins v. Cone Hosp.
	(2 folders)
<b>BOX 65</b>	Thomas v. Cunningham
	Thompson v. Block's
	Thompson v. Brotherhood of Sleeping Car Porters
	Tune v. Cunningham
	Turner v. Maryland
	United States v. Austrew
	United States v. Chaney
	United States v. Farmer
	United States v. Glass
	United States v. Lawrenson
	United States v. Lunsford
	United States v. Oberman
	United States v. Painter
	United States v. Sapperstein
<b>BOX 66</b>	United States v. Sutton

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

	United States v. Yadkin Valley Dairy Coop.
	United States v. Zambito
	United Textile Workers v. Newberry Mills
	W.T. Jones & Co. v. Foodco Realty
	Williams v. Howard Johnson's
	Wilson v. United States
	Wirtz v. DuMont
	Yaeger v. Department of Welfare & Insts.
	Young v. International Paper Co.
	1963 term
	American Cast Iron Pipe Co. v. McKoy-Helgerson Co.
	American Export Lines v. Norfolk Shipbuilding & Drydock Corp.
	Appalachian Power Co. v. Federal Power Comm'n
<b>BOX 67</b>	Barbee v. Warden, Md. Penitentiary
	Bell v. Tug Shrike
	Blakeney v. Fairfax County School Bd.
	Bolden v. Pegelow
	Brooks v. School Bd.
	Brown v. Lee
	Brown v. School Dist. No. 20
	Buckley v. Valley Camp Coal Co.
	Buckner v. County School Bd.
<b>BOX 68</b>	Davis v. North Carolina
	Duckett v. Steiner
	Eaton v. Grubbs
	Edmondson v. Warden
	Florence Printing Co. v. National Labor Relations Bd.
	Hunt v. Warden, Md. Penitentiary
	Johnson v. Wall
	Jones v. Rivers
	Link v. National Labor Relations Bd.
	Matthews v. United States Rubber Co.
	Montgomery Ward & Co. v. Roy Stone Transfer Co.
	Morse v. United States
<b>BOX 69</b>	National Labor Relations Bd. v. International Longshoremen's Ass'n
	Preston Corp. v. Raese
	Radiator Specialty Co. v. National Labor Relations Bd.
	Rose v. Woolwine
	Ruckle v. Warden, Md. Penitentiary
	Rumbaugh v. Winifrede R.R.
	Shank v. Baker
	Simmons v. King
	Smith v. United States
	Solo Cup Co. v. National Labor Relations Bd.
<b>BOX 70</b>	Sykiotis v. Sea Enterprises Corp.
	Thomas v. Celebrezze

United States Court of Appeals Files, 1955-1973, n.d.

Container

Contents

---

	United States v. 91.69 Acres
	United States v. Baysden
	United States v. Bebig
	United States v. Bellamy
	United States v. Bethlehem Steel Co.
	United States v. Gearhart
	United States v. Johnson, J.
	United States v. Johnson, T.
	(2 folders)
BOX 71	United States v. Kendrick
	United States v. Martell
	United States v. Solice
	Wheeler v. Board of Educ.
	1964 term
	A. S. Abell Co. v. Baltimore Typographical Union Local 12
	A/S Skaugaas v. Dredge <i>Cartegena</i>
	Amos v. Internal Revenue Serv.
	Ar dovini v. Immigration & Naturalization Serv.
	Baines v. Danville
	(1 folder)
BOX 72	(4 folders)
BOX 73	(2 folders)
	Bowditch v. Buncombe County School Bd.
	Bradley v. Richmond School Bd.
	(2 folders)
BOX 74	Chemical Bank N.Y. Trust Co. v. Steamship <i>Westhampton</i>
	Collision Surgical Eng'g Co. v. Murray-BaumgartnerSurgical Instrument Co.
	Cyrus v. Celebrezze
	Ellis v. Baltimore
	First Nat'l Bank v. Saxon
	Gardens of Faith v. Internal Revenue Serv.
BOX 75	Gillam v. Hopewell County School Bd.
	Gkiafis v. Steamship <i>Yiosonas</i>
	Griffin v. Prince Edward County
	Harris v. Boles
	Hopson v. Texaco
	Jacobs v. United States
	Johnston v. J. P. Stevens & Co.
	Lackey v. Celebrezze
	Loan v. Southern Ry.
	Lynchburg Traffic Bureau v. Smith's Transfer Corp.
BOX 76	McEachern v. Macy
	Martin v. Virginia
	Maryland Casualty Co. v. Bank of Charlotte
	Maryland Casualty Co. v. Burley
	Mas v. Fowler
	Moses v. Peyton

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

	National Labor Relations Bd. v. Cross Poultry Co.
	National Labor Relations Bd. v. Life Ins. Co. of Va.
	National Labor Relations Bd. v. M & B Headwear Co.
	National Labor Relations Bd. v. Randolph Elec. Membership Corp.
	National Labor Relations Bd. v. Southern Material Co.
	National Labor Relations Bd. v. Southland Cork Co.
	National Labor Relations Bd. v. Stanton Enters.
	Nesbit v. Statesville Bd. of Educ.
	Newsom v. Peyton
	Pappas v. Tanker <i>Eurynome</i>
BOX 77	Pennco Eng'g Co. v. Allied Chem. Corp.
	Perry v. McVey
	Pridemark v. Internal Revenue Serv.
	Register v. Great Atl. & Pac. Tea Co.
	Richardson v. Kubota
	Richmond Television Corp. v. United States
	Service Trucking Co. v. United States
	Simmons v. Avisco
	Sullivan v. Simons
	Szantay v. Beech Aircraft Corp.
	Taylor v. Local 7, Int'l Union of Journeymen
	Turner v. Internal Revenue Serv.
BOX 78	United States v. James Barry-Robinson Home
	United States v. Bynum
	United States v. Hutchison
	United States v. Isaacs
	United States v. Jenkins
	United States v. Keaton
	United States v. Morse
	United States v. Mullins
	United States v. O'Brien
	United States v. Sawyer
	United States v. Shiflette
	United States v. Temple
	United States v. Ward
	United States v. Weir
	Vance Trucking Co. v. Canal Ins. Co.
	Virginia v. Morris
	Virginia v. Wallace
	Whittle v. Tawes
	Wilken v. Holland
	Wirtz v. Wardlaw
	1965 term
	Bibb v. Central Gulf S.S. Corp.
	Braxton v. Peyton
	Burris v. Texaco

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

	Cantrell v. United States
	Carey v. State Farm Mut. Ins. Co.
<b>BOX 79</b>	Columbia Band for Coops. v. Lee
	Cooke v. Celebrezze
	Emaldio v. Pocahontas S.S. Co.
	Evans v. Jones
	Fanning v. United Fruit Co.
	Floyd v. United States
	General Tire & Rubber Co. v. Watkins
	Great Lakes Carbon Corp. v. National Labor Relations Bd.
	Hayden v. Warden, Md. Penitentiary
	Heslep v. Celebrezze
<b>BOX 80</b>	Ingram v. Peyton
	Irby v. United States
	Jennings v. United States
	Lankford v. Schmidt
	Ledbetter v. Warden, Md. Penitentiary
	Lewis v. Celebrezze
	Local 24, Int'l Bhd. of Elec. Workers v. Hearst Corp.
	Lozado v. Sotelo
	Martin v. Virginia
	Mathis v. United States
	Mode v. Celebrezze
	Moore v. United States
<b>BOX 81</b>	Moorer v. South Carolina
	Morpul v. Glen Raven Knitting Mill
	National Labor Relations Bd. v. Associated Naval Architects
	National Labor Relations Bd. v. Huttig Sash & Door Co.
	National Labor Relations Bd. v. Sehon Stevenson & Co.
	Old Va. Brick Co. v. Internal Revenue Serv.
	Palmer v. Peyton
	Poindexter v. National Labor Relations Bd.
	Robert A. Johnston Co. v. Southland Dairy Distrib. Co.
	Rohm & Haas Co. v. National Labor Relations Bd.
	Securities & Exch. Comm'n v. Tax Serv.
	Simmons v. Celebrezze
	Sitnick v. United States
	Smith v. Hampton Training School for Nurses
	Thompson v. Brotherhood of Sleeping Car Porters
<b>BOX 82</b>	Travelers Ins. Co. v. Employers' Liab. Assurance Corp.
	Tuck v. Price
	United Fuel Gas Co. v. Federal Power Comm'n
	United Mine Workers v. National Labor Relations Bd.
	United Serv. Auto. Ass'n v. Pinkard
	United States v. Davis
	United States v. Dutsch



United States Court of Appeals Files, 1955-1973, n.d.

Container

Contents

---

	United States v. Galloway
	United States v. Hawthorne
	United States v. Kittelt
	United States v. Murray
	United States v. Pardee
	United States v. Pitt
	United States v. Thaw
	Walden v. Petroleum Transit Co.
	Wanner v. County School Bd.
BOX 83	White v. Celebrezze
	Whitley v. North Carolina
	Wilson v. Marshall Enters.
	Wirtz v. Durham Sandwich Co.
	1966 term
	Allstate Ins. Co. v. Lanier
	Amdur v. Lizars
	Anders v. Turner
	Arent v. Bray
	Bowman v. School Bd.
	(2 folders)
BOX 84	Boyd v. Gardner
	Brotherhood of R.R. Signalmen v. Southern Ry.
	Browne v. Internal Revenue Serv.
	Crawford Mfg. Co. v. National Labor Relations Bd.
	Custer Channel Wing Corp. v. United States
	Cypress v. Newport News Gen. Hosp. Ass'n
	(2 folders)
	Duncan v. Railroad Retirement Bd.
	Dunn v. United States
	Dunn v. Virginia
	Earnest v. Gardner
BOX 85	Eversharp v. Philip Morris
	Fields v. Peyton
	Green v. School Bd.
	H. B. Agsten & Sons v. Huntington Trust & Sav. Bank
	Haney v. Gardner
	Hicks v. United States
	Hirons v. Patuxent Inst.
	Howard v. Smyth
	International Terminal Operating Co. v. Steamship <i>Valmas</i>
	Jones v. Chesapeake & Ohio Ry.
	Kolodner v. Harris
	Landman v. Peyton
	(1 folder)
BOX 86	(1 folder)
	National Labor Relations Bd. v. Baltimore Luggage Co.
	North Carolina v. Hawkins

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

	Steinpreis v. Shook
	United States v. Acosta
	United States v. Biggerstaff
<b>BOX 87</b>	United States v. Brown
	United States v. Chestnutt
	United States v. Greenwell
	United States v. Harbin
	United States v. Lawrenson
	United States v. Sharp
	United States v. Southern Ry.
	Whaley v. North Carolina
	Witcher v. Peyton
	Wyley v. Warden, Md. Penitentiary
	1967 term
	Beaty v. M. S. Steel Co.
	Bethlehem Steel Corp. v. Devers
	Calhoun v. Washington Investors Plan
	Chapman v. International Ladies' Garment Workers' Union
	Corbin v. Washington Fire & Marine Ins. Co.
	Coyle v. United States
<b>BOX 88</b>	Dalldorf v. Higginson-Buchanan
	Dostert v. Crowley
	Gillespie v. Peyton
	Grades v. Boles
	Hardy-Latham v. Wellons
	Harper v. United States
	Heaton v. State Farm Mut. Auto. Ins. Co.
	Intertype Co. v. National Labor Relations Bd.
	Kibert v. Peyton
	Kuykendall v. Puckett
	Lowndes v. United States
	Marine Stevedoring Corp. v. Oosting
<b>BOX 89</b>	Nantahala Power & Light Co. v. Federal Power Comm'n
	National Labor Relations Bd. v. Baldwin Supply Co.
	National Labor Relations Bd. v. Baltimore Luggage Co.
	National Labor Relations Bd. v. Carolina Natural Gas Corp.
	National Labor Relations Bd. v. Edinburg Mfg. Co.
	National Labor Relations Bd. v. Kayser-Roth Hosiery Co.
	National Labor Relations Bd. v. Leas & McVitty
	National Labor Relations Bd. v. Lifetime Door Co.
	National Labor Relations Bd. v. Stevenson Brick & Block Co.
	National Labor Relations Bd. v. Virginia Metalcrafters
	National Labor Relations Bd. v. Visador Co.
	Nesmith v. YMCA
<b>BOX 90</b>	North Carolina Teachers Ass'n v. Asheboro Bd. of Educ.
	Parker v. Maryland

United States Court of Appeals Files, 1955-1973, n.d.

Container

Contents

---

	Patton v. North Carolina
	Philip Morris v. Imperial Tobacco Co.
	Pitts v. North Carolina
	Redden v. Gardner
	Roberts v. Fuquay-Varina Tobacco Bd. of Trade (2 folders)
BOX 91	Rose v. Railroad Retirement Bd.
	Russo v. United States
	<i>In re</i> Ryder
	Sanderlin v. Old Dominion Stevedoring Corp.
	Satchell v. Svenska Ostasiatiska Kompaniet
	Schneider Mills v. National Labor Relations Bd.
	Seago v. North Carolina Theatres
	Security Gen. Ins. Co. v. Universal Underwriters
	Smith v. Regina Mfg. Corp.
	Stebbins v. Nationwide Mut. Ins. Co.
	Strickland v. Gardner
	Thomas v. Bruton
	United States v. Costanzo
	United States v. Cousins
	United States v. Dyer
	United States v. Gibson
	United States v. Guthrie
	United States v. Hayes
	United States v. Hildreth
	United States v. Hull
	United States v. Hutto
BOX 92	United States v. Jackson
	United States v. Mabe
	United States v. Maddox
	United States v. McGinnis
	United States v. McLean Trucking Co.
	United States v. Norfolk, Baltimore & Carolina Line
	United States v. Smith
	United States v. Thrower
	United States v. Webb
	United States v. Weems
	Vancouver Plywood Co. v. Godley Constr. Co.
	Van Horn v. Gulf Atl. Towing Co.
	Venable v. A/S Det Foreneded Dampskibsselskab
	Virginia Airmotive v. Canair Corp.
	Williams v. Coiner
	Winston-Salem Printing Pressmen & Assistants' Union Local 338 v. Piedmont Publishing Co.
BOX 93	Wirtz v. Peninsula Shipbuilders Ass'n
	Woods v. Hanley
	1968 term

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

	Advanced Business Sys. & Supply Co. v. SCM Corp.
	Ballou v. Basic Constr. Co.
	Brendle v. General Tire & Rubber Co.
	Buckeye Union Casualty v. Perry
	Clark v. National Labor Relations Bd.
	Craven v. Southern Ry.
	Crowley v. United States
	Flack v. Cohen
<b>BOX 94</b>	Fulk & Needham v. United States
	Gambert v. United States
	Hill v. James Walker Memorial Hosp.
	Horning v. United States
	Iozzi v. United States
	(2 folders)
	Jones v. Peyton
	Leonhart v. Internal Revenue Serv.
	Lynchburg Foundry Co. v. United Steelworkers
	Mickel v. South Carolina
	National Labor Relations Bd. v. J. P. Stevens & Co.
	National Labor Relations Bd. v. Terry Indus.
<b>BOX 95</b>	National Lead Co. v. Kanawha Block Co.
	Parish v. Peyton
	Powell v. United States
	Raines v. United States
	Ramos v. United States
	Ratliff v. Cohen
	Ritter v. Allied Chem. Corp.
	Ruscon Constr. Corp. v. Acrow Carolina
	Sachs v. Davis & Hemphill
	Spaulding v. Blair
	Stone v. Stone
	Tebbs v. Baker-Whiteley Towing Co.
	United States v. Andrews
<b>BOX 96</b>	United States v. Bell
	United States v. Berrigan
	(2 folders)
	United States v. Butler
	United States v. Chesapeake Gardens
	United States v. Gantt
	United States v. Howard
	United States v. Jackson
	United States v. Leysith
	United States v. MacCorkle
	United States v. Miller
	United States v. Missler
<b>BOX 97</b>	United States v. Shipp

**United States Court of Appeals Files, 1955-1973, n.d.**

**Container**

**Contents**

---

	United States v. Williams
	Williams v. Peyton
	1969 term
	Akers v. Norfolk & W. Ry.
	Blackburn v. Copinger
	Boren Clay Prods. Co. v. National Labor Relations Bd.
	Brewer v. Norfolk School Bd.
	Brunson v. Bd. of Trustees School Dist. No. 1
	Chambers v. Iredell County Bd. of Educ.
	Clark v. James Island School Dist.
	Conwell v. Gutbertlet
	Cooper Agency v. United States
	Cummins Engine Co. v. General Motors Corp.
	Dupont deNemours & Co. v. D. H. Overmeyer Warehouse Co.
	Exide Alkaline Battery v. National Labor Relations Bd.
<b>BOX 98</b>	Griggs v. Duke Power Co. (2 folders)
	Graniteville Co. v. Equal Employment Opportunity Comm'n
	Guiney v. United States
	Harrelson v. Lewis
	Hawkins v. General Motors Corp.
	Hendricks v. Internal Revenue Serv.
	Hohensee v. Scientific Living
<b>BOX 99</b>	Huntington Piping v. Ward
	Iron City Sand & Gravel v. West Fort Towing Corp.
	Jenkins v. Averett
	Jenkins Metal Shops v. Pneumafil Corp.
	Johnson v. Tamsberg
	Koehl v. Resor
	McCall Corp. v. National Labor Relations Bd.
	Moorcones v. Shell Oil Co.
	National Labor Relations Bd. v. Queen City Coach Co.
	Northern Va. Regional Park Auth. v. United States Civil Serv. Comm'n
	Rogers v. United States; United States v. Sumter County
	Saint Paul Fire & Marine Ins. Co. v. MountaineerContractors
	Schultz v. Jack Smith's Automatic Transmission Serv.
	Scott v. Young
	Southern Ry. v. Champion Papers
	Stokes v. Peyton
<b>BOX 100</b>	Swann v. Charlotte-Mecklenburg School Bd. (4 folders)
	Thorn v. Parkland Chevrolet Co.
	Tippett v. Maryland (2 folders)
<b>BOX 101</b>	Triangle Improvement Council v. Ritchie
	Tyndall v. United States
	United States v. Bishop Processing Co.

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

	United States v. Bradley
	United States v. Browney
	United States v. Burruss
	United States v. Canty
	United States v. Dobie
	United States v. Eades
	United States v. Eason
	United States v. Farley
	United States v. Frazier, C.
	United States v. Frazier, R.
	United States v. Hollis
	United States v. Horton, M.
BOX 102	United States v. Horton, T.
	United States v. Jackson
	United States v. Ketchem
	United States v. Melvin
	United States v. Rutkowski
	United States v. Sawyers
	United States v. Smith
	United States v. Taylor, I.
	United States v. Taylor, W.
	United States v. Windsor
	Unsatisfied Claim & Judgment Fund Bd. v. Bar Harbor Ins. Co.
	Whitley v. Wilson City Bd. of Educ.
	Williams v. Insurance Co. of N. Am.
BOX 103	1970 term
	Atlas Storage Co. v. United States
	Bekris v. M/V <i>Aristoteles</i>
	Bernstein v. Nationwide Mut. Ins. Co. (2 folders)
	Communication Equipment Workers v. Western Elec. Co.
	DeTreville v. United States
	Filterite Corp. v. Tate Eng'g
	General Dynamic Corp. v. Whitcomb
	Hyde v. Warden, Md. Penitentiary
BOX 104	Jones v. United States
	Kinnear Corp. v. Crawford Door Sales Co.
	Latex Constr. Co. v. Jacksonville Shipyards
	Lewis v. Finch
	Martin v. Cohen
	Miller v. Cox
	Robinson v. Lorillard Corp.
	Safeway Moving v. Aetna Ins.
	Scott v. Young
	Scovill Mfg. Co. v. National Labor Relations Bd.
	Sharpe v. Bradley Lumber Co.

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

	Stone v. Finch
	Tights v. Stanley
<b>BOX 105</b>	United States v. Avery
	United States v. Borkowski
	United States v. Clark
	United States v. Eubanks
	United States v. Gibbs
	United States v. Johnson
	United States v. Kirk
	United States v. Leak
	United States v. Mullins
	United States v. Sanders
	United States v. Smith
	United States v. Williams
	Vitek v. Finch
	Vuono v. United States
	Ware v. Richardson
	Welch v. General Motors Corp.
	Winchester TV Cable Co. v. Federal Communications Comm'n
	Wright v. Emporia
	(2 folders)
	Young v. Maryland
<b>BOX 106</b>	1971 term
	Bahan Textile Mach. Co. v. United States
	Broadwell v. United States
	Chesapeake & Ohio Ry. v. Miltenberger
	Colicchio v. United States
	Contris v. Miller
	Ely v. Velde
	Ferguson v. Cox
	Finance Co. of Am. v. Hans Mueller Corp.
	Frinks v. North Carolina
	Garland v. Cox
	Griffin v. United Auto Workers
	Hammond v. Powell
	Hodgson v. Amalgamated Clothing Workers
	Hopkins v. Finch
	Hunter v. United States
<b>BOX 107</b>	Johnson v. Gartlan
	Johnson v. Capitol City Lodge No. 74
	Kenrose Mfg. Co. v. Fred Whitaker Co.
	Mastrototaro v. United States
	McCorkle v. First Pa. Banking & Trust Co.
	McCray v. Maryland
	Morris v. Internal Revenue Serv.
	National Homes Corp. v. Lester Indus.

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

	National Labor Relations Bd. v. Rockingham Sleepwear
	Newell v. Slayton
	Peckat v. Lutz
	Perry v. Blackledge
	Ross v. Blackledge
	Sabel v. Wickes Corp.
	Scherer v. Fairfax Furniture
	Smith v. Blackledge
	Starkey v. Maxwell
	Tucker v. Calmar S.S. Corp.
	United States v. Baldivid
	United States v. Boone
BOX 108	United States v. Butler
	United States v. Cardillo
	United States v. Carrigg
	United States v. Castell
	United States v. Davis
	United States v. Fackelman
	United States v. Giordano
	United States v. Green
	United States v. Guthrie
	United States v. Jackson
	United States v. Jordan
	United States v. Martin
	United States v. Nevens
BOX 109	United States v. Nickolson
	United States v. Patchin
	United States v. Richards
	United States v. Riggs
	United States v. Saunders
	United States v. Shuford
	United States v. Theodore
	United States v. Wagoner
	United States v. West
	United States v. Wilson
	Universal Film Exchs. v. Lust
	Walden v. International Bhd. of Teamsters
	West v. Cunningham
	Willey v. Coiner
	Wilson v. Richardson
	Wilson v. Slayton
	Wolman v. Tose

BOX 110-125

**Three-Judge Courts.**

Correspondence, memoranda, opinions in manuscript, near-print, and printed form, research material, and printed matter.

Arranged alphabetically by name of case.



**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

<b>BOX 110</b>	Adams v. Aikens Aldler v. Pomerleau (2 folders) Albaugh v. Sobeloff Albaugh v. Tawes Alexandria, Barcroft, & Wash. Transit Co. v. United States (1 folder)
<b>BOX 111</b>	(1 folder) Archie's Motor Freight v. Interstate Commerce Comm'n Atlantic Coast Line R.R. v. United States Association of Am. R.R. v. United States Baltimore & Ohio R.R. v. United States Baltimore Yearly Meeting of the Religious Soc'y of Friends v. Rusk Bass v. United States
<b>BOX 112</b>	Beckett v. Norfolk School Bd. Better Roads Corp. v. United States Blackwell v. Harrison Blanchard v. Buechner Blue Diamond Co. v. United States Boineau v. Thornton Bottoms v. Hammond Boulevard Farmers Mkt. v. Mayfield Butts v. Harrison (2 folders) Carolina Amusement Co. v. Hollings Carolina & Northwestern Ry. v. United States Carolina Scenic Stages & Coastal Stages Corp. v. United States Central Md. Lines v. United States Chesapeake Motor Lines v. United States Clay Hyder Trucking Lines v. United States
<b>BOX 113</b>	Cohen v. Maryland Colonial China Co. v. Mayfield Cope v. United States Cree v. United States Culotta v. Rinehart Davis v. School Bd. Dorsey v. Hammond (2 folders) Drueding v. Loftus
<b>BOX 114</b>	Dunkel v. Elkins Forssenius v. Harman Freedman v. Mason Garland v. United States G.E.M., Inc. v. Hawes Griffin v. Richardson (3 folders)

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

<b>BOX 115</b>	Griffin v. Virginia Hamm v. Virginia Harper v. Virginia Hawkins v. United States Henderson v. Trailway Bus Co. Hennis Freight Lines v. United States Houff Transfer v. United States James v. Carnegie Pub. Library James v. Almond (3 folders)
<b>BOX 116</b>	Jarman v. United States (2 folders) Johnson Bros. Trucking v. United States Kanawha County v. Carson Kent Freight Lines v. United States Keystone Motor Express v. United States Krause v. Elkins Kuhn v. Maryland (2 folders)
<b>BOX 117</b>	Liberty Transfer Co. v. United States Long v. Robinson Loving v. Virginia Lynchburg Traffic Bureau v. United States (2 folders) Magness v. Davidson Mann v. Davis Mantell v. Dandridge Maryland & Va. Milk Producers Ass'n v. Burrows Maryland & Va. Milk Producers Ass'n v. Louthan Maryland Citizens Comm. for Fair Congressional Redistricting v. Tawes (2 folders)
<b>BOX 118</b>	(3 folders) Middle Atl. Conference v. United States (1 folder)
<b>BOX 119</b>	(1 folder) Murray v. Frank NAACP v. Ames NAACP v. Boatwright NAACP v. Harrison National Motor Freight Traffic Ass'n v. United States North Carolina v. United States Perry v. Gilliam Pine v. Maryland Radio Position Finding Corp. v. Bendix Corp. (2 folders)
<b>BOX 120</b>	Railway Labor Executives' Ass'n v. United States (2 folders)

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

	Reid v. Norfolk
	Robinson v. Hunter
	Roscoe v. Butler
	Scholle v. Prescott
	Seaboard Airline R.R. v. United States
	Service Trucking Co. v. United States (3 folders)
BOX 121	Seversmith v. Machiz (4 folders)
	Skyline Transp. v. United States
	Smith v. Virginia
	South Carolina State Ports Auth. v. International Longshoremen's Union
	Southern Ry. v. United States (1 folder)
BOX 122	(6 folders)
	Star v. Preller (1 folder)
BOX 123	(1 folder)
	Stickel v. Davidson (2 folders)
	Tank Lines v. United States
	Tidewater Express v. United States (3 folders)
	Turner Express v. United States
BOX 124	United States v. Livingston (5 folders)
BOX 125	(1 folder)
	Washington Free Community v. Montgomery County (2 folders)
	Whitehill v. Elkins (2 folders)
	Wilkins v. Davis
	Wood's Petersburg Dairy v. Burrows
	Youngblood v. United States
BOX 126-253	<b>Opinions, Dissents, and Special Concurrences by Other Judges.</b> Correspondence, memoranda, opinions in manuscript, near-print, and printed form, research material, and printed matter. Arranged chronologically by term and alphabetically therein by name of case.
BOX 126	1958 term Abady v. Hanover Fire Ins. Co. Allen v. Charlottesville School Bd. Allen v. School Bd. American Casualty Co. v. United States Arlington County School Bd. v. Deskins Asheville Tobacco Bd. of Trade v. Federal Trade Comm'n Baltimore Gas & Elec. Co. v. United States Fidelity & Guar. Co.

BOX 127

Bank of Fort Mill v. Lawyers Title Ins. Corp.  
Barbee, William W.  
Batzell v. Internal Revenue Serv.  
Blackburn v. John Hancock Mut. Life Ins. Co.  
Blankenship v. Ellerman's Wilson Line N.Y.  
Blue Ridge Rural Elec. Coop. v. Byrd  
Board of Educ. v. Groves  
Bondy v. Internal Revenue Serv.  
Booth v. American Casualty Co.  
Bowling v. Lewis  
Bowser v. Richmond Eng'g Co.  
Burch v. United States  
Burger Brewing Co. v. Summer  
Butler v. United States  
Call v. United States  
Cargo Carriers v. Richmond Steel Co.  
Carpenter v. United States  
Carva Food Corp. v. Equitable Fire & Marine Ins. Co.  
Cato v. United States  
Chadbourn Gatham v. Vogue Mfg. Co.  
Chandler v. United States  
Chesapeake & Ohio R.R. v. Walker  
Coleman v. Smyth  
Collins v. Risner  
Crawley v. United States  
Crisp v. United States  
Crook v. Bryant  
Crosse & Blackwell Co. v. Federal Trade Comm'n  
Dawley v. Norfolk  
Dillingham v. Smith-Douglass Co.  
Duckworth v. James  
Eaton v. James Walker Memorial Hosp.  
Elmore v. United States  
Enterprise Wheel & Car Corp. v. United States  
Faraco v. Internal Revenue Serv.  
Foremost Dairies v. Woolard  
Griffin v. United States  
Holt v. Raleigh City Bd. of Educ.  
Inglett v. Baugh & Sons Co.  
Jackson v. Steiner  
Johnson v. United States  
Leas v. Courtney Co.  
Lee v. Smyth  
Leonard v. Helms  
Lumbermen's Mut. Casualty Co. v. Chapman  
Manville Boiler Co. v. Columbia Boiler Co.

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

BOX 128

Martin v. United States  
Miller v. United States  
Mitchell v. Sherry Corine Corp.  
Montgomery Ward & Co. v. Collins Estate  
Morrison v. United States  
Myers v. Blalock  
Myers v. United States  
National Labor Relations Bd. v. Empire Mfg. Co.  
National Labor Relations Bd. v. Pittsburgh Plate Glass Co.  
National Labor Relations Bd. v. United Rubber Workers  
Naviera v. Maniatis  
Nelligan v. Ford Motor Co.  
Newsom v. Smyth  
Nichols v. Cities Serv. Oil  
Noland v. Internal Revenue Serv.  
O'Dwyer v. Internal Revenue Serv.  
Petite v. United States  
Plater v. Warden  
Rogers v. Pennsylvania R.R.  
Ross v. Peck Iron & Metal Co.  
Seaboard v. Connor  
Sessions v. South Carolina Prison  
Smith v. United States  
Smith's Transfer Corp. v. Barksdale  
South Carolina Generating Co. v. Federal Power Comm'n  
Spanos v. Steamship *Lily*  
Starks v. United States  
State Farm v. Herron  
Steuart Bros. v. Commissioner  
Stiers v. Martin  
Stokes v. Adair  
Studds v. Fidelity & Deposit Co.  
Textile Banking Co. v. Widener  
Thomson v. United States  
Town of Ninety Six v. Southern Ry.  
Turner v. Kelly  
Union Carbide Corp. v. Frederick  
United States v. 45.33 Acres of Land  
United States v. 2979.72 Acres of Land  
United States v. Colonial Chevrolet Corp.  
United States v. Marine Chevrolet Co.  
United States v. National Bank of Commerce  
Walker v. United States Gypsum Co.  
West v. Drytrans  
Westcott-Alexander v. Dailey  
Whittington v. Pegelow

BOX 129

Williams v. Howard Johnson's Restaurant  
Williams & Horney Livestock v. Nichols  
Willis v. United States  
Wolf v. Internal Revenue Serv.  
Wolfe v. Rogers  
Woolridge v. United States  
Wyatt v. Smyth  
York v. Commissioner  
1959 term  
Aiken Drive-In Theatre Corp. v. United States  
Allen v. Smyth  
Alvord v. Internal Revenue Serv.  
American Brake Shoe Co. v. International Union Local 149  
Arnold v. United States  
Atlantic Coast Line R.R. v. Gantt  
Baldwin v. United States  
Berry v. Atlantic Coast Line R.R.  
Birchfield v. United States  
Blanco v. Steamship *Michael Tracy*  
Blum v. Cottrell  
Bolling v. Smyth  
Boswell v. County School Bd.  
Bradshaw v. United States  
Brookshire v. Internal Revenue Serv.  
Bryan v. Internal Revenue Serv.  
Buchanan v. United States  
Byrd v. Peppersack  
Charles v. United States  
Chesapeake & Ohio Ry. v. United States  
City of Richmond v. Atlantic Co.  
Clark v. Gulf Oil Corp.  
Clark v. Manning  
Cole v. North Carolina  
Collins v. Rogers  
Commercial Ins. Co. v. Trawick  
Cunningham v. United States  
Dantzler v. Dictograph Prods.  
Davis v. United States  
Decatur Carthage Co. v. Miami Transp. Co.  
Doggett v. Internal Revenue Serv.  
Dow Chem. Co. v. Metion Corp.  
Employers Mut. Casualty Co. v. New Amsterdam Casualty Co.  
Eureka-Security Fire & Marine Ins. Co. v. Maxwell  
Evans v. United States  
Fidelity-Baltimore Nat'l Bank & Trust Co. v. United States  
Fort Fetterman v. South Carolina State Highway Comm'n

BOX 130

	Foster v. United States
	Funkhouser v. Internal Revenue Serv.
	Gardner v. Tugboat <i>L. N. Danzler</i>
	Giles v. City of Danville
	Gilliland v. Ruke
	Glendale Mfg. Co. v. Local 520, Int'l Ladies Garment Workers' Union
	Graves v. Garvin
	Graybar Elec. Co. v. Doley
	Great Atl. & Pac. Tea Co. v. Lethcoe
	Grombach v. Oerlikon Tool & Arms Corp.
	Grzybowski v. Arrow Barge Co.
	Guthrie v. Flemming
	Ham, John Luther
	Harms v. United States
	Hash v. Internal Revenue Serv.
	Hellenic Lines v. Brown & Williamson Tobacco Corp.
	Henry v. Greenville
	Herberts-Princess Stores v. Southern Realty Corp.
	Holmes v. United States
	Horton v. Blalock
	Iliff v. American Fire Apparatus Co.
	Ingram v. Steiner
	Internal Revenue Serv. v. Phillips
	International Bhd. of Teamsters v. United States
	Jackson v. Steiner
	Johnson v. Internal Revenue Serv.
BOX 131	Johnson v. Nationwide Ins. Co.
	Johnson v. United States
	Jones, Clarence E.
	Jones, Ottis Mayo
	Jones v. School Bd.
	Jones v. Smith
	Jones v. United States
	Jones v. United States
	Jordan, Charles W.
	Judy v. Peppersack
	Kale v. Douthitt
	Kirby v. Warden, Md. Penitentiary
	Kirkland Distrib. Co. v. United States
	Kubel v. Minton
	Largent v. Lemley
	Lindsey-Robinson & Co. v. Grady
	Looney v. Castellano
	Mars, Inc. v. Massanutten Bank
	Martin v. United States
	McCallum v. Mutual Life Ins. Co.

BOX 132

McLarty v. Lady's Island Builders  
Michigan Sur. Co. v. United States  
Milestone v. Green Tree Corp.  
Mills v. United States  
Mills Dairy Prods. Co. v. United States  
Minnesota Mining & Mfg. Co. v. United States Rubber Co.  
Moffett v. Internal Revenue Serv.  
Moore v. United States  
Mountain State Steel Foundries v. Internal Revenue Serv.  
Namrow v. Internal Revenue Serv.  
National Labor Relations Bd. v. Daniel Constr. Co.  
National Labor Relations Bd. v. Diamond Mills Corp.  
National Labor Relations Bd. v. G. & H. Coal Co.  
National Labor Relations Bd. v. North Carolina Furniture  
National Labor Relations Bd. v. Rockwell Mfg. Co.  
National Labor Relations Bd. v. Russellville Lumber Co.  
National Labor Relations Bd. v. C. F. Sauer Co.  
National Labor Relations Bd. v. United Millinery Workers Union  
New Amsterdam Casualty Co. v. Novick Transfer Co.  
Nolan v. Jensen  
Noland v. Allied Contractors  
North Carolina Theatres v. Thompson  
Nydegger-Friedman Realty Corp. v. Sweeney  
Offutt v. Internal Revenue Serv.  
O.M.I. Corp. v. Kelsh Instrument Co.  
Orta v. Schafer  
Ortiz v. Greyhound Corp.  
Ostrofsky v. United Steelworkers  
People Supply v. Vogel-Ritt  
Pepsi-Cola Distribs. v. Baker  
Perkins v. United States  
Phillips Constr. Co. v. Claussen-Lawrence Constr. Co.  
Prack v. Weissinger  
Price v. Pepersack  
Quesada v. United States  
Quillin v. Prudential Ins. Co.  
Ram v. Paramount Film Distrib. Corp.  
Raybourne v. Gulf Atl. Towing Corp.  
Richmond Eng'g Co. v. Bowser  
Riddick v. State Capital Ins. Co.  
Roberts, Jeremiah N.  
Rogers v. Internal Revenue Serv.  
Rohm & Haas Co. v. Roberts Chems.  
Santorinakis v. Steamship *Orpheus*  
Saturn Trading & Transp. v. Boston Metals  
Schull v. Internal Revenue Serv.

BOX 133



**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

**BOX 134**

Seigle v. Internal Revenue Serv.  
Silas v. Paroh S.S. Corp.  
Simpson v. Thomas  
Smith v. United States  
    (2 folders)  
Smith v. Jugoslavenska Linijska Plovidba  
Snead v. Smythe  
Snyder v. United States  
Stanback v. Internal Revenue Serv.  
Steelcraft Mfg. Co. v. Davis H. Elliott Co.  
Stout v. Internal Revenue Serv.  
Sweeney v. Bell  
Taylor v. Roane  
Tidewater Dev. & Sales Corp. v. United States  
Tidewater Patent Dev. Co. v. Cosmetics Patent Co.  
Townsend v. United States  
Union Carbide Corp. v. Goett  
United Fin. & Thrift Corp. v. Internal Revenue Serv.  
United Fuel Gas Co. v. Federal Power Comm'n  
United States *ex rel* Air-Con Co. v. Al-Con Dev. Co.  
United States v. Amherst Coal Co.  
United States v. Bond  
United States v. W. R. Bonsal Co.  
United States v. Brown  
United States v. Cato Bros.  
United States v. Chesapeake & Ohio Ry.  
United States v. Crew  
United States v. Endebrook-White Co.  
United States v. Jarvis  
United States v. Mount  
United States v. Neustadt  
United States v. Peckinpaugh  
United States v. Rogers  
United States v. Scott  
United States v. Stallard  
United States v. Texas Co.  
United States v. Trask  
United States v. Wilson  
United States v. Woodell  
Utica Mut. Ins. Co. v. State Farm Mut. Auto. Ins. Co.  
Vroon v. Templin  
Wallace v. United States  
Welsh Homes v. Internal Revenue Serv.  
West Virginia N. Ry. v. Commissioner  
White v. United States  
White Stack Towing Corp. v. Bethlehem Steel Co.

	Wiley v. United States
	Williams v. United States
	Willow Farms Dairy v. Benson
	Winnsboro Granite Corp. v. Internal Revenue Serv.
	1960 term
	Ambrose v. Norfolk Dredging Co.
	Arc & Gas Welder Assocs. v. Green Fuel Economizer
	Argo v. Lineberger-Bergen
	Asheville Tobacco Bd. of Trade v. Federal Trad Comm'n
	Atlantic & Pac. Stores v. Pitts
	Steamship <i>Audrey</i> v. Steamship <i>Moise Bay</i>
	Aulick v. Largent
	Barnett v. Love
	Bew v. United States
	Biltmore Homes v. Internal Revenue Serv.
	Blake v. United States
	Bryan v. Internal Revenue Serv.
	Burleson v. Canada
BOX 135	Burley v. Maryland
	Byrd v. Steiner
	Cabarrus Bank & Trust Co. v. Finlayson
	Carpenter v. Union Ins. Co.
	Chavis v. E. I. DuPont Co.
	Chicopee v. Kendall
	Clarke v. Tatum
	Clayton, Gilbert
	Club Ramon v. United States
	Collier v. United States
	Compania Nacional de Navegacao v. Cabins Tanker
	Cooper v. Internal Revenue Serv.
	Cranston Print Works Co. v. Public Serv. Co.
	Curtis v. Edison S.S. Corp.
	Deering Milliken v. Johnston
	DeFoe v. Duhl
	Delevay v. Richmond County School Bd.
	Dobson v. Warden, Md. Penitentiary
	Edwards, Dennis
	Fidelity & Casualty Co. v. Jackson
	Gatling v. Internal Revenue Serv.
	General Constr. Co. v. Hering Realty Co.
	Gilstrap v. Clemmer
	Graham v. Lawrimore
	Grannis & Sloan, Inc. v. Renegotiation Bd.
	Gary v. Maryland State Parole Bd.
	Great Am. Ins. Co. v. Harleysville Mut.
	Green v. Pegelow

BOX 136

Haber v. Internal Revenue Serv.  
Hargrove v. Little Constr. Co.  
Harris v. United States  
Haug v. Gersten Constr. Co. v. United States Fidelity & Guar. Co.  
Henderson v. Eastern Gas & Fuel Assocs.  
Henry v. Greenville Airport Comm'n  
Hicks v. Warden, Md. Penitentiary  
Holmes v. United States  
Holub Indus. v. Wyche  
Honolulu Oil Corp. v. Shelby Poultry Co.  
Hood v. Sumter County School Bd.  
Internal Revenue Serv. v. Saint Luke's Hosp.  
Johnson v. Internal Revenue Serv.  
Kasey v. Goodwyn  
Kent Mfg. Co. v. Internal Revenue Serv.  
Kilduff v. United States  
Kimbrell v. National Labor Relations Bd.  
Lee v. Nationwide Ins. Co.  
Lee Dying Co. v. Webco Dyers  
Markham v. Newport News  
McCoy v. Greensboro City Bd. of Educ.  
McJunkin Corp. v. North Carolina Natural Gas Co.  
McLain v. Carolina Power & Light Co.  
Mitchell v. Wall  
Murray v. Railroad Retirement Bd.  
National Found. v. First Nat'l Bank  
National Labor Relations Bd. v. United Brass Works  
Near v. Cunningham  
Nicholson v. Carl W. Mullis Eng'g Co.  
Nixon v. Loyal Order of Moose, Lodge No. 750  
Patrick v. United States  
Perkins v. Tawes  
Perkins v. United States Lines  
Piccott, Howard B.  
Pittsburgh v. Federal Power Comm'n  
Pomponio v. Internal Revenue Serv.  
Porter v. Eyster  
Ransburg Electro-Coating Corp. v. Ionic Electrostatic Corp.  
Reed v. Franke  
Roberts v. United States  
Roberts v. Pepersack  
Savas v. Maria Trading Corp.  
Schubert v. Internal Revenue Serv.  
Seaboard Sur. Co. v. North Carolina Gas Corp.  
Segars v. Atlantic Coast Line R.R.  
Shelton v. South Carolina

BOX 137

Short v. Internal Revenue Serv.  
Shull v. Internal Revenue Serv.  
Snider v. Cunningham  
South Carolina Natural Gas Co. v. Phillips  
Spinks v. Zeller  
Stewart v. Smyth  
Stradley v. United States  
Thomas v. Peerless Mattress Co.  
Thomason v. Johnson Motor Lines  
Tuttle v. American Oil Co.  
United States v. Ayscue  
United States v. Borda  
United States v. Cowan  
United States v. Freeman  
United States v. Hamrick  
United States v. North Carolina Granite Corp.  
United States v. Sawyer  
United States v. Upchurch  
United States v. Whittle  
United States v. Woodland Terrace  
Urban Redevelopment Corp. v. Internal Revenue Serv.  
Wachovia Bank & Trust Co. v. United States  
Walker v. Walker  
Wall v. Mitchell  
Ward v. United States  
Washington v. District of Columbia  
Williams v. Steamship *Richard de Larringa*  
1961 term  
Airport Comm'n v. Aeronautics Bd.  
Allison v. Ribicoff  
Allied Mut. Ins. Co. v. Roberson  
Altvater v. Battaocletti  
Arnold v. United States  
Ballenger v. United States  
Baltimore Luggage Co. v. Federal Trade Comm'n  
Barron v. United States  
Bartsch v. Clarke  
Batter v. Mandell  
Beach v. United States  
Beidler v. Veno  
Bennett v. Charlotte  
Bethlehem Steel Co. v. National Labor Relations Bd.  
Betty v. Liverpool & Longon & Globe Ins. Co.  
Bilton Insulation v. National Labor Relations Bd.  
Black, Edwin P.  
Blankenship v. Cunningham

BOX 138

Bolling v. Cunningham  
Brady v. Ribicoff  
Bramlett v. Ribicoff  
Brown Dynalube Co. v. Internal Revenue Serv.  
Burleson v. Canada  
Cain v. Beecher  
Carney v. Sears, Roebuck Co.  
Cheers, William Thomas  
Cleveland v. Internal Revenue Serv.  
Cofield v. Brown  
Council v. Perry  
Council v. Perry  
Crosby v. Meredith  
Crown Cent. Petroleum Corp. v. Port Oil Co.  
Currey v. United States  
Currie v. United States  
Dantzler v. Dictograph Prods.  
Darter v. Greenville Community Hotel Corp.  
Dawely v. Holladay  
DiCesare v. Chernenko  
Dingess v. United States  
Dodd v. Internal Revenue Serv.  
Douglas v. Union Carbide Corp.  
Dudley v. Inland Mut. Ins. Co.  
Dudley v. Internal Revenue Serv.  
Dunlop v. Warden, Md. House of Corrections  
Edgewood Country Club v. United States  
Faust v. North Carolina  
First Nat'l Bank v. Glens Falls Ins. Co.  
Food Fair Stores v. Lakeland Grocery Corp.  
Funkhouser v. Butschky  
Garnett v. Cunningham  
Gaskins v. Ryder Truck Lines  
Gholston v. Boles  
Goldberg v. DuMont  
Gonzales v. Baltimore & Ohio R.R.  
Gooding v. Internal Revenue Serv.  
Gore v. Pechin  
Gotshaw v. Ribicoff  
Gowdy v. Internal Revenue Serv.  
Hargette, Harvey W.  
Harrison v. Boles  
Heath v. Ribicoff  
Hellings v. Ives Funeral Home  
Herndon v. Southern Pest Control Co.  
Hoffler v. Short

United States Court of Appeals Files, 1955-1973, n.d.

Container

Contents

---

BOX 139

Hollman, Gentle  
Home Fire & Marine Ins. Co. v. Tisdale  
Houska Co. v. United States  
Hunt v. United States  
Industria E. Comercio de Minerios v. Nova Genuesis Societa  
Internal Revenue Serv. v. Lake Forest  
Internal Revenue Serv. v. Liftin  
Internal Revenue Serv. v. Tow  
Jackson v. Steiner  
Jaudon v. F. W. Woolworth Co.  
Johnson v. Internal Revenue Serv.  
Jordan v. Steiner  
Keiser v. High Point Hardware Co.  
Kline v. United States  
Kohler-Campbell Corp. v. United States  
Ktistakis v. Liberian S.S. *Star*  
Lacy v. Levine  
Lane v. Warden, Md. Penitentiary  
Leon v. Steamship *National Progress*  
Litton Indus. v. Renegotiation Bd.  
Local No. 149 Int'l Union v. American Brake Shoe Co.  
London v. Troitino Bros.  
Luhring v. Glotzbach  
(2 folders)  
Lumbermen's Mut. Ins. v. Massachusetts Bonding & Ins. Co.  
Maddox v. Shroyer  
Mann v. Bowman Transp.  
Marine Midland Trust Co. v. United States  
Mason v. Mathiasen Tanker Indus.  
May v. Internal Revenue Serv.  
McClure v. Price  
McGrady v. Cunningham  
McIntyre v. Rogers  
McJunkin Corp. v. North Carolina Natural Gas Corp.  
McLaughlin, Frank  
Meiselman v. Internal Revenue Serv.  
Miller v. East Georgia Motors  
Millikin v. Internal Revenue Serv.  
Moore v. Hecht Co.  
Moore-McCormack Lines v. Bunge Corp.  
Nashville Bridge Co. v. A.B. Burton Co.  
National Labor Relations Bd. v. Altex Mfg. Co.  
National Labor Relations Bd. v. Atlantic Furniture Prods. Co.  
National Labor Relations Bd. v. Baltimore Paint & Chem. Corp.  
National Labor Relations Bd. v. Brookside Indus.  
National Labor Relations Bd. v. Carteret Towing Co.

BOX 140

National Labor Relations Bd. v. Croscill Curtain Co.  
National Labor Relations Bd. v. Fant Milling Co.  
National Labor Relations Bd. v. Gibraltar Indus.  
National Labor Relations Bd. v. Harley Bag Co.  
National Labor Relations Bd. v. Industrial Rayon Corp.  
National Labor Relations Bd. v. Lester Bros.  
National Labor Relations Bd. v. Lord Baltimore Press  
National Labor Relations Bd. v. Preston Feed Corp.  
National Labor Relations Bd. v. Threads  
National Labor Relations Bd. v. Wix Corp.  
New Amsterdam Gas Co. v. Waller  
Noland Co. v. Graver Tank & Mfg. Co.  
Norwood v. Lineberger-Bergen  
Osaka Shosen Kaisha v. Angelos, Leitch & Co.  
Parke, Davis & Co. v. G.E.M., Inc.  
Pearman v. Ribicoff  
Perkins v. Cingliano  
Perkins v. Phillips  
Piedmont Fed. Sav. & Loan Ass'n v. Hartford Accident & Indem. Co.  
Power & Combustion v. Wilson  
Power Curbers v. E. D. Etnyre & Co.  
Reickauer v. Cunningham  
Reid v. Richardson  
Rine v. Boles  
Robinson v. Cunningham  
Rosenberg v. Internal Revenue Serv.  
Royal McBee Corp. v. National Labor Relations Bd.  
Rundle v. Grubb Moter Lines  
Rutland v. Sikes  
Samann v. Internal Revenue Serv.  
Savon Gas Stations v. Shell Oil Co.  
Sewell v. Pegelow  
BOX 141 Shealy v. Challenger Mfg. Co.  
Sheppard v. Cornelius  
Sisney v. Rivers  
Solan v. Colebank  
Smith v. Allen  
Snyder v. Ribicoff  
Sonnier v. United States  
Southern Materials v. Rock  
Southern Ry. v. Fourney  
Spry v. Boles  
Spruill v. Boyle-Midway  
Stout v. Grain Dealers Mut. Ins. Corp.  
Swift v. Southern Ry.  
Talley v. Ribicoff

BOX 142

Taylor v. Anderson  
Taylor v. Internal Revenue Serv.  
Tidwell v. Internal Revenue Serv.  
Tow v. Miners Memorial Hosp. Ass'n  
Tridigo v. Timberlake  
Triumph Hosiery Mills v. Alamance Indus.  
Turner v. Internal Revenue Serv.  
Underwood v. Ribicoff  
Union Trust Co. v. Kansas City Life Ins. Co.  
United States v. 2,974.49 Acres of Land  
United States v. Beaver  
United States v. Bebig  
United States v. Brown  
United States v. Carroll  
United States v. Cecils Land & Improvement Co.  
United States v. Certain Interests in Property  
United States v. Chatham  
United States v. Cherry  
United States v. Cline  
United States v. Continental Casualty Co.  
United States v. Davenport  
United States v. Davison  
United States v. Gantt  
United States v. Guerini  
United States v. Gunther  
United States v. Haith  
United States v. Hammond  
United States v. Hardy  
United States v. Hester  
United States v. Irby  
United States v. Jacobs  
United States v. Joyce  
United States v. Lankford  
United States v. Lawrenson  
United States v. Lee  
United States v. Lowery  
United States v. Madden  
United States v. McCoy  
United States v. McGann  
United States v. McNicholas  
United States v. Mercks  
United States v. Mitchell  
United States v. Morgan  
United States v. Peisner  
United States v. Ragland  
United States v. Roberts



United States v. Sawyer  
United States v. Shively  
United States v. Smith  
United States v. Stewart  
United States v. Taylor, B.  
United States v. Taylor, H.  
United States v. Turner  
United States v. Union Livestock Sales Co.  
United States v. Village Corp.  
United States v. Walker  
United States v. Wallace  
United States v. Whitehall Terminal Corp.  
United States v. Wiles  
United States v. Woods  
United States Fidelity & Guar. Co. v. Lawrenson  
United States Retail Credit Ass'n v. Federal Trade Comm'n  
Universal v. Kay Mfg. Co.  
Vecellio v. United States  
Virginia Greenstone Co. v. United States  
Vokorokos v. Panamanian S.S. *Matador*  
Welch v. Internal Revenue Serv.  
Wells v. Douglas  
Whittaker v. Van Fossan  
Williams v. Mutual of Omaha  
Wilson v. Manning  
Wilson, Curtis E.  
Wirtz v. Secretary, Highway Transp.  
Wright v. B. F. Huntley Furniture Co.

BOX 143

1962 term

*In re* A & H. Transp.  
Abell v. Hoots  
Alexandria, Barcroft & Washington Transit Co. v. Washington Metro. Area Transit Comm'n  
American Football League v. National Football League  
Anthony v. International Paper Co.  
Associated Stores v. Industrial Loan & Inv. Co.  
Atlantic Seaboard Corp. v. Van Sterkenburg  
Austin v. National Discount Corp.  
Ballentine Motor Co. v. Internal Revenue Serv.  
Balogh & Co. v. Northern Va. Doctors' Hosp. Corp.  
Bannister v. Ribicoff  
Beck v. Railway Express Agency  
Boles v. Kershner  
Bradley v. School Bd.  
Bridges v. Internal Revenue Serv.  
Bristow v. Safway Steel Prods.  
Brunson v. Board of Trustees

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

Bull v. Smith  
Burbage v. United States  
Byerly v. Shell  
Cabell v. State Farm Mut. Auto. Ins. Co.  
Carleno v. Marine Transp. Lines  
Carriers Ins. Exch. v. Truck Ins. Exch.  
Carter v. Pinkston  
Case v. North Carolina  
Cibelli v. Hot Shoppes  
Clarke Baridon, Inc. v. Merritt-Chapman & Scott Corp.  
Clokey v. United States Parole Bd.  
Coastal Terminals v. United States  
Cole v. Eastern Gas & Fuel Assocs.  
Collins v. Rivers  
Community Counselling Serv. v. Reilly  
Crew v. United States  
Cross v. United States  
Curry v. School Pictures  
Cutting, Audrey I.  
Darlington Mfg. Co. v. National Labor Relations Bd.  
Dawson, Melvin Edward  
BOX 144 District of Columbia Transit Sys. v. Washington Metro. Area Transit Comm'n  
Deininger v. Internal Revenue Serv.  
Duggins v. Colonial Stores  
Edgerton v. North Carolina  
Elliot v. Warden, Md. Penitentiary  
Elm Dev. Co. v. Internal Revenue Serv.  
Evans v. Cunningham  
Firemen's Fund Ins. Co. v. Dunlap  
Fischer v. United States  
Fitzgerald v. Weatherly  
FMC Corp. v. Greensboro  
Forster v. Mars  
Frady v. Celebrezze  
Gantt v. Clemson College  
General Constr. Co. v. Hering Realty Co.  
General Instrument Corp. v. National Labor Relations Bd.  
Gibbs v. Blackwelder  
Glasscock v. United States  
Gober v. Revlon  
Goldman, Florence & Goldman v. Virginia-Carolina Wholesale Co.  
Goosman v. Pyle  
Griffin v. County School Bd.  
Guilford Nat'l Bank v. Southern Ry.  
Guy v. United States  
BOX 145 Hall v. Warden, Md. Penitentiary

Hallenbeck v. Penn Mut. Life Ins. Co.  
Hammond v. United States  
Hampton Roads Carriers v. Allied Chem. Corp.  
Haney v. Woodward & Lothrop  
Hardware Mut. Casualty v. Jones  
Harris v. Norfolk S. Ry.  
Hayes v. Pegelow  
Haywood v. Gill  
Heyl & Patterson v. McDowell Co.  
Hicks v. United States  
Hill v. Diamond  
Hodges v. Diamond  
Holliday v. Great Atl. & Pac. Tea Co.  
Houff v. United States  
Howard D. Johnson Co. v. Henry Johnson Restaurant  
Internal Revenue Serv. v. City Bank  
Internal Revenue Serv. v. Paragon Jewel Coal Co.  
Internal Revenue Serv. v. Raleigh Properties  
Internal Revenue Serv. v. Universal Leaf Tobacco Co.  
Jackson v. Atlantic Coast Line R.R.  
Jarrel v. Ford Motor Co.  
Jewell Ridge Coal Corp. v. Internal Revenue Serv.  
Johnson v. Barnes  
Johnson v. United States  
Jordan v. Hucheson  
Karlsson v. Rabinowitz  
Keco Indus. v. ACF Indus.  
Kershner v. Boles  
Krizak v. W. C. Brooke & Sons  
Lawrence v. Norfolk Dredging Co.  
Lawrenson v. Thomsen  
Leesona Corp. v. Cotwool Mfg. Corp.  
Leitman v. Rivers  
Lewis v. Lowry  
Lifton v. Internal Revenue Serv.  
Lovely v. United States  
MacMullen v. South Carolina Elec. & Gas Co.  
Mardel Sec. v. Alexandria Gazette Corp.  
Maryland Casualty Co. v. Davis  
McAllister v. Driever  
McCall v. Commissioner  
McDonough, William L.  
McDougle v. Woodward & Lothrop  
McEachern v. United States  
Medomsley Steam Shipping Co. v. Elizabeth River Terminals  
Milio v. First Nat'l Bank

BOX 146

BOX 147

Mitchell v. North Carolina  
Monarch Ins. Co. v. Beauty Shopping Center  
Moore v. Maryland  
Moore-McCormack Lines v. Maryland Ship Ceiling Co.  
Morant v. Railroad Retirement Bd.  
Morris v. International Auto. Ins. Exch.  
Murray v. United States  
Nappier v. Jefferson Standard Life Ins. Co.  
National Labor Relations Bd. v. Inland Motor Corp.  
National Labor Relations Bd. v. Quaker City Life Ins. Co.  
National Labor Relations Bd. v. Ryder Tank Lines  
National Labor Relations Bd. v. Trosch  
New Amsterdam Casualty Co. v. Waller  
Nickelson v. Davis  
Norris Mfg. Co. v. R. E. Darling Co.  
North Am. Loan & Thrift Co. v. Internal Revenue Serv.  
North Carolina Nat'l Bank v. United States Casualty Co.  
Oliver v. United States  
Orient Mid-East Great Lakes Serv. v. International Export Lines  
Parker v. International Bhd. of Teamsters  
Pati-Port v. Federal Trade Comm'n  
Patrick v. United States  
Patton v. North Carolina  
Peckham v. Internal Revenue Serv.  
Pennsylvania Threshermen & Farmers' Mut. Casualty Co. v. Hartford Accident & Indem.  
Co.  
Pepsi-Cola Bottling Co. v. Indemnity Ins. Co.  
Poinsett Lumber & Mfg. Co. v. Hammond  
Potter v. Carvel Stores  
Prendis v. Central Gulf S.S. Co.  
Provenza v. American Export Lines  
Rackley v. Board of Trustees  
Rakes v. United States  
Ramsey v. Travelers Ins. Co.  
Ransburg Electro-Coating Corp. v. Proctor Elec. Co.  
Rawls, David J.  
Reffett v. Internal Revenue Serv.  
Ritchie, Gerald  
Roberts v. Pegelow  
Rush, John  
Safeway Trails v. Stuyvesant Ins. Co.  
Scaggs v. Zacharia  
Schack v. Preston Trucking Co.  
Schnur & Cohan v. McDonald  
School Pictures v. Curry  
Scott v. Isbrandtsen Co.

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

**BOX 148**

Seymour v. United States  
Shell v. Byerly  
Sheppard, Charles S.  
Singer Sewing Mach. Co. v. National Labor Relations Bd.  
Small v. Williams  
Snider v. Cunningham  
Spanos v. United States  
Stewart v. Combs  
Summers v. Watkins Motor Lines  
Sweeney v. United States  
Taylor v. United States  
Teamsters Union Local 71 v. International Union  
Technograph v. Bendix  
Thaxton v. Vaughan  
Travelers Indem. Co. v. Wells  
Trent, Lowry  
United States v. Arlington County  
United States v. Bass  
United States v. Brooks  
United States v. Brown  
United States v. Chaney  
United States v. Chatham  
United States v. Cole  
United States v. Comi  
United States v. Crawley  
United States v. Davis  
United States v. Durham  
United States v. Farese  
United States v. Five Boro Constr. Corp.  
United States v. Foster  
United States v. Gray Line Water Tours  
United States v. Harmon  
United States v. Hill  
United States v. Honeycutt  
United States v. Ivey  
(2 folders)  
United States v. Johnson  
United States v. Jordan  
United States v. Kolakowski  
United States v. Koneski  
United States v. Lawrenson  
United States v. Leggett  
(2 folders)  
United States v. Lemons  
United States v. Levine  
United States v. Lewis

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

	United States v. Ligon
	United States v. Millikin
	United States v. Mills-Willow Farms Dairy (2 folders)
BOX 149	(1 folder)
	United States v. Moffitt
	United States v. Moore-McCormack Lines
	United States v. Mucherino
	United States v. Norris
	United States v. Oates
	United States v. Osborn
	United States v. Parker
	United States v. Pennix
	United States v. Quinn
	United States v. Roland
	United States v. Ross
	United States v. Shew
	United States v. Smith, C.
	United States v. Smith, E.
	United States v. Smith, G.
	United States v. Stewart
	United States v. Taylor, G.
	United States v. Taylor, H.
	United States v. Townsend
	United States v. Van de Reit
	United States v. Welborn
	United States v. Wenzel
	United States v. Whitcomb
	United States v. White
	United States v. Whiting
	United States v. Wooten
	United States v. Young
	United States Pipe & Foundry Co. v. Woodward Iron Co.
	Uptagrafft v. United States
	Valdosta Livestock Co. v. Williams
	Virginia Greenstone Co. v. United States
	Vogel v. United States
	Walker v. Peppersack
	Walsh v. Internal Revenue Serv.
	Weirton Steel Co. v. Federal Trade Comm'n
BOX 150	Wellington Mill Div. v. National Labor Relations Bd.
	White v. United States
	Wicker v. National Sur. Corp.
	Wiles v. Nationwide Life Ins. Co.
	Williams v. United Mine Workers
	Wirtz v. B.A.C. Steel Prods.

Wirtz v. G. & W. Packing Co.  
Wirtz v. Modern Trash Removal  
Wirtz v. Nello L. Teer Co.  
Wood v. Vaughan  
Woodson v. Chamberlain  
Woodson v. Celebrezze  
Young v. Pepersack  
1963 term  
Allen v. Standard Crankshaft & Hydraulic Co.  
Anderson v. North Carolina  
Aptitude Assocs. v. Internal Revenue Serv.  
Baker v. American Ins. Co.  
Ball v. United States  
Ballwanz v. Isthmian Lines  
Barnes v. Norfolk S. Ry.  
Barnes Motor & Parts Co. v. Federal Trade Comm'n  
Barsotti v. Arundel Corp.  
Bayliss v. United States  
Bellam, John P.  
Berman v. Warden, Md. Penitentiary  
Bielawski v. American Export Lines  
Blumenthals v. Internal Revenue Serv.  
Bond Distrib. Co. v. Carling Brewing Co.  
Boston Metals v. O'Hearne  
Boulogny v. United Steelworkers  
Bowler v. Iowa Mfg. Co.  
Bowles v. Iowa Mfg. Co.  
Bradley v. Internal Revenue Serv.  
Brinson v. Internal Revenue Serv.  
Brinson v. Brinson  
Brooks, Julian D.  
Brown v. Pepersack  
Bryant v. Patenreederei-Ernest Russ  
Burgess v. Farrell Lines  
Callander v. Hunter Motors Lines  
Carrington v. Civil Aeronautics Bd.  
Celebrezze v. Jenkins  
Clark v. United States  
Clarkson v. Finance Co.  
Cochran v. Celebrezze  
Compton v. United States  
Connell v. Indiana Ins. Co.  
Cooper v. Internal Revenue Serv.  
Coral v. Gavino  
Craig v. Texaco  
Culler, Troy L.

BOX 151

BOX 152

Cuthrell v. Celebrezze  
Daniel Constr. v. National Labor Relations Bd.  
Danville Tobacco Ass'n v. Bryant-Buckner Assocs.  
Dean v. Cole  
DeToro v. Maryland  
Dunning v. Pepsi-Cola Bottling Co.  
Durox Co. v. Duron Paint Mfg. Co.  
Epstein v. Internal Revenue Serv.  
Esso Standard Oil Co. v. Oil Screw Tug *Maluco I*  
Fairchild Stratos Corp. v. Lear Siegler  
Fairfax County Water Auth. v. United States  
Farmer v. Greene County Bd. of Educ.  
Fidelity-Baltimore Nat'l Bank v. United States  
Fihelly v. Smith  
First Nat'l Exch. Bank v. United States  
Florence Printing Co. v. National Labor Relations Bd.  
Flota Maritima Browing de Cuba v. Ciudad de la Habana  
Franklin v. Steiner  
French v. Hillman  
Froehlinger v. United States  
Gadsen v. Fripp  
Galis Elec. & Mach. Co. v. National Labor Relations Bd.  
Gallegly v. White  
Gardner v. National Bulk Carriers  
Garian v. Prudential Ins. Co.  
Gary v. United States Oil Screw *Echo*  
General Tire & Rubber Co. v. Watkins  
Gilliam v. School Bd.  
Gladner v. United States  
Glass v. United States  
Goforth v. Allstate Ins. Co.  
Goode v. Morgan Pipe Haulers  
Goosman v. A. Duie Pyle  
Government Employees Ins. Co. v. Lally  
Graham v. Internal Revenue Serv.  
Granger v. Aetna Ins. Co.  
Grant v. Internal Revenue Serv.  
Griffin Mortgage Co v. Cunningham Brick Co.  
Hanes v. Celebrezze  
Hastings v. Boslow  
Helton v. Celebrezze  
Holland v. Patuxent Inst.  
Humble Oil & Ref. Co. v. Steamship *Bay Belle*  
Hunter v. United States  
Ingalls v. Internal Revenue Serv.  
Insurance Co. of N. Am. v. Atlantic Nat'l Ins. Co.



BOX 153

Internal Revenue Serv. v. Lake Forest  
Internal Revenue Serv. v. Offutt  
Isgett v. Atlantic Coast Line R.R.  
Jackson v. Dunham-Bush  
James River Hydrate & Supply Co. v. United States  
Johnson v. Allstate Ins. Co.  
Johnson v. United States  
Jones v. Internal Revenue Serv.  
Jones v. Seaboard Sur. Co.  
Katz v. Peyton  
Kinsley v. Markovic  
Kushner v. Legette  
Lilly v. Roane  
Logan v. Havtor  
Lopes v. Steamship *Ocean Daphne*  
Lovedahl v. North Carolina  
Lynch v. United States Branch Gen. Accident Fire & Life Assurance Corp.  
Madison, John H.  
Magness v. Internal Revenue Serv.  
Majerus v. Venable  
Marks, C. Hardaway  
Marvel Specialty Co. v. Bell Hosiery Mills  
Mayflower Ins. Co. v. Osborne  
McCloskey v. Maryland  
McDaniel v. Celebrezze  
McKinley v. Rawls  
Meltser v. Atlantic Research Corp.  
Midgett v. Warden, Md. Penitentiary  
Miller v. Warden, Md. Penitentiary  
Morgan v. Internal Revenue Serv.  
Mounts v. Boles  
National Bank of Orange v. United States  
National Labor Relations Bd. v. A. S. Abell Co.  
National Labor Relations Bd. v. Atkinson Dredging Co.  
National Labor Relations Bd. v. Community Motor Bus Co.  
National Labor Relations Bd. v. Craig-Botetourt Elec. Coop.  
National Labor Relations Bd. v. Daniels Constr. Co.  
National Labor Relations Bd. v. Hurd Corp.  
National Labor Relations Bd. v. Insulation Fabricators  
National Labor Relations Bd. v. International Bhd. of Pulp Workers  
National Labor Relations Bd. v. Lester Bros.  
National Labor Relations Bd. v. Local Union No. 453  
National Labor Relations Bd. v. Newberry Mills  
National Labor Relations Bd. v. H. K. Porter Co.  
National Labor Relations Bd. v. Reeves Broadcasting & Dev. Corp.  
National Labor Relations Bd. v. Wix Corp.

United States Court of Appeals Files, 1955-1973, n.d.

Container

Contents

---

BOX 154

National Mut. Ins. Co. v. Akers  
Newton v. American Sur. Co.  
Nissen v. Internal Revenue Serv.  
North Carolina Nat'l Bank v. Lumbermen's Mut. Casualty Co.  
Otten v. Warden, Baltimore City Jail  
Overnite Transp. Co. v. National Labor Relations Bd.  
Page v. McCain  
Pan-American World Airways v. O'Hearne  
Pascale v. Pritzker  
Pati v. Newman  
Perkins v. Henry J. Kaiser Constr. Co.  
Pettaway v. County School Bd.  
Petty v. United States Bd. of Comm'rs  
Pierpont v. Internal Revenue Serv.  
Post v. Boles  
Pruitt v. Peyton  
Pugh v. North Carolina  
Rachesky v. Finlea  
Ralph v. Pepersack  
Rees v. Peyton  
Reeves v. Warden, Md. Penitentiary  
Riggs Distler & Co. v. National Labor Relations Bd.  
Roberts v. Fuquay-Varina  
Rothacker v. Black  
Rowe v. Brooks  
Russo v. Leary  
Sas v. Maryland  
(2 folders)

BOX 155

Servo Corp. of Am. v. General Elec. Co.  
South Carolina Elec. & Gas Co. v. Federal Power Comm'n  
*In re* Spring Valley Country Club  
Maryland *ex rel* Geils v. Baltimore Transit Co.  
Stephens v. Atlantic Coast Line R.R.  
Stevenson v. Boles  
Switzerland Co. v. Udall  
Taylor v. Pegelow  
Thomas v. Cunningham  
Thompson v. Internal Revenue Serv.  
Todd v. Sandidge Constr. Co.  
Tompa v. Virginia  
Travelers Indem. Co. v. Smith  
Turnage v. Northern Va. Steel Corp.  
Tuttle v. United States Slicing Mach. Co.  
Umstead v. United States  
United States v. Alexander  
United States v. Baker

United States Court of Appeals Files, 1955-1973, n.d.

Container

Contents

---

BOX 156

United States v. Barwick  
United States v. Blythe  
United States v. Bowen  
United States v. Boyce  
United States v. Brown  
United States v. Bynum  
United States v. Carrier  
United States v. Chapman  
United States v. Chatham  
United States v. Criswell  
United States v. Chunn  
United States v. Crews  
United States v. Driscoll Co.  
United States v. Gabardini  
United States v. Gaskins  
United States v. Goss  
United States v. Grisby  
United States v. Grow  
United States v. Harris  
United States v. Hayes  
United States v. Hopps  
United States v. Jenkins, A.  
United States v. Jenkins, E.  
United States v. Jones  
United States v. Jordan  
United States v. Kirk  
United States v. Koneski  
United States v. Lewis, E.  
United States v. Lewis, O.  
United States v. *M/V Wuerttemberg*  
United States v. Magliano  
United States v. Miller  
United States v. Mullin  
United States v. North Carolina Nat'l Bank  
United States v. Oliver  
United States v. Perry  
United States v. Portee  
United States v. Pruitt  
United States v. Ramey  
United States v. Shoaf  
United States v. Smith  
United States v. Steamship *Soya Atlantic*  
United States v. Taylor  
United States v. Tucker  
United States v. Virginia Erection Corp.  
United States v. Waller

BOX 157

United States v. Whitehurst  
United States v. Williams  
United States Fidelity Guar. Co. v. Lawrenson  
United States *ex rel* Gulfport Piping Co. v. Monaco & Sons  
Utica Mut. Ins. Co. v. Travelers Ins. Co.  
Virginia v. Wallace  
Virginia Nat'l Bank v. Woodson  
Watkins v. Continental Can Co.  
Wertz v. Rock-Ola Mfg. Co.  
White v. Norfolk & W. Ry.  
White v. O'Hearne  
Whorton v. T. A. Loving & Co.  
Wicker v. National Sur. Corp.  
Wilson v. Hy-Lan Furniture Co.  
Wirtz v. Chesapeake Bay Frosted Foods Corp.  
Wirtz v. Lee Elec. Co.  
Woodson v. Gilmer  
Wright v. Bailey  
Wright, John  
1964 term  
Adams v. Ellenbrand  
Aetna Casualty & Sur. Co. v. Sherwood Distilling  
Alberti v. Cruise  
Allied Chem. Corp. v. Tug *Condor*  
Ambold v. Seaboard Airline R.R.  
Avery v. Oosting  
Barnes v. Rederi A/B Fredrika  
Barnes v. Sind  
Becler v. Philco Corp.  
Black Diamond S.S. Corp. v. United States  
BOLESKI v. American Export Lines  
Bonded Armored Carrier v. National Labor Relations Bd.  
Braddy v. Randolph  
Bradley v. School Bd.  
Brantley v. Devereux  
Brewer v. School Bd.  
Broadwell v. United States  
Brown v. Brough  
Brown v. Celebrezze  
Brown v. General Motors Corp.  
Brown v. North Carolina  
Brown v. School Bd.  
Bryan v. Internal Revenue Serv.  
Bryant v. Partenreederei-Ernest Russ  
Bullard Co. v. General Elec. Co.  
Carey v. Foster

BOX 158

BOX 159

Carolina Coach Co. v. Cox  
Carroll v. Boles  
Cassada v. Russo  
Chesapeake Mfg. Co. v. Internal Revenue Serv.  
Clouse v. American Mut. Liab. Ins. Co.  
Coleman v. Peyton  
Construction Prods. Corp. v. Di-Noc Chem. Arts  
Cook v. Republic Steel Corp.  
Cook Eng'g & Elecs. v. Hickory Foundry & Mach. Co.  
Cooper Agency v. McLeod  
Darden v. Houtz  
Daugherty v. Maryland  
Davidson v. Tramel  
Detyens Shipyards v. Marine Indus.  
Dillard Paper Co. v. Internal Revenue Serv.  
Dillon v. Celebrezze  
Dixon v. Oosting  
Douglas v. Wirtz  
Dove v. Peyton  
DuBoise v. North Carolina  
Duffield v. Peyton  
Easter v. Internal Revenue Serv.  
Felder v. Harnett County Bd. of Educ.  
Fenco v. United States  
Fennell v. Monongahela Power Co.  
Files v. United States  
Fitzgerald v. Polish Ocean Line  
Fletcher v. Taylor  
Flynn v. Kalb  
Frankum v. Celebrezze  
Freehill v. Gallant  
Frist v. Gallant  
Frye v. Celebrezze  
Fuller v. Weakley  
Gadsden v. Fripp  
Gaskins v. Kennedy  
Giannakouros v. Oriental Tanker Corp.  
Gibbs v. Blackwelder  
Glass v. United States  
Goodson v. Peyton  
Grantham v. Quinn Menhaden Fisheries  
Graves v. Associated Transp.  
Greene v. Steamship *Invicta*  
Greentree v. United States  
Hall v. Celebrezze  
Halle v. United States

United States Court of Appeals Files, 1955-1973, n.d.

Container

Contents

---

	Hammett v. Seastrunk
	Hamrick v. Peyton
	Hawkins v. North Carolina Dental Soc'y
	Hayes v. Peyton
	Henry v. Steamship <i>Mount Evans</i>
	Holmes v. Eddy
	Hooker v. Boles
	Huber v. Mullan
BOX 160	Imco Container Co. v. National Labor Relations Bd.
	Imperial Furniture Co. v. Piedmont Aviation
	Internal Revenue Serv. v. Mendel
	Internal Revenue Serv. v. Sperapani
	Internal Revenue Serv. v. United Contractors
	Jacobs v. Maryland Penitentiary
	Jacobs v. United States
	James v. Boles
	Janosek v. Price & Detwiler
	Johnson v. Dawes
	Julian, Inc. v. President of Elkton
	Justice v. Prudential Ins. Co.
	Kalopodes v. Federal Reserve Bank
	Katz v. Peyton
	Kearns v. Gay Apparel Corp.
	Kerr v. Aetna Casualty & Sur. Co.
	Koontz v. Celebrezze
	Lawson v. Internal Revenue Serv.
	Ledbetter v. Warden, Md. Penitentiary
	Levine v. Lacy
	Liadakis v. Immigration & Naturalization Serv.
	Long v. Maryland
	Magee v. Peyton
	Maryland Jockey Club v. United States
	McCloskey v. Boslow
	McGann v. United States Marshal
	McLean v. Prudential S.S. Co.
	McManus v. Midland Valley Lumber Co.
	Miskiewicz v. Goodman
	Moorer v. South Carolina
	Moots v. Secretary of Health, Educ. & Welfare
	Morgan v. Phillips
	Morris v. Internal Revenue Serv.
	Mount Saint Mary's College v. Aetna Casualty & Sur. Co.
	Mozingo v. York County Natural Gas Auth.
BOX 161	National Labor Relations Bd. v. Bonnie Enters.
	National Labor Relations Bd. v. Covington Motor Co.
	National Labor Relations Bd. v. Harvey

BOX 162

National Labor Relations Bd. v. Kotarides Baking Co.  
National Labor Relations Bd. v. Metalab-Labcraft Co.  
Norfolk & W. Ry. v. Anderson's Black Rock Co.  
Nelson v. Victory Elec. Works  
Norris Mfg. Co. v. Darling  
North River Ins. Co. v. Connecticut Fire Ins. Co.  
Olah v. Steamship *Jaladurga*  
Outing v. North Carolina  
Parke, Davis & Co. v. Health Cross Stores  
Parker v. Board of Educ.  
Pine Hall-Pomona Corp. v. United States  
Pinehurst v. Schlamowitz  
Puckett v. North Carolina  
Purdham v. Celebrezze  
Pyles v. Boles  
Ray v. Celebrezze  
Reickauer v. Peyton  
Rhinehart v. North Carolina  
Rich v. Hoffman  
Root v. Cunningham  
Root v. Peyton  
Rosso & Mastracco v. Finley  
Royal Indem. Co. v. Aetna Ins. Co.  
Sabbagha v. Celebrezze  
Sas v. Maryland Penitentiary  
Sawyer v. United States  
Shaw v. J. C. Penney Co.  
Shelton v. Jones  
Shows v. Harrison  
Skaugass A/S v. T/T P. W. Thirtle  
Slaughter v. United States  
Smith v. Fihelly  
Smith v. Moore  
Smith v. Robinson  
Smith v. United States  
Snider v. Peyton  
Snyder v. Wylie  
Solo Cup Co. v. National Labor Relations Bd.  
Spaulding v. Anchor Motor Freight  
Stalvey v. Pure Oil Co.  
Starke v. United States  
Stone v. Chesapeake Ins. Co.  
Sykes v. Virginia  
Tele-Trip Co. v. National Labor Relations Bd.  
Tenney v. A. B. & W. Transit Co.  
Terry v. Yancey

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

**BOX 163**

Thomas v. Virginia  
Thomas v. Maryland Penitentiary  
Thornton v. Victory Carriers  
Tinker v. Boles  
United Broadcasting Co. of E. Va. v. Montague  
United States v. Bennett  
United States v. Boyd  
United States v. Brown  
United States v. Carrier  
United States v. Carthers  
United States v. Certain Parcels of Land  
United States v. Cline  
United States v. Close  
United States v. Coleman  
United States v. Crim  
United States v. Dillinger  
United States v. Ellicott  
United States v. Forester  
United States v. Hall, C.  
United States v. Hall, R.  
United States v. Harman  
United States v. Harris  
United States v. Hassel  
United States v. Hinson  
United States v. Hutchison  
United States v. Isaacs  
United States v. Jones  
United States v. Leister  
United States v. Luciano  
United States v. Massachusetts Trustees of E. Gas & Fuel Assocs.  
United States v. McAllister  
United States v. McClenny  
United States v. Morse  
United States v. Poitras  
United States v. Rorer  
United States v. Semel  
United States v. Smith, F.  
United States v. Smith, G.  
United States v. Smith, J.  
United States v. Southern Ry.  
United States v. Sparre  
United States v. Stradford  
United States v. Talbert  
United States v. Thaw  
United States v. Travis  
United States v. Walker



BOX 164

United States v. Weir  
United States v. White, R.  
United States v. White, W.  
United States v. Williams  
United States v. Worley  
Virginia-Carolina Chem. Corp. v. Hartford Accident & Indem. Co.  
Virginia Elec. & Power Co. v. Federal Power Comm'n  
Wagoner v. United States  
Wall v. Chesapeake & Ohio Ry.  
Ward v. Peyton  
Webb v. Peyton  
Wheeler v. Durham City Bd. of Educ.  
Williams v. Celebrezze  
Williams v. Howard Johnson's  
*Ex parte* Wilson  
Wood Preserving Corp. v. United States  
Wright v. Masonite Corp.  
Young v. Boles  
1965 term  
Aldridge v. Roberts  
Allstate Ins. Co. v. Stuart  
American Fidelity & Casualty v. London & Edinburgh Ins. Co.  
American Ins. Co. v. South Carolina Ins. Co.  
Andrews v. Atlantic & Gulf Stevedores  
Armwood v. Brough  
Atha v. Gardner  
Austin v. Cooper  
Ballwanz v. Jarka Corp.  
Baltimore Transit Co. v. Maryland  
Barnhart v. American Oil Co.  
Bartsch v. Washington Metro. Area Transit Comm'n  
Beggs v. Celebrezze  
Bell v. Johnson Motor Lines  
Bells v. Celebrezze  
Benson Veneer Co. v. National Labor Relations Bd.  
Bevans v. Liberty Mut. Ins. Cos.  
Biggs v. Norfolk Dredging  
Boddie v. Weakley  
Bowman v. Curt G. Joa, Inc.  
Bradford v. School Dist. No. 20  
Bramlett v. Arthur Murray  
Brown v. Celebrezze  
Bullock v. Celebrezze  
Byrd v. Pawlick  
Canaday v. Celebrezze  
Capital Investors Co. v. Devers

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

**BOX 165**

Capital Investors Co. v. Fairchild  
Carroll v. Seaboard Air Line R.R.  
Carter v. Celebrezze  
Caudill v. Peyton  
Chambers v. Hendersonville City School Bd.  
Champion Spark Plug Co. v. T. G. Stores  
Chewing v. Internal Revenue Serv.  
Citizens & S. Nat'l Bank v. Dickerson  
Cizdyn v. Minneapolis-Honeywell Co.  
Coleman v. Peyton  
Conroy v. Internal Revenue Serv.  
Crawford v. Bailey  
D.C. Transit Sys. v. Washington Metro. Area Transit Comm'n  
(2 folders)  
Daugherty v. Maryland  
Davis v. Dusch  
Davis v. Mathews  
Dawson v. Peyton  
Dickenson v. United States  
Don Swart Trucking Co. v. National Labor Relations Bd.  
Donohue v. Maryland Casualty Co.  
Driver v. Hinnant  
Duval v. McGuffin  
Eagles v. Harriss Sales Corp.  
Eastern Serv. Management Co. v. United States  
Edwards v. Mayes  
Etzler v. Dille & McGuire Mfg. Co.  
Evans v. Blidberg Roothchild Co.  
Evans v. Newport News Shipbuilding & Dry Dock Co.  
Exchange & Sav. Bank v. United States  
Faucette v. Van Dolson  
Faulkner v. United States  
Federated Mut. Implement & Hardware Ins. Co. v. Gupton  
Flota Maritima Browing De Cuba v. Snobl  
Fooks v. Mister  
Forester v. United States  
Franklin v. School Bd.  
Freehill v. Lewis  
Funkhouser v. Internal Revenue Serv.  
Gardner v. Stewart  
General Tire & Rubber Co. v. Watkins  
Giddens v. Isbrandtsen Co.  
Goforth v. Avemco Life Ins. Co.  
Plan v. Avemco Life Ins. Co.  
Golding v. Celebrezze  
Graphic Arts Finishing Co. v. National Labor Relations Bd.

**BOX 166**

Greensboro Hosiery Mills v. National Labor Relations Bd.  
Griffin v. School Bd.  
Hall v. Warden, Md. Penitentiary  
Hamilton v. Salter  
Haney v. Woodward & Lothrop  
Hanson v. Chesapeake & Ohio Ry.  
Hardesty v. Keightley  
Hardware Mut. Casualty Co. v. Jones  
Hart v. Wilkins  
Hawkins v. North Carolina  
Hawks v. Peyton  
Hexcel Prods. v. American Cyanamid Co.  
Hicks v. United States  
Hilton v. Celebrezze  
Holly Hill Lumber Co. v. National Labor Relations Bd.  
Holt v. Wallace & Tiernan  
Honea v. West Virginia Pulp & Paper Co.  
Horne v. Peyton  
Humphreys v. Celebrezze  
Humphries v. McCrory-McLellan Stores Corp.  
Hyde v. First & Merchants Nat'l Bank  
Johnson v. Branch  
Jones v. Virginia  
Jones v. United States  
J.R. Land Co. v. United States  
Kaufman v. Internal Revenue Serv.  
Kaufman v. Abramson  
Kearney v. Peyton  
Kirby v. Union Carbide Corp.  
Kitchen v. Internal Revenue Serv.  
Lambert v. Celebrezze  
Langley Park Apartments v. Internal Revenue Serv.  
Lark v. United States  
Lawrence v. Peyton  
Laws v. Celebrezze  
Leek v. Maryland  
Leonhardt v. United States  
Lewis v. Peyton  
Loewy Drug Co. v. United States  
Lovedahl v. North Carolina  
Lumbermen's Mut. Casualty Co. v. Harleysville Mut. Casualty Co.  
Lutz v. McNair  
Maphis Chapman Corp. v. National Labor Relations Bd.  
Marston v. J. C. Penney Co.  
Martin v. Internal Revenue Serv.  
Marvel Specialty Co. v. Bell Hosiery Mills

BOX 167

BOX 168

Maryland Casualty Co. v. Baldwin  
McCall Coal Co. v. United States  
McClure v. United States Lines Co.  
McNeil v. North Carolina  
Medomsley Steam Shipping Co. v. Elizabeth River Terminals  
Miller v. Blalock  
Moore v. Virginia  
Morgan v. Internal Revenue Serv.  
Morris v. South Carolina  
National Bank & Trust Co. v. Allied Supply Co.  
National Labor Relations Bd. v. B.B.S.A.  
National Labor Relations Bd. v. Bata Shoe Co.  
National Labor Relations Bd. v. Dove Coal Co.  
National Labor Relations Bd. v. Lexington Chair Co.  
National Labor Relations Bd. v. S. S. Logan Packing Co.  
National Labor Relations Bd. v. Lyman Printing Co.  
National Labor Relations Bd. v. Rish Equip. Co.  
National Labor Relations Bd. v. Schapiro & Whitehouse  
National Labor Relations Bd. v. Webb Furniture Corp.  
Nyman v. Celebrezze  
Ohio Casualty Ins. Co. v. Pennsylvania Nat'l Mut. Casualty Ins. Co.  
Old Dominion Stevedoring v. Polskie Linie Oceaniczne  
Oneita Knitting Mills v. National Labor Relations Bd.  
Otis Elevator Co. v. Kass Realty Co.  
Owsley v. Peyton  
Paesch v. Winter  
Patterson v. City of Newport News  
Pokrinchak v. Holiday House Motel  
Porter v. Peyton  
Pruitt v. Peyton  
Rakes v. United States  
Ralph v. Tidewater Constr. Corp.  
Redden v. Celebrezze  
Rich v. United States  
Rivers v. Royster  
Sawyer v. Warden, Md. Penitentiary  
Scindia Steam Navigation Co. v. Moon Eng'g Co.  
Shuman v. Peyton  
Simpson v. Lambert Bros. Div.  
Smallwood v. Warden, Md. Penitentiary  
Smith v. Maryland  
Snyder v. Eastern Auto Distribs.  
South Carolina Council of Milk Producers v. Newton  
Stevens v. Warden, Md. Penitentiary  
Stevens v. Warden, Md. Penitentiary  
Swacker v. Southern Ry.

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

**BOX 169**

Swann v. Charlotte-Mecklenburg Bd. of Educ.  
Syer v. United States  
Tackett v. Celebrezze  
Tanner v. Internal Revenue Serv.  
Taylor v. United States  
Timmons v. Peyton  
Tincher v. Boles  
Toole v. Nationwide Mut. Ins. Co.  
Tucker v. Peyton  
Twilley v. United States  
Union Carbide Corp. v. Microtro Corp.  
United States v. 531 Acres of Land  
United States v. Al-Majied Muhamad  
United States v. Anderson  
United States v. Ard  
United States v. Ardner  
United States v. Arnold  
United States v. Ball  
United States v. Banks  
United States v. Bayne  
United States v. Baysden  
United States v. Boyce  
United States v. Bryant  
United States v. Central Magazines Sales Co.  
United States v. Chandler

(2 folders)

**BOX 170**

United States v. Chappell  
United States v. Chestnutt  
United States v. Diodati  
United States v. Ford  
United States v. Foster  
United States v. Galloway  
United States v. Gills  
United States v. Godel  
United States v. Goss  
United States v. Graves  
United States v. Hawthorne  
(2 folders)  
United States v. Henson  
United States v. Inman  
United States v. Keller  
United States v. Kincaid  
United States v. Leach  
United States v. Lee  
United States v. Leister  
United States v. Moore

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

United States v. Overton  
United States v. Pardee  
United States v. Payne  
United States v. Pennell  
United States v. Radford  
United States v. Ray  
United States v. Register  
United States v. Salliey  
United States v. Scott  
United States v. Smith  
United States v. Sutton  
United States v. Swartz  
United States v. Taft  
United States v. Tippet  
United States v. White  
United States v. Williams, J.  
United States v. Williams, P.  
United States v. Wilson  
United States Lines v. King  
United Steelworkers v. Bagwell  
Utsey v. Southern Ry.  
Vernatter v. Allstate Ins. Co.  
Vess v. Peyton  
Virginia Elec. & Power Co. v. Khabiri  
Walker v. Monsanto Chem. Co.  
Walker v. Southern Ry.  
Walker v. Brough  
Walton v. Peyton  
Western Casualty & Sur. Co. v. Brooks  
Wheeler v. Durham City Bd. of Educ.  
Whitaker v. Warden, Md. Penitentiary  
White v. Pepersack  
White v. Nationwide Mut. Ins. Co.  
White v. United States  
Williams v. United States Fidelity  
Williams v. Celebrezze  
Williams v. United States  
Wimmer v. Celebrezze  
Wirtz v. Charleston Coca Cola Bottling Co.  
Yates v. United States  
Zoby v. United States  
1966 term  
Abernethy v. Utica Mut. Ins. Co.  
Abshire v. Gardner  
Akers v. Norfolk & W. Ry.  
Alford v. Local Bd. No. 20 (Selective Serv.)

BOX 171

United States Court of Appeals Files, 1955-1973, n.d.

Container

Contents

---

BOX 172

T. C. Allen Constr. Co. v. Stratford Corp.  
Allstate Ins. Co. v. McNeill  
American Casualty Co. v. Gerald  
American Cyanamid Co. v. Nopco Chem. Co.  
Amplex v. Outboard Marine Corp.  
Amsley v. West Virginia Racing Comm'n  
Arey v. Peyton  
Arrow Wrecking Co. v. Semonian  
Autry v. Crumpler  
B's Co. v. Cleveland Elec. Co.  
Baker v. United States  
Baltimore Contractors v. Renegotiation Bd.  
Banko v. Continental Motors Corp.  
Beaman v. Pacific Mut. Life Ins. Co.  
Belton v. Traynor  
Black v. United States  
Bland v. Hopewell Yacht Club  
Blow v. Compagnie Maritime Belge  
Boam Int'l Corp. v. Peters & Co.  
Bowers Wholesale Corp. v. Norge Sales Corp.  
Brandon v. Gardner  
Brockinton v. Scott  
Brokaw v. United States  
Cain v. Gardner  
Carico v. Gardner

BOX 173

Carver, Herschel F.  
Casella v. Norfolk & W. Ry.  
Chambers v. Gray  
Chandler v. Aero Mayflower  
Charles Town v. Internal Revenue Serv.  
Chase v. Aiken  
Chesapeake Bay Bridge & Tunnel Dist. v. Lauritzen  
Cobb v. Clark  
Coles v. Peyton  
Collins v. Collins  
Collins & Aikman Corp. v. National Labor Relations Bd.  
Conner v. Gardner  
Consolidated Masonry & Fireproofing v. Wagman Constr. Corp.  
Corrie Corp. v. National Labor Relations Bd.  
Cram v. Sun Ins. Office  
*In re* Crouse  
Crowe v. Cherokee Wonderland  
Cruz v. United States  
Danville Tobacco Ass'n v. Bryant-Buckner Co.  
Davenport v. Ralph N. Peters & Co.  
Davila v. Steamship *Vercharmian*

United States Court of Appeals Files, 1955-1973, n.d.

Container

Contents

---

	Davis Harvester Co. v. Long Mfg. Co.
	Drew v. Lawrimore
	Drumgold v. Splosna Plovba
	Dubladsenhill, Inc. v. Sharretts
	Eastern Gas & Fuel v. Midwest-Raleigh, Inc.
	Eaton v. Steamship <i>Export Challenger</i>
	Edwards v. Southern Ry.
	England v. American S. Ins. Co.
	Farrow v. Grace Lines
	Fender v. General Elec. Co.
	Fields v. Eazor Express
	Fields v. Gardner
	Fields v. United States
	Filler Prods. v. National Labor Relations Bd.
	Fine v. Weinberg
BOX 174	Firestone Synthetic Fiber v. National Labor Relations Bd.
	Fleming v. Nationwide Mut. Ins. Co.
	Florence Printing Co. v. National Labor Relations Bd.
	Foust Inv. Co. v. National Labor Relations Bd.
	Foy v. Norfolk & W. Ry.
	Friend v. Tropis Co.
	Ganger v. Peyton
	Gaskill v. Preferred Risk Mut. Ins. Co.
	Gauldin v. Virginia Winn-Dixie
	General Elec. Co. v. National Labor Relations Bd.
	General Motors Acceptance Corp. v. Smith
	General Tire & Rubber Co. v. Watkins (2 folders)
	Glenn v. United States
	Government Employees Ins. Co. v. United States
	Grand Union Co. v. Laurel Plaza
	Graney v. United States
	Gregory v. Town of Pageland
	Gunter & Cooke v. Southern Elec. Co.
	Hall v. State Farm Mut. Auto. Ins. Co.
	Hamby v. Johnson Motor Lines
	Hamilton v. North Carolina
	Hamric v. Bailey
	Harris v. United States
	Harrold v. Coble
	Haughton Elevator Co. v. Donata Corp.
BOX 175	Hayes v. Gardner
	Heine v. Raus
	Intertype Co. v. National Labor Relations Bd.
	Jacobs v. Brough
	James v. Gardner



BOX 176

Johnson v. United States  
Kelly v. Chillag  
Kelly v. Raese  
Kirby v. Atlantic Coast Line R.R.  
Kirby v. Union Carbide Corp.  
Korn Indus. v. National Labor Relations Bd.  
Langley v. Turner's Express  
Leftwich v. Gardner  
Logan-Mingo Gas & Oil Co. v. National Labor Relations Bd.  
Long v. Immigration & Naturalization Serv.  
Mabs v. Piedmont Shirt Co.  
Macloskie v. Royal Indem. Co.  
Macy v. United States  
Marietta Mfg. Co. v. Brad Foote Gear Works  
Martin v. State Farm Mut. Auto. Ins. Co.  
Marvel Specialty Co. v. Bell Hosiery Mills  
Maryland Nat'l Bank v. Tower  
Massey v. Gardner  
McKittrick v. Gardner  
McNial v. Bell  
Mickel v. South Carolina Employment Serv.  
Mid-Eastern Elecs. v. First Nat'l Bank  
Miller Equip. Co. v. Colonial Steel & Iron Co.  
Monette v. Internal Revenue Serv.  
Moore v. Midgette  
Moore v. Island Creek Coal Co.  
Morgan v. Schlanger  
Morris v. Boles  
Motor Vessel *Ciudad De Neiva* v. Thomsen  
Mozingo v. Lancaster County Natural Gas Auth.  
(2 folders)  
Mullins v. United States  
Munson v. Murphy  
Murray v. Internal Revenue Serv.  
National Labor Relations Bd. v. Bata Shoe Co.  
National Labor Relations Bd. v. Becker County Sand & Gravel Co.  
National Labor Relations Bd. v. Cone Mills Corp.  
National Labor Relations Bd. v. Electro Plastics Fabrics  
National Labor Relations Bd. v. Hanes Hosiery Div., Hanes Corp.  
National Labor Relations Bd. v. Heck's  
(2 folders)  
National Labor Relations Bd. v. Leas & McVitty  
National Labor Relations Bd. v. McCormick Concrete Co.  
National Labor Relations Bd. v. Weston & Brooker Co.  
National Labor Relations Bd. v. Winn-Dixie  
National Motels v. Howard Johnson

BOX 177

Nationwide Mut. Ins. Co. v. New Amsterdam Casualty Co.  
Newman v. Piggie Park Enters.  
North Carolina Teachers Ass'n v. Asheboro City Bd. of Educ.  
Northern Assurance Co. v. Spencer  
Nuckoles v. F. W. Woolworth Co.  
Oglialoro v. Allen  
Outing v. North Carolina  
Overnite Transp. Co. v. National Labor Relations Bd.  
Owsley v. Peyton  
Paige v. Ross  
Parrish v. United States  
Perel v. National Labor Relations Bd.  
Perkins v. Peyton  
Peters v. Internal Revenue Serv.  
Phoenix Sav. & Loan v. Aetna Casualty & Sur. Co.  
Piedmont Corp. v. Internal Revenue Serv.  
Piracci v. Hearst Corp.  
Preferred Risk Mut. Ins. Co. v. Thomas  
Price v. Lowman  
Progner v. Eagle  
Rambo v. Peyton  
Reese v. Internal Revenue Serv.  
Reynolds v. Gardner  
Riddick v. Baltimore Steam Packet Co.  
Robert A. Johnston, Co. v. Southland Dairy Distrib. Co.  
Robertshaw Controls Co. v. National Labor Relations Bd.  
Robinson v. Gardner  
Rowe v. United States Fidelity & Guar. Co.  
Rowe v. Peyton  
Ryder v. United States  
Saint Michaels Utils. Comm'n v. Federal Power Comm'n  
St. Paul Mercury Ins. Co. v. Pennsylvania Lumbermen's Mut. Ins. Co.  
Sanderlin v. Martin  
Schreter & Sons Co. v. Samuel J. Miller & Co.  
Schulze v. Arundel Corp.  
Servo Corp. v. General Elec. Co.  
Shanklin v. Allis-Chalmers Mfg. Co.  
Sheftic v. Boles  
Sims v. Berkeley Loan & Thrift Corp.  
Sims v. United States  
Skeens v. Gardner  
Sligh v. Columbia, Newberry & Laurens R.R.  
Smith v. United States  
Snider v. Peyton  
Solite Corp. v. United States  
Spears v. United States

BOX 178

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

	Stem v. Turner
	Sterling v. Blackwelder
	Stevens v. National Labor Relations Bd.
	Stewart v. Gardner
	Stokes v. United States Lines Co.
	Syer v. United States
	Thomas v. Consolidation Coal Co.
	Tidewater Patent Dev. v. Kitchen
	Tilley v. United States
	Tompa v. Peyton
	Townes v. United States
	Tracy v. Robbins
	Twiford v. Peyton
	Tyndall v. Gardner
	Union Carbide Corp. v. Microtron Corp.
	United Bond & Mortgage Corp. v. Crown Cent. Petroleum Corp.
BOX 179	United Fuel Gas Co. v. Federal Power Comm'n
	United States v. Adams
	United States v. Andrews
	United States v. Arnold
	United States v. Atomic Fuel Coal Co.
	United States v. Banks
	United States v. Barden
	United States v. Barnes
	United States v. Barrier
	United States v. Bencon Constr. Co.
	United States v. Bennett
	United States v. Black
	United States v. Bloombaum
	United States v. Boswell
	United States v. Central Magazine Sales
	United States v. Certain Parcels of Land
	United States v. Chase
	United States v. Clover Spinning Mills
	United States v. Coltraine
	United States v. Cosby
	United States v. Davis
	United States v. Davison Fuel & Dock Co.
	United States v. Edlin
	United States v. Edwards
	United States v. Greenwood
	United States v. Guffey
	United States v. Hailey
	United States v. Hayes, J.
	United States v. Hayes, M.
BOX 180	United States v. Hemphill

United States Court of Appeals Files, 1955-1973, n.d.

Container

Contents

---

United States v. Hinton  
United States v. Jackson  
United States v. Jones  
United States v. Kennell  
United States v. Leevy  
United States v. Martin  
United States v. Mattox  
United States v. Nimmo  
United States v. Ostendorff  
United States v. Peerless Ins. Co.  
United States v. Perez  
United States v. Pinkerman  
United States v. Potomac News Co.  
United States v. Quarels  
United States v. Raybon  
United States v. Reliable Sales Co.  
United States v. Schmidt  
United States v. Schwartz  
United States v. Smith  
United States v. Temple  
United States v. Thompson  
United States v. Wallace  
United States v. White  
United States v. Wilkins  
United States v. Williams  
United States v. Wilson  
United States v. Worley  
Universal Mfg. Co. v. Lewis  
BOX 181  
Valentine Waterways Corp. v. Tug *Choptank*  
Vanater v. Boles  
Vance Trucking Co. v. Canal Ins. Co.  
Vaughan v. Gardner  
Virginia Elec. & Power Co. v. System Council No. U-1  
Virginia Mut. Ins. Co. v. Insurance Co. of N. Am.  
Visidor Co. v. National Labor Relations Bd.  
Wade v. Peyton  
Walker v. North Carolina  
Wall v. Stanly County Bd. of Educ.  
Wansley v. Virginia  
Webb v. Lenn  
Webb v. Rivers  
Wehrle v. Brooks  
Western Contracting Corp. v. Power Eng'g Co.  
Western Contracting Corp. v. United States  
Westinghouse Elec. Corp. v. National Labor Relations Bd.  
Wetherbee v. Norfolk, Baltimore & Carolina R.R.

United States Court of Appeals Files, 1955-1973, n.d.

Container

Contents

---

	White v. Gorham Corp.
	Williams v. Peyton
	Williams v. Weyerhaeuser Co.
	Willis v. Gardner
	Wilson v. Bailey
	Wilson v. Ohio River Co.
	Wirtz v. Ti Ti Peat Humus Co.
	Wright v. Pilot Life Ins. Co.
	Wurz v. Pollin
	Yates v. Peyton
	Zambezi S.S. v. Tsetseris
	Zimmerman v. Warden, Md. Penitentiary
BOX 182	1967 term
	Abernathy v. Cunningham
	Adkins v. Gardner
	Alford v. North Carolina
	Allred v. Peyton
	American Cyanamid Co. v. Nopco Chem. Co.
	Andrews v. Commerical Union Ins. Co.
	Antrim v. Internal Revenue Serv.
	Arguelles v. United States Bulk Carriers
	Atkins v. Schumtz Mfg. Co.
	(3 folders)
	Atlantic Seaboard Corp. v. Federal Power Comm'n
	B's Co. v. B. P. Barber Ass'n
	Bailey v. MacDougall
	Barker v. Hardway
	Bates v. Warden, Baltimore City Jail
	Bell v. Richmond Redevelopment & Hous. Auth.
	Bi-Lo v. National Labor Relations Bd.
	Blaw-Knox Co. v. Hartsville Oil Mill
BOX 183	Boeckenhaupt v. United States
	Bowman v. White
	Bradshaw v. Island Creek Coal Co.
	Brewer v. School Bd.
	Brown v. Fogel
	(2 folders)
	Brown v. Gardner
	Brunwasser v. Suave
	Brunswick Corp. v. Long
	Buckingham v. United States
	Burtnette v. Mt. Vernon Nat'l Bank & Trust Co.
	Capital Investors Co. v. Devers
	Carolina Pipeline Co. v. York County Natural Gas Auth.
	Caroline Farms Div. of Textron v. National Labor Relations Bd.
	Carr v. North Carolina

	Chesapeake Bay Bridge & Tunnel Dist. v. Lauritzen
	Childless v. Earl Whitley Enters.
	Clark v. United States
	Cline v. United States
	Coggins v. United States
	Colangelo v. United States
	Collins & Aikman Corp. v. Internal Revenue Serv.
	Collins v. Weirton Steel Co.
	Commonwealth Natural Gas Corp. v. United States
	Coppedge v. Franklin County Bd. of Educ.
	Cost v. Coiner
	Crawford v. Bounds
	(1 folder)
BOX 184	(1 folder)
	Darlington Mfg. Co. v. National Labor Relations Bd.
	Darlington-Hartsville Coca-Cola v. United States
	Davis v. Social Sec. Admin.
	Delta Coastal Corp. v. Wright Contracting Co.
	Dix v. Internal Revenue Serv.
	Dotson v. Kwiki Sys.
	Dubin-Haskell Lining Corp. v. National Labor Relations Bd.
	Duffy v. Gudger
	Duncan v. Peninsula Shipbuilders Ass'n
	Durham v. Fitzharris
	Durham v. Gardner
	Durham v. North Carolina
	Egerton v. R. E. Lee Memorial Church
	Faucette v. Van Dolson
	Financial Serv. v. Kulman
	Flanagan v. Gardner
	Folk v. Wallace Business Forms
	Ford v. Moore
	Foster v. Internal Revenue Serv.
BOX 185	Funkhouser v. Internal Revenue Serv.
	General Ins. Agency v. Internal Revenue Serv.
	General Steel Prods. v. National Labor Relations Bd.
	Gkiafis v. Steamship <i>Yiosonas</i>
	Golden Belt Mfg. Co. v. Janler Plastic Mold Corp.
	Grinnell Corp. v. American Monorail Co.
	Grinnell Corp. v. Virginia Elec. & Power Co.
	Halsey v. Nitze
	Hammerman v. Arlington Fed. Sav. & Loan Ass'n
	Harding v. Attorney for Alexandria, Va.
	Harner v. McShain
	Henderson v. Arundel Corp.
	Hicks v. Freeman

	Hicks v. Gardner
	Higgins v. Thompson
	H. K. Porter Co. v. United Steelworkers
	Hooker Furniture Co. v. United States
	Houff v. Biser
	Humble Oil & Ref. Co. v. Copeland
	Humble Oil & Ref. Co. v. Fidelity & Casualty Co.
	Humphreys & Harding v. Pittsburgh-Des Moines Steel Co.
	Internal Revenue Serv. v. Talbott
	Intertype Co. v. National Labor Relations Bd.
	Island Creek Coal Co. v. Internal Revenue Serv.
	J.P. Stevens & Co. v. National Labor Relations Bd.
	Jacksonville Shipyards v. Jenkins
	Jacobs v. Peyton
	Jarboe Bros. Storage Warehouse v. Allied Van Lines
	Johnson v. Seaboard Coast Line R.R.
	Jones v. Hamm
	Jules Hairstylists v. United States
	Kapral v. Hartzelius
	Kronenberg v. MacLaughlin
	Leonard v. Wharton
	Levy v. Resor
	Lewron Television v. D. H. Overmyer Leasing Co.
	Logner v. North Carolina
	LTV Electrosystems v. National Labor Relations Bd.
BOX 186	Mahaffy & Harder Co. v. Standard Packaging Corp.
	Manderacchi v. United States
	Markowitz Bros. v. Minneapolis Honeywell Regulator Co.
	Maryland Petition Comm. v. Johnson
	Maryland Shipbuilding & Drydock Co. v. Baker-Whitely Towing Co.
	May v. Peyton
	McFalls v. Peyton
	Melchiorre v. California Cannery
	Mesker Bros. Iron Co. v. A & H Plumbing Supply Corp.
	Miazga v. MacLaughlin
	Mills v. Internal Revenue Serv.
	Mills v. Mealey
	Montgomery v. Stuyvesant Ins. Co.
	Moore v. Guthrie Hosp.
	Murray v. National Labor Relations Bd.
	Murray v. Spartan Undies
BOX 187	National Labor Relations Bd. v. Aerovox Corp.
	National Labor Relations Bd. v. Beverage-Air Co.
	National Labor Relations Bd. v. Courtesy Motors
	National Labor Relations Bd. v. Electro Motive Mfg. Co.
	National Labor Relations Bd. v. Gissel Packing Co.

BOX 188

National Labor Relations Bd. v. Greensboro Hosiery Mills  
National Labor Relations Bd. v. Harry T. Campbell & Sons Corp.  
National Labor Relations Bd. v. Heck's  
(4 folders)  
National Labor Relations Bd. v. Hammonds  
National Labor Relations Bd. v. J. B. Martin Co.  
National Labor Relations Bd. v. Marion Mfg. Co.  
National Labor Relations Bd. v. Preiser Scientific  
National Labor Relations Bd. v. Queen City Coach Co.  
National Labor Relations Bd. v. Rish Equip. Co.  
National Labor Relations Bd. v. Union Bros.  
National Labor Relations Bd. v. Wheeling Steel Corp.  
*In re* Navagas  
Norfolk Monument Co. v. Woodlawn Memorial Gardens  
North River Ins. Co. v. Davis  
Owens v. Traynor  
Pagano v. Martin  
Palmer Asphalt Co. v. Debardeleben Co.  
Papciak v. Richardson-Merrell Co.  
Patterson v. Newport News  
Pavement Salvage Co. v. Anderson's-Black Rock, Co.  
Pearce v. North Carolina  
Pierson v. Hurley  
Pilkenton v. Kingsport Publishing Corp.  
Pillis v. Internal Revenue Serv.  
Pollard v. Fennell  
Porter Cable Mach. Co. v. Black & Decker Mfg. Co.  
Poulter v. Internal Revenue Serv.  
Radford v. Gray  
Railing v. United Mine Workers  
Ray v. Gardner  
Reed v. General Fin. Loan Co.  
Reserve Ins. Co. v. Gayle  
Resolute Ins. Co. v. North Carolina  
Retolaza v. United States  
Roberts v. Internal Revenue Serv.  
Roberts v. Garden  
Rockett v. Stanley  
Rogers v. United States  
Rosens v. Internal Revenue Serv.  
St. Paul Fire & Marine Ins. Co. v. Piedmont Natural Gas Co.  
Sanner v. Sheppard & Enoch Pratt Hosp.  
Schell v. Chesapeake & Ohio Ry.  
Schnieder Mills v. National Labor Relations Bd.  
Scott v. Gardner  
Seaboard Fire & Marine Ins. Co. v. Gibbs



**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

	Sharpe v. Grindstaff
	Shorey v. Warden, Md. Penitentiary
	Sindler v. Innocenti Corp.
	Singleton v. Anson County Bd. of Educ.
	Smith v. Humble Oil & Ref. Co.
	Smith v. Brady
	Southern Material Co. v. Merritt-Chapman & Scott Corp.
	Sterling v. Blackwelder
	Strohkorb v. United States
	Tenney v. A.B. & W. Transit Co.
	Thacker v. Gardner
	Townes v. Payton
	Union Camp Corp. v. Lewis
<b>BOX 189</b>	United Furniture Workers v. National Labor Relations Bd.
	United States v. Albright
	United States v. Bagdasian
	United States v. Bailey
	United States v. Beaver
	United States v. Berrigan
	United States v. Boney
	United States v. Browning
	United States v. Butler, C.
	United States v. Butler, M.
	United States v. Campbell
	United States v. Champion
	United States v. Cook, C.
	United States v. Cook, T.
	United States v. Cothren
	United States v. Dicks
	United States v. Eskridge
	United States v. Fabio
	United States v. Frazier
	United States v. Garrick
	United States v. Gibson
	United States v. Glassman Constr. Co.
	United States v. Greenberg
	United States v. Gregg
	United States v. Gregory
	United States v. Grossman
	United States v. Grow & Mensik
	United States v. Hall
	United States v. Harris
	United States v. Helm
	United States v. Hodge
<b>BOX 190</b>	United States v. Hollen
	United States v. Isaac

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

**BOX 191**

United States v. Jacobs  
United States v. Jones, E.  
United States v. Jones, R.  
United States v. Jones, S.  
United States v. Kargoe  
United States v. Koon  
United States v. Law  
United States v. Lawrence  
United States v. Lawson  
United States v. Leavell  
United States v. Lewis  
United States v. Mancuso  
United States v. Marcum  
United States v. Marson  
United States v. Martin  
United States v. McConnell  
United States v. McGinnis  
United States v. McGlone  
United States v. McKoy  
United States v. McLernon  
United States v. McNeil  
United States v. Metcalf  
United States v. Moore  
United States v. Moran Towing & Transp. Co.  
United States v. Owens  
United States v. Parks  
United States v. Parzow  
United States v. Perry  
United States v. Pierce  
United States v. Shoemake  
United States v. Shue  
United States v. Sisk  
United States v. Smith, D.  
United States v. Smith, J.  
United States v. Sox  
United States v. Trotta  
United States v. Tyson  
United States v. Van Horn  
United States v. Vickers, C.  
United States v. Vickers, O.  
United States v. Walker  
United States v. Weaver  
United States v. Wechsler  
United States v. Williams, D.  
United States v. Williams, E.  
United States v. Whitaker

	United Steelworkers Local 37 v. H. K. Porter Co.
	Vincent v. Devison
	Walpert v. Bart
	Walutes v. Baltimore Rigging Co.
	Washington v. United States
	Wayne Knitting Mills v. Russell Hosiery Mills
	Weathers v. United States
	Wheeling Antenna Co. v. United States
	White v. United States
	Wilcox Mfg. Co. v. Eastern Gas & Fuel Assocs.
	Williams v. Maxwell
	Winchester Spinning Corp. v. National Labor Relations Bd.
	Witcher v. Peyton
	Word v. North Carolina
	Wooten v. Moore
	Wratchford v. Groves & Sons Co.
	Ziady v. Curley
BOX 192	1968 term
	A. S. Abell Co. v. Chell
	Adams v. United States
	Aerovox Corp. v. National Labor Relations Bd.
	Alba-Waldensian v. National Labor Relations Bd.
	Amalgamated Transit Union v. Miller
	American Mut. Liab. Ins. Co. v. State Farm Mut. Auto. Ins. Co.
	Amsley v. West Virginia Racing Comm'n
	Atlantic States Constr. Co. v. Robert E. Lee & Co.
	Baker v. United States
	Barnes v. Sears, Roebuck & Co.
	Barnes v. Vadico Terminals
	Bateman v. South Carolina State Port Auth.
	Baugh v. Seaboard Air Line R.R.
	Baumel v. Rosen
	Beall v. Standard Elec. Co.
	Beaty v. Seaboard Air Line R.R.
	Benton v. United States Lines
	Blackhurst v. DuPont Co.
	Bland v. Norfolk & S. R.R.
	Blankenship v. Thurston Motor Lines
	Blanks v. Chunningham
	Blumcraft of Pittsburgh v. Citizens & S. Nat'l Bank
	Breaker Confections v. National Labor Relations Bd.
	Bremen v. United States
	Brown v. Internal Revenue Serv.
	Brown v. Gaston County Dyeing Mach. Co.
	Broyhill v. Morris
	Bryant v. Liberty Mut. Ins. Co.

United States Court of Appeals Files, 1955-1973, n.d.

Container

Contents

---

BOX 193

Calaway v. Admiral Credit Corp.  
Carpenter v. Internal Revenue Serv.  
Carter-Wallace v. Gardner  
Charleston County Hosp. v. Drug & Hosp. Union Local 1199-B  
Chatham Mfg. Co. v. National Labor Relation Bd.  
Cherry v. Stanley  
Clark-Fontana Paint Co. v. Glassman Constr. Co.  
Cone Mills Corp. v. National Labor Relations Bd.  
Conmy v. United States  
Coppedge v. Franklin County Bd. of Educ.  
Cost v. Coiner  
Cowen v. Fulton  
Crawford v. Bounds  
Creasy v. Leake  
Dairyland Ins. Co. v. McGraw  
Daniel v. Gardner  
Deel v. Cohen  
Deering Milliken Research Corp. v. Textured Fibres  
Dingus v. Tate  
Dixon v. Gardner  
Electronic Sys. Inv. Corp. v. Small Business Admin.  
Everett v. Gardner  
Fairmont Foods Co. v. National Labor Relations Bd.  
Fasco Indus. v. National Labor Relations Bd.  
Felder v. Harnett County Bd. of Educ.  
Felderbaum v. MacLaughlin  
Ferrell v. Gardner  
First Citizens Bank & Trust Co. v. Camp  
Fowler v. Peyton  
Frasca v. Steamship *Safine E. Ismail*  
Future Plastic v. Ware Shoals Plastics  
General Elec. Co. v. National Labor Relations Bd.  
Grose v. Cohen

BOX 194

Hall v. United States  
Hanson v. Chesapeake & Ohio Ry.  
Hester v. New Amsterdam Casualty Co.  
Hewett v. North Carolina  
Hewlett v. Bertie  
Hipp v. Kennesaw Life & Accident Ins. Co.  
Hoffler v. Peyton  
Hoss v. Gardner  
Iatomasi v. Rhodes  
International Harvester Co. v. National Labor Relations Bd.  
Iowa Nat'l Mut. Ins. v. McGhee  
Jackson v. American Mut. Fire Ins. Co.  
Jacobi v. IBM Corp.

BOX 195

Jefferson Standard Life Ins. Co. v. United States  
Johnson v. Mueller  
Johnson v. Patterson  
Joye v. Great Atl. & Pac. Tea Co.  
King v. North Carolina  
Kraus v. Selective Serv. Sys. Local 23  
Ladd v. South Carolina  
Lancaster v. Gardner  
Lassiter v. Turner  
Lester v. McFaddon  
Ling Elec. v. Federal Ins. co.  
Looney v. McLaughlin  
LTV Electrosystems v. National Labor Relations Bd.  
Lumbermen's Mut. Casualty Co. v. Harleysville Mut. Casualty Co.  
Marriott Corp. v. National Labor Relations Bd.  
Marshall v. Gardner  
Massengale v. Internal Revenue Serv.  
Mayhew v. Wirtz  
McArthur v. Clifford  
McCown v. Humble Oil & Ref. Corp.  
McCreight v. South Carolina  
McGough v. United States  
Medical College v. Drug & Hosp. Union Local 1199  
Mefford v. Warden, Md. Penitentiary  
Middlebrooks v. Curtis Publishing Co.  
Miller v. Semet-Solvay Div., Allied Chem. Corp.  
Miller v. Blalock  
Morris v. Schoonfield  
Moses v. Manufacturer's Life Ins. Co.  
Moss v. Gardner  
Nalle v. First Nat'l Bank  
National Homes Corp. v. Lester Indus.  
National Labor Relations Bd. v. Allegheny Mining Corp.  
National Labor Relations Bd. v. Bratten Pontiac Corp.  
National Labor Relations Bd. v. Clement-Blythe Cos.  
National Labor Relations Bd. v. Hanes Hosiery Div., Hanes Corp.  
National Labor Relations Bd. v. Hevi-Duty Elec. Co.  
National Labor Relations Bd. v. Kingwood Mining Co.  
National Labor Relations Bd. v. Rish Equip. Co.  
National Labor Relations Bd. v. Shenadoah Brick & Tile Corp.  
National Spinning Co. v. National Labor Relations Bd.  
Nelson v. Peyton  
North Carolina State Highway Comm'n v. United States  
Oliver v. United States  
Owens-Corning Fiberglas Corp. v. National Labor Relations Bd.  
J. C. Penney Co. v. D. D. Jones Transfer & Warehouse Co.

United States Court of Appeals Files, 1955-1973, n.d.

Container

Contents

---

	Pennington v. Peyton
	Phillips v. Glens Falls Ins. Co.
BOX 196	Phoenix Sav. & Loan v. Aetna Casualty & Sur. Co.
	Piedmont Aviation v. Air Line Pilots Ass'n
	Potash Import & Chem. Co. v. M/S <i>Klaus</i>
	Prince Lithograph Co. v. National Labor Relations Bd.
	Pritchard Prods. Corp. v. Fullerton Constr. Co.
	Railing v. United Mine Workers
	Regan v. Parson
	Road Materials v. Internal Revenue Serv.
	Robertson v. Federal Trade Comm'n
	Robinson Co. v. Alpha-Continental Co.
	Rogers v. First Nat'l Bank
	Rose v. Atlantic Coast Line R.R.
	Ross v. Gardner
	Rowe v. United States Fidelity & Casualty Co.
	Saco-Lowell Shops v. National Labor Relations Bd.
	Sams v. Ohio Valley Gen. Hosp. Ass'n
	Sappington v. United States
	Satterfield v. Boles
	Schell v. Chesapeake & Ohio Ry.
BOX 197	Schoen v. Sulton
	Sexton v. Figgins
	Shiflett v. Virginia
	Sides v. Richard Mach. Works
	Sligh v. Fullerton Constr. Co.
	Smith v. Norfolk & W. Ry.
	Smith v. Peyton
	Smith v. United States
	Southern Fire & Casualty Co. v. Teal
	Southern R.R. v. Earnhardt
	Sterling v. Blackwelder (2 folders)
	Strouth v. Peyton
	Taylor v. Cohen
	Tempest v. United States
	Tempo v. Myers
	Thomason v. Great Atl. & Pac. Tea Co.
	Thompson v. Warden, Md. Penitentiary
	Tolson v. Hodge
	Treacle v. Pocahontas S.S. Co.
	Tucker v. School Bd.
	Tug <i>Raven</i> v. Trexler
	Turner v. North Carolina
	Tyrone v. Wilkinson
	Union Carbide Corp. v. Goett

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

	United States v. Agofsky
	United States v. Anderson
	United States v. Apples
	United States v. Bandy
	United States v. Batten
	United States v. Bauguess
	United States v. Baxley
	United States v. Berube
	United States v. Black
	United States v. Blackburn
BOX 198	United States v. Blackmore
	United States v. Bullock
	United States v. Bully
	United States v. Burgess
	United States v. Call
	United States v. Cass
	United States v. Cassagnol
	United States v. Cates
	United States v. Chandler
	United States v. Clark
	United States v. Clay
	United States v. Clifford
	United States v. Closkey
	United States v. Collette
	United States v. Collins
	United States v. Cooley
	United States v. Covington
	United States v. Curry
	United States v. Daughtry
	United States v. Davis, M.
	United States v. Davis, R.
	United States v. Davis, T.
	United States v. Decker
	United States v. Ditommaso
	United States v. Dow
	United States v. Duke
	United States v. Dulin
	United States v. Eanes
BOX 199	United States v. Easley
	United States v. Fentress
	United States v. Foster
	United States v. Furr
	United States v. Gambill
	United States v. Golden
	United States v. Goodwin
	United States v. Grier

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

BOX 200

United States v. Harris  
United States v. Hawthorne  
United States v. Horning  
United States v. Hunt  
United States v. James  
United States v. Johnson  
United States v. Kilgore  
United States v. Kirkman  
United States v. Kochel  
United States v. Lance  
United States v. Levi  
United States v. Longfellow  
United States v. M/V *Marilena*  
United States v. Mason  
United States v. McCullough  
United States v. Meyers  
United States v. Millikin  
United States v. Mitchell  
United States v. Morton  
United States v. Myers  
United States v. Null  
United States v. Parkway Towers  
United States v. Penny  
United States v. Pearce  
United States v. Perchalla  
United States v. Powell, C.  
United States v. Powell, L.  
United States v. Pritchard  
United States v. Redfield  
United States v. Reid  
United States v. Resor  
United States v. Richardson  
United States v. Riggleman  
United States v. Robinson  
United States v. Ryder  
United States v. Safley  
United States v. Saunders  
United States v. Smith, C.  
United States v. Smith, L. E.  
United States v. Smith, L. T.  
United States v. Smith, W.  
United States v. Stout  
United States v. Sussman  
United States v. Thomas  
United States v. Thompson  
United States v. Tobias



United States v. Tongue  
United States v. Tucker  
United States v. Veal  
United States v. Waddell  
United States v. Walden  
United States v. Walsh  
United States v. Wechsler  
United States v. Weston  
United States v. Williams, F.  
United States v. Williams, W.  
United States v. Wood  
United States v. Yokum  
United States v. Young  
Vanover v. Maloney  
Vessella v. United States  
Vincent v. Small Business Admin.  
Wachovia Bank & Trust Co. v. Dameron  
Walker v. School Bd.  
Wallenius Bremen v. United States  
Warner v. Billups E. Petroleum Co.  
Webb v. Nolan  
Webb v. Old Salem, Inc.  
West v. United States  
Westinghouse Credit Corp. v. State Furniture Co.  
Williams v. Peyton  
Wooten v. Skibs  
Ziglar v. Reidsville Bd. of Educ.

BOX 201

1969 term  
Abernathy v. Conroy  
Activists v. Perrott  
Aerovox Corp. v. National Labor Relations Bd.  
Allen v. Asheville City Bd. of Educ.  
All-State Indus. v. Federal Trade Comm'n  
American Mut. Ins. Co. v. Selected Risks Ins. Co.  
Ames v. Hales  
Anderson v. Finch  
Anderson v. South Carolina  
Arvonja-Buckingham Slate Co. v. United States  
Atkins v. State Bd. of Educ.  
Atwell v. Retail Credit Co.  
Ballard Fish & Oyster Co. v. Glaser Constr. Co.  
Bayliss v. Rood  
Bellomy v. Union Concrete Pipe Co.  
Bennett v. Finch  
Bennett v. Maryland  
Bennett v. United States

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

**BOX 202**

Berkley Mach. Works & Foundry Co. v. Internal Revenue Serv.  
Bevans, Milton  
Bishop Processing Co. v. Thomsen  
Black Hawk Corp. v. National Labor Relations Bd.  
Blount v. State Bank & Trust Co.  
Blue Ridge Shoe Co. v. National Labor Relations Bd.  
Bolick v. Finch  
Bowl Am. v. Fair Lanes  
Brammer v. Arrow Lines  
Brandenburg v. Anderson  
Bray v. Peyton  
Brewer v. Peyton  
Brown, F., v. Finch  
Brown, W., v. Finch  
Brown v. Maryland  
Brown v. Peyton  
Brown v. Truck Drivers Local Union  
Bryant v. Sears, Roebuck & Co.  
Buschow v. Smith  
Business Dev. Co. v. North Carolina  
Carolina Power & Light Co. v. Federal Power Comm'n  
Carr v. United States  
Carson v. Elrod  
Carson v. Finch  
Carter v. Finch  
Carter v. Lynch  
Carter v. Brotherhood of Locomotive Eng'rs  
Caulder v. Durham Hous. Auth.  
Cauthen v. Finch  
Chauffeurs Union v. National Labor Relations Bd.  
Chemithon Corp. v. Procter & Gamble Co.  
Cole v. Graybeal  
Cole v. North Carolina  
Communication Satellite Corp. v. Comcet  
Cone Mills Corp. v. National Labor Relations Bd.  
Cornish v. Agnew  
Cornwell v. State Bd. of Educ.  
Clark v. Dillon Supply Co.  
Crane v. Coker  
Crawford v. Peyton  
Creasey v. Leake  
Crocchi v. City Bank & Trust Co.  
Cross Country Leasing Corp. v. Ryder Truck Rental  
Croxtton v. Kings Dep't Store  
Curtis v. Small  
Daniel v. Finch

**BOX 203**

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

	Daniel Constr. Co. v. National Labor Relations Bd.
	Daniels v. Horace Mann Mut. Ins. Co.
	Dash v. Commanding Gen.
	Dawson v. Shenandoah Retreat Land Corp.
	Dixon v. West Virginia Univ. Bd. of Governors
	Doe v. United States Dist. Court
	Dukane Corp. v. United States Fidelity & Guar.
	Easley v. Finch
	Easter v. Aetna Ins. Co.
	Elkins v. United States
	Equal Employment Opportunity Comm'n v. Liggett & Myers Tobacco Co.
	First-Citizens Bank & Trust Co. v. Camp
	First v. Leatherwood
	Fuller v. Scott
	General Dynamics Corp. v. Whitcomb
	Giles v. Warden, Md. Penitentiary
	Gilliam v. Internal Revenue Serv.
	Gillin v. F/V Nancy
	Glassman Constr. Co. v. United States
	Green v. School Bd.
	Griffey v. Finch
	Griffin v. Matthews
	Griggs v. Farmer
	Groce v. Rapidair
BOX 204	Grosfeld v. Morris
	Hackney v. National Labor Relations Bd.
	Hamilton v. Maryland
	Hannon v. Hannon
	Harris v. Potomac Edison Co.
	Haynes v. James H. Carr Co.
	Hemsley v. Maryland
	Hiesler v. Cox
	Hohensee v. Scientific Living
	Hosiery Corp. v. National Labor Relations Bd.
	Hubbard v. United States
	Hughes v. Finch
	Jackson v. United States
	Johns Hopkins Univ. v. Hutton
	Kane v. Virginia
	Kane Realty Corp. v. Harlee-Quattlebaum Constr. Co.
	Kemplen v. Maryland
	Kennedy v. North Carolina
	Key Sales Co. v. South Carolina Elec. & Gas Co.
BOX 205	Khabiri v. Covert
	Kinloch v. News & Observer Publishing Co.
	Kolodner v. Harris

BOX 206

Krodel v. Magic Fingers  
Lassiter v. Turner  
Lea v. Cone Mills Corp.  
Leake v. Cox  
R. E. Lee Elec. Co. v. Stack  
Leftwich v. Coiner  
Lehigh Portland Cement Co. v. Federal Trade Comm'n  
Lehman v. Laird  
Levine v. Peyton  
Lewis v. Finch  
Livingston v. Nationwide Mut. Ins. Co.  
Long v. Burdette Mfg. Co.  
Long v. Robinson  
Lundy v. Isthmian Lines  
Lundy Packing Co. v. United States  
Lusk v. Eastern Prods. Corp.  
Malone v. United Steel Workers  
Martie v. Cogan  
Maryland Citizens for a Representative Gen. Assembly v. Governor of Md.  
Massengale v. Internal Revenue Serv.  
McDonough v. Director of Patuxent Inst.  
McGowan v. Gillenwater  
McReynolds v. School Bd.  
Mid-Eastern Elecs. v. First Nat'l Bank  
Miller v. Internal Revenue Serv.  
Monroe v. Moessner  
Moore v. Finch  
Mullins v. Beatrice Pocahontas Co.  
Mungo v. United States  
Murphy-Palmer Seeds v. Mitchell  
Murray v. Finch  
Naimaster v. NAACP  
National Homes Corp. v. Lester Indus.  
National Labor Relations Bd. v. International Union of Dist. 50 Local 12225  
National Labor Relations Bd. v. Petroleum Constr.  
National Labor Relations Bd. v. Reliable Coal Corp.  
National Labor Relations Bd. v. W. S. Thomas Transfer  
National Socialist White People's Party v. Ringers  
National Spinning Co. v. National Labor Relations Bd.  
Nationwide Ins. Co. v. Aetna Casualty & Sur. Co.  
Nationwide Ins. Co. v. McLaughlin  
Nationwide Mut. Ins. Co. v. Allstate Ins. Co.  
Nelms v. Laird  
Nesbit v. Statesville City Bd. of Educ.  
Newport Mining Corp. v. National Labor Relations Bd.  
Nichols v. Sterling Drug Co.

United States Court of Appeals Files, 1955-1973, n.d.

Container

Contents

---

	Nichols v. Finch
	O'Brien v. Resor
	Ocean Elec. Corp. v. Northeast Constr. Co.
	O'Quinn v. Great Atl. & Pac. Tea Co.
	Phoenix Sav. & Loan v. Aetna Casualty Co.
	Piedmont Minerals Co. v. United States
	Pledger, Norman Lee
	Porter v. Ashmore
BOX 207	Price v. Tug <i>Carville</i>
	Prickett v. Duke Power Co.
	Prudential Ins. Co. v. Barden
	Pruitt v. Campbell
	Q.H.S. v. Gardner
	Quaglia v. Boswell
	Ralph v. Warden, Md. Penitentiary
	Rawlings v. Hardaway
	Rogers v. Luchini
	Rowe v. Finch
	Russo v. United States
	Safely v. T.I.M.E. Freight
	Saunders v. Virginia Polytechnic Inst.
	Scheu v. United States
	Schultz v. W. R. Hartin & Son
	SCM Corp. v. Merhige
	Securities & Exch. Comm'n v. Bowler
	Sherby v. Weather Bros. Transfer Co.
	Shiflett v. Virginia
	Shole v. Howard
	Shole v. O'Ferrall
	Simms v. Internal Revenue Serv.
	Sipes v. Statesville City Bd. of Educ.
	Sission v. Wetenko
	Sivertsen v. Guardian Life Ins. Co.
	Smith v. Finch
	Smith v. Internal Revenue Serv.
	Snell v. Quality Mobile Home Brokers
	Snoddy v. Holcombe
	South Carolina Tricentennial Comm'n v. Timmons
BOX 208	Stein v. State Admin. Bd. of Election Laws
	Strickland v. Seaboard Coast Line R.R.
	Summers v. Horton
	Swedish Am.n Line v. Evans Prods.
	Taylor v. Calmer S.S. Corp.
	Technitrol v. Honeywell
	Terrell Mach. Co. v. National Labor Relations Bd.
	Terry v. Peyton

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

BOX 209

Thomas v. Humble Oil & Ref. Co.  
Thompson v. Durham County Bd. of Educ.  
Thurston v. United States  
Tidewater Patent Dev. Co. v. Kitchen  
Toyomenka v. Wilmington Shipping Co.  
Tuck v. Finch  
Underwood v. City Council  
Underwood v. Finch  
United Mortgagee Servicing Corp. v. Wright  
United States v. 131.6 Acres of Land  
United States v. 365 Acres of Land  
United States v. Adams  
United States v. Apple  
United States v. Armpriester  
United States v. Baker  
United States v. Barksdale  
United States v. Bauguess  
United States v. Berrier  
United States v. Berthiaume  
United States v. Bittinger  
United States v. Black  
United States v. Bowen  
United States v. Brown, M.  
United States v. Brown, R.  
United States v. Broyles  
United States v. Bryant  
United States v. Bryson  
United States v. Cabbell  
United States v. Cabbler  
United States v. Canty  
United States v. Carter, W.  
United States v. Carter, W. E.  
United States v. Central Carolina Bank & Trust Co.  
United States v. Cobb  
United States v. Corsi  
United States v. Cross  
United States v. Crutchfield  
United States v. Cunningham  
United States v. D.C. Transit Sys.  
United States v. Daniels  
United States v. Danielson  
United States v. Davis  
United States v. DeVore  
United States v. Diggs  
United States v. Dockery, L.  
United States v. Dockery, R.

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

**BOX 210**

United States v. Doran  
United States v. Duck  
United States v. Dunn  
United States v. Eason  
United States v. Eaton  
United States v. Edick  
United States v. Elmore  
United States v. Evans  
United States v. Ferrell  
United States v. Fersner  
United States v. Fields  
United States v. Fish  
United States v. Franklin City School Bd.  
United States v. Freeland  
United States v. Frye  
United States v. Galayda  
United States v. Gambert  
United States v. Gomori  
United States v. Gray  
United States v. Graydon  
United States v. Green  
United States v. Greene  
United States v. Greenwell  
(2 folders)  
United States v. Haley  
United States v. Hammond  
United States v. Hargrave  
United States v. Harris  
United States v. Haynes  
United States v. Hedgecoe  
United States v. Heffner  
United States v. Herring  
United States v. Hornbuckle  
United States v. Howard  
United States v. Iozzi  
United States v. James  
United States v. Johnson, R.  
United States v. Johnson, T.  
United States v. Jones, E.  
United States v. Jones, J.  
United States v. Jones, N.  
United States v. Jones, T.  
United States v. Jones, W.  
United States v. Kind  
United States v. King  
United States v. Kirkman

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

BOX 211	United States v. Knight
	United States v. Kochel
	United States v. Lack
	United States v. Laney
	United States v. Lanier
	United States v. Lent
	United States v. Leopold
	United States v. Looper
	United States v. Lynch
	United States v. Mack
	United States v. Mandello
	United States v. Maples
	United States v. Marsden
	United States v. Marshall
	United States v. Maye
	United States v. McCallum
	United States v. McClain
	United States v. McCloud
	United States v. McCray
	United States v. McGirr
	United States v. McGowan
	United States v. McKinney
	United States v. Miller
	United States v. Missler
	United States v. Moore
	United States v. Moose
	United States v. Mullen
	United States v. Mullins
	United States v. Murvin
	United States v. Nicholson
	United States v. O'Dell
	United States v. Pace
	United States v. Palmer
	United States v. Patterson
	United States v. Payne
	United States v. Pearce
	United States v. Peebles
	United States v. Perdue
	United States v. Potts
	United States v. Prince
	United States v. Puckett
	United States v. Quinn
BOX 212	United States v. Rodriguez
	United States v. Ross
	United States v. Salsbury
	United States v. Sampson



**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

BOX 213

United States v. Samuel  
United States v. Scott  
United States v. Seohnlein  
United States v. Seward  
United States v. Sherman  
United States v. Simpson  
United States v. Smith, C.  
United States v. Smith, J.  
United States v. Spease  
United States v. Stamey  
United States v. Starkey  
United States v. Steger  
United States v. Stokes  
United States v. Swanson  
United States v. Swindler  
United States v. Ten Erotic Paintings  
United States v. Teresa  
United States v. Thomas  
United States v. Thompson, E.  
United States v. Thompson, V.  
United States v. Townsend  
United States v. Trieber  
United States v. Tucker, E.  
United States v. Tucker, J.  
United States v. Turner  
United States v. Vlasits  
United States v. Wargo  
United States v. Washington  
United States v. Watson  
United States v. Webber  
United States v. Webster, G.  
United States v. Webster, W.  
United States v. White  
United States v. Willett  
Vance v. North Carolina  
Varga v. United States  
Vickers v. Chesapeake & Potomac Tel. Co.  
Walutes v. Thorington Constr. Co.  
Ware v. Gilford Bldg.  
Weiford v. Thiebaud  
Wells v. Finch  
Westreich v. McFarland  
Wheeler v. Roberts  
Whitcomb v. Sanitary Comm'n  
Whittenberg v. School Dist.  
Williams v. Lambert's Point Docks

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

	Williams v. Stone Towing Line
	Wilson v. North Carolina
	Winn Dixie Stores v. National Labor Relations Bd.
	Wood v. Ross
	Woodson v. Gilmer
	Wright v. Maryland Penitentiary
	Wuelfing v. Sears, Roebuck & Co.
	Yahr v. Resor
<b>BOX 214</b>	1970 term
	Academy Tanker v. Steuart Transp. Co.
	Adams v. School Dist. No. 5
	Allen v. State Bd. of Educ.
	Alves v. United States
	Amherst v. United States
	Amphill Rayon Workers v. E. I. DuPont DeNemours & Co.
	Anderson v. Stanco Sports Library
	Anglin v. Director, Patuxent Inst.
	Ball v. Mercer Motor Co.
	Barnes v. Sears, Roebuck & Co.
	Barrow v. Bounds
	Barton-Gillet Co. v. Internal Revenue Serv.
	Baughman v. Freienmuth
	Beam v. Laird
	Bearden v. South Carolina
	Beazley v. Zilberger
	Beckett v. School Bd.
	Bell v. Clarke
	Bennett v. Internal Revenue Serv.
	Berndtson v. Lewis
	Bernstein v. Levenson
	Berube v. United States
	Bishop v. Richardson
	Blackmon v. Georgia R.R. Bank & Trust
<b>BOX 215</b>	Blatt v. Local Bd. No. 116, Fredericksburg City Selective Serv. Sys.
	Bluth v. Laird
	Boone v. Cox
	Border Belt Warehouse Ass'n v. Industry-Wide Flue-Cured Tobacco Mktg. Comm.
	Boush v. Finch
	Bradley v. School Bd.
	Bradshaw v. Laird
	Brady v. Superintendent
	Brant v. Robinson Inv. Co.
	Brendle v. General Tire & Rubber Co.
	Brewer v. School Bd.
	(2 folders)
	Bright v. Maritime Overseas Corp.

	Britt v. Peninsula Shipbuilders Ass'n
	Brown v. Amoco Shipping Co.
	Brown v. Cox
	Brown v. Finch, R.
	Brown v. Finch, W.
	Brown v. Hirst
	Brown v. Norfolk & W. Ry.
	Brown v. Peyton
	Brown v. Ward
	Browning v. Finch
	Bruce v. United States
	Burnett v. United States
	Butler v. Richardson
	Callaghan v. Commercial Credit Corp.
	Camarias v. British M/V <i>Lady Era</i>
	Carolina Throwing Co. v. S & E. Novelty Corp.
	Casey v. Henry
	Chestnut v. Ford Motor Co.
	Chiple v. McLeod
BOX 216	Cincinnati, New Orleans & Texas Pac. Ry. v. Chesapeake & Ohio Ry.
	Clevenger v. Richardson
	Close v. United States
	Clubb v. General Motors Corp.
	Coffey v. Romney
	Cohen v. Laird
	Cole v. Graybeal
	Cole v. Seaboard Coast Line R.R.
	Coleman v. Tolson
	Collins & Aikman Corp. v. J. P. Stevens & Co.
	Columbia Nitrogen Corp. v. Royster Co.
	Compton v. Metal Prods.
	Computer Servicenters v. Beacon Mfg. Co.
	Conn v. Richardson
	Consolidation Coal Co. v. Disabled Miners
	Cordero v. Pasquith
	Counts v. Voorhees College
	Davenport v. Laird
	DeTreville v. Outboard Marine Corp.
	Dew v. Hardin
	Dickson v. North Carolina
	Disabled Miners v. Consolidated Miners
	Downey v. Peyton
	Drive In Theatres v. Huskey
	Duffy v. Gudger
	Duncan v. Seaboard Coast Line R.R.
BOX 217	Eleferiou v. Tanker <i>Archontissa</i>

BOX 218

Ely v. Velde  
Eslinger v. Thomas  
Evans v. Bass  
Federal Communications Comm'n v. Jefferson Standard Broadcasting  
First Nat'l Bank v. Wachovia Bank & Trust  
Fish v. Laird  
FMC Corp. v. Knowles Elec.  
Gardner v. Q.H.S., Inc.  
Garren v. City of Winston-Salem  
Goss v. Goebel  
Grammenos v. Chariot  
Grange Mut. Casualty Co. v. Short  
Grant v. Colonial Foods  
Grantham v. Columbia, Newberry & Laurens R.R.  
Great Dane Trailers v. National Labor Relations Bd.  
Green v. MTD Prods.  
Green v. School Bd.  
    (2 folders)  
General Business Servs. v. Fletcher  
General Elec. Co. v. Acme Fast Freight  
General Maintenance Serv. Co. v. National Labor Relations Bd.  
General Steel & Crown Flex v. National Labor Relations Bd.  
Gissell Packing Co. v. National Labor Relations Bd.  
Givens v. Poe  
Greenwood v. Resor  
Greer v. United States  
Gunion v. Krause  
Gynn v. United States  
Hall v. Thornton  
Ham v. North Carolina  
Harbor Towing Corp. v. Aetna Ins. Co.  
Harmon v. Maryland  
Harmon v. Davila  
Harrah v. Richardson  
Harris v. Marion Concrete Co.  
Harris v. North Carolina  
Harris v. Richardson  
Healey v. Internal Revenue Serv.  
Heine v. Raus  
Hodgin v. Noland  
Hodgson v. Virginia Roofing  
Holloway v. Cox  
Hughes v. Internal Revenue Serv.  
Hundley v. Internal Revenue Serv.  
Hunter v. Seaboard Coast Line R.R.  
Hutton v. Kaufman

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

**BOX 219**

Iowa State Univ. Research Found. v. Sperry Rand Corp.  
Isaacson v. Penn Community Servs.  
J. P. Stevens & Co. v. National Labor Relations Bd.  
(2 folders)  
Jackson v. Cox  
James River Apartments v. Internal Revenue Serv.  
James v. Copinger  
Jeffcoat v. K-Mart Discount Store  
Jeffrey Mfg. Co. v. National Labor Relations Bd.  
Jenks v. Potomac Edison Co.  
Jenkins v. Fitzberger  
Jennings v. Couch  
Johnson v. National Labor Relations Bd.  
Johnston v. LHP Corp.  
Kelly v. Eclipse Motor Line  
Kerst v. Laird  
Kimbrough v. Cox  
Kirby v. Cox  
Kirker v. Moore  
Kleiman v. Jourdan Transfer Co.  
Kondos v. West Virginia Bd. of Regents  
Kreis v. Internal Revenue Serv.  
Kyle v. Cohen  
Landman v. United States Bd. of Parole  
Lantz v. Richardson  
Larck v. Allied Towing Corp.  
Larus & Bro. Co. v. Federal Communications Comm'n  
Lawton v. Tarr  
Leifermann v. Secretary of the Army  
Leigh v. Seaboard Coast Line R.R.  
Lekkas v. Caledonia  
Leonard v. United States  
Levine v. Peyton  
Leviner v. Richardson  
Lion v. Internal Revenue Serv.  
Littell v. Morton  
Lloyd v. Salem Towne Apartments  
Lockwood Bros. v. McAllister Bros.  
Logan v. Vlastic Food Prods. Co.  
Long v. Vlastic Food Prods. Co.  
Louisburg Sportswear Co. v. National Labor Relations Bd.  
Lucas v. Gardner  
Lunnermon v. Peyton  
Lyman Printing & Finishing Co. v. National Labor Relations Bd.  
M. M. Crockin Co. v. Portsmouth Redevelopment & Hous. Auth.  
Madison v. Oakes

BOX 220

Mage Corp. v. Boston-Old Colony Ins. Co  
Marshall v. Phoenix of Hartford Ins. Co.  
Massie v. Henry  
Matzelle v. Pratt  
McAlister v. Cohen  
McCabe v. Virginia  
McKenzie v. Director, Patuxent Inst.  
McLaughlin v. Calhoun  
Mead v. Cox  
Melton v. Maritime Overseas Corp.  
Meltzer v. Internal Revenue Serv.  
Messick v. Gordon  
Miller v. Finch  
Miller v. Perry  
Millman v. Blackwelder  
Monongahela Power Co. v. National Labor Relations Bd.  
Moore v. South Carolina  
Moore v. National Labor Relations Bd.  
Morgan v. Gettings  
Morris v. Finch  
Mullins v. Oakley  
Mulroy v. National Labor Relations Bd.  
Murray v. Jamison  
Muse v. United States  
Mystic S.S. Corp. v. Steamship *Amalfi*  
National Labor Relations Bd. v. Clement-Blythe Co.  
National Labor Relations Bd. v. Community Motor Bus Co.  
National Labor Relations Bd. v. Drexel Enters.  
National Labor Relations Bd. v. Great Dane Trailers  
National Labor Relations Bd. v. Hy-Lan Furniture  
National Labor Relations Bd. v. Jewell Smokeless Coal Corp.  
National Labor Relations Bd. v. Kane  
National Labor Relations Bd. v. Kingwood Mining Co.  
National Labor Relations Bd. v. Kline Iron Steel Co.  
National Labor Relations Bd. v. Nu-Southern Dyeing & Finishing  
National Labor Relations Bd. v. Owens-Corning Fiberglass Corp.  
National Labor Relations Bd. v. Pepsi-Cola Bottling Co.  
National Labor Relations Bd. v. Progressive Cafeterias  
National Labor Relations Bd. v. Renner Plumbing, Heating & Air Conditioning  
National Labor Relations Bd. v. Roanoke Ready Mix Concrete Corp.  
National Labor Relations Bd. v. Smoky Mountain Stages  
National Labor Relations Bd. v. Southern Materials  
National Labor Relations Bd. v. Union Carbide Corp.  
National Labor Relations Bd. v. Wheeling Elec. Co.  
National Labor Relations Bd. v. E. V. Williams Co.  
National Spinning Co. v. Washington

**United States Court of Appeals Files, 1955-1973, n.d.**

**Container**

**Contents**

---

**BOX 221**

Nell v. United States  
Nelms v. Laird  
New-Loeb Sports Enters. v. Scott  
Norfolk Port & Indus. Auth. v. Samuels  
North Carolina State Bd. of Educ. v. Smith  
Olgers v. Sika Chem. Corp.  
Oliver v. Richardson  
Orgettas v. Crinis  
Owens v. United States Bd. of Parole  
Paige v. United States  
Panamerican Consulting Co. v. Technical Enters.  
Parson v. Norfolk & W. Ry.  
Phillips v. North Carolina  
Picking v. State Fin. Corp.  
Pillis v. State Bd. of Elections  
Polk v. Kessler  
Powell Mfg. Co. v. Long Mfg.  
Preiser Scientific v. Piedmont Aviation  
Public Serv. Comm'n v. Federal Power Comm'n  
Quarterman v. Byrd  
Railing v. United Mine Workers  
Ransburg Electro-Coating Corp. v. Ionic Electrostatic Corp.  
Ratliff v. Cooper Laboratories  
Ray v. Craig  
Regency Realty v. Internal Revenue Serv.  
Rhodes v. Haynes  
Riddle v. Coiner  
Robinson v. Davis  
Robinson v. Victory Carriers  
Robinson Terminal Warehouse Corp. v. Adler  
Rochester Corp. v. Rochester  
Rogers v. Laird  
Rumler v. Board of School Trustees  
Saint Paul Fire & Marine Ins. Co. v. Lack  
Sauvageot v. Green  
Sawyer v. Atlantic Discount Corp.  
Scherer v. Virginia

**BOX 222**

Schnitzer v. Nixon  
Scott v. Winston-Salem Bd. of Educ.  
Seaboard Coast Line R.R. v. Johnson  
*In re* Separate Seasons  
Shaw v. United States  
Sherengos v. Seamans  
Shiflett v. Virginia  
Shultz v. Factors  
Shultz v. Falk

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

**BOX 223**

Shultz v. Nalle Clinic  
Shumate v. National Labor Relations Bd.  
Silver v. American Export Isbrandtsen Lines  
Simmons v. Finch  
Skaggs v. Rausman Corp.  
Slaughter v. McLaughlin  
Sliger v. Richardson  
Smith v. Cox  
Smith v. Henry  
Smith v. Jackson  
Smith v. Maryland  
Smith v. North Carolina State Bd.of Educ.  
Societe Indus. Mechaniques Allies v. Lewis  
Sorensen-Christian Indus. v. Ry. Express Agency  
Sperry Rand Corp. v. A-T-O, Inc.  
Stephens v. Cox  
Stephens v. National Labor Relations Bd.  
Stevens v. National Labor Relations Bd.  
Stokes v. United States  
Sullins, Howard O.  
Sword v. Fox  
Swords v. American Sealanes  
Taggart v. Cox  
Taylor v. American Heritage Life Ins. Co.  
Taylor v. United States  
Thomas v. North Carolina  
Thompson v. School Bd.  
Tillman v. Wheaton-Haven Recreation Ass'n  
Time v. Johnston  
Tobacco Workers Int'l Union Local 317 v. Lorillard Corp.  
Travelers Indem. Co. v. Rosedale Passenger Lines  
Turcov. Maryland  
U.F.O., Inc. v. Agnew  
United States v. 144 Acres of Land  
United States v. Adams  
United States v. Ard  
United States v. Arseneaux  
United States v. Ashworth  
United States v. Ballard  
United States v. Barrett  
United States v. Bauguess  
United States v. Beamer  
United States v. Becker  
United States v. Berrigan  
United States v. Bittinger  
United States v. Blaylock



**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

**BOX 224**

United States v. Boney  
United States v. Borkowski  
United States v. Brown  
United States v. Bullock  
United States v. Burgin  
United States v. Burton  
United States v. Cavendish  
United States v. Chalk  
United States v. Chambers  
United States v. Chatman  
United States v. Colbert  
United States v. Collins  
United States v. Cooke  
United States v. Corso  
United States v. Cox, C.  
United States v. Cox, P.  
United States v. Curry  
United States v. Davis  
United States v. Dellinger  
United States v. Dillon  
United States v. Dobie  
United States v. Doran  
United States v. Dowd  
United States v. Drakeford  
United States v. Edwards  
United States v. Elmore  
(2 folders)  
United States v. Epps  
United States v. Ervin  
United States v. Fackelman  
United States v. Fisher  
United States v. Florence  
United States v. Fonville  
United States v. Ford Thunderbird  
United States v. Fuller  
United States v. Galloway  
United States v. Garris  
United States v. Garrison  
United States v. George  
United States v. Gilliam  
United States v. Goff  
United States v. Gomez  
United States v. Gore  
United States v. Gorham  
United States v. Gray  
United States v. Hancock

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

BOX 225

United States v. Harden  
United States v. Harrington  
United States v. Head  
United States v. Hepler  
United States v. Hirschfeld  
United States v. Hunt  
United States v. Idlewild Pharmacy  
United States v. Jackson  
United States v. Jefferson  
United States v. Johnson, H.  
United States v. Johnson, J.  
United States v. Johnson, W.  
United States v. Jones, M.  
United States v. Jones, N.  
United States v. Jones, R. E.  
United States v. Jones, R. G.  
United States v. Jones, R. L.  
United States v. Jordan, C.  
United States v. Jordan, E.  
United States v. Justiniano  
United States v. Kennon  
United States v. King  
United States v. Knupp  
United States v. Kohlus  
United States v. Lane  
United States v. Lineberger  
United States v. Locklear  
United States v. Lomax  
United States v. Mace  
United States v. Marr  
United States v. Marraffa  
United States v. Mattison  
United States v. McDaniel  
United States v. McKee  
United States v. McKillop  
United States v. McMillan  
United States v. McMillian  
United States v. Meier  
United States v. Melton  
United States v. Mensik  
United States v. Nash  
United States v. Nolan  
United States v. Oakcrum  
United States v. Oliver  
United States v. Outten  
United States v. Owens

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

**BOX 226**

United States v. Parker  
United States v. Patillo  
United States v. Pelfrey  
United States v. Phillips  
United States v. Powers  
United States v. Reddington  
United States v. Richards  
United States v. Riffe  
United States v. Rigdon  
United States v. Robertson  
United States v. Roman  
United States v. Sawyers  
United States v. Siegel  
United States v. Simuel  
United States v. Sims  
United States v. Slater  
United States v. Smith, J.  
United States v. Smith, L.  
United States v. Smith, S.  
United States v. Spears  
United States v. Spivey  
United States v. Swindler  
United States v. Taft  
United States v. Taylor, J.  
United States v. Taylor, R.  
United States v. Tharpe  
United States v. Tibbs  
United States v. Trivette  
United States v. Turner  
United States v. Upper Potomac Properties Corp.  
United States v. Van Dusen  
United States v. Venuti  
United States v. Warford  
United States v. Washington  
United States v. Waugh  
United States v. Wiley  
United States v. Williamson  
United States v. Young  
United States v. Zaza  
United States v. Zigler  
United States Fidelity & Guar. v. Landers Chevrolet  
United States Lines v. Jarka  
United States Servicemen's Fund v. Shands & Yarborough  
Urbano v. Liston  
Vale v. Coiner  
Virginia Impression v. SCM Corp.

**BOX 227**

	Virginia Nat'l Bank v. Virginia
	Virginia Nat'l Bank v. United States
	Virginia Stage Line v. National Labor Relations Bd.
	Walker v. Carter
	Ware v. Richardson
	Washington Gas Light Co. v. Virginia Elec. & Power Co.
	Washington v. Schuyler
	Waterhouse v. Mitchell
	Watson v. Richardson
	Webb v. Interstate Commerce Comm'n
	Weddle v. Director, Patuxent Inst.
	Wellford v. Hardin
	West Virginia Highlands v. Conservancy
	Wheeling-Pittsburgh Steel Corp. v. Algernon Blair
	Whiten v. Finch
	Whitley v. Willard
	Wickline v. Brooks
	Wike v. Finch
	Williams v. Annapolis Emergency Hosp. Ass'n
	Williams v. United Mine Workers
	Wilson v. North Carolina
	Winn-Dixie Stores v. National Labor Relations Bd.
	Woodward v. United States
	Yeager v. Bekins Van Lines
	Yorgey v. Oliver
	Cases dismissed without hearing, 1970-71
BOX 228	1971 term
	Adkins v. Kelly's Creek R.R.
	Aghnides v. Marmon Group
	Alexander v. Graves
	Alexander v. Seaboard Air Line R.R.
	Allegheny Airlines v. Civil Aeronautics Bd.
	Allen v. Gifford
	Allen v. Greensboro
	Almond v. Kent
	Alonson v. Kaiser Aluminum & Chem. Corp.
	Ampthill Rayon Workers v. E. I. DuPont De Nemours & Co.
	Anderson v. Southampton County School Bd.
	Antonia v. Barnes
	Arlington Coalition on Transp. v. Volpe
	Armstrong v. Peoples Nat'l Bank
	Armstrong v. Frostie Co.
	Associated Stations v. Cedars Realty & Dev. Corp.
	B. F. Diamon Constr. Co. v. Butler
	Barthelmes v. Morris
	Bell Lines v. United States

	Bennett v. Gravelle
	Bennett v. Internal Revenue Serv.
	Bentex Pharmaceuticals v. Richardson
	Ben-Tom Supply Co. v. Shaver
	Berndtson v. Lewis
	Berry v. Richardson
	Bertnick v. Home Fed. Sav. & Loan Ass'n
	Blake v. National Research Ass'n
	Blalock v. Richardson
BOX 229	Blasecki v. Durham
	Blatt v. Local Bd. No. 116, Fredericksburg City Selective Serv. Sys.
	Blevins v. University of N. C.
	Bogue Elec. Mfg. Co. v. TMC Sys. & Power Corp.
	Bosley v. Atlantic Seaboard Corp.
	Bradley v. School Bd. (2 folders)
	Brandon v. Richardson
	Breeden v. Jackson
	Breman v. United States
	Brewer v. School Bd.
	Brooks v. Internal Revenue Serv.
	Brown v. Cox
	Brown v. Gaston County Dyeing Mach. Co.
	Bruce v. United States
	Bunn v. Bound
	Buresch v. International Bhd. of Elec. Workers, Local No. 24
	Burrus Land & Lumber Co. v. United States
	Burton v. Richardson
	Calico Scallop Corp. v. Willis Bros.
	Capital Investors v. Morrison
	Carey v. Internal Revenue Serv.
	Carson v. American Sav. Life Ins. Co.
	Carter v. Slayton
	C. D. Constr. Corp. v. Internal Revenue Serv.
BOX 230	Chapman v. Richardson
	Chinese Maritime Trust v. Carolina Shipping Co.
	Chitwood v. Feaster
	Citizens Nat'l Bank v. Camp
	Civic Improvement Comm. v. Volpe
	Cloak v. Cody
	Conservation Council v. Froehlke
	Continental Leasing Co. v. Pageant Beauty Prods.
	Cooper Agency v. United States
	Copeland v. School Bd.
	Corollo v. S. S. Kresge Co.
	Cox v. United States

BOX 231

Crawford v. Courtney  
Criddle v. Richardson  
Croxtton v. King's Dep't Store  
Daly v. Scott  
Darden v. Newport News Shipbuilding & Dry Dock Co.  
David v. Maryland  
DeAngelis v. South Carolina  
DeJardin v. Allen & Rocks  
DeTreville v. Outboard Marine Corp.  
Donohoe v. Duling  
Dowell v. Aetna Life Ins. Co.  
Downey v. Peyton  
Downing v. School Bd.  
Doxzen v. Director, Patuxent Inst.  
Drummon v. Froehlke  
Dudley v. United States  
Duke Power Co. v. Kasper  
Eason v. Mitchell  
Eaton v. New Hanover County Bd. of Educ.  
Edco, Inc. v. McElrath  
Edgens v. Richardson  
Edwards v. Flowers  
Eitel v. Schmidlapp  
Ellett v. Finch  
Elm v. Richardson  
Elmore v. United States  
Embrey v. Hampton  
Emerson v. Richardson  
Estep v. Richardson  
Evans v. Carolina Shipping Co.  
Falk v. Hodgson  
Fayetteville Area Chamber of Commerce v. Volpe  
Federal Ins. Co. v. Piper Aircraft Co.  
Federal Land Bank of Columbia v. Wood  
Felts v. Seaboard Coast Line R.R.  
Ferguson v. Hanes  
Filipidis v. United States  
First Nat'l Bank v. Morrison  
Fisher v. United States  
Floyd v. United States  
Forte v. S. S. Kresge Co.  
Gershman v. Finch  
Golden v. Oil Screw *Frank T. Sherman*  
Goldseker v. Federal Communications Comm'n  
Golf Ranch Resort Motel v. Johnson  
Government Employees Ins. Co. v. United States

BOX 232

Grant v. North Carolina  
Gray v. United States  
Greene v. Vantage S.S. Corp.  
Greene v. Moncks Corner Motor Co.  
Greer v. Sears, Roebuck & Co.  
Grimes v. Nottoway County School Bd.  
Grosch v. Tarr  
Groves v. Richardson  
Gurney Indus. v. St. Paul Fire & Marine Ins. Co.  
Hackney v. Tarr  
Hairston v. Cox  
Hall's Motor Transit Co. v. Hartnett  
Hamilton Erection v. Northwestern Mut. Ins. Co.  
Hamilton v. Chesapeake & Ohio R.R.  
Hamlett v. Conco  
Hannon v. Hannon  
Harris v. Anchor Coupling Co.  
Hart v. County School Bd.  
Hayes v. Chauffeurs, Local 391  
Haynes v. Rhodes  
Hazeltine Research v. Firestone Tire & Rubber Co.  
Head Ski Co. v. United States  
Hembree v. United States  
Henderson v. Eastern Freight Ways  
Herman v. University of S. C.  
Hicks v. Richardson  
Hill v. Rowland & Treadaway  
Hitchcock v. Laird  
Hodgson v. Centralized Servs.  
Hodgson v. Duke Univ.  
Hodgson v. Fairmont Supply Co.  
Hodgson v. Virginia Baptist Hosp.  
Holland v. Unico Corp.  
Holt v. City of Richmond  
Holt Mfg. Co. v. Federated Mut. Implement & Hardware Ins. Co.  
Honchok v. Hardin  
Hopkins v. C. E. Whalen Co.  
Horton v. Orange County Bd. of Educ.  
Hudson, Benny  
Hughes v. Ranger Fuel Corp.  
Hurst v. City of Virginia Beach  
Hynson v. Richardson  
International Bhd. of Teamsters v. Pilot Freight Carriers  
International Longshoremen's Ass'n v. North Carolina Ports Auth.  
Iron Ore Transp. Co. v. Steam Vessel *Flying Foam*  
James v. Beaufort County Bd. of Educ.

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

**BOX 233**

James v. United States  
James v. West Virginia Bd. of Regents  
Johnson v. Fraley  
Johnson v. Richardson  
Jones v. Superintendent  
Kasey v. Richardson  
Kaufman v. Internal Revenue Serv.  
Kelly v. Lewis  
Kennedy v. Wheeling-Pittsburgh Steel Corp.  
Kerr v. Travelers Ins. Co.  
Kline v. Wheels by Kinney  
Knollman v. Hughlett  
Kriesel v. Berkshire Ass'n  
Lambert v. Richardson  
Lea v. Cone Mills Corp.  
Legum Store Corp. v. Moore  
Lemley v. United States  
Long Mfg. Co. v. Lilliston Implement Co.  
Lucas v. Gardner  
Lynchburg Foundry Co. v. National Labor Relations Bd.

**BOX 234**

Lyons v. Richardson  
Maloney v. Pettigrew  
Manns v. Koontz  
Marlowe v. Marlowe  
Mas v. Fowler  
Mastrom v. Professional Management  
Maxworth v. Horn Elec. Serv.  
McCain v. Abel  
McCall v. Laird  
McCormick & Co. v. Childers  
McDougall v. Dunn  
McGirr v. Harvey  
McGuire v. Lloyd  
McKinney v. United States  
McLaughlin v. Merhige  
Miller v. Cox  
Miller v. Gardy  
Miller v. United States  
Mims v. Yarborough  
Misegades & Douglas v. Schuyler  
Mislak v. Plovier Maritime  
Monroe v. National Labor Relations Bd.  
Monroe Lodge No. 770 v. Litton Business Sys.  
Morgan v. Gettings  
Morris v. Richardson  
Munchak Corp. v. Cunningham



**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

	Nacirema Operation Co. v. Oosting
	National Labor Relations Bd. v. Great Atl. & Pac. Tea Co.
	National Labor Relations Bd. v. Americana Nursing Home
	National Labor Relations Bd. v. Collins & Aikman Corp.
	National Labor Relations Bd. v. Constr. Prod. & Maintenance Workers' Local Union No. 1293
	National Labor Relations Bd. v. Dewey Bros.
	National Labor Relations Bd. v. Holly Farms Poultry Indus. (2 folders)
	National Labor Relations Bd. v. J. B. Broadcasting
	National Labor Relations Bd. v. Petroleum Constr.
	National Labor Relations Bd. v. Southern Seating Co.
	National Labor Relations Bd. v. State Elec. Supply Co.
	National Labor Relations Bd. v. Tobacco Processors
<b>BOX 235</b>	National Labor Relations Bd. v. Town & Country Mfg. Co.
	National Labor Relations Bd. v. Turner's Express
	National Labor Relations Bd. v. U-Tote M
	National Socialist White People's Party v. Ringers
	Nationwide Mut. Ins. v. United States Fidelity & Guar. Co.
	Natural Resources Defense Council v. Grant
	Neely v. Field
	Nickell v. Westervelt
	O'Connor v. Richardson
	Old Kent Bank & Trust v. Hobbs
	Oliver v. Richardson
	Ouzts v. Richardson
	Parker v. Lewis
	Parker v. Norfolk Dredging Co.
	Pembroke Steel Co. v. Phoenix Gen. Constr. Co.
	Penco Corp. v. Carmen Cosmetics
	Penello v. International Longshoremen's Ass'n
	Peoples v. Richardson
	Perry v. Richardson
	Pillis v. Governor of Virginia
	Pitts v. Camp
	Pittston Co. v. Board of Mine Operations
	Plastilene v. National Labor Relations Bd.
	Plaza Assocs. v. Sterling Concrete Corp.
<b>BOX 236</b>	Pogue v. Retail Credit Co.
	Poindexter v. Teubert
	Price v. Oosting
	Quarterman v. Byrd
	Ramantanin v. United States
	Ranger Ins. Co. v. Lewis
	Raulston v. Carolina-Caribbean Corp.
	Raybestos-Manhattan v. Rowland & Rowland Enters.
	Reamer Indus. v. McQuay

	Reish v. Sheriff
	Reynolds v. Richardson
	Rhode Island Trust Nat'l Bank v. Swartz
	Rice v. North Carolina
	Richmond v. Young
	Road Materials v. Internal Revenue Serv.
	Robinson v. Warden, Md. House of Corrections
	Rockingham Sleepwear v. National Labor Relations Bd.
	Ross v. South Carolina
	Rubber Fabricators v. Laird
	Ruffin v. Greenwood & Charles
	Ruggiero v. Manchin
	Rumler v. Board of School Trustees
BOX 237	Sachs v. Local Union No. 48, United Ass'n of Journeymen and Apprentices of the Plumbing & Pipefitting Indus.
	Sandler v. Tarr
	Scherer v. Lewis
	Scherer v. International Business Machs. (IBM)
	Scyphers v. Zuk
	Slusher v. Paramount Warrior
	Smith v. Secretary, Health, Educ. & Welfare
	Smith v. Coiner
	Smith v. Custom Transp.
	Smith v. Internal Revenue Serv.
	South Carolina Underwriters v. Dixie Auto Ins. Co.
	Southern Block & Pipe Corp. v. Adonis
	Soya v. Evergreen Marine Corp.
	Standard Sec. Life Ins. Co. v. Evers
	Starratt v. Morse
	Stebbins v. Nationwide Mut. Ins. Co.
	Stirewalt v. Brendell
	Stone v. Stone
	Stubbs v. Hardee
	Summers v. Crown Constr. Co.
	Sutton v. United States
	Swann v. Charlotte-Mecklenburg Bd. of Educ.
	Swindell v. Cahoon; Payne v. Cahoon
	Sydnor v. Villain & Fassio
	Technograph Printed Circuits v. Martin-Marietta Corp.
	Thompson v. Fugate
	Thompson v. Lambert Point Docks
	Thompson v. School Bd.
	Thonen v. Jenkins
	Turco v. Allen
	Turner's Express v. National Labor Relations Bd.
	U.F.O., Inc. v. Agnew

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

BOX 238

United States v. Berkley  
United States v. Buffaloe  
United States v. Burton  
United States v. Bush  
United States v. Butler  
United States v. Callanan  
United States v. Cardillo  
United States v. Castillo  
United States v. Castle  
United States v. Childs  
United States v. Clark  
United States v. Coleman  
United States v. Copas  
United States v. Cox  
United States v. Cranson  
United States v. Crawford  
United States v. Crowthers  
United States v. Davis  
United States v. Debruhl  
United States v. Dickson  
United States v. Douglass  
United States v. Echeverria  
United States v. Edwards  
United States v. Embry  
United States v. Epperson  
United States v. Escamilla  
United States v. Evans  
United States v. Feather  
United States v. Figueroa  
United States v. Florence  
United States v. Gaineous  
United States v. Gatling  
United States v. Gibboney  
United States v. Gillingham  
United States v. Gilmore  
United States v. Gladden  
United States v. Gomez  
United States v. Greene  
United States v. Hall  
United States v. Hammond  
United States v. Hankish  
United States v. Harris, J.  
United States v. Harris, T.  
United States v. Harriss  
United States v. Harvey  
United States v. Heard

BOX 239

BOX 240

United States v. Henderson, F.  
United States v. Henderson, W.  
United States v. Holloway  
United States v. Holly  
United States v. Howard, R.  
United States v. Howard, W.  
United States v. Hudson  
United States v. International Longshoremen's Ass'n  
United States v. Jackson, F.  
United States v. Jackson, W.  
United States v. Johnson, E.  
United States v. Johnson, G.  
United States v. Jordan  
United States v. Kain  
United States v. Kasubinski  
United States v. Kaufman  
United States v. Kelley  
United States v. King, J.  
United States v. King, T.  
United States v. Kizar  
United States v. Kyle  
United States v. Lane  
United States v. Langley  
United States v. Lansdown  
United States v. Lawless  
United States v. Liles  
United States v. Lisk  
United States v. Lofty  
United States v. Lopez  
United States v. Maners  
United States v. March  
United States v. Marchetti  
United States v. Marshall  
United States v. Martin  
United States v. McGirr  
United States v. McLean  
United States v. McMullen  
United States v. Merrick  
United States v. Middough  
United States v. Miller, J.  
United States v. Miller, O.  
United States v. Miller, R.  
United States v. Moore, H.  
United States v. Moore, R.  
United States v. Morningstar  
United States v. Morton

BOX 241

United States v. Murphy  
United States v. Navarro  
United States v. O'Connor  
United States v. Ollary  
United States v. One 1968 Int'l Harvester  
United States v. Overstreet  
United States v. Pacheco  
United States v. Pack  
United States v. Partridge  
United States v. Patton  
United States v. Pawlik  
United States v. Payne  
United States v. Pigford  
United States v. Pilkerton  
United States v. Pluchino  
United States v. Poweleit  
United States v. Proffitt  
United States v. Puckett  
United States v. Ragland  
United States v. Ramey  
United States v. Ready  
United States v. Rivers  
United States v. Roberts  
United States v. Rosemond  
United States v. Ross  
United States v. Russell  
United States v. Rye  
United States v. Schellenberg  
United States v. Shafer  
United States v. Shelton, C.  
United States v. Shelton, J.  
United States v. Shorter  
United States v. Silverstein  
United States v. Simmons  
United States v. Simpkins  
United States v. Smith, G.  
United States v. Smith, G. P.  
United States v. Smith, H.  
United States v. Smith, J. H.  
United States v. Smith, J. M.  
United States v. Smith, W.  
United States v. Smygelski  
United States v. Spotts  
United States v. Stanley  
United States v. Stapleton  
United States v. Stokes

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

United States v. Superior Life Ins. Co.  
United States v. Sutherland  
United States v. Tabory  
United States v. Tate  
United States v. Teeter  
United States v. Thomas  
United States v. Thompson  
United States v. Toineeta  
United States v. Toler  
United States v. Truett  
United States v. Trump  
United States v. Tuck  
United States v. Vacca  
United States v. Valentine, J.  
United States v. Valentine, L.  
United States v. Van Fossen  
United States v. Vingino  
United States v. Virginia Nat'l Bank  
United States v. Walden  
United States v. Walsh  
United States v. Walters  
United States v. Ward  
United States v. Weidlein  
United States v. West  
United States v. White  
United States v. Williams  
**BOX 242** United States v. Wilson, A.  
United States v. Wilson, T.  
United States v. Wood  
United States v. Woodard  
United States v. Wright  
United States v. Wynn  
United States v. York  
United States v. Zayas  
United States Steel Corp. v. United Mine Workers  
United Steelworkers v. National Labor Relations Bd.  
USV Pharmaceutical Corp. v. Richardson  
Van Hoy v. Richardson  
Varney Wood Prods. v. Strickler  
Vaughan v. Ackiss  
Vulcan Material Co. v. Oman Constr. Co.  
Wachovia Bank & Trust Co. v. Harris  
Wade v. Coiner  
Walden v. Local 71, Int'l Bhd. of Teamsters  
Walton v. Richardson  
Wardell v. Richardson

	Wasmer v. Briggs
	Weaver v. Huston
	Welch v. United States
	Wells v. Allstate Ins. Co.
	Whitley v. Wilson City Bd. of Educ.
	Whitlock v. Slayton
	Wiggins v. Proctor & Schwartz
	Williams v. Internal Revenue Serv.
	Wilson v. Steuart Transp. Co.
	Winburn v. County of Darlington
	Winchester TV Cable Co. v. Federal Communications Comm'n
	Wolman v. A.I.C. Fin. Corp.
	Woodall v. Pettibone
	Woolfolk v. Brown
	Young v. United States
BOX 243	1972 term
	Acorn Elec. Supply v. Powell Elec. Mfg.
	Adams v. Hunter
	Adams v. Richardson
	AFA Distrib. Co. v. Pearl Brewing Co.
	Aghnides v. F. W. Woolworth Co.
	Ajax v. Realty Corp. v. J. F. Zook
	Albert v. Chemical Leaman Tank Lines
	Alexandria, Barcroft & Washington Transit Co. v. Washington Metro. Area Transit Comm'n
	Allen v. State Bd. of Educ.
	American Trading & Prod. Corp. v. United States
	Appalachian Power Co. v. Environmental Protection Agency
	Appalachian Research & Defense Fund v. Federal Power Comm'n--Appalachian Power Co.
	B.A. Berkus Assocs. v. Keen
	Barb v. Piersol
	Baker v. United States
	Ballistreri v. Equitable Life Assurance Soc'y
	Baltimore Regional Joint Bd. of Amalgamated Clothing v. Eisman
	Baughman v. Freienmuth
	Behrend v. United States
	Bernard v. United States Lines
	Bigham v. Westinghouse Corp.
	Bittorie v. Potomac Edison Co.
	Blackwell v. Thomas
	Blakey v. Daily Progress
	Blum v. Campbell
	Bob Jones Univ. v. Connally
	Bohannon v. United States
	Borek v. Steamship <i>Sarah Bowater</i>
	Bovello v. Kaplan
	Brannan v. Marshall

BOX 244

Brinkley v. United States  
Brown v. United States  
Brown v. Cox  
Burgess v. Charlottesville Sav. & Loan Ass'n  
Burnett v. Tolson  
Burroughs v. Hampton  
Burton v. Marett  
Business Aides v. Chesapeake & Potomac Tel. Co.  
Camp v. Kaiser Aluminum & Chem. Corp.  
Cardillo v. United States  
Carracter v. Morgan  
Casale v. Dooner Laboratories  
Celanese Corp. v. Hemphill  
Chapa v. American Bank  
Chauffeurs Local Union No. 171 v. National Labor Relations Bd.  
Chesapeake & Ohio Ry. v. United States  
Cleeton v. Hewlett-Packard Co.  
Cohen v. Chesterfield County School Bd.  
Connor & Royal Persian Rug Co. v. Koons Ford  
Conservation Council v. Froehlke  
Cook v. Blackledge  
Cord v. United States  
Cox v. Babcock & Wilcox Co.  
Cox v. United States  
Cozart Packing Co. v. Internal Revenue Serv.  
Crosson v. Vance  
Cuthrell v. Director, Patuxent Inst.  
Dailey v. Liszka  
Daniel Constr. Co. v. Welch Contracting Corp.  
Dartt v. Jonathan Logan  
David v. Maryland  
Delevay v. Downs  
Denny v. Seaboard Lacquer  
Dorsey v. Chesapeake & Ohio Ry.  
Duncan v. Cary  
Early Settler Co. v. International Serv. Ins. Co.  
Edwards v. Richardson  
Edwards v. United States  
Eslinger v. Thomas  
Ethyl Corp. v. Environmental Protection Agency  
Evans Prods. Co. v. Elvapores  
Evans Prods. Co. v. *M/V Hellenic Dolphin*  
Fair v. Korhumel Steel & Aluminum Co.  
Farmers' & Merchants' Bank v. United States  
Federal Ins. Co. v. Piper Aircraft Corp.  
Fergusson v. United States Law Enforcement Assistance Admin.

BOX 245



BOX 246

Fisher v. United States  
Ford Motor Credit Co. v. Minges  
Forstner v. Richardson  
Fowler v. Alexander  
Fralin & Waldron v. City of Martinsville  
Fraser v. Continental Realty Corp.  
First v. Haynsworth  
Fuqua Homes v. National Labor Relations Bd.  
*In re* General Steel Tank Co.  
Gibbs v. Norfolk S. R.R.  
Globe Fireworks Co. v. Washington Nat'l Ins. Co.  
Government Employees Ins. Co. v. Melton  
Grammenos v. Chariot  
Gray v. Slayton  
Greenmount Sales v. Davila  
Ham v. North Carolina  
Ham v. South Carolina  
Hamilton Elecs. Co. v. National Labor Relations Bd.  
Harper v. Mayor & Council of Baltimore  
Harris v. Callis  
Harris v. Coiner  
Harris v. Internal Revenue Serv.  
*In re* Hawks, John Edward  
Hickory Center v. Kent  
Hill v. Rowland  
Hodgson v. Bradley  
Hodgson v. Lyles  
Hodgson v. Virginia Baptist Hosp.  
Huckabee v. Richardson  
Huneycutt v. Richardson  
Industrial Life Ins. Co. v. United States  
Inland Terminals v. United States  
J. M. Huber & Co. v. *M/V Plym*  
Joy v. Daniels  
Joyner v. Whiting  
Kaehni v. Diffraction Co.  
Kelly v. Kelly  
Kimbrough v. Duke  
Klein v. Commissioner of Patents  
Kloster v. Steamship *Chatham*  
Kopalko v. United States  
Kota v. Little  
Krodel v. Houghtaling  
Kyhos v. Perpetual Sav. & Loan Ass'n  
Ladzinski v. Moore-McCormack Lines  
Lawson v. Baltimore Paint & Chem. Corp.

BOX 247

Lee v. Lockheed Shipbuilding & Constr. Co.  
Lefaiivre v. United States  
Long v. Zopp  
Lovisi v. Nationwide Mut. Fire Ins. Co.  
Lynch v. Snepp  
Male v. Internal Revenue Serv.  
Mangum v. A-1 Painting Contractors  
Marine Atl. Corp. v. Dent  
Marston v. J. C. Penney Co.  
Marston v. Oliver  
Maryland Casualty Co. v. Memorial Gen. Hosp. Ass'n  
Maslin v. *M/S Heering Lotte*  
Mastini v. American Tel. & Tel. Co.  
Matthews v. Ford Motor Co.  
Mays v. Chaffee  
McCarthy v. Harper  
McCloud v. Bounds  
McClung v. Ford Motor Co.  
McGaw v. Farrow  
McKnight v. Meiselman  
McLawhorn v. North Carolina  
McNeill v. Butz  
Melson v. Naviera Bilbanbana  
Metropolitan Life Ins. Co. v. United States  
Mewborn v. Slayton  
Mick v. Sullivan  
Miller v. Hampton  
Miller v. United States  
Modern Social Educ. v. Preller  
Moody v. Albemarle Paper Co.  
Moore v. McClean Trucking Co.  
Moss v. Lane Co.  
National Labor Relations Bd. v. Cast-A-Stone Co.  
National Labor Relations Bd. v. Consolidated Diesel Elec. Co.  
National Labor Relations Bd. v. Daniel Constr. Co.  
National Labor Relations Bd. v. Holly Farms Poultry Indus.  
National Labor Relations Bd. v. Marvin C. Threlkeld Co.  
National Labor Relations Bd. v. Supak & Sons Mfg. Co.  
National Labor Relations Bd. v. Universal Mfg. & Supply Co.  
Norfolk Shipbuilding & Drydock Corp. v. *M/V Fay*  
Norris v. Slayton  
Old Dominion Box Co. v. United States  
Oppenheim v. Secretary of Health, Educ. & Welfare  
Painter v. Leeke  
Parker v. Ross  
Pat Ryan & Assocs. v. Dupree

BOX 248

Patler v. Slayton  
Peppers v. United States Army  
Perkins v. South Carolina Nat'l Bank  
Phillips v. Chesapeake & Ohio Ry.  
Phillips v. Columbia Gas  
Phoenix Mut. Life Ins. Co. v. Weber  
Picking v. Jenifer  
Piedmont Aviation v. Air Line Pilots Ass'n  
Piedmont Tel. Co. v. United States  
Piggott v. United States  
Plaza Assocs. v. Sterling Concrete Corp.  
Proctor v. Colonial Refrigerated Transp.  
Reliable Coal Corp. v. Morton  
Revere v. Tidewater Tel.  
Ridgely v. Secretary of Health, Educ. & Welfare  
Roanoke Indus. Loan & Thrift Corp. v. Bishop  
Rock v. Norfolk & W. Ry.  
Rogallo v. United States  
Rowe v. Warden, Baltimore City Jail  
Royster Co. v. United States  
Ruddy v. Internal Revenue Serv.  
Sager v. Richardson  
Saint Paul Fire & Marine Ins. Co. v. Lack  
Saunders v. Cox  
Scott v. Winston-Salem Bd. of Educ.  
Scott v. Vandiver  
Securities & Exch. Comm'n v. Datronics Eng'rs  
Security Indus. Loan Ass'n v. Pearson  
Services Unlimited v. Federal Communications Comm'n  
Sessoms v. International Harvester  
Shaw v. International Harvester  
Shepard v. Fayetteville City Bd. of Educ.  
Shepherd v. Ross  
Shole v. O'Donnell  
Shrader v. Edson Corp.  
Shumate v. Board of Educ.  
Shurkin v. United States  
Sills v. Slayton  
Sims v. Internal Revenue Serv.  
Skinner v. Spellman  
Slade v. Smith  
Slaughter v. Winston  
Smith v. International Magazine Serv.  
Smith v. Cox  
Snepp v. Reddy  
Southern Ry. v. Dayco Corp.

United States Court of Appeals Files, 1955-1973, n.d.

Container

Contents

---

BOX 249	Spires v. Orangeburg County Comm'n
	Springston v. King
	Stanley v. Cox
	State Farm Mut. Auto. Ins. Co. v. Nationwide Mut. Ins. Co.
	Stebbins v. State Farm Mut. Auto. Ins. Co.
	Strader v. Long
	Sullivan v. Virginia
	Technograph Printed Circuits v. Martin-Marietta Corp.
	Teer v. United States
	Terry v. Superintendent
	Tolleson v. Russell
	Topik v. Catalyst Research Corp.
	Turner v. Drug Fair Community Drug Co.
	Turner v. Military Square
	United Philippine Lines v. USS <i>Daniel Boone</i>
	United States v. Adams, A.
	United States v. Adams, P.
	United States v. Aiken
	United States v. Ajaba X
	United States v. Algernon Blair, Inc.
	United States v. Allen
	United States v. Anstead
	United States v. Arriagada
	United States v. Ashburn
	United States v. Atkinson, D.
	United States v. Atkinson, G.
	United States v. Azarow
	United States v. Baker
	United States v. Barber
	United States v. Barnes
	United States v. Barr
	United States v. Barton
	United States v. Bass
BOX 250	United States v. Bates
	United States v. Battle
	United States v. Bauer
	United States v. Bennett
	United States v. Bethea
	United States v. Biles
	United States v. Billings
	United States v. Birch
	United States v. Bittinger
	United States v. Blalock
	United States v. Bluett
	United States v. Bobo
	United States v. Bobrow

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

**BOX 251**

United States v. Boone  
United States v. Bostic  
United States v. Bouley  
United States v. Bowen  
United States v. Braswell  
United States v. Braud  
United States v. Bremer  
United States v. Browder  
United States v. Brown, D.  
United States v. Brown, E. A.  
United States v. Brown, E. C.  
United States v. Brown, R.  
United States v. Brown, T.  
United States v. Bryant  
United States v. Bryden  
United States v. Cade  
United States v. Carey  
United States v. Chancey  
United States v. Cooley  
United States v. Cooper  
United States v. Coston  
United States v. Creighton  
United States v. Crockett  
United States v. Culpepper  
United States v. Curry  
United States v. Davis, D.  
United States v. Davis, R. C.  
United States v. Davis, R. S.  
United States v. Dawson  
United States v. Dickson  
United States v. Dixon  
United States v. Dowdy  
United States v. Downing  
United States v. Easley  
United States v. England  
United States v. Erdos  
United States v. Evans  
United States v. Fane  
United States v. Ferrara  
United States v. Fink  
United States v. Fisher  
United States v. Gallagher  
United States v. Garris  
United States v. George  
United States v. Giordano  
United States v. Gladden

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

**BOX 252**

United States v. Glover  
United States v. Grant  
United States v. Gurley  
United States v. Hamilton  
United States v. Harling  
United States v. Harris  
United States v. Hobson  
United States v. Hogge  
United States v. Holland  
United States v. Holly  
United States v. Hopkins  
United States v. Ingram  
United States v. Jackson, J. D.  
United States v. Jackson, J. L.  
United States v. Jackson, L.  
United States v. Jarvis  
(2 folders)  
United States v. Jeffers  
United States v. Jefferson  
United States v. Johnson, C.  
United States v. Johnson, D.  
United States v. Jones  
United States v. Karnap  
United States v. King, A.  
United States v. King, G.  
United States v. Knox  
United States v. Lanham  
United States v. Lee  
United States v. LeVora  
United States v. Lomax  
United States v. Mackey  
United States v. Malcolm  
United States v. Mason  
United States v. Matthews  
United States v. McCoy  
United States v. McFarlin  
United States v. McGehee  
United States v. McPhatter  
United States v. McWhirter  
United States v. Medlin  
United States v. Miller  
United States v. Mock  
United States v. Moore  
United States v. Morin  
United States v. Mullins  
United States v. Neeley

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

**BOX 253**

United States v. Omirly  
United States v. Parrish  
United States v. Paurowski  
United States v. Payne  
United States v. Persinger  
United States v. Plummer  
United States v. Powell  
United States v. Richardson  
United States v. Ritajack  
United States v. Rocks  
United States v. Rosenfield  
United States v. Schembari  
United States v. Sea Bird Navigation  
United States v. Searcy  
United States v. Shipp  
United States v. Showalter  
United States v. Sidella  
United States v. Six Access Rights  
United States v. Skeens  
United States v. Spruill  
United States v. Stamper  
United States v. Stanback  
United States v. Stevens  
United States v. Stumpf  
United States v. Suarez  
United States v. Tanner  
United States v. Taylor  
United States v. Teeter  
United States v. Terry  
United States v. Thomas  
United States v. Tidd  
United States v. Todd  
United States v. Truglio  
United States v. Turner, D.  
United States v. Turner, W.  
United States v. Underwood  
United States v. Wainscott  
United States v. Walker  
United States v. Wallace  
United States v. Watson  
United States v. Webb  
United States v. Wheeler  
United States v. Wilhelm  
United States v. Williams, F.  
United States v. Williams, G.  
United States v. Williamson

United States v. Wilmoth  
United States v. Woods, L.  
United States v. Woods, M.  
United States v. Workman  
Ussery v. Federal Laboratories  
Vaughn v. Board of Educ.  
Virginia Elec. & Power Co. v. Westinghouse Elec. Co.  
Vuitch v. Hardy  
W. G. Cosby Transfer & Storage Corp. v. Froehlke  
Walker v. Coiner  
Wansley v. Slayton  
Webb v. Nolan  
White v. Brough  
Whitehurst v. United States  
Wilke v. Department of the Army  
Williams v. Vector Co.  
Williams v. Dairyland Ins. Co.  
Willis v. Montgomery  
Wilson v. F. W. Constr. Co.  
Witherspoon v. United States  
Witmer v. Kleppe  
Wohl v. Keene  
Wood v. South Carolina  
Woodhous v. Virginia  
Wray v. Hall  
Yarborough v. Eastern Fin. Corp.  
Zuckerman v. Hospital Auth.

BOX 254-258

**Case File Miscellany.**

District court cases and District of Columbia court cases (1971-1973).  
Organized alphabetically by name of case. Also included is a miscellany of unidentified material organized by docket number.

BOX 254

District Court cases  
Brady v. Steamship *African Queen*  
Brown v. South Carolina State Forestry Comm'n  
Byrd v. Gary  
Byrd v. Blue Ridge Rural Elec. Coop.  
Carver Theatres v. Paramount Pictures  
Cummings v. City of Charleston  
French v. Hillman  
Girard v. Gill  
Green v. School Bd.  
Henry v. Greenville Airport Comm'n  
Hunter v. Raleigh City Bd. of Educ.  
Imperial Tobacco Co. v. United States  
Iseley v. County School Bd.



United States Court of Appeals Files, 1955-1973, n.d.

Container

Contents

---

	Jordan v. Hutcheson
	Kamboris v. Steamship <i>Matador</i>
	National Bus Clearing House Ass'n v. Coastal Stages Corp.
	National Pile Driving Corp. v. Hartford Accident & Indem. Co.
	Perkins v. North Carolina
	Smith v. Armstrong Rubber Co.
	Summer & Premier Photo Serv. v. Looker
	Swacker v. Interstate R.R.
	United States v. Certain Parcels of Land
	United States v. Culver
	United States v. Dansby
	United States v. Freshour
	United States v. King
	United States v. Pearson
	United States v. Wallace
	Walker v. Farley
BOX 255	District of Columbia cases
	American Fed'n of Gov't Employees v. Rogers
	Baltic Inv. Co. v. Perkins
	Bloomgarden v. Coyer
	Burrough v. American Sec. & Trust Co.
	Cooper v. Goodwin
	Deutsche Lufthansa Aktiengesellschaft v. Civil Aeronautics Bd.
	Fisher v. Renegotiation Bd.
	Furbee v. Vantage Press
	Hudson v. Capital Cab Ass'n
	Hunter v. United States
	International Bhd. of Elec. Workers v. National Labor Relations Bd.
	Reservists Comm. to Stop the War v. Laird
BOX 256	United States v. Anderson
	United States v. Kerr
	United States v. Mack
	United States v. Wilder
	United States v. Wilson
	Vogel v. Tenneco Oil Co.
	Walkden v. Khosrovi
	Other material
	Docket numbers
	7075-7352
	(3 folders)
BOX 257	7353-7538
	(5 folders)
BOX 258	7541-8798
	(5 folders)
	Unnumbered

**United States Court of Appeals Files, 1955-1973, n.d.**

*Container*

*Contents*

---

<b>BOX 259-307</b>	<b>Office Files.</b> Material related to Sobeloff's appointment to the Fourth Circuit Court of Appeals, judicial conferences, court dockets and other scheduling matters, personnel records, financial records, and general research material. Organized alphabetically by subject and, where applicable, chronologically therein.
<b>BOX 259</b>	Appointment to Fourth Circuit, United States Court of Appeals, 1955-1956 Correspondence A-D (6 folders)
<b>BOX 260</b>	E-J (9 folders)
<b>BOX 261</b>	K-M (6 folders)
<b>BOX 262</b>	N-S (7 folders)
<b>BOX 263</b>	S-Z (5 folders) Miscellaneous files (7 folders)
<b>BOX 264</b>	(7 folders)
<b>BOX 265</b>	(1 folder) First anniversary as circuit judge, 1957 Fifth anniversary as circuit judge, 1962 Promotion to chief judge, 1958 Retirement from chief judgeship and seventieth birthday, 1964 (3 folders)
<b>BOX 266</b>	Judicial Conference of the Fourth Circuit 1957-1959 (6 folders)
<b>BOX 267</b>	1959 (6 folders)
<b>BOX 268</b>	1960 (5 folders)
<b>BOX 269</b>	(5 folders)
<b>BOX 270</b>	1961 (7 folders)
<b>BOX 271</b>	1961-1962 (6 folders)
<b>BOX 272</b>	1962 (7 folders)
<b>BOX 273</b>	1962-1963 (6 folders)
<b>BOX 274</b>	1963-1964 (6 folders)
<b>BOX 275</b>	1964-1965 (6 folders)

**United States Court of Appeals Files, 1955-1973, n.d.**

***Container***

***Contents***

---

<b>BOX 276</b>	1965-1973 (10 folders) Judicial Conference of the United States 1957-1960 (4 folders)
<b>BOX 277</b>	1960-1969 (6 folders)
<b>BOX 278</b>	Administration of the Criminal Law Committee, 1966-1970 (6 folders)
<b>BOX 279</b>	(2 folders) Appellate Rules Committee, 1960-1968 (3 folders)
<b>BOX 280</b>	(4 folders)
<b>BOX 281</b>	(3 folders) Habeas Corpus Committee, 1958-1968 (2 folders)
<b>BOX 282</b>	(3 folders) Rules of Evidence Committee, 1965-1973 (2 folders)
<b>BOX 283</b>	(5 folders)
<b>BOX 284</b>	(5 folders)
<b>BOX 285</b>	(3 folders) Miscellany, 1960-1970
<b>BOX 286</b>	Memoranda/notebooks, 1956-1958, 1966-1972 Court dockets, scheduling matters 1956-1957 (5 folders)
<b>BOX 287</b>	1957-1959 (7 folders)
<b>BOX 288</b>	1959-1960 (8 folders)
<b>BOX 289</b>	1961-1962 (8 folders)
<b>BOX 290</b>	1962-1964 (10 folders)
<b>BOX 291</b>	1964-1965 (3 folders) Miscellany 1956-1967 (4 folders)
<b>BOX 292</b>	1960-1973 (4 folders)
<b>BOX 293</b>	1969-1973 (2 folders) Bankruptcy Clerk's reports on pending caseloads 1970

**United States Court of Appeals Files, 1955-1973, n.d.**

<i>Container</i>	<i>Contents</i>
BOX 294	1971-1973 (3 folders) Conference of chief justices of state courts, 1960
BOX 295	District court files Correspondence and reports, 1965-1973 (2 folders) Criminal Justice Act (district courts' amended plans) North Carolina, 1961-1965 (1 folder)
BOX 296	(3 folders) Representation on Circuit Council En banc hearings Escobedo cases
BOX 297	Federal Magistrates Act, 1969-1971 Habeas Corpus (3 folders) Implementation of 1964 Criminal Justice Act, 1964-1969 (2 folders)
BOX 298	In forma pauperis (4 folders) Institute of Judicial Administration
BOX 299	Inter-Circuit Assignments Advisory Committee Judgeships in the Fourth Circuit (2 folders) Judicial Council monthly meetings, 1961-1973 (2 folders) Jury selection plans, 1968-1973 (2 folders)
BOX 300	Jury system, 1961-1971 National Council on Crime and Delinquency Omnibus bill, 1957-1961 (2 folders) Opinions from other circuits (2 folders)
BOX 301	(2 folders) Personnel records Law clerks and secretaries (10 folders)
BOX 302	(17 folders)
BOX 303	(12 folders)
BOX 304	Clerk's office Personnel requirements, 1964-1970 Retired judges Memorials Bell, J. Spencer Chestnut, Calvin Dean, Claude

**United States Court of Appeals Files, 1955-1973, n.d.**

**Container**

**Contents**

---

**BOX 305** Dobie, Armistead  
Nyburg, Sidney  
Parker, John J.  
(4 folders)

**BOX 306** Soper, Morris  
(3 folders)

**BOX 307** Rules of court  
(2 folders)  
Sentencing Institute, 1967  
Travel vouchers, itineraries, etc.

**BOX 308-343** **Speeches and Writings File, 1928-1972, n.d.**

Speeches and writings by Sobeloff, correspondence, and other related material.  
Arranged chronologically with speeches and writings by Sobeloff for others filed at the end of the series.

**BOX 308** Speeches  
Jan. 12, 1928-Feb. 15, 1942  
(30 folders)

**BOX 309** May 2, 1942-Nov. 1, 1948  
(26 folders)

**BOX 310** Feb. 3, 1949-May 27, 1953  
(32 folders)

**BOX 311** June 11, 1953-Apr. 9, 1954  
(28 folders)

**BOX 312** Apr. 11-June 16, 1954  
(10 folders)

**BOX 313** June 29-Sept. 14, 1954  
(9 folders)

**BOX 314** Sept. 16-Oct. 26, 1954  
(9 folders)

**BOX 315** Oct. 27-Dec. 21, 1954  
(13 folders)

**BOX 316** Jan. 13-Mar. 24, 1955  
(10 folders)

**BOX 317** Apr.4-May 19, 1955  
(9 folders)

**BOX 318** May 22-Oct. 13, 1955  
(11 folders)

**BOX 319** Oct. 15-Nov. 8, 1955  
(5 folders)

**BOX 320** Nov. 8, 1955-Feb. 4, 1956  
(12 folders)

**BOX 321** Feb. 11-Apr. 11, 1956  
(9 folders)

**BOX 322** Apr. 15-May 25, 1956  
(8 folders)

**Speeches and Writings File, 1928-1972, n.d.**

<i>Container</i>	<i>Contents</i>
BOX 323	May 29-June 27, 1956 (12 folders)
BOX 324	Aug. 28-Dec. 19, 1956 (12 folders)
BOX 325	Jan. 17-Sept. 12, 1957 (14 folders)
BOX 326	Oct. 7, 1957-Apr. 19, 1958 (13 folders)
BOX 327	Apr. 26-Dec. 30, 1958 (19 folders)
BOX 328	Jan. 5-July 27, 1959 (13 folders)
BOX 329	Sept. 1, 1959-Apr. 24, 1960 (17 folders)
BOX 330	Apr. 25-Dec. 17, 1960 (12 folders)
BOX 331	Feb. 11, 1961-Feb. 17, 1962 (15 folders)
BOX 332	Mar. 11-Dec. 27, 1962 (11 folders)
BOX 333	Feb. 14, 1963-Dec. 20, 1964 (17 folders)
BOX 334	Jan. 30-Sept. 19, 1965 (12 folders)
BOX 335	Oct. 13, 1965-May 16, 1968 (17 folders)
BOX 336	May 27, 1968-Dec. 6, 1972 (16 folders) Mailing list for speeches Miscellaneous introductions, n.d.
BOX 337	Untitled speeches and fragments, n.d. (6 folders)
BOX 338	Card index of speeches A-T
BOX 339	U-Z
BOX 340	Writings 1941, "Rule for Cross-Examination--A Poem" 1947, Report of Simon E. Sobeloff concerning Baltimore Transit Co. 1954, "Fearful Men Forfeit Freedom" 1955 Review of <i>The Guilty Mind</i> by John Biggs, Jr. "The Sentence of the Court: Should There Be an Appellate Review?" 1956, "The Role of the Free Press in America" 1957 "Justice Was a Part Time Job" Review of <i>The Law and One Man Among Many</i> by Arthur E. Sutherland 1959, Review of <i>Tears and Laughter in an Israel Courtroom</i> by Shneour Z. Cheshin

Speeches and Writings File, 1928-1972, n.d.

Container

Contents

---

	1961, Review of <i>Government Litigation, Cases and Notes</i> by David Schwartz
	1962, Review of <i>Briefing and Arguing Federal Appeals</i> by Frederick Wiener
	1964
	"Appellate Review of Sentences? Yes!"
	"The Federal Courts"
	Preface to <i>Vision--A Biography of Dr. Harry Friedenwald</i> by Alexandra Levin
	Statement for <i>Newsweek</i> magazine concerning tenth anniversary of May 1954 segregation decision
	"Striving for Impartiality in the Federal Courts"
	1967, Review of <i>Justice, Not Charity: a Biography of Harry Greenstein</i> by Louis L. Kaplan and Theodor Schuchat
BOX 341	Speeches written by Sobeloff for Theodore McKeldin and others, 1943-1955 (24 folders)
BOX 342	(52 folders)
BOX 343	(30 folders)
BOX 344-367	<b>Subject File, 1936-1973, n.d.</b> Correspondence, notes, memoranda, reports, material related to organizations in which Sobeloff was active, moot courts, and general reference material. Arranged alphabetically by subject.
BOX 344	Advertising Club of Baltimore, Baltimore, Md. American Association for Jewish Education (3 folders)
BOX 345	American Bar Association Meetings, 1957-1966 (8 folders) Miscellany, 1958-1969
BOX 346	Minimum Standards of Criminal Justice Project, Sentencing and Review Committee, 1965-1971 (5 folders)
BOX 347	(4 folders)
BOX 348	(5 folders)
BOX 349	(6 folders)
BOX 350	(6 folders)
BOX 351	American Christian Palestine Committee American Friends of the Hebrew University American Israel Society American Jewish Committee American Jewish Congress (4 folders)
BOX 352	(1 folder) American Jewish Tercentenary American Judicature Society American Law Institute, 1958-1972 (3 folders) American Society of Composers, Authors, and Publishers, Nathan Burkan Memorial Competition
BOX 353	American Zionist Council

**Subject File, 1936-1973, n.d.**

*Container*

*Contents*

---

	Associated Jewish Charities
	Baltimore, Md.
	Board of Ethics, 1963-1973
	(5 folders)
BOX 354	(2 folders)
	Board of Jewish Education, 1936-1973
	(2 folders)
BOX 355	Charter Advisory Committee, 1963-1964
	Hebrew College
	Jewish Council, 1948-1971
	Retail Druggists Association
	Urban League
	Bar Association of Baltimore City
	Big Brothers of D.C., 1954
	B'nai B'rith
	B'nai B'rith Anti-Defamation League
	Brandeis University, Waltham, Mass.
	1955-1960
	(2 folders)
BOX 356	1961-1973
	(3 folders)
	Civil Liberties Educational Foundation seminar, 1962
	Civil rights
BOX 357	Defective delinquents, Patuxent Institution, Jessup, Md.
	(2 folders)
	Equal employment opportunity
	Federal Bar Association
	Federation of Jewish Philanthropies
	Forkosch, Morris
	Freedoms Foundation at Valley Forge
	Har Sinai Congregation, Baltimore, Md.
BOX 358	Harvard University, Cambridge, Mass., civil rights survey and report, 1962
	Hebrew Union College-Jewish Institute of Religion, Cincinnati, Ohio
	Immigration-displaced persons
	Indigents
	Institute for Religious and Social Studies
	Institute of Judicial Administration, 1959
	Israel, 1951-1964
	Jewish Court of Arbitration and Anti-Defamation League
	Jewish Federation
	Jewish Historical Society of Maryland
	Jewish National Fund
	Jewish Publication Society of America
BOX 359	Jewish Theological Seminary of America, New York, N.Y.
	(2 folders)
	Jewish Welfare Fund of Baltimore
	Johns Hopkins University, Baltimore, Md.



**Subject File, 1936-1973, n.d.**

*Container*

*Contents*

---

	Kres-Unity-Paulson Lodge No. 4, Independent Order Brith Sholom, Baltimore, Md. Maryland Bar Foundation
<b>BOX 360</b>	Maryland Commission on Administrative Organization of the State, 1952-1959 (2 folders) Maryland Constitutional Covention Commission, 1966-67 Maryland State Bar Association Maryland State Dental Association McKeldin, Theodore R. Material for Israel, Inc. Military conscription Moot Courts Catholic University, Washington, D.C., 1962-1963 (2 folders) Columbia University, New York, N.Y., 1960
<b>BOX 361</b>	Dickinson School of Law, Pennsylvania State University, Carlisle, Pa., 1966 Duke University, Duhram, N.C., 1972 Georgetown University, Washington, D.C., 1955-1956, 1966 (2 folders) Harvard University, Cambridge, Mass., 1960 University of Maryland, College Park, Md., 1967 University of Pennsylvania, Philadelphia, Pa. 1968
<b>BOX 362</b>	University of Virginia, Charlottesville, Va., 1963-1967 (3 folders) Yale University, New Haven, Conn., 1957, 1966 (2 folders) Narcotics
<b>BOX 363</b>	National Conference of Christians and Jews National Council on Crime and Delinquency (2 folders) National Foundation for Jewish Culture (2 folders) National Jewish Welfare Board New York University, New York, N.Y. Appellate Judges Seminar 1961
<b>BOX 364</b>	1963 (3 folders) Root-Tilden Scholarship Committee, 1954-1964 (2 folders) Seminar on constitutional review, 1960 (1 folder)
<b>BOX 365</b>	(1 folder) Organized crime bill, S. 30 Poverty Prisoners Aid Association of Maryland Psychiatry and the law
<b>BOX 366</b>	Rule of law

**Subject File, 1936-1973, n.d.**

**Container**

**Contents**

---

	Segregation
	Sentencing (3 folders)
<b>BOX 367</b>	Social Security
	Stanford University, Stanford, Calif., seminar on protracted cases, 1958
	State of Israel Bonds
	Supreme Court
	United Jewish Appeal of Greater Washington
	University of Maryland, College Park, Md.
	Miscellany
	Simon E. Sobeloff Prize Fund
	University of Wisconsin, Madison, Wis., seminar on segregation, 1963
	Wise, Stephen S.
	Zionist Organization of America
<b>BOX 368-395</b>	<b>Miscellany, 1882-1973, n.d.</b>
	Correspondence, notes, memoranda, biographical material, clippings, material relating to family members, social invitations, printed matter, personal legal and financial matters. Arranged alphabetically by topic or type of material.
<b>BOX 368</b>	Bridge, Edward W., court-martial, 1882
	Employment Stabilization Commission, Baltimore, Md., n.d.
	Gifts and greetings
	1953-1955 (5 folders)
<b>BOX 369</b>	1955-1959 (7 folders)
<b>BOX 370</b>	1959-1962 (5 folders)
<b>BOX 371</b>	1963-1965 (7 folders)
<b>BOX 372</b>	1965-1969 (7 folders)
<b>BOX 373</b>	1969-1972 (6 folders)
<b>BOX 374</b>	Invitations
	Accepted
	1954-1956 (5 folders)
<b>BOX 375</b>	1957-1960 (6 folders)
<b>BOX 376</b>	1961-1965 (5 folders)
<b>BOX 377</b>	1965-1973 (3 folders)
	Declined
	1954-1955 (4 folders)

**Miscellany, 1882-1973, n.d.**

<i>Container</i>	<i>Contents</i>
BOX 378	1955-1956 (5 folders)
BOX 379	1956-1958 (5 folders)
BOX 380	1958-1961 (6 folders)
BOX 381	1962-1964 (5 folders)
BOX 382	1965-1967, 1973 (4 folders)
BOX 383	Maryland Court of Appeals, 1952-1954 (5 folders)
BOX 384	Mayer, Ruth Sobeloff, school notebooks, 1941-1942 Notes, memoranda, announcements, invitations, program, etc. Printed matter (4 folders)
BOX 385	(3 folders) Page, U.S. House of Representatives, phonic shorthand book, 1909 Reception for judges of Fourth Circuit, 1959
BOX 386	Sobeloff, Irene Ehrlich (5 folders)
BOX 387	(2 folders) Sobeloff, Mary Caplan (3 folders)
BOX 388	(4 folders) Sobeloff, Simon E. Biographical material (1 folder)
BOX 389	(15 folders)
BOX 390	(5 folders)
BOX 391	(3 folders)
BOX 392	Birthday greetings (2 folders) Contributions Finances, trusts, and other personal legal matters, 1968-1972 Illness, 1956, 1963 (4 folders)
BOX 393	Travels Europe, 1958 Israel, 1955 (3 folders) Wedding anniversary, fiftieth, 1968 (2 folders)
BOX 394	Subject card index, ca. 1953-1956
BOX 395	U.S. attorney for the District of Maryland Appointment, 1930-1931 (5 folders)

**Miscellany, 1882-1973, n.d.**

*Container*                      *Contents*

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United States v. Certain Bottles of B & M, 1932

**REEL 1-3**

**Scrapbooks, 1914-1972**

Primarily clippings pertaining to Sobeloff's career. Available only on three rolls of microfilm, shelf no. 18,939.

**REEL 1**

Vol. 1, 1914-1928

Vol. 2, 1927-1932

Vol. 3, 1930-1936

Vol. 4, 1930-1955

Vol. 5, 1940-1944

Vol. 6, 1945

Vol. 7, 1945-1950

**REEL 2**

Vol. 8, 1950-1952

Vol. 9, 1952

Vol. 10, 1954-1955

Vol. 11, 1955-1957

Vol. 12, 1956-1959

**REEL 3**

Vol. 13, 1960-1967

Vol. 14, 1960-1972

## Appendix: Legal Abbreviations

Legal term	Abbreviation
Administrat [ive, ion]	Admin.
Administrat [or, rix]	Adm'[r,x]
Agriculture	Agric.
America [n]	Am.
Associate	Assoc.
Association	Ass'n
Atlantic	Atl.
Authority	Auth.
Automobile	Auto.
Avenue	Ave.
Board	Bd.
Brotherhood	Bhd.
Brothers	Bros.
Building	Bldg.
Central	Cent.
Chemical	Chem.
Commission	Comm'n
Commissioner	Comm'r
Committee	Comm.
Company	Co.
Consolidated	Consol.
Construction	Constr.
Cooperative	Coop.
Corporation	Corp.
Department	Dep't
Development	Dev.
Distribut [or, ing]	Distrib.
District	Dist.
Division	Div.
East [ern]	E.
Education [al]	Educ.
Electric [al, ity]	Elec.
Electronic	Elec.
Engineer	Eng'r
Engineering	Eng'g
Enterprise	Enter.
Environment	Env't
Environmental	Envtl.
Equipment	Equip.
Exchange	Exch.
Execut [or, rix]	Ex'[r,x]
Federal	Fed.
Federation	Fed'n
Financ [e, ial, ing]	Fin.
Foundation	Found.
General	Gen.
Government	Gov't

<b>Legal term</b>	<b>Abbreviation</b>
Guaranty	Guar.
Hospital	Hosp.
Housing	Hous.
Incorporate	Inc.
Indemnity	Indem.
Independent	Indep.
Industr [y, ies, ial]	Indus.
Institut [e, ion]	Inst.
Insurance	Ins.
International	Int'l
Investment	Inv.
Liability	Liab.
Limited	Ltd.
Litigation	Litig.
Machine [ry]	Mach.
Manufacturer	Mfr.
Manufacturing	Mfg.
Market	Mkt.
Marketing	Mktg.
Metropolitan	Metro.
Municipal	Mun.
Mutual	Mut.
National	Nat'l
North [ern]	N.
Organiz [ation, ing]	Org.
Pacific	Pac.
Product [ion]	Prod.
Public	Pub.
Railroad	R.R.
Railway	Ry.
Refining	Ref.
Road	Rd.
Savings	Sav.
Securit [y, ies]	Sec.
Service	Serv.
Society	Soc'y
South [ern]	S.
Steamship [s]	S.S.
Street	St.
Surety	Sur.
System [s]	Sys.
Tele [phone, graph]	Tel.
Transport [ation]	Transp.
University	Univ.
Utility	Util.
West [ern]	W.