SUPREME COURT OF THE UNITED STATES.
Nos. 81, 82.—October Term, 1946.

Securities and Exchange Commission
v.
Chenery Corporation, et al.

Securities and Exchange Commission
v.
Federal Water and Gas Corporation

On writs of Certiorari to the United States Court of Appeals for the District of Columbia

[June 23, 1947.]

Mr. Justice RUTLEDGE, concurring.

Although I concur in the opinion of the Court, in view of certain statements appearing in another opinion concerning the confidential course of the Court's business, I think it necessary to point out that this case was argued on Friday, December 13, and Monday, December 16, 1946. It was thereafter considered at conference and assigned for writing of the opinion. Because of the extraordinary pressure of the Court's work during this term, the case was reassigned to another Justice on June 3, 1947, and the opinion now presented is written substantially in accordance with the views of the majority expressed at the conference prior to the first assignment.

I do not believe that the confidential procedures of this Court should be disclosed partially or fully, formally or informally, in any instance. If that rule is not to be followed strictly and without the least deviation but instead a partial disclosure is to be made in any instance, I think the complete story should be put of record.

This is not the first time in which for one reason or another dissenting justices have been confronted with the necessity of stating their views inadequately because of considerations of time or, in the alternative, of setting them forth after the opinion comes down. Cf. In re Yamashita, 327 U. S. 1; Insurance Group v. Denver & Rio Grande, 329 U. S. 607. It is the first

time when such a situation has brought forth an official disclosure of the Court's confidential procedures.