

DECISIONS PER CURIAM AND ORDERS FROM
THE BEGINNING OF OCTOBER TERM,
1954, THROUGH APRIL 5, 1955.

CASES DISMISSED IN VACATION.

No. 175. GOVERNMENT OF GUAM *v.* HATCHETT. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. September 10, 1954. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *Howard D. Porter*, Attorney General of Guam, and *Louis A. Otto, Jr.*, Deputy Attorney General, for petitioner. Reported below: 212 F. 2d 767.

No. 49, Misc. RUFFIN *v.* UNITED STATES ET AL. On motion for leave to file petition for writ of habeas corpus. September 10, 1954. Dismissed pursuant to Rule 60 of the Rules of this Court on motion of petitioner.

No. 161. A/S HAKEDAL *v.* KLOECKNER REEDEREI UND KOHLENHANDEL, G. M. B. H. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. September 17, 1954. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *James M. Estabrook* for petitioner. *William Garth Symmers* for respondent. Reported below: 210 F. 2d 754.

No. 26. MEACHAM CORPORATION ET AL. *v.* UNITED STATES. Certiorari, 347 U. S. 932, to the United States Court of Appeals for the Fourth Circuit. September 28, 1954. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *Thomas B. Gay* and *H. Merrill Pasco* for petitioners. *Solicitor General Sobeloff* for the United States. Reported below: 207 F. 2d 535.

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Decisions Per Curiam.

No. 88. *WILLIAMS v. CAROLINA LIFE INSURANCE CO. ET AL.* C. A. 5th Cir. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. *Robert Culpepper, Jr.* for petitioner. Reported below: 210 F. 2d 477.

No. 106. *STAPLING MACHINES Co. v. STONE, CHAIRMAN, STATE TAX COMMISSION OF MISSISSIPPI, ET AL.* Appeal from the Supreme Court of Mississippi. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. *Bernard Leonard Tighe, Jr.* for appellant. *John E. Stone* for appellees. Reported below: 220 Miss. 470, 71 So. 2d 205.

No. 116. *BOHLING v. CORSI, COMMISSIONER, DIVISION OF EMPLOYMENT, DEPARTMENT OF LABOR OF NEW YORK.* Appeal from the Court of Appeals of New York. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. *Merwin K. Hart, Jr.* for appellant. *Nathaniel Goldstein*, Attorney General of New York, *Wendell P. Brown*, Solicitor General, and *Francis R. Curran*, Assistant Attorney General, for appellee. Reported below: 306 N. Y. 815, 118 N. E. 2d 823.

No. 152. *JAYNE ET AL., JUDGES OF THE CIRCUIT COURT OF WAYNE COUNTY, ET AL. v. CITY OF DETROIT ET AL.* Appeal from the Supreme Court of Michigan. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. *George E. Brand* for appellants. *James H. Lee* for appellees. Reported below: 339 Mich. 62, 62 N. W. 2d 626.

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No. 111. *HARRIS ET AL. v. BATTLE, GOVERNOR, ET AL.* Appeal from the Supreme Court of Appeals of Virginia. *Per Curiam*: The motion to substitute Thomas B. Stanley as a party appellee in the place and stead of John S. Battle is granted. It appearing that the cause has become moot, the judgment of the Supreme Court of Appeals of Virginia is vacated and the cause is remanded for such proceedings as by that Court may be deemed appropriate. *United States v. Anchor Coal Co.*, 279 U. S. 812. MR. JUSTICE REED would dismiss the appeal for lack of jurisdiction. *Norfolk Turnpike Co. v. Virginia*, 225 U. S. 264, 269. Since the Court, however, treats the appeal as properly before it, he votes to dismiss on the ground of mootness. THE CHIEF JUSTICE, MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that the case is not moot and that this Court should consider and decide the federal questions raised. *Bernard Cushman and Justus R. Moll* for appellants. *J. Lindsay Almond, Jr.*, Attorney General of Virginia, *C. F. Hicks*, Assistant Attorney General, and *Henry T. Wickham* for appellees. Reported below: 195 Va. lxxxviii.

No. 115. *TRAFTON v. TEXAS.* Appeal from the Court of Criminal Appeals of Texas. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. MR. JUSTICE BLACK is of the opinion that probable jurisdiction should be noted. *Harry S. Pollard* for appellant. *John Ben Shepperd*, Attorney General of Texas, and *Rudy G. Rice* and *Robert O. Fagg*, Assistant Attorneys General, for appellee. Reported below: 160 Tex. Cr. R. —, 271 S. W. 2d 814.

No. 167. *POMPROWITZ, DOING BUSINESS AS L. C. L. TRANSIT COMPANY, ET AL. v. UNITED STATES ET AL.* Appeal from the United States District Court for the Eastern District of Wisconsin. *Per Curiam*: The motion to

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affirm is granted and the judgment is affirmed. *Warren H. Wagner* for appellants. *Solicitor General Sobeloff* and *Edward M. Reidy* for the United States and the Interstate Commerce Commission, appellees. Reported below: 119 F. Supp. 824.

No. 177. *McGRAW ELECTRIC CO. ET AL. v. UNITED STATES ET AL.* Appeal from the United States District Court for the Eastern District of Missouri. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed. *Arthur J. Freund* for appellants. *Solicitor General Sobeloff* and *Edward M. Reidy* for the United States and the Interstate Commerce Commission; and *Leo P. Day* and *Richmond C. Coburn* for the Akron, Canton & Youngstown Railroad Co. et al., appellees. Reported below: 120 F. Supp. 354.

No. 176. *ARKANSAS FUEL OIL CORP. v. FONTENOT, COLLECTOR OF REVENUE OF LOUISIANA.* Appeal from the Supreme Court of Louisiana. *Per Curiam*: The appeal is dismissed for the want of a substantial federal question. *Robert Roberts, Jr.* and *Ben R. Miller* for appellant. Reported below: 225 La. 166, 72 So. 2d 465.

Miscellaneous Orders.

No. 6. *WATSON ET UX. v. EMPLOYERS LIABILITY INSURANCE CORP., LTD. ET AL.* Certiorari, 347 U. S. 958, to and appeal from the United States Court of Appeals for the Fifth Circuit. The motion to dismiss is denied. *Val Irion, Richard H. Switzer* and *Cleveland C. Burton* for appellants-petitioners. *Benjamin C. King* and *Charles D. Egan* for Employers Liability Assurance Corp., Ltd., appellee-respondent. Reported below: 202 F. 2d 407.

No. 648, October Term, 1953. *BRAND ET AL. v. COMMISSIONER OF INTERNAL REVENUE.* The petition for

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writ of mandamus is denied. Reported below: 209 F. 2d 255.

No. 9, Original. *TEXAS v. NEW MEXICO ET AL.* The plaintiff's motion for leave to amend the prayer of its complaint is hereby referred to John Raeburn Green, Special Master, to hear the parties and report his opinion and recommendation as to whether the motion should be granted and whether if granted it would cure any defect of parties herein. *John Ben Shepperd*, Attorney General, *Burnell Waldrep*, Assistant Attorney General, and *Eugene T. Edwards*, Special Assistant Attorney General, for the State of Texas, plaintiff. *Richard Robinson*, Attorney General, and *Fred E. Wilson*, Special Assistant Attorney General, for the State of New Mexico, and *Martin A. Threet* and *D. A. Macpherson, Jr.* for the Middle Rio Grande Conservancy District et al., defendants.

No. 11, Original. *MISSISSIPPI v. LOUISIANA.* The motion of Eleanor R. Woolgar and Erma L. Richards for leave to intervene as codefendants is denied. *J. P. Coleman*, Attorney General, *Gerard H. Brandon* and *James D. Thamas*, Special Assistant Attorneys General, and *Clarence Clifton*, Associate Attorney, for the State of Mississippi, plaintiff. *Fred S. LeBlanc*, Attorney General, and *John L. Madden*, Assistant Attorney General, for the State of Louisiana, defendant. *L. Bryan Dabney* for Woolgar et al., movants.

No. 145. *MARCELLO v. BONDS, OFFICER IN CHARGE, U. S. IMMIGRATION AND NATURALIZATION SERVICE.* C. A. 5th Cir. Original petition for writ of certiorari granted. Supplemental petition denied. *Charles W. Kehl* for petitioner. *Solicitor General Sobeloff*, Assistant Attorney General *Olney*, *Beatrice Rosenberg* and *Robert G. Maysack* for respondent. Reported below: 212 F. 2d 830.

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No. 18, Misc. *MILLER v. HUMPHREY, WARDEN*;
No. 20, Misc. *COLLINS v. LOONEY, WARDEN*;
No. 54, Misc. *DARNELL v. LOONEY, WARDEN*;
No. 57, Misc. *PAGE v. DEPARTMENT OF CORRECTIONS AND ADULT AUTHORITY OF CALIFORNIA*;
No. 106, Misc. *MIMS v. LOONEY, WARDEN*;
No. 112, Misc. *BARNES v. KNIGHT ET AL.*;
No. 113, Misc. *WILLIAMS v. MICHIGAN*;
No. 119, Misc. *MORGAN v. MICHIGAN*;
No. 123, Misc. *EX PARTE SMITH*; and
No. 126, Misc. *EX PARTE SZTWIERTNIA*. Motions for leave to file petitions for writs of habeas corpus denied.

No. 76, Misc. *EX PARTE COMPTON*;
No. 77, Misc. *LEWIS v. ATTORNEY GENERAL OF THE UNITED STATES*; and
No. 122, Misc. *GLISSON v. MICHIGAN ET AL.* Motions for leave to file petitions for writs of mandamus denied.

No. 78, Misc. *BRINK v. UNITED STATES*; and
No. 116, Misc. *SCHUYLER v. NEW YORK ET AL.* Motions for leave to file petitions for writs of certiorari denied.

No. 91, Misc. *SLAGE v. BANNAN, WARDEN*. Motions for leave to file petitions for writs of certiorari and habeas corpus denied.

Probable Jurisdiction Noted.

No. 162. *UNITED STATES v. E. I. DU PONT DE NEMOURS & Co.* Appeal from the United States District Court for the District of Delaware. Probable jurisdiction noted. The motion to clarify and define the assignment of errors is denied. MR. JUSTICE CLARK took no part in the consideration or decision of these questions. *Solicitor General Sobeloff, Assistant Attorney General Barnes* and

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Charles H. Weston for the United States. *Gerhard A. Gesell* and *David C. Acheson* for appellee. Reported below: 118 F. Supp. 41.

Nos. 171 and 282. *SECRETARY OF AGRICULTURE v. UNITED STATES ET AL.*; and

Nos. 172 and 283. *UTAH POULTRY & FARMERS CO-OPERATIVE ET AL. v. UNITED STATES ET AL.* Appeals from the United States District Court for the District of Utah. Probable jurisdiction noted. *Robert L. Farrington* and *Neil Brooks* for the Secretary of Agriculture. *John H. Pratt* for the Utah Poultry & Farmers Cooperative, *Arthur C. O'Meara* and *John P. Staley* for Swift & Co., appellants in Nos. 172 and 283, and *Paul E. Blanchard* (in No. 172) and *Marcus Whiting* (in No. 283) for *Armour & Co.*, appellant. *Edward M. Reidy* and *Allen Crenshaw* for the Interstate Commerce Commission; and *Bryan P. Leverich*, *J. Edgar McDonald* and *William F. Zearfaus* for the Intervening Railroads, appellees. Reported below: 119 F. Supp. 846.

No. 204. *SOCIETY FOR SAVINGS IN THE CITY OF CLEVELAND v. PECK, TAX COMMISSIONER OF OHIO.* Appeal from the Supreme Court of Ohio. Probable jurisdiction noted. The Solicitor General is invited to file a brief as *amicus curiae*. MR. JUSTICE BURTON took no part in the consideration or decision of this question. *Charles W. Sellers* and *David A. Gaskill* for appellant. *C. William O'Neill*, Attorney General of Ohio, and *Joseph S. Gill*, First Assistant Attorney General, for appellee. Reported below: 161 Ohio St. 122, 118 N. E. 2d 651.

No. 220. *FIRST FEDERAL SAVINGS & LOAN ASSOCIATION OF WARREN v. BOWERS (SUCCESSOR TO PECK), TAX COMMISSIONER OF OHIO.* Appeal from the Supreme Court of Ohio. Probable jurisdiction noted. The Solicitor

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General is invited to file a brief as *amicus curiae*. MR. JUSTICE BURTON took no part in the consideration or decision of this question. *Robert G. Day* for appellant. *C. William O'Neill*, Attorney General of Ohio, and *Joseph S. Gill*, First Assistant Attorney General, for appellee. Reported below: 161 Ohio St. 149, 118 N. E. 2d 667.

Certiorari Granted. (See also Nos. 88 and 145, *supra*.)

No. 10. UNITED STATES *v.* OLYMPIC RADIO & TELEVISION, INC. Court of Claims. Certiorari granted. *Solicitor General Sobeloff*, *Robert L. Stern*, then Acting Solicitor General, and *Oscar H. Davis* for the United States. *Eugene Meacham* and *Fred R. Tansill* for respondent. Reported below: 124 Ct. Cl. 33, 39, 108 F. Supp. 109, 110 F. Supp. 600.

No. 32. CALIFORNIA EX REL. BROWN, ATTORNEY GENERAL, ET AL. *v.* ST. LOUIS UNION TRUST CO. St. Louis Court of Appeals of Missouri. Certiorari granted. *Edmund G. Brown*, Attorney General of California, and *Elizabeth Miller*, Deputy Attorney General, for petitioners. *Chas. D. Long* and *Milton Yawitz* for respondent. Reported below: — Mo. App. —, 260 S. W. 2d 821.

No. 55. INDIANA DEPARTMENT OF STATE REVENUE, GROSS INCOME TAX DIVISION, *v.* NEBEKER. Supreme Court of Indiana. Certiorari granted. *Edwin K. Steers*, Attorney General, and *Carl M. Franceschini*, *Cornelius G. Jamison* and *Lloyd C. Hutchinson*, Deputy Attorneys General, for petitioner. Respondent *pro se*. Reported below: 233 Ind. 58, 116 N. E. 2d 104.

No. 97. WEBER ET AL. *v.* ANHEUSER-BUSCH, INC. Supreme Court of Missouri. Certiorari granted. *Plato E. Papps* and *Robert A. Roessel* for petitioners. *Mark*

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D. Eagleton for respondent. Reported below: 364 Mo. 573, 265 S. W. 2d 325.

No. 125. *HARSH v. ILLINOIS TERMINAL RAILROAD CO.* Supreme Court of Illinois. Certiorari granted. *Morris B. Chapman* for petitioner. *George D. Burroughs* for respondent. Reported below: See 351 Ill. App. 272, 114 N. E. 2d 901.

No. 131. *WHITEHOUSE ET AL. v. ILLINOIS CENTRAL RAILROAD CO. ET AL.* C. A. 7th Cir. Certiorari granted. *Milton Kramer, Lester P. Schoene* and *Mozart G. Ratner* for petitioners. *John W. Foster, Herbert J. Deany* and *Joseph H. Wright* for the Illinois Central Railroad Co.; and *Kenneth F. Burgess* and *Walter J. Cummings, Jr.* for Carrier Members, National Railroad Adjustment Board, Third Division, respondents. Reported below: 212 F. 2d 22.

No. 150. *UNITED STATES EX REL. TOTH v. TALBOTT, SECRETARY OF THE AIR FORCE.* United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Al. Philip Kane, Charles V. Koons* and *William A. Kehoe, Jr.* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Chester W. Wilson* for respondent. *Ralph B. Gregg* filed a brief for the American Legion, as *amicus curiae*, supporting petitioner. Reported below: 94 U. S. App. D. C. —, 215 F. 2d 22.

No. 153. *SECURITIES AND EXCHANGE COMMISSION v. DREXEL & CO.* C. A. 2d Cir. Certiorari granted. *Solicitor General Sobeloff* and *William H. Timbers* for the Securities and Exchange Commission. *Henry S. Drinker, Thomas Reath* and *John Mulford* for respondent. Reported below: 210 F. 2d 585.

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No. 163. *LAWLOR ET AL., TRADING AS INDEPENDENT POSTER EXCHANGE, v. NATIONAL SCREEN SERVICE CORP. ET AL.* C. A. 3d Cir. Certiorari granted. *Francis Anderson* for petitioners. *Louis Nizer* for the National Screen Service Corporation, *Wm. A. Schnader* and *Earl G. Harrison* for Columbia Pictures Corporation, and *Louis J. Goffman* for Warner Bros. Pictures Distributing Corporation, respondents. Reported below: 211 F. 2d 934.

No. 203. *LEWIS v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Walter E. Gallagher* and *Myron G. Ehrlich* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Carl H. Imlay* for the United States. Reported below: 94 U. S. App. D. C. —, 214 F. 2d 853.

No. 213. *INDIAN TOWING CO., INC. ET AL. v. UNITED STATES.* C. A. 5th Cir. Certiorari granted. *Cicero C. Sessions* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Burger* and *Paul A. Sweeney* for the United States. Reported below: 211 F. 2d 886.

No. 261. *GRANVILLE-SMITH v. GRANVILLE-SMITH.* C. A. 3d Cir. Certiorari granted. *Abe Fortas, George H. T. Dudley* and *Milton V. Freeman* for petitioner. *Warren H. Young* for respondent. Reported below: 214 F. 2d 820.

No. 263. *UNITED STATES ET AL. v. CALIFORNIA EASTERN LINE, INC.* United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Solicitor General Sobeloff* for the United States and the Secretary of Commerce, petitioners. *Cletus Keating,*

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Harold B. Finn and Robert E. Kline, Jr. for respondent.
Reported below: 93 U. S. App. D. C. 289, 211 F. 2d 635.

No. 48. *SHOMBERG v. UNITED STATES.* C. A. 2d Cir.
Certiorari granted. *Alan Y. Cole and Max Schultz* for
petitioner. *Solicitor General Sobeloff, Assistant Attorney
General Olney and Beatrice Rosenberg* for the United
States. Reported below: 210 F. 2d 82.

No. 104. *UNITED STATES v. MENASCHE.* C. A. 1st Cir.
Certiorari granted. *Solicitor General Sobeloff* for the
United States. Reported below: 210 F. 2d 809.

No. 50. *BISSO, RECEIVER, v. INLAND WATERWAYS
CORP.* C. A. 5th Cir. Certiorari granted. *Eberhard P.
Deutsch and René H. Himel, Jr.* for petitioner. *Solicitor
General Sobeloff* for respondent. Reported below: 211
F. 2d 401.

No. 70. *BOSTON METALS Co. v. THE WINDING GULF
ET AL.* C. A. 4th Cir. Certiorari granted. *John H.
Skeen, Jr.* for petitioner. *Charles S. Bolster and Seymour
P. Edgerton* for respondents. Reported below: 209 F. 2d
410.

No. 210. *UNITED STATES v. NIELSON ET AL., TRADING
AS DAUNTLESS TOWING LINE.* C. A. 2d Cir. Certiorari
granted. *Solicitor General Sobeloff* for the United States.
Anthony V. Lynch, Jr. for respondents. Reported below:
209 F. 2d 958.

No. 69. *GONZALES v. UNITED STATES.* C. A. 6th Cir.
Certiorari granted. *Hayden C. Covington* for petitioner.
*Solicitor General Sobeloff, Assistant Attorney General
Olney, Robert S. Erdahl and J. F. Bishop* for the United
States. Reported below: 212 F. 2d 71.

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No. 164. *WITMER v. UNITED STATES*. C. A. 3d Cir. Certiorari granted. *Hayden C. Covington* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 213 F. 2d 95.

No. 250. *SICURELLA v. UNITED STATES*. C. A. 7th Cir. Certiorari granted. *Hayden C. Covington* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 213 F. 2d 911.

No. 251. *SIMMONS v. UNITED STATES*. C. A. 7th Cir. Certiorari granted. *Hayden C. Covington* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Carl H. Imlay* for the United States. Reported below: 213 F. 2d 901.

No. 80. *FEDERAL TRADE COMMISSION v. RHODES PHARMACAL CO., INC. ET AL.* C. A. 7th Cir. Certiorari granted. *Solicitor General Sobeloff* and *Earl W. Kintner* for petitioner. *Frank E. Gettleman, Arthur Gettleman* and *Edward Brodkey* for respondents. Reported below: 208 F. 2d 382.

No. 105. *O'NEILL v. BALTIMORE & OHIO RAILROAD CO.* C. A. 6th Cir. Certiorari granted. *C. Richard Grieser* for petitioner. *E. H. Burgess, Arvin J. Alexander, Robert F. Ebinger* and *Kenneth H. Ekin* for respondent. Reported below: 211 F. 2d 190.

No. 114. *GENERAL AMERICAN INVESTORS CO., INC. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari granted. *Norris Darrell* and *John F. Dooling, Jr.* for petitioner. *Solicitor General Sobeloff* for respondent. Reported below: 211 F. 2d 522.

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No. 199. COMMISSIONER OF INTERNAL REVENUE *v.* GLENSHAW GLASS CO. ET AL. C. A. 3d Cir. Certiorari granted. *Solicitor General Sobeloff* for petitioner. *Max Swire, Sidney B. Gambill and Joseph D. Block* for the Glenshaw Glass Co.; and *Samuel H. Levy* for William Goldman Theatres, Inc., respondents. Reported below: 211 F. 2d 928.

No. 173. AMALGAMATED CLOTHING WORKERS OF AMERICA ET AL. *v.* RICHMAN BROTHERS CO. C. A. 6th Cir. Certiorari granted. *William J. Isaacson* and *Louis H. Pollak* for petitioners. *Luther Day* for respondent. Reported below: 211 F. 2d 449.

No. 230. MITCHELL, SECRETARY OF LABOR, *v.* JOYCE AGENCY, INC. C. A. 7th Cir. Certiorari granted. *Solicitor General Sobeloff* for petitioner. *Stanford Clinton* for respondent. Reported below: 211 F. 2d 241.

No. 157. RYAN STEVEDORING CO., INC. *v.* PAN-ATLANTIC STEAMSHIP CORP. C. A. 2d Cir. Certiorari granted. Motion for leave to file brief of National Association of Stevedores, as *amicus curiae*, denied. *Sidney A. Schwartz* for petitioner. *Charles H. Lawson* for respondent. Reported below: 211 F. 2d 277.

No. 186. GENERAL DRIVERS, WAREHOUSEMEN AND HELPERS, LOCAL UNION No. 89, ET AL. *v.* AMERICAN TOBACCO CO., INC. Court of Appeals of Kentucky. Certiorari granted. The Solicitor General is invited to file a brief setting forth the views of the National Labor Relations Board. *Ralph H. Logan, David Previant, J. Albert Woll, Herbert S. Thatcher and James A. Glenn* for petitioners. *Nelson Helm, George W. Whiteside, Ralph D. Ray and Francis E. Koch* for respondent. Reported below: 264 S. W. 2d 250.

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No. 236. *PENNSYLVANIA v. NELSON*. Supreme Court of Pennsylvania, Western District. Certiorari granted. The Solicitor General is invited to file a brief setting forth the views of the Government. *Frank F. Truscott*, Attorney General of Pennsylvania, *Frank P. Lawley, Jr.* and *Harrington Adams*, Deputy Attorneys General, *William F. Cercone*, Special Deputy Attorney General, *Harry F. Stambaugh* and *Albert A. Fiok* for petitioner. *Victor Rabinowitz* for respondent. Briefs of *amici curiae* supporting petitioner were filed by *John Ben Shepperd*, Attorney General, and *John Atchison*, Assistant Attorney General, for the State of Texas; *George Fingold*, Attorney General, and *Lowell S. Nicholson*, *Samuel H. Cohen* and *Fred L. True, Jr.*, Assistant Attorneys General, for the State of Massachusetts; *Latham Castle*, Attorney General, and *Grenville Beardsley*, *John L. Davidson, Jr.* and *William C. Wines*, Assistant Attorneys General, for the State of Illinois; and *Louis C. Wyman*, Attorney General, for the State of New Hampshire, joined by the Attorneys General of the States of Arizona, Connecticut, Florida, Georgia, Indiana, Kansas, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Montana, Nebraska, Nevada, New Mexico, New York, North Carolina, Ohio, South Carolina, Tennessee, Virginia, Washington and Wisconsin. Reported below: 277 Pa. 58, 104 A. 2d 133.

No. 95, Misc. *BOUDOIN v. LYKES BROS. STEAMSHIP Co., INC.* C. A. 5th Cir. Certiorari granted. *Irwin William Rosenthal* for petitioner. *Joseph M. Rault* for respondent. Reported below: 211 F. 2d 618.

Certiorari Denied. (See also No. 145 and Misc. Nos. 78, 91 and 116, supra.)

No. 42. *TILLMAN v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. *Charles B. Evins*, *Heber T.*

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Dotson, Howard T. Savage and Earl E. Strayhorn for petitioner. Reported below: 1 Ill. 2d 525, 116 N. E. 2d 344.

No. 47. *PITTMAN v. UNITED STATES*. Court of Claims. Certiorari denied. *Ralph D. Pittman, pro se. Solicitor General Sobeloff, Assistant Attorney General Burger and Samuel D. Slade* for the United States. Reported below: 127 Ct. Cl. 173, 116 F. Supp. 576.

No. 56. *SMITH-DOUGLASS CO., INC. v. UNITED STATES*; and

No. 60. *UNITED STATES v. SMITH-DOUGLASS CO., INC.* Court of Claims. Certiorari denied. *Charles B. McInnis, Harold A. Kertz, Roger H. Muzzall and Irene Kennedy* for the Smith-Douglass Co., Inc. *Solicitor General Sobeloff* for the United States, and with him in No. 56 were *Assistant Attorney General Burger and Samuel D. Slade*. Reported below: 126 Ct. Cl. 758, 116 F. Supp. 570.

No. 57. *NATIONAL BEVERAGE LABORATORIES, INC. v. UNITED STATES*. Court of Claims. Certiorari denied. *Harold E. Marks, Henry W. Dieringer and Michael F. Mulcahy* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, Hilbert P. Zarky and Joseph F. Goetten* for the United States. Reported below: 126 Ct. Cl. 745, 116 F. Supp. 724.

No. 58. *JUNIOR TOY CORP. ET AL. v. UNITED STATES*. Court of Claims. Certiorari denied. *Harold E. Marks, Henry W. Dieringer and Michael F. Mulcahy* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, Hilbert P. Zarky and Joseph F. Goetten* for the United States. Reported below: 126 Ct. Cl. 681, 116 F. Supp. 730.

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No. 59. PACIFIC CONTACT LABORATORIES, INC. ET AL. *v.* SOLEX LABORATORIES, INC. C. A. 9th Cir. Certiorari denied. *Collins Mason* for petitioners. *Fred H. Miller* for respondent. Reported below: 209 F. 2d 529.

No. 61. CAPITAL TRANSIT CO. *v.* PUBLIC UTILITIES COMMISSION OF THE DISTRICT OF COLUMBIA ET AL.; and

No. 66. POTOMAC ELECTRIC POWER CO. *v.* CAPITAL TRANSIT CO. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Edmund L. Jones, F. Gloyd Awalt, Samuel O. Clark, Jr., W. V. T. Justis and F. Keith Kelly* for the Capital Transit Co. *Marx Leva* was with them in No. 61. *James Francis Reilly, Cornelius Means, T. Justin Moore and George D. Gibson* for the Potomac Electric Power Co. Reported below: 93 U. S. App. D. C. 194, 213 F. 2d 176.

No. 62. RENSTA, ADMINISTRATOR, ET AL. *v.* BEVERLY BEACH PROPERTIES, INC. ET AL. Supreme Court of Florida. Certiorari denied. *Carl A. Hiaasen* for petitioners. *William Gresham Ward and Stanley C. Myers* for Beverly Beach Properties, Inc., respondent. Reported below: 68 So. 2d 604.

No. 63. GIDEONS INTERNATIONAL ET AL. *v.* TUDOR. Supreme Court of New Jersey. Certiorari denied. *Jacob Stam and Charles S. Piepgrass* for petitioners. *Leo Pfeffer, Will Maslow and Shad Polier* for respondent. Reported below: 14 N. J. 31, 100 A. 2d 857.

No. 65. BROWN ET AL. *v.* BROWN. Supreme Court of Michigan. Certiorari denied. *William H. Brown and Eugene Gressman* for petitioners. Reported below: 338 Mich. 492, 61 N. W. 2d 656.

No. 67. HALL BROS. ET AL. *v.* CITY OF CLEVELAND ET AL. Supreme Court of Ohio. Certiorari denied. *Kent*

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Meyers for petitioners. Reported below: 161 Ohio St. 71, 117 N. E. 2d 705.

No. 68. *GLO COMPANY v. MURCHISON ET AL.* C. A. 5th Cir. Certiorari denied. *William C. Wines* for petitioner. *Luther M. Bickett* for Murchison et al.; and *James C. Denton, Jr.* and *M. D. Kirk* for Barnsdall Oil Co. et al., respondents. Reported below: 210 F. 2d 372.

No. 73. *SWEET v. UNITED STATES*;

No. 74. *CHOMIAK v. UNITED STATES*; and

No. 75. *CHARNOWOLA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *George W. Crockett, Jr.* for petitioners. *Ernest Goodman* was with him in No. 73. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 211 F. 2d 118.

No. 77. *EXCEL PACKING Co., Inc. v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Emmet A. Blaes* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger, Samuel D. Slade* and *Herman S. Greitzer* for the United States. Reported below: 210 F. 2d 596.

No. 78. *McCARTHY ET AL. v. CITY OF MANHATTAN BEACH*. Supreme Court of California. Certiorari denied. *T. B. Cosgrove, John N. Cramer* and *Leonard A. Diether* for petitioners. *Robert H. Dunlap, John W. Holmes* and *Emrys J. Ross* for respondent. Reported below: 41 Cal. 2d 879, 264 P. 2d 932.

No. 79. *LAS VEGAS MERCHANT PLUMBERS ASSOCIATION ET AL. v. UNITED STATES*; and

No. 84. *ALSUP v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Alexander H. Schullman* for peti-

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tioners in No. 79. *Toy R. Gregory* for petitioner in No. 84. *Solicitor General Sobeloff, Assistant Attorney General Barnes, Ralph S. Spritzer* and *Daniel M. Friedman* for the United States. Reported below: 210 F. 2d 732.

No. 82. *SINISCAL ET AL. v. UNITED STATES, AS TRUSTEE ETC., ET AL.* C. A. 9th Cir. Certiorari denied. *John C. Veatch* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Morton, Roger P. Marquis* and *Fred W. Smith* for the United States. Reported below: 208 F. 2d 406.

No. 83. *HOUSING AUTHORITY OF THE CITY OF DALLAS v. THOMAS ET UX.* Supreme Court of Texas. Certiorari denied. *H. P. Kucera* for petitioner. *Mike McKool* and *Bert Bader* for respondents. Reported below: 153 Tex. —, 264 S. W. 2d 93.

No. 85. *ARTUKOVIC v. IVANCEVIC, CONSUL GENERAL OF THE FEDERAL PEOPLES' REPUBLIC OF YUGOSLAVIA, ET AL.* C. A. 9th Cir. Certiorari denied. *Robert T. Reynolds* for petitioner. *Lawrence S. Lesser* for respondents. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Carl H. Imlay* filed a brief for the United States, as *amicus curiae*, urging that the petition for a writ of certiorari be denied. Reported below: 211 F. 2d 565.

No. 86. *COLORADO INTERSTATE GAS Co. v. FEDERAL POWER COMMISSION.* C. A. 10th Cir. Certiorari denied. *James Lawrence White, William A. Dougherty, John P. Akolt, Sr., John R. Turnquist, Charles E. McGee* and *Lewis M. Poe* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger, Melvin Richter, Willard W. Gatchell, Reuben Goldberg* and *Jacob Goldberg* for respondent. Reported below: 209 F. 2d 717, 732.

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No. 90. *WOLIN ET AL. v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. *Armistead L. Boothe, Thurman Arnold and Milton V. Freeman* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and John R. Wilkins* for the United States. Reported below: 211 F. 2d 770.

No. 91. *WILLIAMS v. ROBBINS, ADMINISTRATOR, RECONSTRUCTION FINANCE CORPORATION.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Keith L. Seegmiller and Irving Wilner* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger and Paul A. Sweeney* for respondent. Reported below: 93 U. S. App. D. C. 380, 210 F. 2d 874.

No. 92. *SCHMIDT v. CROWELL-COLIER PUBLISHING CO. ET AL.* C. A. 7th Cir. Certiorari denied. *Jay E. Darlington* for petitioner. *Thomas L. Marshall* for the Crowell-Collier Publishing Co., respondent. Reported below: 210 F. 2d 908.

No. 93. *SCHMIDT v. READER'S DIGEST ASSOCIATION, INC.* C. A. 7th Cir. Certiorari denied. *Jay E. Darlington* for petitioner. *Thomas L. Marshall* for respondent. Reported below: 210 F. 2d 908.

No. 94. *SCHMIDT v. ESQUIRE, INC.* C. A. 7th Cir. Certiorari denied. *Jay E. Darlington* for petitioner. *Le Roy Russell Krein* for respondent. Reported below: 210 F. 2d 908.

No. 95. *BLACK, ADMINISTRATRIX, v. LOCKHART, COLLECTOR OF INTERNAL REVENUE.* C. A. 8th Cir. Certiorari denied. *William C. Wines* for petitioner. *Solicitor*

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General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, A. F. Prescott and Joseph F. Goetten for respondent. Reported below: 209 F. 2d 308.

No. 96. *COMPAGNIE NATIONALE AIR FRANCE v. KOMLOS, ADMINISTRATRIX.* C. A. 2d Cir. Certiorari denied. *Frank J. Foley* for petitioner. *Theodore E. Wolcott* and *Frederick W. Scholem* for respondent. Reported below: 209 F. 2d 436.

No. 98. *NESEN v. NATIONAL LABOR RELATIONS BOARD.* C. A. 9th Cir. Certiorari denied. *Frederick A. Potruch* and *Erwin Lerten* for petitioner. *Solicitor General Sobeloff, George J. Bott, David P. Findling* and *Dominick L. Manoli* for respondent. Reported below: 211 F. 2d 559.

No. 99. *UNITED CORPORATION v. SECURITIES AND EXCHANGE COMMISSION.* C. A. 3d Cir. Certiorari denied. *Richard Joyce Smith, William S. Potter* and *William R. Sherwood* for petitioner. *Solicitor General Sobeloff* and *William H. Timbers* for respondent. Reported below: 211 F. 2d 231.

No. 101. *VICTRYLITE CANDLE CO. ET AL. v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. *Edward Brodkey, Frank E. Gentleman, Arthur Gentleman* and *Horace A. Young* for the Victrylite Candle Co., petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Robert G. Maysack* for the United States.

No. 102. *HOTPOINT COMPANY v. UNITED STATES.* Court of Claims. Certiorari denied. *Ednyfed H. Williams* and *John M. Leonard, Jr.* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger* and *Samuel D. Slade* for the United States. Reported below: 127 Ct. Cl. 402, 117 F. Supp. 572.

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No. 103. *TURNER v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *De Long Harris* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: — U. S. App. D. C. —, 211 F. 2d 652.

No. 107. *GEIGY CO., INC. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 9th Cir. Certiorari denied. *Richard Ernst* for petitioner. *Solicitor General Sobeloff, George J. Bott, David P. Findling, Dominick L. Manoli and Samuel M. Singer* for respondent. Reported below: 211 F. 2d 553.

No. 108. *BORIN, DOING BUSINESS AS WICHITA PACKING CO., v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Herman A. Greenberg and W. J. Holt* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger and Paul A. Sweeney* for the United States. *Moses Lasky* filed a brief for the Western States Meat Packers Association, Inc., as *amicus curiae*, supporting petitioner. Reported below: 209 F. 2d 145.

No. 110. *BRIDOUX v. EASTERN AIR LINES, INC.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Brainard H. Warner III* for petitioner. *Joseph W. Henderson, Richard W. Galigher and John M. Aherne* for respondent. Reported below: 93 U. S. App. D. C. 369, 214 F. 2d 207.

No. 112. *WALDRIP v. HUDSON SALES CORP.* C. A. 5th Cir. Certiorari denied. *Hobert Price* for petitioner. *John W. Rutland, Jr.* for respondent. Reported below: 211 F. 2d 268.

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No. 113. *DOLMAGE v. CHICAGO, ROCK ISLAND & PACIFIC RAILROAD Co.* Supreme Court of Minnesota. Certiorari denied. *Donald A. Chapman* for petitioner. *Eaton Adams, Robert O. Sullivan and Arthur J. Donnelly* for respondent. Reported below: 241 Minn. —, 63 N. W. 2d 273.

No. 122. *HARRIS v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 211 F. 2d 656.

No. 123. *OSBORNE v. OWSLEY, SHERIFF.* Supreme Court of Missouri. Certiorari denied. *John T. Barker* for petitioner. *David M. Proctor, Jr. and Richard K. Phelps* for respondent. Reported below: 364 Mo. 544, 264 S. W. 2d 332.

No. 124. *LOCAL No. 3, UNITED PACKINGHOUSE WORKERS OF AMERICA, CIO, v. WILSON & Co., INC. ET AL.* C. A. 8th Cir. Certiorari denied. *Arthur J. Goldberg, Thomas E. Harris, Eugene Cotton and Allen Heald* for petitioner. *Solicitor General Sobeloff and George J. Bott* for the National Labor Relations Board; and *Francis X. Reilly, Jr.* for Wilson & Co., Inc., respondents. Reported below: 210 F. 2d 325.

No. 128. *PROCTOR ELECTRIC CORP. v. MASLO MANUFACTURING CORP.* Supreme Court of Pennsylvania, Eastern District. Certiorari denied. *Ira Jewell Williams and Thomas Raeburn White* for petitioner. *Bertram Bennett* for respondent. Reported below: 376 Pa. 553, 103 A. 2d 743.

No. 129. *SAN JUAN TRADING Co., INC. v. MEXICAN STEAMSHIP MARMEX ET AL.* C. A. 1st Cir. Certiorari

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denied. *L. E. Dubon* for petitioner. *James R. Beverley* for respondents. Reported below: 212 F. 2d 206.

No. 134. *GULF-TIDE STEVEDORES, INC. ET AL. v. VORIS, DEPUTY COMMISSIONER.* C. A. 5th Cir. Certiorari denied. *John R. Brown* and *E. D. Vickery* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Burger, Samuel D. Slade* and *Benjamin Forman* for respondent. Reported below: 211 F. 2d 549.

No. 137. *ILLINOIS COMMERCE COMMISSION v. ILLINOIS CENTRAL RAILROAD CO.* Supreme Court of Illinois. Certiorari denied. *Latham Castle*, Attorney General of Illinois, and *Grenville Beardsley, John L. Davidson, Jr.* and *William C. Wines*, Assistant Attorneys General, for petitioner. *John W. Foster, Joseph H. Wright* and *Herbert J. Deany* for respondent. Reported below: 2 Ill. 2d 382, 118 N. E. 2d 435.

No. 138. *EXCEL AUTO RADIATOR CO. v. BISHOP & BABCOCK MANUFACTURING CO.* C. A. 6th Cir. Certiorari denied. *Benton Baker* and *Max W. Zabel* for petitioner. *John H. Watson, Jr., John T. Scott* and *Arthur H. Boettcher* for respondent. Reported below: 212 F. 2d 586.

No. 139. *PAUL A. STRAUB & CO., INC. v. UNITED STATES.* United States Court of Customs and Patent Appeals. Certiorari denied. *John D. Rode* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger, John R. Benney, Paul A. Sweeney* and *Herman Marcuse* for the United States. Reported below: 41 C. C. P. A. (Cust.) 209.

No. 141. *FAMOUS REALTY, INC. v. MITCHELL, SECRETARY OF LABOR.* C. A. 2d Cir. Certiorari denied. *L. Agnew Myers, Jr.* for petitioner. *Solicitor General*

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Sobeloff, Bessie Margolin and Sylvia S. Ellison for respondent. Reported below: 211 F. 2d 198.

No. 142. UNITED MINE WORKERS OF AMERICA ET AL. v. PATTON ET AL., DOING BUSINESS AS LAUREL BRANCH COAL CO. C. A. 4th Cir. Certiorari denied. *Harrison Combs and M. E. Boiarsky* for petitioners. *Fred B. Greear* for respondents. Reported below: 211 F. 2d 742.

No. 143. KEARNEY-TRECKER EMPLOYEES LOCAL 1083, U. A. W.-C. I. O. v. NATIONAL LABOR RELATIONS BOARD ET AL. C. A. 7th Cir. Certiorari denied. *Max Raskin* for petitioner. *Solicitor General Sobeloff* and *George J. Bott* for the National Labor Relations Board; and *Leon B. Lamfrom* and *Helen F. Humphrey* for the Kearney & Trecker Corporation, respondents. Reported below: 210 F. 2d 852.

No. 144. COLLINS v. COLLINS. Supreme Court of Pennsylvania, Western District. Certiorari denied. *Craig T. Stockdale* for petitioner. Reported below: See 175 Pa. Super. 214, 103 A. 2d 494.

No. 146. MATHER v. JONATHAN WOODNER CO. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Nathan M. Lubar, Jack L. Friedlander* and *Leonard S. Melrod* for petitioner. *Louis M. Denit, Thomas S. Jackson* and *Martin R. Fain* for respondent. Reported below: 93 U. S. App. D. C. 234, 210 F. 2d 868.

No. 148. MARCUS v. UNITED STATES. C. A. 7th Cir. Certiorari denied. *Eugene A. Tappy* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 213 F. 2d 230.

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No. 149. *GLOVER ET AL. v. OFFICERS AND MINISTER OF THE CONGREGATIONAL CHURCH OF HARTFORD, KNOWN AS THE CENTER CHURCH.* Supreme Court of Errors of Connecticut. Certiorari denied. *Edward McFadden, Jr.* for petitioners. *Valentine J. Sacco* for respondents.

No. 151. *NILVA ET AL. v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. *Ross O'Donoghue, Robert M. Scott* and *John W. Graff* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Carl H. Imlay* for the United States. Reported below: 212 F. 2d 115.

No. 154. *JOHNSON ET AL. v. SECURITIES AND EXCHANGE COMMISSION ET AL.* C. A. 2d Cir. Certiorari denied. *John J. Burns* for petitioners. *Solicitor General Sobeloff and William H. Timbers* for the Securities and Exchange Commission; and *Daniel James* for the Electric Power & Light Corporation, respondents. Reported below: 210 F. 2d 585.

No. 155. *LATTA v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 3d Cir. Certiorari denied. *C. Brewster Rhoads* and *Donald McDonald* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, John R. Benney, Ellis N. Slack* and *L. W. Post* for respondent. Reported below: 212 F. 2d 164.

No. 156. *AIR DEVICES, INC. v. AIR FACTORS, INC. ET AL.* C. A. 9th Cir. Certiorari denied. *James C. Ledbetter* for petitioner. *C. A. Miketta* for respondents. Reported below: 210 F. 2d 481.

No. 158. *QUALITY EGG SHIPPERS, INC. ET AL. v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. *Irving M. Wolff* for petitioners. *Solicitor General So-*

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beloff, Assistant Attorney General Olney, Beatrice Rosenberg and Joseph A. Barry for the United States. Reported below: 212 F. 2d 417.

No. 160. *AGHNIDES v. GOODRIE ET AL.* C. A. 7th Cir. Certiorari denied. *Albert L. Ely* for petitioner. *Harry W. Lindsey, Jr.* and *Albert J. Fihe* for respondents. Reported below: 210 F. 2d 859.

No. 165. *FORT WORTH & DENVER RAILWAY Co. v. PRINE.* C. A. 5th Cir. Certiorari denied. *L. A. White* for petitioner. *George S. McCarthy, John H. Merchant* and *J. O. Fitzjarrald* for respondent. Reported below: 211 F. 2d 697.

No. 168. *FORTEE PROPERTIES, INC. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 2d Cir. Certiorari denied. *Irwin D. Shapiro* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack* and *Robert N. Anderson* for respondent. Reported below: 211 F. 2d 915.

No. 169. *MARACHOWSKY ET AL. v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. *David A. Cane* and *Jacob Geffs* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Edward S. Szukelewicz* for the United States. Reported below: 213 F. 2d 235.

No. 170. *SULLI v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *John R. Parkhill* and *Miles H. Draper* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 213 F. 2d 100.

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No. 178. *ROBERTS v. EATON ET AL.* C. A. 2d Cir. Certiorari denied. *Henry H. Shepard* and *Murray C. Bernays* for petitioner. *Inzer B. Wyatt* and *Francis Elwood Barkman* for respondents. Reported below: 212 F. 2d 82.

No. 181. *McCULLAGH v. HOUSTON CHRONICLE PUBLISHING CO.* C. A. 5th Cir. Certiorari denied. *Bennett B. Patterson* for petitioner. Reported below: 211 F. 2d 4.

No. 187. *PORTFOLIO v. UNITED STATES.* Court of Claims. Certiorari denied. *Jeremiah T. Mahoney* and *Francis T. Nemac* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Holland*, *Ellis N. Slack* and *Elizabeth B. Davis* for the United States. Reported below: 127 Ct. Cl. 536, 118 F. Supp. 367.

No. 188. *NICHOLS ET AL. v. LONG ISLAND LIGHTING CO. ET AL.* C. A. 2d Cir. Certiorari denied. *Harold G. Aron* for petitioners. *Solicitor General Sobeloff*, *William H. Timbers* and *Aaron Levy* for the Securities and Exchange Commission; and *David K. Kadane* for the Long Island Lighting Co., respondents. Reported below: 211 F. 2d 392.

No. 192. *UNITED STATES EX REL. IMPASTATO v. O'ROURKE, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE.* C. A. 8th Cir. Certiorari denied. *James Daleo* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Robert G. Maysack* for respondent. Reported below: 211 F. 2d 609.

No. 193. *MILLIKEN ET AL. v. GILL, DIRECTOR OF INTERNAL REVENUE, ET AL.* C. A. 4th Cir. Certiorari denied. *Kenneth D. Thomas* for petitioners. *Solicitor*

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General Sobeloff, Assistant Attorney General Holland and Ellis N. Slack for respondents. Reported below: 211 F. 2d 869.

No. 194. *GREGORY RUN COAL CO. ET AL. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 4th Cir. Certiorari denied. *Sidney B. Gambill* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, Hilbert P. Zarky and Robert B. Ross* for respondent. Reported below: 212 F. 2d 52.

No. 259. *COMMISSIONER OF INTERNAL REVENUE v. B. H. SWANEY & SONS, INC. ET AL.* C. A. 4th Cir. Certiorari denied. *Solicitor General Sobeloff* for petitioner. *Arch M. Cantrall and W. G. Stathers* for respondents. Reported below: 212 F. 2d 52.

No. 195. *CONSER v. ATCHISON, TOPEKA & SANTA FE RAILWAY CO.* Supreme Court of Missouri. Certiorari denied. *Francis H. Monek and Melvin L. Griffith* for petitioner. *Richmond C. Coburn* for respondent. Reported below: 266 S. W. 2d 587.

No. 196. *HARRISON v. PARAMOUNT PICTURES, INC. ET AL.* C. A. 3d Cir. Certiorari denied. *Harry Norman Ball* for petitioner. *Wm. A. Schnader and Earl G. Harrison* for Paramount Film Distributing Corp. et al., and *Louis G. Goffman* for Warner Bros. Pictures Distributing Corp. et al., respondents. Reported below: 211 F. 2d 405.

No. 197. *HADJIPATERAS ET AL. v. AMERICAN TOBACCO CO. ET AL.* C. A. 2d Cir. Certiorari denied. *Paul V. McNutt* for petitioners. *John W. R. Zisgen and Henry N. Longley* for respondents. Reported below: 211 F. 2d 666.

No. 198. *SILVERMAN v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Roy C. Frank* for petitioner. *Solicitor*

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tor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Joseph A. Barry for the United States. Reported below: 213 F. 2d 405.

No. 200. *TEXAS COMPANY v. UNITED STATES ET AL.* C. A. 2d Cir. Certiorari denied. *John C. Crawley* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger* and *Samuel D. Slade* for the United States. Reported below: 213 F. 2d 479.

No. 202. *PARMA WATER LIFTER Co. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 9th Cir. Certiorari denied. *A. T. Fredricks* for petitioner. *Solicitor General Sobeloff, George J. Bott, David P. Findling* and *Dominick L. Manoli* for respondent. Reported below: 211 F. 2d 258.

No. 205. *COMMISSIONER OF INTERNAL REVENUE v. GOFF ET AL.* C. A. 3d Cir. Certiorari denied. *Solicitor General Sobeloff* for petitioner. *Monte Appel* for respondents. Reported below: 212 F. 2d 875.

No. 206. *COMMISSIONER OF INTERNAL REVENUE v. RAY ET UX.* C. A. 5th Cir. Certiorari denied. *Solicitor General Sobeloff* for petitioner. *Irving L. Goldberg* for respondents. Reported below: 210 F. 2d 390.

No. 207. *COMMISSIONER OF INTERNAL REVENUE v. MCCUE BROS. & DRUMMOND, INC.* C. A. 2d Cir. Certiorari denied. *Solicitor General Sobeloff* for petitioner. *Murray F. Johnson* for respondent. Reported below: 210 F. 2d 752.

No. 208. *WILEMON ET AL. v. CITY AND COUNTY OF DALLAS LEVEE IMPROVEMENT DISTRICT ET AL.* Court of Civil Appeals of Texas, Eighth Supreme Judicial District. Certiorari denied. *M. M. Wade* for petitioners. *H. Bascom Thomas, Jr.* for respondents. Reported below: 264 S. W. 2d 543.

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No. 211. *LAGUANA v. ANSELL, ACTING TAX COMMISSIONER AND ACTING TREASURER, GOVERNMENT OF GUAM, ET AL.* C. A. 9th Cir. Certiorari denied. *Albert A. Spiegel* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, I. Henry Kutz and A. M. Edwards* for respondents, and *Howard D. Porter*, Attorney General of Guam, for Ansell, respondent. Reported below: 212 F. 2d 207.

No. 212. *LEVINE, EXECUTOR, v. UNITED STATES ET AL.* C. A. 2d Cir. Certiorari denied. *M. Jay Meckler* for petitioner. *Solicitor General Sobeloff* for the United States. Reported below: 210 F. 2d 954.

No. 214. *INDUSTRIAL COMMISSIONER OF NEW YORK v. SWORD LINE, INC.* C. A. 2d Cir. Certiorari denied. *Nathaniel L. Goldstein*, Attorney General of New York, *Wendell P. Brown*, Solicitor General, and *Francis R. Curran and Samuel Stern*, Assistant Attorneys General, for petitioner. *Paul D. Miller* for respondent. Reported below: 212 F. 2d 865.

No. 216. *CHICAGO, BURLINGTON & QUINCY RAILROAD Co. v. BONNIER.* Supreme Court of Illinois. Certiorari denied. *Eldon Martin and Andrew C. Scott* for petitioner. *James A. Dooley* for respondent. Reported below: 2 Ill. 2d 606, 119 N. E. 2d 254.

No. 217. *BRENNAN v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *George B. Young and John Paul Stevens* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: — U. S. App. D. C. —, 214 F. 2d 268.

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No. 218. STANDARD GAS & ELECTRIC CO. *v.* SECURITIES AND EXCHANGE COMMISSION ET AL. C. A. 8th Cir. Certiorari denied. *Paul D. Miller* and *Bernard Nemtzow* for petitioner. *Solicitor General Sobeloff*, *William H. Timbers* and *Ellwood L. Englander* for the Securities and Exchange Commission, respondent. Reported below: 212 F. 2d 407.

No. 221. MURPHY CORPORATION ET AL. *v.* FONTENOT, COLLECTOR OF REVENUE OF LOUISIANA. Supreme Court of Louisiana. Certiorari denied. *Clyde R. Brown* and *Clarence L. Yancey* for petitioners. Reported below: 225 La. 379, 73 So. 2d 180.

No. 222. BENSON ET AL., DOING BUSINESS AS BENSON SCAFFOLD MANUFACTURING CO., *v.* HUTTO ET AL. C. A. 6th Cir. Certiorari denied. *H. H. McCampbell, Jr.* for petitioners. *Jesse C. Parks, Jr.* for Hutto; and *Erma G. Greenwood* and *Russell R. Kramer* for the Newark Insurance Co., respondents. Reported below: 212 F. 2d 349.

No. 223. OHIO WATER SERVICE CO. *v.* MAHONING VALLEY SANITARY DISTRICT. Supreme Court of Ohio. Certiorari denied. *James E. Mitchell* for petitioner. *Frank Harrison* and *Henry J. Crawford* for respondent. Reported below: 161 Ohio St. 259, 119 N. E. 2d 61.

No. 224. CITY OF NILES *v.* MAHONING VALLEY SANITARY DISTRICT. Supreme Court of Ohio. Certiorari denied. *David C. Haynes* for petitioner. *Frank Harrison* and *Henry J. Crawford* for respondent. Reported below: 161 Ohio St. 259, 119 N. E. 2d 61.

No. 225. BAETICH *v.* HOBBY, SECRETARY, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE. C. A. 2d

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Cir. Certiorari denied. *Samuel Gottlieb* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger, Samuel D. Slade* and *Herman Marcuse* for respondent. Reported below: 212 F. 2d 480.

No. 226. *THEARD v. LOUISIANA STATE BAR ASSOCIATION*. Supreme Court of Louisiana. Certiorari denied. *Charles J. Rivet* for petitioner. Reported below: 225 La. 98, 72 So. 2d 310.

No. 227. *DOBRY FLOUR MILLS, INC. v. CHICAGO, ROCK ISLAND & PACIFIC RAILROAD CO.* C. A. 10th Cir. Certiorari denied. *Duke Duvall* for petitioner. Reported below: 211 F. 2d 785.

No. 228. *KAYE ET AL. v. FLORIDA*. Supreme Court of Florida. Certiorari denied. *Mayer Goldberg* and *George C. Dayton* for petitioners. Reported below: 72 So. 2d 400.

No. 229. *RICKENBAKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack* and *David L. Luce* for the United States. Reported below: 214 F. 2d 2.

No. 231. *ESTATE OF SCADRON v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. *Sylvia D. Levy* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack* and *S. Dee Hanson* for respondent. Reported below: 212 F. 2d 188.

No. 234. *REYNOLDS v. ROLL, DISTRICT ATTORNEY*. District Court of Appeal of California, Second Appellate

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District. Certiorari denied. *Morris Lavine* for petitioner. Reported below: 122 Cal. App. 2d 826, 266 P. 2d 222.

No. 235. *ROBINSON v. ALABAMA*. Court of Appeals of Alabama. Certiorari denied. Reported below: 37 Ala. App. 403, 71 So. 2d 843.

No. 238. *HUDSPETH COUNTY CONSERVATION AND RECLAMATION DISTRICT No. 1 ET AL. v. ROBBINS ET AL.* C. A. 5th Cir. Certiorari denied. *Thurman Arnold* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Morton, Roger P. Marquis and Fred W. Smith* for Robbins et al.; and *Eugene T. Edwards* for Lovelady et al., and *Frederic K. Gray* for Thompson et al., respondents. Reported below: 213 F. 2d 425.

No. 239. *HOMEDALE TRACTOR & EQUIPMENT Co. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 9th Cir. Certiorari denied. *Oscar W. Worthwine* for petitioner. *Solicitor General Sobeloff, George J. Bott, David P. Findling, Dominick L. Manoli and Nancy M. Sherman* for respondent. Reported below: 211 F. 2d 309.

No. 240. *CARROLL VOCATIONAL INSTITUTE ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Owen George* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Burger and Samuel D. Slade* for the United States. *Jacob M. Lashly and Paul B. Rava* filed a brief, as *amici curiae*, for the General Trades School, Inc. et al., supporting petitioners. Reported below: 211 F. 2d 539.

No. 241. *KLEIN ET AL., SURVIVING TRUSTEES, v. EQUITY INVESTMENT Co.* C. A. 3d Cir. Certiorari denied. *Ed-*

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ward H. Cushman for petitioners. *Joseph W. Henderson* and *Thomas F. Mount* for respondent. Reported below: 212 F. 2d 676.

No. 242. *HILLCREEA EXPORT & IMPORT CO., INC. ET AL. v. UNIVERSAL INSURANCE CO.* C. A. 2d Cir. Certiorari denied. *Alfred B. Nathan* for petitioners. *Martin Detels* and *Vincent L. Leibell, Jr.* for respondent. Reported below: 212 F. 2d 206.

No. 243. *BUTLER v. SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO.* Supreme Court of California. Certiorari denied. *Alvin Gershenson* for petitioner.

No. 244. *RIVERCLIFF CO., INC. v. LINEBARGER ET AL., DOING BUSINESS AS LINEBARGER CONSTRUCTION CO., ET AL.* Supreme Court of Arkansas. Certiorari denied. *William H. Donham* for petitioner. *E. Chas. Eichenbaum* and *Edward L. Wright* for respondents. Reported below: 223 Ark. 105, 264 S. W. 2d 842.

No. 245. *KESSLER v. FAUQUIER NATIONAL BANK, ADMINISTRATOR, ET AL.* Supreme Court of Appeals of Virginia. Certiorari denied. *Marcus Borchardt* for petitioner. *John A. K. Donovan, Cornelius H. Doherty* and *Philip N. Brophy* for respondents. Reported below: 195 Va. 1095, 81 S. E. 2d 440.

No. 247. *UNITED STATES v. SOUTHEASTERN OIL FLORIDA, INC. ET AL.* Court of Claims. Certiorari denied. *Solicitor General Sobeloff* for the United States. *J. Franklin Fort* for respondents. Reported below: 127 Ct. Cl. 409, 119 F. Supp. 731.

No. 248. *UNITED STATES v. CLAPP.* Court of Claims. Certiorari denied. *Solicitor General Sobeloff* for the

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United States. *Charles D. Hamel* and *James P. Jones* for respondent. Reported below: 127 Ct. Cl. 505, 117 F. Supp. 576.

No. 253. *O'Brien v. Equitable Life Assurance Society*. C. A. 8th Cir. Certiorari denied. *Carll V. Kretzinger* for petitioner. *Henry I. Eager* and *Charles B. Blackmar* for respondent. Reported below: 212 F. 2d 383.

No. 254. *Jensen v. United States*. C. A. 8th Cir. Certiorari denied. *Alan Loth* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Joseph A. Barry* for the United States. Reported below: 213 F. 2d 781.

No. 255. *Blackfeet and Gros Ventre Tribes of Indians v. United States*. Court of Claims. Certiorari denied. *Ernest L. Wilkinson* and *Francis M. Goodwin* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Morton, Roger P. Marquis* and *Fred W. Smith* for the United States. Reported below: 127 Ct. Cl. 807, 119 F. Supp. 161.

No. 256. *Ajamian v. Schlanger et al., trading as I. Schlanger & Co.* Supreme Court of New Jersey. Certiorari denied. Petitioner *pro se*. *Isadore Glauber* for respondents. Reported below: 14 N. J. 483, 103 A. 2d 9.

No. 257. *Hoxsey Cancer Clinic et al. v. United States*. C. A. 5th Cir. Certiorari denied. *James H. Martin* for petitioners. *Solicitor General Sobeloff* for the United States. Reported below: 212 F. 2d 439.

No. 258. *Funk v. Seaboard Air Line Railway Co.* C. A. 5th Cir. Certiorari denied. *G. Seals Aiken* for

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petitioner. *Robert S. Sams* for respondent. Reported below: 212 F. 2d 434.

No. 264. *INTERSTATE COMMERCE COMMISSION v. ALLEN E. KROBLIN, INC.* C. A. 8th Cir. Certiorari denied. *Edward M. Reidy* and *Allen Crenshaw* for petitioner. *Harry M. Reed* for respondent. Reported below: 212 F. 2d 555.

No. 265. *BAYSEK v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. *Joseph A. Rossi* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Joseph A. Barry* for the United States. Reported below: 212 F. 2d 446.

No. 266. *HESS ET AL. v. DEWEY, COMMISSIONER OF TAXATION OF ALASKA.* C. A. 9th Cir. Certiorari denied. *H. L. Faulkner* for petitioners. Reported below: 213 F. 2d 635.

No. 267. *NEW YORK LIFE INSURANCE CO. v. JOHNSON, ADMINISTRATOR.* C. A. 7th Cir. Certiorari denied. *Harold D. Burgess* and *William F. Columbus* for petitioner. Reported below: 212 F. 2d 256.

No. 268. *VAUGHAN v. BRANDON, BRANDON, HORNSBY & HANDY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 209 F. 2d 954.

No. 269. *SPRECKELS v. CALIFORNIA.* District Court of Appeal of California, Fourth Appellate District. Certiorari denied. *Isaac E. Ferguson, Daniel Schnabel and Royal M. Galvin* for petitioner. Reported below: 125 Cal. App. 2d 507, 270 P. 2d 513.

No. 272. *ANDERSON ET AL. v. MCKAY, SECRETARY OF THE INTERIOR.* United States Court of Appeals for

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the District of Columbia Circuit. Certiorari denied. *Charles B. McInnis, Warren Woods, Roger H. Muzzall, Hulette F. Aby, Irene Kennedy and Ernest Callomon* for petitioners. *Solicitor General Sobeloff* and *Assistant Attorney General Morton* for respondent. Reported below: 94 U. S. App. D. C. —, 211 F. 2d 798.

No. 273. INTERNATIONAL ALUMINUM WINDOW CORP. ET AL. v. FERRI. Supreme Court of Florida. Certiorari denied. *William G. Wall* for petitioners. *E. F. P. Brigham* for respondent. Reported below: 72 So. 2d 31.

No. 275. DR. SALSBURY'S LABORATORIES v. I. D. RUSSELL CO. LABORATORIES ET AL. C. A. 8th Cir. Certiorari denied. *Giles Sutherland Rich* for petitioner. *Charles J. Merriam* for respondents. Reported below: 212 F. 2d 414.

No. 276. SUPERIOR OIL CO. ET AL. v. FONTENOT, COLLECTOR OF REVENUE OF LOUISIANA. C. A. 5th Cir. Certiorari denied. *Cullen R. Liskow* for petitioners. Reported below: 213 F. 2d 565.

No. 46. KUCZYNSKI v. BURKE, WARDEN. Supreme Court of Wisconsin. Certiorari denied.

No. 72. BRADDOCK v. CALIFORNIA. Supreme Court of California. Certiorari denied. *Morris Lavine* and *Arthur F. Larrabee* for petitioner. Reported below: 41 Cal. 2d 794, 264 P. 2d 521.

No. 127. PARSONS v. TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. *O. B. Fisher, C. C. McDonald* and *Dan Moody* for petitioner. *John Ben Shepperd*, Attorney General of Texas, and *Rudy G. Rice*, Assistant Attorney General, for respondent. Reported below: 160 Tex. Cr. R. —, 271 S. W. 2d 643.

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No. 132. *RUMSA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *John O'C. FitzGerald* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 212 F. 2d 927.

No. 140. *REDDING v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. *Woodrow Seals* for petitioner. *John Ben Shepperd*, Attorney General of Texas, and *Rudy G. Rice, Katherine W. Conti* and *Horace Wimberly*, Assistant Attorneys General, for respondent. Reported below: 159 Tex. Cr. R. 535, 265 S. W. 2d 811.

No. 147. *REESE ET AL. v. WOOD ET AL.* Supreme Court of Louisiana. Certiorari denied. *Gerard Harold Schreiber* for petitioners. Reported below: 224 La. 975, 71 So. 2d 537.

No. 76. *VENZEL v. UNITED STATES STEEL Co.* C. A. 6th Cir. Motion for leave to file brief of International Union, United Automobile, Aircraft & Agricultural Implement Workers of America, UAW-CIO, as *amicus curiae*, denied. Certiorari denied. *Arthur J. Goldberg* for petitioner. *James C. Davis* and *John J. Adams* for respondent. Reported below: 209 F. 2d 185.

No. 136. *PEOPLES DEPOSIT BANK & TRUST Co. v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. MR. JUSTICE REED and MR. JUSTICE FRANKFURTER took no part in the consideration or decision of this application. *L. K. Olson* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland* and *Ellis N. Slack* for the United States. Reported below: 212 F. 2d 86.

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No. 166. *D. L. PIAZZA Co. v. WEST COAST LINE, INC. ET AL.* C. A. 2d Cir. Motion to strike the brief for the private respondents granted. Certiorari denied. MR. JUSTICE BLACK is of the opinion certiorari should be granted. *Edward B. Hayes* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Barnes, Ralph S. Spritzer* and *Clarence G. Morse* for the United States and the Federal Maritime Board; and *Stanley W. Schaefer* for the West Coast Line, Inc. et al., respondents. Reported below: 210 F. 2d 947.

No. 180. *PRICE v. ATCHISON, TOPEKA & SANTA FE RAILROAD Co.* Supreme Court of California. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion certiorari should be granted. THE CHIEF JUSTICE took no part in the consideration or decision of this application. *Clifton Hildebrand* for petitioner. *J. C. Gibson* and *R. S. Outlaw* for respondent. Reported below: 142 Cal. 2d 577, 268 P. 2d 457.

No. 182. *RETAIL CLERKS INTERNATIONAL ASSOCIATION, A. F. L., ET AL. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 9th Cir. Motion for leave to file brief of Safeway Stores, Inc., as *amicus curiae*, denied. Certiorari denied. *Roland C. Davis, S. G. Lippman, J. Albert Woll* and *Herbert S. Thatcher* for petitioners. *Solicitor General Sobeloff, George J. Bott, David P. Findling* and *Frederick U. Reel* for respondent. Reported below: 211 F. 2d 759.

No. 183. *CAMINITO v. NEW YORK.* Court of Appeals of New York. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion certiorari should be granted. *Maurice Edelbaum* for petitioner. *Edward S. Silver* and *William I. Siegel* for respondent. Reported below: 291 N. Y. 541, 50 N. E. 2d 654.

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No. 201. *Kuchin v. Chicago & North Western Railway Co.* C. A. 7th Cir. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion certiorari should be granted. *James A. Dooley* for petitioner. *Otis Lowell Hastings* and *Drennan J. Slater* for respondent. Reported below: 210 F. 2d 863.

No. 219. *Jason v. Summerfield et al.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion certiorari should be granted. *George M. Johnson* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger, Samuel D. Slade* and *Benjamin Forman* for respondents. Reported below: 94 U. S. App. D. C. —, 214 F. 2d 273.

No. 189. *Kern v. Williamson, Trustee, et al.* C. A. 6th Cir. Certiorari denied. MR. JUSTICE REED took no part in the consideration or decision of this application. *Carlos L. Israels* and *Leo T. Wolford* for petitioner. *Solicitor General Sobeloff, William H. Timbers, David Ferber* and *Henry L. Stern* for the Securities and Exchange Commission; and *Oscar S. Rosner* for the Green Committee, respondents. Reported below: 211 F. 2d 381.

No. 232. *Montanye v. New York et al.* Court of Appeals of New York. Certiorari denied. Reported below: 306 N. Y. 978, 120 N. E. 2d 232.

No. 237. *Parrino v. United States.* C. A. 2d Cir. Certiorari denied. *Vine H. Smith* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 212 F. 2d 919.

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No. 260. *THOMPSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion certiorari should be granted. *John J. Abt* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Tompkins, Harold D. Koffsky and Lawrence K. Bailey* for the United States. Reported below: 214 F. 2d 545.

No. 4, Misc. *GILBERT v. HEINZE, WARDEN*. Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Edmund G. Brown*, Attorney General of California, *Clarence A. Linn*, Chief Assistant Attorney General, and *Arlo E. Smith*, Deputy Attorney General, for respondent.

No. 5, Misc. *THOMPSON v. EIDSON, WARDEN*. Supreme Court of Missouri. Certiorari denied. Petitioner *pro se*. *John M. Dalton*, Attorney General of Missouri, and *Samuel M. Watson*, Assistant Attorney General, for respondent.

No. 6, Misc. *BERRYMAN v. CRANOR, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. Supreme Court of Washington. Certiorari denied. Petitioner *pro se*. *Don Eastvold*, Attorney General of Washington, and *Cyrus A. Dimmick*, Assistant Attorney General, for respondent.

No. 7, Misc. *RHONE v. PENNSYLVANIA*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 8, Misc. *DOUGLAS v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, and *William C. Wines*, Assistant Attorney General, for respondent.

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No. 9, Misc. *MOORE v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Department. Certiorari denied.

No. 10, Misc. *SPROUSE v. MISSOURI*. Supreme Court of Missouri. Certiorari denied. Petitioner *pro se*. *John M. Dalton*, Attorney General of Missouri, and *Samuel M. Watson*, Assistant Attorney General, for respondent.

No. 11, Misc. *MINER v. RAGEN, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, and *William C. Wines*, Assistant Attorney General, for respondent.

No. 12, Misc. *BROWN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 212 F. 2d 589.

No. 13, Misc. *HASHMALL v. OHIO*. Supreme Court of Ohio. Certiorari denied. *Jack B. Dworken* for petitioner. Reported below: 160 Ohio St. 565, 117 N. E. 2d 606.

No. 14, Misc. *JENKINS v. MADIGAN, ACTING WARDEN*. C. A. 7th Cir. Certiorari denied. *N. George Nasser* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Felicia H. Dubrovsky* for respondent. Reported below: 211 F. 2d 904.

No. 15, Misc. *SHERMAN v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

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No. 16, Misc. *HANSEN v. WISCONSIN ET AL.* Supreme Court of Wisconsin. Certiorari denied.

No. 17, Misc. *LEWIS v. MAINE.* Supreme Judicial Court of Maine. Certiorari denied. Reported below: 150 Me. 121, 104 A. 2d 838.

No. 19, Misc. *PAULSON v. RAGEN, WARDEN.* Circuit Court of Will County, Illinois. Certiorari denied.

No. 21, Misc. *ROUSSEAU v. HURTADO, EXECUTRIX, ET AL.* District Court of Appeal of California, First Appellate District. Certiorari denied. Reported below: 122 Cal. App. 2d 705, 265 P. 2d 580.

No. 23, Misc. *FUNKHOUSER v. LOEW'S INCORPORATED.* C. A. 8th Cir. Certiorari denied. *Richard B. McEntire* for petitioner. *Maurice J. O'Sullivan* and *Samuel D. Cohen* for respondent. Reported below: 208 F. 2d 185.

No. 24, Misc. *SHELL v. MISSOURI.* Supreme Court of Missouri. Certiorari denied.

No. 26, Misc. *ARCHIE v. SHELL OIL CO., INC. ET AL.* C. A. 5th Cir. Certiorari denied. *I. H. Spears* for petitioner. Reported below: 210 F. 2d 653.

No. 29, Misc. *WILSON v. RAGEN, WARDEN.* Circuit Court of Will County, Illinois. Certiorari denied.

No. 30, Misc. *WEST v. NEW JERSEY.* Supreme Court of New Jersey. Certiorari denied.

No. 32, Misc. *STEWART v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied.

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No. 33, Misc. *LAIR v. RANDOLPH, WARDEN*. Circuit Court of Randolph County, Illinois. Certiorari denied.

No. 35, Misc. *FAIR v. RAGEN, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 36, Misc. *COLLINS v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied.

No. 37, Misc. *CAMPBELL v. SKEEN, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 39, Misc. *BUZZIE v. CALIFORNIA*. District Court of Appeal of California, Fourth Appellate District. Certiorari denied.

No. 40, Misc. *WALL v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 41, Misc. *KALINOWSKI v. RAGEN, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 42, Misc. *HARGRAVES v. CRANOR, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. Supreme Court of Washington. Certiorari denied.

No. 43, Misc. *FIRMSTONE v. DAY, WARDEN*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 44, Misc. *HUDSON v. DAY, WARDEN*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. Petitioner *pro se*. *Richardson Dilworth* for respondent.

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No. 45, Misc. *SALEMI v. NEW YORK*. Court of Appeals of New York. Certiorari denied. *Rudolph Stand* for petitioner. *Frank S. Hogan* and *Charles W. Manning* for respondent. Reported below: 306 N. Y. 863, 118 N. E. 2d 917.

No. 46, Misc. *WINSTON v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 48, Misc. *WEBER v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied.

No. 50, Misc. *SENTERS v. RANDOLPH, WARDEN*. Circuit Court of Randolph County, Illinois. Certiorari denied.

No. 52, Misc. *MEEHAN v. CALIFORNIA*. District Court of Appeal of California, First Appellate District. Certiorari denied. Reported below: 124 Cal. App. 2d 589, 269 P. 2d 70.

No. 58, Misc. *ROBINSON v. SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY*. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 59, Misc. *ROOKS v. ELLIS, GENERAL MANAGER OF THE TEXAS PRISON SYSTEM*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 61, Misc. *FOSTER v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *T. Emmett McKenzie* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 94 U. S. App. D. C. —, 212 F. 2d 249.

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No. 63, Misc. *Ross v. OHIO*. Supreme Court of Ohio. Certiorari denied. *George A. Meekison* for petitioner.

No. 64, Misc. *WAGNER v. RAGEN, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 213 F. 2d 294.

No. 65, Misc. *SPRY v. SKEEN, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 66, Misc. *HURT v. BALKCOM, WARDEN*. Supreme Court of Georgia. Certiorari denied. Petitioner *pro se*. *Eugene Cook*, Attorney General of Georgia, and *Robert H. Hall*, Assistant Attorney General, for respondent. Reported below: 210 Ga. 577, 82 S. E. 2d 3.

No. 70, Misc. *NOVAK v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 71, Misc. *ROWAN v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 72, Misc. *BILOCHE v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 73, Misc. *WEBB v. ILLINOIS*. Supreme Court of Illinois and Criminal Court of Cook County, Illinois. Certiorari denied.

No. 74, Misc. *MEYER v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 75, Misc. *RODRIGUEZ v. NEW YORK*. Supreme Court of New York, Appellate Division, First Department. Certiorari denied. Reported below: 283 App. Div. 790, 129 N. Y. S. 2d 239.

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No. 79, Misc. *HALL v. WILLIAMS ET AL.* Supreme Court of Florida. Certiorari denied. *Walter Warren* for petitioner. *H. L. Pringle* for respondents. Reported below: 72 So. 2d 829.

No. 81, Misc. *MACLAREN v. NEW YORK.* Court of Appeals of New York. Certiorari denied.

No. 82, Misc. *O'CONNELL v. RAGEN, WARDEN.* C. A. 7th Cir. Certiorari denied. Reported below: 212 F. 2d 272.

No. 84, Misc. *CASEY v. INDIANA.* Circuit Court of LaPorte County, Indiana. Certiorari denied.

No. 85, Misc. *WILLIAMS v. NEW JERSEY.* Supreme Court of New Jersey. Certiorari denied.

No. 87, Misc. *CLARK v. CALIFORNIA.* Supreme Court of California. Certiorari denied.

No. 88, Misc. *DEFOE v. NATIONAL CAPITAL BANK.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Reported below: 94 U. S. App. D. C. —, 214 F. 2d 225.

No. 89, Misc. *STREETER v. MICHIGAN.* Supreme Court of Michigan. Certiorari denied.

No. 90, Misc. *BARKEIJ v. LOCKHEED AIRCRAFT CORP.* C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *C. Blake Townsend* and *Herbert A. Huebner* for respondent. Reported below: 210 F. 2d 1.

No. 94, Misc. *O'LEARY, RECEIVER, v. TURNER ET AL.* C. A. 6th Cir. Certiorari denied. *Joseph O'Leary, pro se.* Reported below: 209 F. 2d 149.

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No. 99, Misc. WILLIAMS *v.* RAGEN, WARDEN. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 100, Misc. HALL *v.* SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY. Supreme Court of Appeals of Virginia. Certiorari denied. Reported below: 195 Va. lxxxvii.

No. 101, Misc. DUNBAR *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Gilbert S. Rosenthal* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Robert G. May-sack* for the United States. Reported below: 212 F. 2d 654.

No. 102, Misc. NAPIER *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 103, Misc. BYRD *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. *Morris Lavine* for petitioner. Reported below: 42 Cal. 2d 200, 266 P. 2d 505.

No. 104, Misc. HANLEY *v.* CRANOR, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied.

No. 105, Misc. ORR *v.* SOUTH CAROLINA. Supreme Court of South Carolina. Certiorari denied. Reported below: 225 S. C. 369, 82 S. E. 2d 523.

No. 107, Misc. WEITZ *v.* HEINZE, WARDEN. Supreme Court of California. Certiorari denied.

No. 108, Misc. BREWSTER *v.* SKEEN, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

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No. 109, Misc. *DEFOE v. NATIONAL CAPITAL BANK*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 114, Misc. *STEPHENS v. UNITED STATES STEEL CORP.* C. A. 5th Cir. Certiorari denied. *Edward H. Saunders* for petitioner. *Frontis H. Moore* for respondent. Reported below: 212 F. 2d 705.

No. 115, Misc. *STONER v. RANDOLPH, WARDEN*. Supreme Court of Illinois. Certiorari denied.

No. 117, Misc. *MILLER ET AL. v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Frank D. Reeves* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 94 U. S. App. D. C. —, 212 F. 2d 809.

No. 120, Misc. *LEMASTER v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM, ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 125, Misc. *NEWTON v. BANNAN, WARDEN, ET AL.* Supreme Court of Michigan. Certiorari denied.

No. 128, Misc. *Cox v. TEETS, WARDEN, ET AL.* Supreme Court of California. Certiorari denied.

No. 129, Misc. *WHITACRE v. SKEEN, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

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No. 130, Misc. *RICHTER v. BURKE, WARDEN*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. Petitioner *pro se*. *Richardson Dilworth* for respondent.

No. 135, Misc. *LOVINGS v. NEBRASKA*. Supreme Court of Nebraska. Certiorari denied. *Ralph R. Bremers* for petitioner. *Clarence S. Beck*, Attorney General of Nebraska, and *Ralph D. Nelson*, Assistant Attorney General, for respondent. Reported below: 158 Neb. 134, 62 N. W. 2d 672.

No. 2, Misc. *CATO v. CALIFORNIA*. Supreme Court of California. Petition for writ of certiorari denied without prejudice to the petitioner's rights under the facts alleged to prosecute an appeal in the California state courts in accordance with principles announced in *People v. Slobodion*, 30 Cal. 2d 362, 181 P. 2d 868. THE CHIEF JUSTICE took no part in the consideration or decision of this application. Petitioner *pro se*. *Edmund G. Brown*, Attorney General of California, *Clarence A. Linn*, Chief Assistant Attorney General, and *Arlo E. Smith*, Deputy Attorney General, for respondent.

No. 53, Misc. *SHEFFIELD v. LOUISIANA*. Supreme Court of Louisiana. Petition for writ of certiorari denied without prejudice to petitioner to apply to the appropriate United States District Court for a writ of habeas corpus. *Eugene Stanley* for petitioner.

No. 111, Misc. *CHRISTOFFEL v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE CLARK took no part in the consideration or decision of this appli-

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cation. *David Scribner, David Rein and Joseph Forer* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg* for the United States. Reported below: — U. S. App. D. C. —, 214 F. 2d 265.

No. 178, Misc. UNITED STATES EX REL. ELLIOTT *v.* HENDRICKS, DEPUTY COMMISSIONER, DEPARTMENT OF PUBLIC WELFARE. C. A. 3d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. Reported below: 213 F. 2d 922.

Rehearing Granted. (See ante, p. 1.)

Rehearing Denied.

No. 280, October Term, 1953. PHILLIPS PETROLEUM Co. *v.* WISCONSIN ET AL., 347 U. S. 672; and

No. 281, October Term, 1953. TEXAS ET AL. *v.* WISCONSIN ET AL., 347 U. S. 672. Motion for leave to file brief of Independent Petroleum Assn. et al., as *amici curiae*, denied. Motion in No. 281 for leave to file a supplemental petition for rehearing denied. Petitions for rehearing denied.

No. 605, October Term, 1953. PIERCE *v.* AMERICAN COMMUNICATIONS Co., INC., 347 U. S. 944. Motion for leave to file certified copies of court records denied. Motion for leave to file a second petition for rehearing denied.

No. 623, October Term, 1953. FERROLINE CORPORATION *v.* GENERAL ANILINE & FILM CORP., 347 U. S. 953. Second petition for rehearing denied.

No. 635, October Term, 1953. LEYRA *v.* DENNO, WARDEN, 347 U. S. 556. Rehearing denied.

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No. 407, October Term, 1953. *GALVAN v. PRESS, OFFICER IN CHARGE, IMMIGRATION AND NATURALIZATION SERVICE*, 347 U. S. 522;

No. 476, October Term, 1953. *BRANIFF AIRWAYS, INC. v. NEBRASKA STATE BOARD OF EQUALIZATION AND ASSESSMENT ET AL.*, 347 U. S. 590;

No. 666, October Term, 1953. *OHIO EX REL. HAWKE v. BROWN, SECRETARY OF STATE OF OHIO*, 347 U. S. 972;

No. 698, October Term, 1953. *HILLGREN v. KWIKSET LOCKS, INC. ET AL.*, 347 U. S. 989;

No. 701, October Term, 1953. *BOWMAN, ADMINISTRATRIX, v. BOWMAN*, 347 U. S. 1017;

No. 724, October Term, 1953. *BRESLIN v. NEW YORK*, 347 U. S. 1014;

No. 736, October Term, 1953. *McRAE v. WOODS, ACTING HOUSING EXPEDITER*, 347 U. S. 1017;

No. 797, October Term, 1953. *MILLER v. THORN ET UX.*, 347 U. S. 1017;

No. 509, Misc., October Term, 1953. *WHEELER v. UNITED STATES*, 347 U. S. 1019;

No. 521, Misc., October Term, 1953. *NATION v. CALIFORNIA*, 347 U. S. 969;

No. 555, Misc., October Term, 1953. *HARDING v. CAVANAUGH ET AL.*, 347 U. S. 978;

No. 575, Misc., October Term, 1953. *HUGHES v. HEINZE, WARDEN*, 347 U. S. 1020;

No. 577, Misc., October Term, 1953. *TATE v. CALIFORNIA*, 347 U. S. 1020;

No. 589, Misc., October Term, 1953. *NEIGUT v. UNITED STATES*, 347 U. S. 1020;

No. 596, Misc., October Term, 1953. *NEAL v. RANDOLPH, WARDEN*, 347 U. S. 993; and

No. 727, October Term, 1953. *SHELLHAMMER, GENERAL ADMINISTRATRIX, v. LEHIGH VALLEY RAILROAD CO.*, 347 U. S. 990. Petitions for rehearing denied.

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No. 606, Misc., October Term, 1953. *SANDERS v. SWOPE, WARDEN*, 347 U. S. 1020. Petition for rehearing denied.

No. 384, Misc., October Term, 1953. *CRABTREE v. UNITED STATES*, 347 U. S. 961. Motion for leave to file petition for rehearing denied.

No. 502, Misc., October Term, 1953. *PUFF v. UNITED STATES*, 347 U. S. 963. Motion for leave to file a second petition for rehearing denied.

Case Dismissed Under Rule 60.

No. 370. *BEN PEARSON, INC. v. RUST, TRUSTEE, ET AL.* On petition for writ of certiorari to the Supreme Court of Arkansas. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *Jay W. Dickey* for petitioner. *Gordon E. Young* for respondents. Reported below: 223 Ark. 697, 268 S. W. 2d 893.

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Decision Per Curiam.

No. 130. *INTERNATIONAL HARVESTER Co. v. MINNESOTA*. Appeal from the Supreme Court of Minnesota. *Per Curiam*: The appeal is dismissed for the want of a substantial federal question. *G. Aaron Youngquist* and *Fred N. Furber* for appellant. Reported below: 241 Minn. —, 63 N. W. 2d 547.

Probable Jurisdiction Noted.

No. 159. *UNITED STATES v. BRAMBLETT*. Appeal from the United States District Court for the District of Columbia. Probable jurisdiction noted. THE CHIEF JUSTICE took no part in the consideration or decision of this

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question. *Solicitor General Sobeloff* for the United States. *Edward Bennett Williams* and *Murdaugh S. Madden* for appellee. Reported below: 120 F. Supp. 857.

No. 184. *WILLIAMSON, ATTORNEY GENERAL, ET AL. v. LEE OPTICAL OF OKLAHOMA, INC. ET AL.*; and

No. 185. *LEE OPTICAL OF OKLAHOMA, INC. ET AL. v. WILLIAMSON, ATTORNEY GENERAL, ET AL.* Appeals from the United States District Court for the Western District of Oklahoma. Probable jurisdiction noted. *Mac Q. Williamson*, Attorney General of Oklahoma, *Fred Hansen*, First Assistant Attorney General, and *James C. Harkin*, Assistant Attorney General, for appellants in No. 184. *Duke Duvall, John M. Phillips* and *Dick H. Woods* for appellants in No. 185. Reported below: 120 F. Supp. 128.

Certiorari Granted.

No. 179. *COURTNEY ET AL. v. LOCKETT*. Supreme Court of Kansas. Certiorari granted. *Payne H. Ratner* for petitioners. *Harold R. Fatzer*, Attorney General of Kansas, for respondent. Reported below: 175 Kan. 704, 267 P. 2d 190.

No. 301. *ENGINE AIR SERVICE, INC. ET AL. v. HALPERT, TRUSTEE IN BANKRUPTCY*. C. A. 2d Cir. Certiorari granted. *James G. Moore* for petitioners. *Max Schwartz* for respondent. Reported below: 212 F. 2d 860.

No. 110, Misc. *WILLIAMS v. GEORGIA*. Supreme Court of Georgia. Certiorari granted. *Carter Goode* for petitioner. *Eugene Cook*, Attorney General of Georgia, and *Robert H. Hall*, Assistant Attorney General, for respondent. Reported below: 210 Ga. 665, 82 S. E. 2d 217.

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Certiorari Denied.

No. 81. *KWIKSET LOCKS, INC. v. HILLGREN.* C. A. 9th Cir. Certiorari denied. *Fred H. Miller* for petitioner. *Hamer H. Jamieson* for respondent. Reported below: 210 F. 2d 483.

No. 174. *PILLO v. NEW JERSEY.* Supreme Court of New Jersey. Certiorari denied. *C. Zachary Seltzer* for petitioner. *Grover C. Richman, Jr.*, Attorney General of New Jersey, and *Joseph A. Murphy*, Assistant Deputy Attorney General, for respondent. Reported below: 15 N. J. 99, 104 A. 2d 50.

No. 277. *FIREMAN'S FUND INDEMNITY CO. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *William Fisher* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger* and *Samuel D. Slade* for the United States. Reported below: 211 F. 2d 773.

No. 278. *BORN v. LAUBE, ADMINISTRATOR, ET AL.* C. A. 9th Cir. Certiorari denied. *Bailey E. Bell* for petitioner. Reported below: 213 F. 2d 407, 214 F. 2d 349.

No. 279. *SAWYER v. WISCONSIN.* Supreme Court of Wisconsin. Certiorari denied. *Alfons B. Landa, Arthur D. Condon, Delmar W. Holloman* and *Warren E. Magee* for petitioner. *Vernon W. Thomson*, Attorney General of Wisconsin, and *William J. McCauley* for respondent. Reported below: 266 Wis. 494, 63 N. W. 2d 749.

No. 280. *WELLS ET AL. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *John O. Collins* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack* and *I. Henry Kutz* for the United States. Reported below: 214 F. 2d 380.

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No. 284. *BETTINGER ET AL. v. NORTHWESTERN NATIONAL CASUALTY CO. ET AL.* C. A. 8th Cir. Certiorari denied. *Robert O. Sullivan* and *Arthur J. Donnelly* for petitioners. *Elmer Wiblishauser* for respondents. Reported below: 213 F. 2d 200.

No. 289. *PRUDENCE-BONDS CORP. ET AL. v. CHEMICAL BANK & TRUST CO., TRUSTEE.* C. A. 2d Cir. Certiorari denied. *Charles M. McCarty* for the Prudence-Bonds Corporation, *Geo. C. Wildermuth* for Castellano, *Samuel Silbiger* for Eddy, and *Aaron Schwartz* for Samson et al., petitioners. *John A. Wilson* and *Willard M. L. Robinson* for respondent. Reported below: 213 F. 2d 443.

No. 291. *BERTELSEN v. COONEY.* C. A. 5th Cir. Certiorari denied. *Irwin J. Askow* and *Harvey L. Hardy* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Carl H. Imlay* for respondent. Reported below: 213 F. 2d 275.

No. 292. *FIRST TRUST & SAVINGS BANK OF ZANESVILLE v. FIDELITY-PHILADELPHIA TRUST CO.* C. A. 3d Cir. Certiorari denied. *Israel Packel* and *James S. Clifford, Jr.* for petitioner. *Thomas B. K. Ringe* for respondent. Reported below: 214 F. 2d 320.

No. 293. *UNITED STATES EX REL. LoDUCA v. NEELLY, DIRECTOR OF IMMIGRATION AND NATURALIZATION.* C. A. 7th Cir. Certiorari denied. *Francis Heisler* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Felicia Dubrovsky* for respondent. Reported below: 213 F. 2d 161.

No. 294. *HULAHAN v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. *C. Arthur Anderson* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General*

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Olney, Beatrice Rosenberg and Richard J. Blanchard for the United States. Reported below: 214 F. 2d 441.

No. 295. *BOWES ET AL. v. CITY OF CHICAGO ET AL.* Supreme Court of Illinois. Certiorari denied. *Edward R. Johnston* and *Howard B. Bryant* for petitioners. *John J. Mortimer, James A. Velde, Robert J. Nolan* and *Ray Garrett, Jr.* for the City of Chicago, *Clarence H. Ross* for the Great Lakes Dredge & Dock Co., and *Philip A. Lozowick* for the Chicago Park District, respondents. Reported below: 3 Ill. 2d 175, 120 N. E. 2d 15.

No. 296. *GROSS INCOME TAX DIVISION OF INDIANA ET AL. v. WARNER BROS. PICTURES DISTRIBUTING CORP.* Supreme Court of Indiana. Certiorari denied. *Edwin K. Steers*, Attorney General of Indiana, and *Carl M. Franceschini* and *Lloyd C. Hutchinson*, Deputy Attorneys General, for petitioners. *Joseph J. Daniels* and *Paul N. Rowe* for respondent. Reported below: 233 Ind. 345, 118 N. E. 2d 117.

No. 297. *UNITED STATES v. KATZ ET AL.* C. A. 1st Cir. Certiorari denied. *Solicitor General Sobeloff* for the United States. *Joseph C. Wells* for respondents. Reported below: 213 F. 2d 799.

No. 298. *WESTERN MARYLAND RAILWAY Co. v. PENNSYLVANIA.* Supreme Court of Pennsylvania, Middle District. Certiorari denied. *William C. Purnell* for petitioner. *Frank F. Truscott*, Attorney General of Pennsylvania, and *George W. Keitel*, Deputy Attorney General, for respondent. Reported below: 377 Pa. 312, 105 A. 2d 336.

No. 299. *REED v. REED ET AL.* Supreme Court of Florida. Certiorari denied. *Ulysses Erwin Sibley* for petitioner. *W. D. Bell* and *R. K. Bell* for respondents. Reported below: 70 So. 2d 836.

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No. 300. *CAMPBELL v. COMMISSIONER OF PATENTS*. United States Court of Customs and Patent Appeals. Certiorari denied. *Harvey L. Lechner* and *Edward H. Davis* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger* and *Samuel D. Slade* for respondent. Reported below: 41 C. C. P. A. (Pat.) 896, 212 F. 2d 606.

No. 303. *METROPOLITAN PETROLEUM CORP. ET AL. v. UNITED STATES*. United States Court of Customs and Patent Appeals. Certiorari denied. *John W. Davis, Theodore Kiendl, Ralph M. Carson* and *Francis R. Kirkham* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Burger, John R. Benney, Samuel D. Slade* and *Herman Marcuse* for the United States. Reported below: 42 C. C. P. A. (Cust.) 38.

No. 304. *NATIONAL TEXTILE & MANUFACTURING CO., INC. v. PENNSYLVANIA RAILROAD CO.* C. A. 2d Cir. Certiorari denied. *Sidney Basil Levy* for petitioner. *John Vance Hewitt* for respondent. Reported below: 213 F. 2d 466.

No. 314. *ROGERS v. REPUBLIC PICTURES CORP. ET AL.* C. A. 9th Cir. Certiorari denied. *Norman S. Sterry* for petitioner. *Joseph P. Loeb* for respondents. Reported below: 213 F. 2d 662.

No. 315. *AUTRY v. REPUBLIC PRODUCTIONS, INC. ET AL.* C. A. 9th Cir. Certiorari denied. *Martin Gang* and *Milton A. Rudin* for petitioner. *Joseph P. Loeb* for respondents. Reported below: 213 F. 2d 667.

No. 146, Misc. *BRADEN v. MISSOURI*. Supreme Court of Missouri. Certiorari denied.

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No. 163, Misc. *ALLEN v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 172, Misc. *BANNING v. LOONEY, WARDEN*. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Robert G. Maysack* for respondent. Reported below: 213 F. 2d 771.

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Case Dismissed Under Rule 60.

No. 126. *LAUGHLIN v. WILSON ET AL.* Appeal from the Supreme Court of Texas. Dismissed on motion of appellant pursuant to Rule 60 of the Rules of this Court. *Thurman Arnold and Clinton C. Small* for appellant. *Elton M. Hyder, Jr. and John D. Hyde* for appellees. Reported below: 153 Tex. —, 265 S. W. 2d 805.

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Decisions Per Curiam.

No. 312. *GRAYSON-ROBINSON STORES, INC. v. LIONEL CORPORATION.* Appeal from the Supreme Court of New Jersey. *Per Curiam:* The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. *Sidney A. Diamond* for appellant. *Samuel Voltaggio and Anthony A. Calandra* for appellee. Reported below: 15 N. J. 191, 104 A. 2d 304.

No. 316. *WESTERN AIR LINES, INC. v. CALIFORNIA.* Appeal from the Supreme Court of California. *Per Curiam:* The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. THE CHIEF JUSTICE took no part in the consideration or decision of this case. *Hugh W. Darling and D. P. Renda*

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for appellant. *Everett C. McKeage* for appellee. Reported below: 42 Cal. 2d 621, 268 P. 2d 723.

No. 326. *S. KLEIN ON THE SQUARE, INC. v. LIONEL CORPORATION.* Appeal from the Court of Appeals of New York. *Per Curiam:* The appeal is dismissed for the want of a substantial federal question. *Sidney A. Diamond* and *Murray Gartner* for appellant. Reported below: 307 N. Y. 229, 120 N. E. 2d 802.

Miscellaneous Orders.

No. 414. *AIKEN v. RICHARDSON.* Appeal from the Supreme Court of Georgia. Motion for a stay, referred to the Court by MR. JUSTICE BLACK, denied. *G. Seals Aiken, pro se.* Reported below: 210 Ga. 728, 82 S. E. 2d 646.

No. 131, Misc. *ALLEN v. RAGEN, WARDEN*;
No. 140, Misc. *HARN v. BANNAN, WARDEN*;
No. 152, Misc. *GOULDING v. BANNAN, WARDEN*; and
No. 156, Misc. *ROEBUCK v. HIATT, WARDEN.* Motions for leave to file petitions for writs of habeas corpus denied.

Certiorari Granted.

No. 246. *DIEHL v. LEHIGH VALLEY RAILROAD CO. ET AL.* C. A. 3d Cir. Certiorari granted. *Sheldon E. Bernstein* for petitioner. *Thomas Price Mikell* for the Lehigh Valley Railroad Co.; and *Clarence M. Mulholland* and *Richard R. Lyman* for System Federation No. 96, Railway Employes' Department, A. F. of L., et al., respondents. Reported below: 211 F. 2d 95.

No. 302. *PARISSI v. TELECHRON, INC. ET AL.* C. A. 2d Cir. Certiorari granted. *Charles P. Bauer* for petitioner. *Charles H. Walker* and *Charles E. Nichols* for respondents.

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Certiorari Denied.

No. 252. *GORE ET AL. v. UNITED STATES STEEL CORP.* Supreme Court of New Jersey. Certiorari denied. *David Roskein* and *Edwin Brobston* for petitioners. *Josiah Stryker* for respondent. Reported below: 15 N. J. 301, 104 A. 2d 670.

No. 270. *CHICAGO & NORTH WESTERN RAILWAY CO. v. MARGEVICH.* Appellate Court of Illinois, First District. Certiorari denied. *Otis Lowell Hastings* and *Drennan J. Slater* for petitioner. *James A. Dooley* for respondent. Reported below: 1 Ill. App. 2d 162, 116 N. E. 2d 914.

No. 281. *SPECIALTIES DEVELOPMENT CORP. v. RANDOLPH LABORATORIES, INC.; and*

No. 348. *RANDOLPH LABORATORIES, INC. v. SPECIALTIES DEVELOPMENT CORP.* C. A. 3d Cir. Certiorari denied. *Floyd H. Crews* for Specialties Development Corp. *W. B. Morton* for Randolph Laboratories, Inc. Reported below: 213 F. 2d 873.

No. 286. *HIRSHON TRUST ET AL. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 2d Cir. Certiorari denied. *Randolph E. Paul* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, Lee A. Jackson* and *Melva M. Graney* for respondent. Reported below: 213 F. 2d 523.

No. 287. *REMINGTON RAND, INC. v. BUSH ET AL.* C. A. 2d Cir. Certiorari denied. *John W. Davis, Homer Cummings, Raymond E. Hackett, Francis J. McNamara* and *William R. Meagher* for petitioner. *Robert P. Butler* and *Valentine J. Sacco* for respondents. Reported below: 213 F. 2d 456.

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No. 288. *GREAT AMERICAN INDEMNITY CO. v. SALTZMAN*. C. A. 8th Cir. Certiorari denied. *E. L. McHaney, Jr.* and *James M. McHaney* for petitioner. *Thomas B. Tinnon* for respondent. Reported below: 213 F. 2d 743.

No. 290. *WILLIE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *G. Wray Gill* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 213 F. 2d 624.

No. 305. *ESTATE OF GODLEY ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 3d Cir. Certiorari denied. *Allen S. Hubbard* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, Lee A. Jackson and Melva M. Graney* for respondent. Reported below: 213 F. 2d 529.

No. 307. *DRAPER & CO., INC. v. COMMODITY CREDIT CORP.* C. A. 1st Cir. Certiorari denied. *Edward C. Park* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger and Samuel D. Slade* for respondent. Reported below: 213 F. 2d 36.

No. 310. *WASHINGTON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Don Eastvold, Attorney General of Washington, and Harold A. Pebbles, Special Assistant Attorney General*, for petitioner. *Solicitor General Sobeloff and Assistant Attorney General Morton* for the United States. Reported below: 214 F. 2d 33.

No. 317. *GREENVILLE AVENUE STATE BANK v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *William L. Storey* for petitioner. *Solicitor General Sobeloff, Assist-*

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ant Attorney General Olney, Beatrice Rosenberg and Joseph A. Barry for the United States. Reported below: 213 F. 2d 252.

No. 323. *ASSINIBOINE INDIAN TRIBE v. UNITED STATES*. Court of Claims. Certiorari denied. *Louis A. Gravelle, Raymond N. Beebe, Adrien F. Busick and Delmar W. Holloman* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Morton and Fred W. Smith* for the United States. Reported below: 128 Ct. Cl. 617, 121 F. Supp. 906.

No. 324. *GOODY v. RAXOR CORPORATION ET AL.* Supreme Court of New York, County of New York. Certiorari denied. *Abraham M. Lowenthal and Malcolm S. Mason* for petitioner. Reported below: 307 N. Y. 229, 120 N. E. 2d 802.

No. 325. *INSURANCE COMPANY OF NORTH AMERICA v. UNITED STATES*. Court of Claims. Certiorari denied. *Robert B. Ely, III* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger, Gray Thoron and Samuel D. Slade* for the United States. Reported below: 128 Ct. Cl. 757, 121 F. Supp. 649.

No. 327. *S. KLEIN ON THE SQUARE, INC. v. LIONEL CORPORATION*. Court of Appeals of New York. Certiorari denied. *Sidney A. Diamond and Murray Gartner* for petitioner. *Harry A. Gottlieb* for respondent. Reported below: 307 N. Y. 229, 120 N. E. 2d 802.

No. 328. *BROWNELL, ATTORNEY GENERAL, ET AL. v. ROTH*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Solicitor General Sobeloff* for petitioners. *J. Albert Woll, Herbert S. Thatcher and James A. Glenn* for respondent. Reported below: — U. S. App. D. C. —, 215 F. 2d 500.

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No. 330. *SHAFFER, TRUSTEE, v. UNITED STATES*. Court of Claims. Certiorari denied. *Thurman Arnold* and *Norman Diamond* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Burger* and *Samuel D. Slade* for the United States. Reported below: 128 Ct. Cl. 299, 121 F. Supp. 656.

No. 331. *HOHENSEE v. MANCHESTER*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 332. *BROWNELL, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN, v. BANK OF AMERICA NATIONAL TRUST & SAVINGS ASSOCIATION*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Solicitor General Sobeloff* for petitioner. *Samuel B. Stewart, Jr.*, *Christopher M. Jenks* and *E. F. Colladay* for respondent. Reported below: — U. S. App. D. C. —, 214 F. 2d 855.

No. 285. *CHESSMAN v. CALIFORNIA ET AL.* Supreme Court of California. Petition for writ of certiorari denied without prejudice to an application for a writ of habeas corpus in an appropriate United States District Court. THE CHIEF JUSTICE took no part in the consideration or decision of this application. *Jerome A. Duffy* for petitioner. *Edmund G. Brown*, Attorney General of California, *Clarence A. Linn*, Chief Assistant Attorney General, and *Arlo E. Smith*, Deputy Attorney General, for respondents.

No. 306. *BRIGGS ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion certiorari should be granted. *W. P. Sandridge* and *Leon L. Rice, Jr.* for Briggs, and *Roy L. Deal* for

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Clark, petitioners. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, David L. Luce and Fred G. Folsom* for the United States. Reported below: 214 F. 2d 699.

No. 311. *MARIENFELD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Mr. JUSTICE BLACK is of the opinion certiorari should be granted. *Harry C. Blanton* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, David L. Luce and Fred G. Folsom* for the United States. Reported below: 214 F. 2d 632.

No. 318. *LANE ET AL., CONSTITUTING THE FLORIDA STATE RACING COMMISSION, v. VOLUSIA COUNTY KENNEL CLUB, INC. ET AL.* Supreme Court of Florida. Petition for writ of certiorari denied for the reason that the judgment below is based on state grounds adequate to support it. *Richard W. Ervin*, Attorney General of Florida, *Fred M. Burns* and *George E. Owen*, Assistant Attorneys General, and *Robert H. Carlton* for petitioners. *Robert H. Anderson* and *D. P. S. Paul* for respondents. Reported below: 73 So. 2d 884.

No. 136, Misc. *DAVIS v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied.

No. 141, Misc. *McGRIFF v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 147, Misc. *BAYLESS v. MISSOURI*. Supreme Court of Missouri. Certiorari denied.

No. 190, Misc. *RUPP v. TEETS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 214 F. 2d 312.

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Case Dismissed Under Rule 60.

No. 414. AIKEN *v.* RICHARDSON. Appeal from the Supreme Court of Georgia. Dismissed on motion of appellant, consented to by appellee, under Rule 60 of the Rules of this Court. *G. Seals Aiken, pro se. Hugh M. Dorsey* for appellee. Reported below: 210 Ga. 728, 82 S. E. 2d 646.

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Order Granting Stay of Execution.

No. —. IRVIN *v.* CHAPMAN, SUPERINTENDENT, RAYFORD STATE PENITENTIARY.

Upon consideration of the application of counsel,

It is ordered that execution of the sentence of death imposed upon the petitioner, Walter Irvin, be, and the same is hereby, stayed pending the filing and disposition of a petition for writ of certiorari to review the judgment of the Supreme Court of Florida entered November 5, 1954, provided the petition for writ of certiorari is filed on or before November 20, 1954. In the event certiorari is granted, this stay is to continue until final disposition of the case. *Thurgood Marshall, Jack Greenberg and Frank D. Reeves* for petitioner. Reported below: 75 So. 2d 591. [For order denying certiorari, see *post*, p. 915.]

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Decisions Per Curiam.

No. 118. GARCIA *v.* LANDON, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. Certiorari, 347 U. S. 1011, to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The judgment of the Court of Appeals is vacated and the case is remanded to the District Court with directions to dismiss the petition

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for writ of habeas corpus upon the ground that the cause is moot. *Harry Wolpin* and *A. L. Wirin* for petitioner. *Solicitor General Sobeloff* for respondent. Reported below: 207 F. 2d 693.

No. 274. *PHILLIPS PETROLEUM Co. v. CABOT CARBON Co.* On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit. *Per Curiam*: The petition for writ of certiorari is granted. The judgment of the Court of Appeals is vacated and the case is remanded to that court for its reconsideration in the light of the latest order of the Corporation Commission of Oklahoma pertaining to the order in question. *Rayburn L. Foster, Harry D. Turner, R. M. Williams* and *Cecil C. Hamilton* for petitioner. *Robert M. Rainey* and *Streeter B. Flynn* for respondent. Reported below: 210 F. 2d 841.

No. 379. *WEBB ET AL. v. STATE UNIVERSITY OF NEW YORK ET AL.* Appeal from the United States District Court for the Northern District of New York. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. *Clifford H. Searl* and *Daniel F. Mathews* for appellants. *Nathaniel L. Goldstein*, Attorney General of New York, *Wendell P. Brown*, Solicitor General, *John C. Crary, Jr.*, Assistant Attorney General, and *Irving I. Waxman* for appellees. Reported below: 125 F. Supp. 910.

No. 193, Misc. *MARRON v. RAGEN, WARDEN.* Appeal from the United States Court of Appeals for the Seventh Circuit. *Per Curiam*: The appeal is dismissed for the want of jurisdiction. 28 U. S. C. § 1254 (2).*

*As amended by order entered December 6, 1954, *post*, p. 893.

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No. 209, Misc. *SMITH v. WESTCHESTER COUNTY BAR ASSOCIATION*. Appeal from the Court of Appeals of New York. *Per Curiam*: The appeal is dismissed for the want of jurisdiction. 28 U. S. C. § 1257 (2). Treating the papers whereon the appeal was taken as a petition for writ of certiorari, as required by 28 U. S. C. § 2103, certiorari is denied. Reported below: 307 N. Y. 677, 120 N. E. 2d 851.

Miscellaneous Orders.

No. 320. *MICHIGAN-WISCONSIN PIPE LINE Co. v. CORPORATION COMMISSION OF OKLAHOMA ET AL.*; and

No. 321. *NATURAL GAS PIPELINE Co. v. CORPORATION COMMISSION OF OKLAHOMA ET AL.* Appeals from the Supreme Court of Oklahoma. Motion of Phillips Petroleum Company for leave to file motion to dismiss granted. *Jack T. Conn* and *Arthur R. Seder, Jr.* for appellant in No. 320. *Clarence H. Ross* and *Warren T. Spies* for appellant in No. 321. *D. H. Culton* and *Coleman Hayes* for appellants in Nos. 320 and 321. *Mac Q. Williamson*, Attorney General of Oklahoma, for the Corporation Commission, *T. Murray Robinson* and *Leon Shipp* for certain mineral owners in Texas County, Oklahoma; and *Rayburn L. Foster*, *Harry D. Turner*, *R. M. Williams* and *Cecil C. Hamilton* for the Phillips Petroleum Company, appellees. Reported below: 272 P. 2d 425.

No. 367. *FEDERAL POWER COMMISSION v. OREGON ET AL.* C. A. 9th Cir. Certiorari granted. Petition of Portland General Electric Co. for leave to intervene denied. *Solicitor General Sobeloff* and *Willard W. Gatchell* for petitioner. *Robert Y. Thornton*, Attorney General of Oregon, *E. G. Foxley*, Deputy Attorney General, and *Arthur G. Higgs*, Assistant Attorney General, for respondents. *Clarence D. Phillips* for the Portland General Electric Co. Reported below: 211 F. 2d 347.

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No. 138, Misc. *EX PARTE BREEDING*;
No. 171, Misc. *SUMMEY v. SKEEN, WARDEN*;
No. 185, Misc. *McGUINN v. LINDSAY, SUPERINTENDENT, DISTRICT OF COLUMBIA REFORMATORY, ET AL.*;
No. 186, Misc. *NICHOLSON v. CALIFORNIA*;
No. 195, Misc. *EX PARTE KING*; and
No. 197, Misc. *EX PARTE WILLIAMS*. Motions for leave to file petitions for writs of habeas corpus denied.

No. 139, Misc. *SAUNDERS v. LEVIN, U. S. DISTRICT JUDGE, ET AL.*; and

No. 194, Misc. *TUBB v. UNITED STATES*. Motions for leave to file petitions for writs of mandamus denied.

No. 142, Misc. *CORDTS v. RAGEN, WARDEN*; and

No. 164, Misc. *EPHRAIM v. RAGEN, WARDEN*. Motions for leave to file petitions for writs of certiorari denied.

Probable Jurisdiction Noted.

No. 191. *NATURAL GAS PIPELINE Co. v. PANOMA CORPORATION ET AL.* Appeal from the Supreme Court of Oklahoma. Probable jurisdiction noted. *D. H. Culton, Coleman Hayes, Clarence H. Ross, Warren T. Spies and S. A. L. Morgan* for appellant. *Mac Q. Williamson*, Attorney General of Oklahoma, for the Corporation Commission of Oklahoma, and *T. Murray Robinson and Leon Shipp* for the Panoma Corporation, appellees. Reported below: 271 P. 2d 354.

No. 321. *NATURAL GAS PIPELINE Co. v. CORPORATION COMMISSION OF OKLAHOMA ET AL.* Appeal from the Supreme Court of Oklahoma. Probable jurisdiction noted. *Clarence H. Ross, Warren T. Spies, D. H. Culton and Coleman Hayes* for appellant. *Mac Q. Williamson*, Attorney General of Oklahoma, for the Corporation Com-

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mission, *T. Murray Robinson* and *Leon Shipp* for certain mineral owners in Texas County, Oklahoma; and *Rayburn L. Foster*, *Harry D. Turner*, *R. M. Williams* and *Cecil C. Hamilton* for the Phillips Petroleum Company, appellees. Reported below: 272 P. 2d 425.

Certiorari Granted. (See also Nos. 274 and 367, *supra*.)

No. 333. *PINO v. NICOLLS, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE.* C. A. 1st Cir. Certiorari granted. *Jacob Spiegel* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for respondent. Reported below: 215 F. 2d 237.

No. 337. *NORWOOD ET AL. v. KIRKPATRICK, CHIEF JUDGE, U. S. DISTRICT COURT.* C. A. 3d Cir. Certiorari granted. *B. Nathaniel Richter* and *Ernest Ray White* for petitioners. *H. Francis De Lone* and *William H. Lowery* for respondent.

No. 375. *CARROLL ET AL., DOING BUSINESS AS HARRY B. HOGAN PAINTING CO., ET AL. v. LANZA, DOING BUSINESS AS LAKE CHARLES ELECTRIC CO.* C. A. 8th Cir. Certiorari granted. *Shields M. Goodwin* for petitioners. *Edward L. Wright* for respondent. Reported below: 216 F. 2d 808.

No. 357. *MANEJA ET AL. v. WAIALUA AGRICULTURAL CO., LTD.;* and

No. 358. *WAIALUA AGRICULTURAL CO., LTD. v. MANEJA ET AL.* C. A. 9th Cir. Certiorari granted. The Solicitor General is invited to participate in oral argument on behalf of the Secretary of Labor, as *amicus curiae*. *Richard Gladstein* and *Norman Leonard* for Maneja et al. *Rufus G. Poole*, *Milton C. Denbo* and *Philip Levy* for

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the Waialua Agricultural Co., Ltd. *Solicitor General Sobeloff* filed a memorandum for the Secretary of Labor, as *amicus curiae*. Reported below: 216 F. 2d 466.

Certiorari Denied. (See also *Misc. Nos. 193, 209, 142 and 164, supra.*)

No. 262. *FISCHER & PORTER Co. v. BROOKS ROTAMETER Co.* C. A. 3d Cir. Certiorari denied. *Leonard L. Kalish* for petitioner. *J. Edward Shinn* for respondent. Reported below: 211 F. 2d 400.

No. 313. *ARVEY CORPORATION v. FUGATE, DIRECTOR OF REVENUE OF COLORADO.* Supreme Court of Colorado. Certiorari denied. *Floyd E. Thompson* and *John R. Coen* for petitioner. *Duke W. Dunbar*, Attorney General of Colorado, *Frank A. Wachob*, Deputy Attorney General, and *Omer Griffin*, Assistant Attorney General, for respondent. Reported below: 129 Colo. 595, 272 P. 2d 652.

No. 329. *THOMAS RIGGING Co. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 9th Cir. Certiorari denied. *Allan L. Sapiro* for petitioner. *Solicitor General Sobeloff, George J. Bott, David P. Findling* and *Dominick L. Manoli* for respondent. Reported below: 211 F. 2d 153.

No. 334. *BOWER v. EASTERN AIR LINES, INC.* C. A. 3d Cir. Certiorari denied. *Oscar Brown* and *Samuel Kagle* for petitioner. *Walter B. Gibbons* and *W. Glen Harlan* for respondent. Reported below: 214 F. 2d 623.

No. 335. *LINDE v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 9th Cir. Certiorari denied. *Stephen H. Hart* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, Hilbert P. Zarky* and *L. W. Post* for respondent. Reported below: 213 F. 2d 1.

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No. 336. *METRAKOS v. CLEVELAND UNION TERMINALS* Co. C. A. 6th Cir. Certiorari denied. *William J. Corrigan* and *Theodore T. Sindell* for petitioner. *Paul Lamb* for respondent. Reported below: 212 F. 2d 792.

No. 338. *BRANYAN & PETERSON, INC. ET AL. v. THOMPSON, COMMISSIONER OF REVENUES FOR ARKANSAS*. Supreme Court of Arkansas. Certiorari denied. *William H. Daggett* for petitioners. *O. T. Ward* for respondent. Reported below: 223 Ark. 705, 268 S. W. 2d 376.

No. 339. *ATLANTIC COAST LINE RAILROAD Co. v. UNITED STATES*. Court of Claims. Certiorari denied. *Charles Cook Howell* and *Frank G. Kurka* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Burger*, *Samuel D. Slade* and *Morton Hollander* for the United States. Reported below: 128 Ct. Cl. 747, 120 F. Supp. 917.

No. 340. *HOPKINS, ADMINISTRATRIX, v. E. I. DU PONT DE NEMOURS & Co.* C. A. 3d Cir. Certiorari denied. *Abraham E. Freedman* and *Charles Lakatos* for petitioner. *C. Brewster Rhoads* and *George G. Chandler* for respondent. Reported below: 212 F. 2d 623.

No. 341. *HALL v. BATTLE, GOVERNOR, ET AL.* Supreme Court of Appeals of Virginia and/or Circuit Court of the City of Richmond. Certiorari denied. *Bernard Cushman* and *Justus R. Moll* for petitioner. *J. Lindsay Almond, Jr.*, Attorney General of Virginia, and *C. F. Hicks*, Assistant Attorney General, for respondents.

No. 342. *ALEXANDER v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. *L. N. D. Wells, Jr.* for petitioner. *John Ben Shepperd*, Attorney General of

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Texas, and *Milton Richardson* and *W. Edmund Notestine*, Assistant Attorneys General, for respondent. Reported below: 160 Tex. Cr. R. —, 274 S. W. 2d 81.

No. 343. *AMERICAN FEDERATION OF MUSICIANS ET AL. v. STEIN*. C. A. 6th Cir. Certiorari denied. *Murray Gartner* for petitioners. *Jonathan J. Foley, Jr.* for respondent. Reported below: 213 F. 2d 679.

No. 344. *VAUGHAN v. PETROLEUM CONVERSION CORP. ET AL.* C. A. 2d Cir. Certiorari denied. *James A. Vaughan, pro se*. *Thomas Cooch* and *Morgan P. Ames* for respondents. Reported below: 211 F. 2d 499.

No. 345. *LING SHARE YEE ET AL. v. ACHESON, SECRETARY OF STATE*. C. A. 3d Cir. Certiorari denied. *Samuel B. Waterman* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Edward S. Szukelewicz* for respondent. Reported below: 214 F. 2d 4.

No. 346. *VULCAN FURNITURE MANUFACTURING CORP. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 5th Cir. Certiorari denied. *Jess G. Schiffmann* and *Nolan P. Chipman* for petitioner. *Solicitor General Sobeloff, George J. Bott, David P. Findling* and *Dominick L. Manoli* for respondent. Reported below: 214 F. 2d 369.

No. 347. *HARTFORD ACCIDENT & INDEMNITY Co. v. FOSTER ET AL., TRADING AS J. M. FOSTER & Co.* C. A. 3d Cir. Certiorari denied. *Philip L. Leidy* for petitioner. *William A. Schnader* and *Earl G. Harrison* for respondents. Reported below: 214 F. 2d 608.

No. 349. *ROY v. ROY*. Supreme Court of Florida. Certiorari denied. *John Alexander* and *Joseph Sitnick*

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for petitioner. *Lucien H. Mercier, Harold A. Kertz and N. Meyer Baker* for respondent. Reported below: 73 So. 2d 294.

No. 350. *SAPERSTEIN v. NEW YORK*. Superior Court, Appellate Division, and the Supreme Court of New Jersey. Certiorari denied. *Max Mehler and Bennett Boskey* for petitioner. *Frank S. Hogan, Charles W. Manning and Charles V. Webb, Jr.* for respondent. Reported below: 15 N. J. 613, 106 A. 2d 41; 30 N. J. Super. 373, 104 A. 2d 842.

No. 352. *HEARST CONSOLIDATED PUBLICATIONS, INC. v. STEVENSON*. C. A. 2d Cir. Certiorari denied. *William J. Dempsey* for petitioner. *Frank H. Gordon* for respondent. Reported below: 214 F. 2d 902.

No. 354. *LAMBERT ET AL., DOING BUSINESS AS LOW GAP COAL CO., v. UNITED MINE WORKERS OF AMERICA ET AL.* C. A. 4th Cir. Certiorari denied. *Fred B. Greear and Robert T. Winston, Jr.* for petitioners. *Harrison Combs and M. E. Boiarsky* for respondents. Reported below: 214 F. 2d 487.

No. 355. *HAINSWORTH v. HARRIS COUNTY COMMISSIONERS' COURT*. Supreme Court of Texas. Certiorari denied. *Robert Wendell Hainsworth, pro se. Albert J. De Lange* for respondent. Reported below: 153 Tex. —, 269 S. W. 2d 332.

No. 359. *PENNSYLVANIA EX REL. TANNER v. CLAUDY, WARDEN*. Supreme Court of Pennsylvania, Western District. Certiorari denied. *Valera Grapp and Max V. Schoonmaker* for petitioner. Reported below: 378 Pa. 429, 106 A. 2d 401.

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No. 360. LOUISIANA & ARKANSAS RAILWAY Co. *v.* JOHNSON. C. A. 5th Cir. Certiorari denied. *M. Truman Woodward, Jr., Joseph R. Brown and Elizabeth R. Haak* for petitioner. *Robert Weinstein* for respondent. Reported below: 214 F. 2d 290.

No. 364. KLOIBER ET AL. *v.* PENNSYLVANIA. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. *Everett Kent* for petitioners. Reported below: 378 Pa. 412, 106 A. 2d 820.

No. 365. POVEY *v.* MIDVALE COMPANY. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. *Lester J. Schaffer* for petitioner. *Frederick H. Knight* for respondent.

No. 366. KNICKERBOCKER PRINTING CORP. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Monroe Goldwater and James L. Goldwater* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Morton and John F. Davis* for the United States. Reported below: 212 F. 2d 894.

No. 369. LEO J. MEYBERG Co. *v.* EUREKA WILLIAMS CORP. C. A. 9th Cir. Certiorari denied. *H. W. Glensor* for petitioner. *Maurice D. L. Fuller and Thomas E. Haven* for respondent. Reported below: 215 F. 2d 100.

No. 371. GUESSEFELDT *v.* BROWNELL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Robert F. Klepinger, William W. Barron and Charles R. Richey* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Townsend, James D. Hill and Irwin A. Seibel* for respondents. Reported below: — U. S. App. D. C. —, 213 F. 2d 24.

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No. 383. *BURO ET AL. v. NEW YORK*. Court of Appeals of New York. Certiorari denied. *Reuben L. Haskell* for petitioners. *Nathaniel L. Goldstein*, Attorney General of New York, *Wendell P. Brown*, Solicitor General, and *John R. Davison*, Assistant Attorney General, for respondent. Reported below: 306 N. Y. 730, 117 N. E. 2d 909.

No. 353. *COWLES PUBLISHING CO. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 9th Cir. Certiorari denied. MR. JUSTICE DOUGLAS took no part in the consideration or decision of this application. *David A. Watts* and *William N. Haddad* for petitioner. *Solicitor General Sobeloff*, *George J. Bott*, *David P. Findling*, *Dominick L. Manoli* and *Nancy M. Sherman* for respondent. Reported below: 214 F. 2d 708.

No. 361. *ST. LOUIS AMUSEMENT CO. v. UNITED STATES ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE DOUGLAS took no part in the consideration or decision of this application. *Russell Hardy* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Barnes*, *Daniel M. Friedman*, *Warren E. Baker* and *J. Smith Henley* for the United States and the Federal Communications Commission; and *Samuel I. Rosenman* and *Ambrose Doskow* for the Columbia Broadcasting System, Inc., respondents.

No. 51, Misc. *FANNING v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 80, Misc. *MITCHELL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

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No. 143, Misc. *KUBUS v. SWENSON, WARDEN*. Supreme Court of Minnesota. Certiorari denied. Reported below: — Minn. —, 65 N. W. 2d 177.

No. 145, Misc. *SYKES v. PEPPERSACK, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 213 F. 2d 871.

No. 149, Misc. *OWENS v. MAYO, PRISON CUSTODIAN*. Supreme Court of Florida. Certiorari denied.

No. 151, Misc. *BLACKMORN v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 155, Misc. *DRAISNER v. LISS REALTY Co., INC.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Everett M. Raffel* for petitioner. Reported below: — U. S. App. D. C. —, 211 F. 2d 808.

No. 157, Misc. *WILLIAMS v. LOONEY, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 165, Misc. *BOBO v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 167, Misc. *KAMROWSKI v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 169, Misc. *LINDSEY v. ST. PAUL MERCURY INDEMNITY Co.* C. A. 5th Cir. Certiorari denied. Reported below: 213 F. 2d 535.

No. 173, Misc. *FRIDAY v. MOORE, WARDEN*. Court of Criminal Appeals of Texas. Certiorari denied.

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No. 175, Misc. *PLUE v. CUMMINGS, WARDEN*. Supreme Court of Errors of Connecticut. Certiorari denied.

No. 179, Misc. *GEACH v. RAGEN, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 183, Misc. *TILLMAN ET AL. v. CRANOR, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. Supreme Court of Washington. Certiorari denied.

No. 184, Misc. *JONES v. NEW YORK*. Supreme Court of New York, Appellate Division, Second Department. Certiorari denied.

No. 189, Misc. *GARNER v. ILLINOIS*. Criminal Court of Cook County. Certiorari denied.

No. 191, Misc. *BROWN v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 192, Misc. *COOPER ET AL. v. NEW YORK*. Court of Appeals of New York. Certiorari denied. *Joseph Linde* and *Nathan Kestnbaum* for petitioners. *John J. O'Brien* for respondent. Reported below: 307 N. Y. 253, 120 N. E. 2d 813.

No. 196, Misc. *EMMINO v. NEW YORK*. Supreme Court of New York, Appellate Division, Second Department. Certiorari denied.

No. 198, Misc. *COE v. CRANOR, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. Supreme Court of Washington. Certiorari denied.

No. 200, Misc. *TRENT v. BLALOCK, SUPERINTENDENT, SOUTHWESTERN STATE HOSPITAL*. Supreme Court of Appeals of Virginia. Certiorari denied.

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No. 201, Misc. *HORTON v. VIRGINIA*. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 202, Misc. *BROCCOLI v. KINDELAN, WARDEN*. Supreme Court of Rhode Island. Certiorari denied.

No. 205, Misc. *GARRISON v. PENNSYLVANIA*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. Reported below: 378 Pa. 344, 106 A. 2d 587.

No. 206, Misc. *SAM v. CRANOR, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. Supreme Court of Washington. Certiorari denied.

No. 207, Misc. *KOSTAL v. CALIFORNIA*. District Court of Appeal of California, Second Appellate District. Certiorari denied. Reported below: 123 Cal. App. 2d 120, 266 P. 2d 205.

No. 208, Misc. *MARRON v. RAGEN, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 210, Misc. *WATSON v. SCHOOL DISTRICT OF McKEESPORT*. Supreme Court of Pennsylvania, Western District. Certiorari denied. *Ralph E. Powe* for petitioner. *Elder W. Marshall* for respondent. Reported below: 377 Pa. 495, 105 A. 2d 576.

No. 214, Misc. *CAMPIGLIA v. NEW YORK*. Supreme Court of New York, Appellate Division, Second Department. Certiorari denied. Reported below: 283 App. Div. 1075, 131 N. Y. S. 2d 897.

No. 215, Misc. *STINCHCOMB v. CALIFORNIA ET AL.* District Court of Appeal of California, Third Appellate District. Certiorari denied.

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No. 218, Misc. *MACARTHUR v. CALIFORNIA*. District Court of Appeal of California, First Appellate District. Certiorari denied. Reported below: 125 Cal. App. 2d 212, 270 P. 2d 37.

No. 166, Misc. *AITCHISON v. MARYLAND*. Court of Appeals of Maryland. Motion for leave to file brief of Kenneth C. Hitchcock et al., as *amici curiae*, denied. Certiorari denied. Petitioner *pro se*. *W. Giles Parker*, Assistant Attorney General of Maryland, for respondent. Reported below: 204 Md. 538, 105 A. 2d 495.

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Decisions Per Curiam.

No. 28. *RICE v. SIOUX CITY MEMORIAL PARK CEMETERY, INC. ET AL.* Certiorari, 347 U. S. 942, to the Supreme Court of Iowa. Argued November 8-9, 1954. Decided November 15, 1954. *Per Curiam*: The judgment is affirmed by an equally divided Court. *Lowell C. Kindig* argued the cause for petitioner. With him on the brief was *Neil R. McCluhan*. *Jesse E. Marshall* argued the cause for respondents. With him on the brief was *H. C. Harper*. *Will Maslow, Leo Pfeffer, Shad Polier* and *Joseph B. Robison* filed a brief for the American Jewish Congress, as *amicus curiae*. Reported below: 245 Iowa 147, 60 N. W. 2d 110.

No. 404. *AMSEL ET AL., DOING BUSINESS AS AMSEL DENTAL LABORATORY, v. BROOKS ET AL., MEMBERS OF THE DENTAL COMMISSION OF CONNECTICUT*. Appeal from the Supreme Court of Errors of Connecticut. *Per Curiam*: The appeal is dismissed for the want of a substantial federal question. *Margaret Driscoll* and *John J. Darcy* for appellants. *William L. Beers*, Attorney General of Connecticut, and *Louis Weinstein*, Assistant

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Attorney General, for appellees. Reported below: 141 Conn. 288, 106 A. 2d 152.

No. 418. *WEST VIRGINIA MOTOR TRUCK ASSOCIATION, INC. ET AL. v. PUBLIC SERVICE COMMISSION OF WEST VIRGINIA ET AL.* Appeal from the United States District Court for the Southern District of West Virginia. *Per Curiam*: The judgment is affirmed. MR. JUSTICE REED took no part in the consideration or decision of this case. *Francis W. McInerny* and *David G. Macdonald* for appellants. *John G. Fox*, Attorney General of West Virginia, and *Amos A. Bolen* for appellees. Reported below: 123 F. Supp. 206.

Miscellaneous Orders.

No. 16. *SILESIAN HOLDING CO. ET AL. v. UNION BANK OF SWITZERLAND ET AL.*; and

No. 17. *BROWNELL, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN, v. UNION BANK OF SWITZERLAND ET AL.* On petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit. The motion to defer consideration of the petitions for writs of certiorari until March 1, 1955, is granted. *Horace G. Hitchcock* for the Silesian Holding Company, *William Gilligan* for the Silesian-American Corporation, and *Charles E. Scribner* for the Bondholders Protective Committee, petitioners in No. 16. *Ralph D. Ray* was also of counsel. *Robert L. Stern*, then Acting Solicitor General, and *William H. Timbers* for petitioner in No. 17. *Lawrence J. McKay* and *Dudley B. Tenney* for respondents. Reported below: 204 F. 2d 603.

No. 20. *ELLIS v. DIXON ET AL., MEMBERS OF THE BOARD OF EDUCATION OF THE CITY OF YONKERS.* Certiorari, 347 U. S. 926, to the Appellate Division of the Supreme Court of New York, Second Department.

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Argued October 18, 1954. This case is ordered restored to the docket for reargument before a full bench. Counsel are requested to argue both the merits and the jurisdiction of this Court. *Emanuel Redfield* for petitioner. *J. Raymond Hannon* and *John Preston Phillips* for respondents. *Seymour B. Quel*, *Daniel T. Scannell* and *Helen R. Cassidy* filed a brief for the City of New York on behalf of the Board of Education, as *amicus curiae*, urging affirmance. Reported below: 281 App. Div. 987, 120 N. Y. S. 2d 854.

Certiorari Granted.

No. 368. *MARCELLE v. ESTATE OF LUPIA ET AL.* C. A. 2d Cir. Certiorari granted. *Solicitor General Sobeloff* for petitioner. *Leon London* filed a waiver of the right to file a brief in opposition for respondents. Reported below: 214 F. 2d 942.

No. 374. *SHAUGHNESSY, DISTRICT DIRECTOR OF IMMIGRATION AND NATURALIZATION, v. PEDREIRO.* C. A. 2d Cir. Certiorari granted. *Solicitor General Sobeloff* for petitioner. Reported below: 213 F. 2d 768.

No. 376. *PETERS v. HOBBY ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Thurman Arnold*, *Abe Fortas*, *Paul A. Porter* and *Milton V. Freeman* for petitioner. *Solicitor General Sobeloff* for respondents.

Certiorari Denied.

No. 308. *BITTERLING v. MAPLE ISLAND FARM, INC.* C. A. 8th Cir. Certiorari denied. *Warren E. Burger*, *R. J. Faricy* and *R. A. Moore* for petitioner. *M. J. Doherty* and *Pierce Butler* for respondent. Reported below: 209 F. 2d 867.

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No. 372. *THAYER COMPANY ET AL. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 1st Cir. Certiorari denied. *Reginald Heber Smith* for petitioners. *Solicitor General Sobeloff, George J. Bott, David P. Findling, Dominick L. Manoli, Norton J. Come and Irving M. Herman* for respondent. Reported below: 213 F. 2d 748.

No. 373. *WISCONSIN ET AL. v. FEDERAL POWER COMMISSION.* C. A. 7th Cir. Certiorari denied. *Vernon W. Thomson, Attorney General of Wisconsin, Harold H. Persons and Roy G. Tulane, Assistant Attorneys General, and William E. Torkelson* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Burger, Melvin Richter, Willard W. Gatchell, John C. Mason and Louis C. Kaplan* for respondent. Reported below: 214 F. 2d 334.

No. 377. *DUGGAN, TRUSTEE, ET AL. v. MAGIDSON, EXECUTRIX.* C. A. 8th Cir. Certiorari denied. *Geo. O. Durham, Sherman Landau and E. M. Munger* for petitioners. Reported below: 212 F. 2d 748.

No. 397. *JOYCE ET AL. v. DELL ET AL.* Supreme Court of Minnesota. Certiorari denied. Petitioners *pro se. Michael J. Doherty* for respondents. Reported below: — Minn. —, 65 N. W. 2d 581.

No. 401. *TEXAS GAS TRANSMISSION CORP. v. ATKINS, COMMISSIONER OF FINANCE AND TAXATION OF TENNESSEE.* Supreme Court of Tennessee. Certiorari denied. *Edward P. Russell* for petitioner. *George F. McCanless, Attorney General of Tennessee, Allison B. Humphreys, Solicitor General, and Milton P. Rice, Assistant Attorney General*, for respondent. Reported below: 197 Tenn. 123, 270 S. W. 2d 384.

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No. 25, Misc. *GICINTO v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Homer A. Cope, Donald W. Browne and Walter A. Raymond* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Joseph A. Barry* for the United States. Reported below: 212 F. 2d 8.

No. 27, Misc. *HOPWOOD v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Carl H. Imlay* for the United States.

No. 134, Misc. *WISE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Carl H. Imlay* for the United States. Reported below: 212 F. 2d 440.

Rehearing Denied.

No. 46. *KUCZYNSKI v. BURKE, WARDEN*, *ante*, p. 837;

No. 86. *COLORADO INTERSTATE GAS CO. v. FEDERAL POWER COMMISSION*, *ante*, p. 818;

No. 106. *STAPLING MACHINES CO. v. STONE, CHAIRMAN, STATE TAX COMMISSION OF MISSISSIPPI, ET AL.*, *ante*, p. 802;

No. 188. *NICHOLS ET AL. v. LONG ISLAND LIGHTING CO. ET AL.*, *ante*, p. 827;

No. 26, Misc. *ARCHIE v. SHELL OIL CO., INC. ET AL.*, *ante*, p. 843;

No. 64, Misc. *WAGNER v. RAGEN, WARDEN*, *ante*, p. 846; and

No. 90, Misc. *BARKEIJ v. LOCKHEED AIRCRAFT CORP.*, *ante*, p. 847. Petitions for rehearing denied.

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Decisions Per Curiam.

No. 351. LOUISIANA PUBLIC SERVICE COMMISSION ET AL. v. UNITED STATES ET AL. Appeal from the United States District Court for the Eastern District of Louisiana. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed. *Fred S. LeBlanc*, Attorney General of Louisiana, *Joel B. Dickinson*, Assistant Attorney General, and *Robert A. Ainsworth, Jr.* for the Louisiana Public Service Commission, and *Louis A. Schwartz* for the New Orleans Traffic & Transportation Bureau et al., appellants. *Solicitor General Sobeloff* and *Edward M. Reidy* for the United States and the Interstate Commerce Commission; and *Harry McCall*, *William E. Davis*, *A. J. Dixon*, *Harold E. Spencer* and *Y. D. Lott* for the Arkansas & Louisiana Railway Co. et al., appellees. Reported below: 125 F. Supp. 180.

No. 286, Misc. *McVEIGH v. FLORIDA*. Appeal from the Supreme Court of Florida. *Per Curiam*: The appeal is dismissed for the want of a substantial federal question. *Zach H. Douglas* for appellant. Reported below: 73 So. 2d 694.

Miscellaneous Orders.

Pursuant to the provisions of Title 28, U. S. C., § 42, It is ordered that MR. JUSTICE FRANKFURTER be, and he is hereby, temporarily assigned to the Second Circuit as Circuit Justice.

No. 261. *GRANVILLE-SMITH- v. GRANVILLE-SMITH*. Certiorari, *ante*, p. 810, to the United States Court of Appeals for the Third Circuit. Leave to submit this case without oral argument is denied. The case is restored to the docket for argument and *Erwin N. Griswold*, *Esq.*, is invited to appear and present oral argument, as *amicus*

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curiae, in support of the judgment below. *Abe Fortas*, *George H. T. Dudley* and *Milton V. Freeman* for petitioner. *Warren H. Young* for respondent. Reported below: 214 F. 2d 820.

No. 1. *BROWN ET AL. v. BOARD OF EDUCATION OF TO-PEKA ET AL.*, 347 U. S. 483;

No. 2. *BRIGGS ET AL. v. ELLIOTT ET AL.*, 347 U. S. 483;

No. 3. *DAVIS ET AL. v. COUNTY SCHOOL BOARD OF PRINCE EDWARD COUNTY, VIRGINIA, ET AL.*, 347 U. S. 483;

No. 4. *BOLLING ET AL. v. SHARPE ET AL.*, 347 U. S. 497; and

No. 5. *GEBHART ET AL. v. BELTON ET AL.*, 347 U. S. 483. In view of the absence of a full Court these cases, now scheduled for argument December 6, 1954, are continued.

Probable Jurisdiction Noted.

No. 233. *INTERSTATE COMMERCE COMMISSION v. STONE'S EXPRESS, INC.*; and

No. 363. *ST. JOHNSBURY TRUCKING CO., INC. ET AL. v. STONE'S EXPRESS, INC.* Appeals from the United States District Court for the District of Massachusetts. Probable jurisdiction noted. *Edward M. Reidy* for appellant in No. 233. *Sterry R. Waterman* and *S. Harrison Kahn* for appellants in No. 363. *Joseph Rotwein* for appellee. *Solicitor General Sobeloff*, *Assistant Attorney General Barnes* and *Charles H. Weston* filed a memorandum for the United States in opposition to the motion to affirm in No. 233. Reported below: 122 F. Supp. 955.

Certiorari Granted.

No. 387. *MITCHELL, SECRETARY OF LABOR, v. C. W. VOLLMER & CO., INC.* C. A. 5th Cir. Certiorari granted. *Solicitor General Sobeloff* for petitioner. Reported below: 214 F. 2d 132.

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No. 394. *IN RE LEVY*. C. A. 5th Cir. Certiorari granted. *Bernard A. Golding* for petitioner. Reported below: 214 F. 2d 331.

Certiorari Denied.

No. 271. *SELTENREICH ET AL., DOING BUSINESS AS FAIRBANKS AIR SERVICE, ET AL. v. TOWN OF FAIRBANKS ET AL.* C. A. 9th Cir. Certiorari denied. *Hubert A. Gilbert* for petitioners. *Theodore I. Seamon* for respondents. Reported below: 211 F. 2d 83.

No. 382. *BARREIRO v. BROWNELL, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Edward S. Szukelewicz* for respondent. Reported below: 215 F. 2d 585.

No. 386. *KAFES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, David L. Luce, Joseph M. Howard and Dickinson Thatcher* for the United States. Reported below: 214 F. 2d 887.

No. 388. *TALANKER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Samuel Mezansky* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 215 F. 2d 580.

No. 389. *FOREMAN & CLARK, INC. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 9th Cir. Certiorari denied. *George R. Richter, Jr.* for petitioner. *Solicitor General Sobeloff, George J. Bott, David P. Findling and Dominick L. Manoli* for respondent. Reported below: 215 F. 2d 396.

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No. 392. *PURE FOODS, INC. v. MINUTE MAID CORP.* C. A. 5th Cir. Certiorari denied. *William C. Martin* for petitioner. *J. Thomas Gurney* for respondent. Reported below: 214 F. 2d 792.

No. 396. *MILCO UNDERGARMENT CO., INC. ET AL. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 3d Cir. Certiorari denied. *Reginald S. Hemingway* for petitioners. *Solicitor General Sobeloff, George J. Bott, David P. Findling, Dominick L. Manoli and Samuel M. Singer* for respondent. Reported below: 212 F. 2d 801.

No. 398. *LEWIS v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. *Robert N. Gorman and Charles E. Lester* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg* for the United States. Reported below: 215 F. 2d 84.

No. 384. *UNITED STATES v. HUNTER.* C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Solicitor General Sobeloff* for the United States. Reported below: 214 F. 2d 356.

No. 118, Misc. *JACKSON v. ALABAMA.* Court of Appeals of Alabama. Certiorari denied. *H. A. Bradshaw* for petitioner. *Si Garrett, Attorney General of Alabama, and James L. Screws and Paul T. Gish, Jr., Assistant Attorneys General*, for respondent. Reported below: 37 Ala. App. 519, 72 So. 2d 114.

No. 174, Misc. *BROWN v. TEXAS.* Court of Criminal Appeals of Texas. Certiorari denied. *Maury Hughes* for petitioner. *John Ben Shepperd, Attorney General of Texas, and Rudy G. Rice, Frank Pinedo and Katherine W. Conti, Assistant Attorneys General*, for respondent. Reported below: 160 Tex. Cr. R. —, 267 S. W. 2d 819.

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No. 219, Misc. *MONAHAN v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied. *George F. Hetfield* and *George L. Feaster* for petitioner. *Hyman Isaac* for respondent. Reported below: 16 N. J. 83, 106 A. 2d 287.

Rehearing Denied.

No. 11, Original. *MISSISSIPPI v. LOUISIANA*, *ante*, p. 805. Petition for rehearing of the motion for leave to intervene denied.

No. 736, October Term, 1953. *MCRAE v. WOODS, ACTING HOUSING EXPEDITER*, 347 U. S. 1017. Motion for leave to file a second petition for rehearing denied.

No. 79. *LAS VEGAS MERCHANT PLUMBERS ASSOCIATION ET AL. v. UNITED STATES*, *ante*, p. 817;

No. 85. *ARTUKOVIC v. IVANCEVIC, CONSUL GENERAL OF THE FEDERAL PEOPLES' REPUBLIC OF YUGOSLAVIA, ET AL.*, *ante*, p. 818;

No. 88. *WILLIAMS v. CAROLINA LIFE INSURANCE CO. ET AL.*, *ante*, p. 802;

No. 111. *HARRIS ET AL. v. STANLEY, GOVERNOR, ET AL.*, *ante*, p. 803;

No. 151. *NILVA ET AL. v. UNITED STATES*, *ante*, p. 825;

No. 152. *JAYNE ET AL., JUDGES OF THE CIRCUIT COURT OF WAYNE COUNTY, ET AL. v. CITY OF DETROIT ET AL.*, *ante*, p. 802;

No. 167. *POMPROWITZ, DOING BUSINESS AS L. C. L. TRANSIT CO., ET AL. v. UNITED STATES ET AL.*, *ante*, p. 803;

No. 201. *KUCHIN v. CHICAGO & NORTH WESTERN RAILWAY CO.*, *ante*, p. 840; and

No. 208. *WILEMON ET AL. v. CITY AND COUNTY OF DALLAS LEVEE IMPROVEMENT DISTRICT ET AL.*, *ante*, p. 829. Petitions for rehearing denied.

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No. 221. MURPHY CORPORATION ET AL. *v.* FONTENOT, COLLECTOR OF REVENUE OF LOUISIANA, *ante*, p. 831;

No. 245. KESSLER *v.* FAUQUIER NATIONAL BANK, ADMINISTRATOR, ET AL., *ante*, p. 834;

No. 257. HOXSEY CANCER CLINIC ET AL. *v.* UNITED STATES, *ante*, p. 835;

No. 272. ANDERSON ET AL. *v.* MCKAY, SECRETARY OF THE INTERIOR, *ante*, p. 836;

No. 279. SAWYER *v.* WISCONSIN, *ante*, p. 855;

No. 291. BERTELSEN *v.* COONEY, *ante*, p. 856;

No. 314. ROGERS *v.* REPUBLIC PICTURES CORP. ET AL., *ante*, p. 858;

No. 325. INSURANCE COMPANY OF NORTH AMERICA *v.* UNITED STATES, *ante*, p. 863;

No. 21, Misc. ROUSSEAU *v.* HURTADO, EXECUTRIX, ET AL., *ante*, p. 843;

No. 23, Misc. FUNKHOUSER *v.* LOEW'S INCORPORATED, *ante*, p. 843;

No. 45, Misc. SALEMI *v.* NEW YORK, *ante*, p. 845;

No. 81, Misc. MACLAREN *v.* NEW YORK, *ante*, p. 847; and

No. 82, Misc. O'CONNELL *v.* RAGEN, WARDEN, *ante*, p. 847. Petitions for rehearing denied.

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Case Dismissed Under Rule 60.

No. 243, Misc. WARD *v.* UNITED STATES. On motion for leave to file and petition for writ of habeas corpus. Dismissed on motion of petitioner pursuant to Rule 60 of the Rules of this Court.

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Decisions Per Curiam.

No. 120. *REEVES v. ALABAMA*. Certiorari, 347 U. S. 1012, to the Supreme Court of Alabama. Argued November 15-16, 1954. Decided December 6, 1954. *Per Curiam*: Judgment reversed. See *Canty v. Alabama*, 309 U. S. 629, and *Vernon v. Alabama*, 313 U. S. 547. *Jack Greenberg* argued the cause for petitioner. With him on the brief were *Thurgood Marshall*, *Robert L. Carter* and *Louis H. Pollak*. *Robert Straub*, Assistant Attorney General of Alabama, and *Robert B. Stewart* argued the cause for respondent. With them on the brief was *Si Garrett*, Attorney General. Reported below: 260 Ala. 66, 68 So. 2d 14.

No. 356. *MOTOR FREIGHT EXPRESS ET AL. v. UNITED STATES ET AL.* Appeal from the United States District Court for the Middle District of Pennsylvania. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed. *James H. Booser* and *Samuel A. Schreckengast, Jr.* for appellants. *Solicitor General Sobeloff* and *Edward M. Reidy* for the United States and the Interstate Commerce Commission; and *Clarence D. Todd* and *Dale C. Dillon* for the Branch Motor Express Co., appellees. Reported below: 119 F. Supp. 298.

No. 378. *WILLMUT GAS & OIL CO. ET AL. v. COVINGTON COUNTY.* Appeal from the Supreme Court of Mississippi. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. *Garner W. Green* for appellants. *E. L. Dent* for appellee. Reported below: — Miss. —, 71 So. 2d 184.

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No. 381. *MASTERS, INC. v. GENERAL ELECTRIC CO.* Appeal from the Court of Appeals of New York. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. *Joseph F. Ruggieri, Thurman Arnold and Norman Diamond* for appellant. *Thomas Kiernan and Edgar Barton* for appellee. Reported below: 307 N. Y. 229, 120 N. E. 2d 802.

No. 407. *CHAPMAN ET AL. v. CITY OF SHREVEPORT.* Appeal from the Supreme Court of Louisiana. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. *Otis W. Bullock* for appellants. *J. N. Marcantel and W. Scott Wilkinson* for appellee. Reported below: 225 La. 859, 74 So. 2d 142.

No. 250, Misc. *ADDINGTON v. TENNESSEE.** Appeal from the Supreme Court of Tennessee. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. *Fyke Farmer* for appellant. *Knox Bigham* for appellee.

No. 416. *AMADIO v. UNITED STATES.* On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. *Per Curiam*: The petition for writ of certiorari is granted. The judgment is reversed and the case is remanded to the District Court with directions to dismiss the indictment on the ground that it does not come within the purview of the statute. *Bert C. Cheatham and Leon L. Sclawy* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Edward S. Szukelewicz* for the United States. Reported below: 215 F. 2d 605.

*[See modification of this order, *post*, p. 924.]

No. 427. *BARNES ET AL. v. AKRON, CANTON & YOUNGSTOWN RAILROAD CO. ET AL.* On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. *Per Curiam*: The petition for writ of certiorari is granted. The judgment of the Court of Appeals is vacated and the case is remanded to the District Court for disposition agreeable to the representation of counsel for respondents. *Alex Elson, Lester P. Schoene, Milton Kramer, Clarence M. Mulholland and Edward J. Hickey, Jr.* for petitioners. *Kenneth F. Burgess, D. Robert Thomas and Walter J. Cummings, Jr.* for the respondent railroads. Reported below: 215 F. 2d 423.

Miscellaneous Orders.

No. 193, Misc. *MARRON v. RAGEN, WARDEN*. The order entered in this case on November 8, 1954, *ante*, p. 867, is amended so as to read as follows: "Per Curiam: The appeal is dismissed for the want of jurisdiction. 28 U. S. C. § 1254 (2)."

No. 79, Misc. *HALL v. WILLIAMS ET AL.*, *ante*, p. 847. The motion for damages is denied. *H. L. Pringle* for respondents.

No. 225, Misc. *RICHTER v. SWENSON, WARDEN, ET AL.* Supreme Court of Minnesota. Certiorari denied. Motion for leave to file petition for writ of habeas corpus also denied. Reported below: — Minn. —, 66 N. W. 2d 17.

No. 121, Misc. *EX PARTE JACKSON*;
No. 199, Misc. *NEGRON v. LOONEY, WARDEN*;
No. 213, Misc. *DIXON v. RAGEN, WARDEN*;
No. 224, Misc. *EX PARTE WATSON*; and
No. 248, Misc. *NEWSTEAD v. WEISMANTEL, WARDEN*. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 249, Misc. *WEST v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Motion for leave to file petition for writ of mandamus also denied.

No. 181, Misc. *SMITH v. BANNAN, WARDEN*. Motion for leave to file petition for writ of habeas corpus and petition for writ of certiorari denied.

No. 203, Misc. *BROWN v. UNITED STATES*. Motion for leave to file petition for writ of mandamus denied.

No. 276, Misc. *UNITED STATES EX REL. FITZGERALD v. RYAN, U. S. DISTRICT JUDGE, ET AL.* Motion for leave to file petition for writ of mandamus denied. Petitioner *pro se*. *Solicitor General Sobeloff* for the United States, and *Arthur H. Dean* for Ryan et al., respondents.

No. 241, Misc. *FURMANSKI v. BANNAN, WARDEN*; and No. 244, Misc. *BAERCHUS v. DAY, WARDEN*. Motions for leave to file petitions for writs of certiorari denied.

Certiorari Granted. (*See also Nos. 416 and 427, supra.*)

No. 402. *WALTON v. CALIFORNIA*. Superior Court of California, Appellate Department, County of Santa Clara. Certiorari granted. *Jay Darwin* for petitioner. *Edmund G. Brown*, Attorney General of California, *Clarence A. Linn*, Assistant Attorney General, and *Arlo E. Smith*, Deputy Attorney General, for respondent.

No. 405. *IN RE MURCHISON ET AL.* Supreme Court of Michigan. Certiorari granted. *James A. Cobb* and *George E. C. Hayes* for petitioners. *Frank G. Millard*, Attorney General of Michigan, *Edmund E. Shepherd*, Solicitor General, and *Daniel J. O'Hara*, Assistant Attor-

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ney General, filed a brief opposing the petition. Reported below: 340 Mich. 140, 151, 65 N. W. 2d 296, 301.

No. 417. *LEWYT CORPORATION (NOW KNOWN AS LEWYT MANUFACTURING CORPORATION) v. COMMISSIONER OF INTERNAL REVENUE.* Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted limited to questions 1 and 2 presented by the application for the writ which read as follows:

"1. Whether, in the case of a taxpayer on the accrual basis, excess profits taxes paid within a taxable year constitute excess profits taxes 'paid or accrued within the taxable year' under Section 122 (d)(6), Section 122 (a) and Section 122 (b)(1) of the Internal Revenue Code of 1939 ('the Code') dealing with the computation of the net operating loss deduction.

"2. Whether under Section 122 (d)(6) and Section 122 (b)(1) of the Code the 'tax imposed by Subchapter E of Chapter 2' [the excess profits tax] 'accrued within the taxable year' is the excess profits tax computed on the basis of the facts existing at the end of such taxable year or whether it is the excess profits tax ultimately determined to be due after application of a carry-back arising in a later year and after giving effect to other circumstances arising in later years."

Seymour Sheriff for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, Lee A. Jackson and I. Henry Kutz* for respondent. Reported below: 215 F. 2d 518.

No. 180, Misc. *BELL v. UNITED STATES.* C. A. 6th Cir. Certiorari granted. Petitioner *pro se.* *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Edward S. Szukelewicz* for the United States. Reported below: 213 F. 2d 629.

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Certiorari Denied. (See also Misc. Nos. 181, 225, 241, 244 and 249, supra.)

No. 362. *COOPER v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. *Joseph Loeffler* for petitioner. *Edward D. E. Rollins*, Attorney General of Maryland, and *W. Giles Parker*, Assistant Attorney General, for respondent. Reported below: 205 Md. 162, 106 A. 2d 129.

No. 393. *RUBENSTEIN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Isaac Mellman* and *Robert G. Seaks* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Holland*, *Ellis N. Slack*, *John H. Mitchell* and *Joseph M. Howard* for the United States. Reported below: 214 F. 2d 667.

No. 395. *HALL v. FIRST NATIONAL BANK OF ATLANTA, EXECUTOR*. Court of Appeals of Georgia. Certiorari denied. *Lucian J. Endicott* for petitioner. Reported below: 89 Ga. App. 853, 81 S. E. 2d 522.

No. 400. *CHATTANOOGA STATION Co. v. MASSEY, ADMINISTRATRIX*. C. A. 6th Cir. Certiorari denied. *Joe V. Williams, Jr.* for petitioner. Reported below: 210 F. 2d 167.

No. 403. *EISTRAT v. BRUSH INDUSTRIAL LUMBER Co. ET AL.* Supreme Court of California and District Court of Appeal of California, Second Appellate District. Certiorari denied. *Alvin H. Gershenson* for petitioner. *Wendell W. Schooling* for respondents. Reported below: 124 Cal. App. 2d 42, 268 P. 2d 181.

No. 409. *HARRISON v. HARRISON*. C. A. 4th Cir. Certiorari denied. *Louis B. Fine* for petitioner. *William C. Worthington* for respondent. Reported below: 214 F. 2d 571.

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No. 410. *PACIFIC WESTBOUND CONFERENCE ET AL. v. LEVAL & CO., INC.* Supreme Court of Oregon. Certiorari denied. *Joseph J. Geary, Allan E. Charles* and *Tom Killefer* for petitioners. *Donald A. Schafer* for respondent. Reported below: 201 Ore. 390, 269 P. 2d 541.

No. 419. *BARBER ET AL. v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. *Josiah E. Brill* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, Robert N. Anderson* and *Louise Foster* for the United States. Reported below: 215 F. 2d 663.

No. 421. *CHAPMAN, DOING BUSINESS AS CARL CHAPMAN FRUIT CO., v. MITCHELL, SECRETARY OF LABOR.* C. A. 5th Cir. Certiorari denied. *Claude L. Gray* and *J. Hardin Peterson, Sr.* for petitioner. *Solicitor General Sobeloff, Bessie Margolin* and *Joseph M. Stone* for respondent. Reported below: 214 F. 2d 360.

No. 422. *FORT MASON FRUIT CO. v. MITCHELL, SECRETARY OF LABOR.* C. A. 5th Cir. Certiorari denied. *Claude L. Gray* and *J. Hardin Peterson, Sr.* for petitioner. *Solicitor General Sobeloff, Bessie Margolin* and *Joseph M. Stone* for respondent. Reported below: 214 F. 2d 363.

No. 424. *EDWARDS ET AL. v. BARKHAUSEN ET AL., DOING BUSINESS AS DOUBLEBY CO., ET AL.* Supreme Court of Illinois. Certiorari denied. *Irving Goodman* for petitioners. *Max Swiren, Ben W. Heineman* and *Joseph D. Block* for Barkhausen et al., respondents. Reported below: 3 Ill. 2d 254, 120 N. E. 2d 649.

No. 87. *VAN HOFF ET AL. v. REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO ET AL.* District Court of Appeal of California, First Appellate District. Certiorari denied. THE CHIEF JUSTICE took

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no part in the consideration or decision of this application. *Martin J. Jarvis* for petitioners. *Dion R. Holm* and *John Elmer Barricklo* for respondents. Reported below: 122 Cal. App. 2d 777, 266 P. 2d 105.

No. 411. *WRATHER ET AL. v. AMERICAN UNIVERSITY ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE BLACK is of the opinion certiorari should be granted. *James C. Wilkes* for petitioners. *E. F. Colladay* and *D. C. Colladay* for American University, *Paul B. Crommelin*, *Thomas M. RAYSOR* and *John B. Olverson* for the Lucy Webb Hayes National Training School for Deaconesses and Missionaries, and *Clyde D. Garrett* and *Andrew T. Altmann* for the Equitable Life Insurance Co., respondents. Reported below: 94 U. S. App. D. C. —, 214 F. 2d 282.

No. 3, Misc. *O'NEIL v. CRANOR, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY.* Supreme Court of Washington. Certiorari denied. Petitioner *pro se*. *Don Eastvold*, Attorney General of Washington, and *E. P. Donnelly* and *Keith S. Bergman*, Assistant Attorneys General, for respondent.

No. 28, Misc. *MICKENS v. VIRGINIA.* Supreme Court of Appeals of Virginia. Certiorari denied. Petitioner *pro se*. *J. Lindsay Almond, Jr.*, Attorney General of Virginia, and *Thomas M. Miller*, Assistant Attorney General, for respondent. Reported below: 195 Va. xc.

No. 38, Misc. *HODGES v. SKEEN, WARDEN.* Supreme Court of Appeals of West Virginia. Certiorari denied. Petitioner *pro se*. *John G. Fox*, Attorney General of West Virginia, and *T. D. Kauffelt*, Assistant Attorney General, for respondent.

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No. 55, Misc. *ROOKARD v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Reported below: — U. S. App. D. C. —, 212 F. 2d 464.

No. 56, Misc. *MEZO v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, for respondent.

No. 62, Misc. *CAGE v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. *Robert B. Johnstone* for petitioner. *Latham Castle*, Attorney General of Illinois, for respondent.

No. 67, Misc. *DELUCIA v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied. Petitioner *pro se*. *Grover C. Richman, Jr.*, Attorney General of New Jersey, and *Eugene T. Urbaniak*, Deputy Attorney General, for respondent.

No. 68, Misc. *TARRENCE v. KENTUCKY*. Court of Appeals of Kentucky. Certiorari denied. Petitioner *pro se*. *J. D. Buckman, Jr.*, Attorney General of Kentucky, and *H. D. Reed, Jr.*, Assistant Attorney General, for respondent. Reported below: 265 S. W. 2d 40.

No. 69, Misc. *TARRENCE v. KENTUCKY*. Court of Appeals of Kentucky. Certiorari denied. Petitioner *pro se*. *J. D. Buckman, Jr.*, Attorney General of Kentucky, and *H. D. Reed, Jr.*, Assistant Attorney General, for respondent. Reported below: 265 S. W. 2d 52.

No. 86, Misc. *MOYLE v. TEETS, WARDEN, ET AL.* Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Edmund G. Brown*, Attorney General, *Clarence A. Linn*, Chief Assistant Attorney General, and *Arlo E. Smith*, Deputy Attorney General, for the State of California, respondent.

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No. 92, Misc. *Wood v. UTAH*. Supreme Court of Utah. Certiorari denied. Petitioner *pro se*. *E. R. Callister*, Attorney General of Utah, and *Walter L. Budge* and *John W. Horsley*, Assistant Attorneys General, for respondent. Reported below: 2 Utah 2d 34, 268 P. 2d 998.

No. 96, Misc. *DUNNE v. CRANOR, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. Supreme Court of Washington. Certiorari denied. Petitioner *pro se*. *Don Eastvold*, Attorney General of Washington, and *Keith S. Bergman* and *E. P. Donnelly*, Assistant Attorneys General, for respondent.

No. 127, Misc. *WHITE v. HUMPHREY, WARDEN*. C. A. 3d Cir. Certiorari denied. *H. Clay Espey* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Carl H. Imlay* for respondent. Reported below: 212 F. 2d 503.

No. 137, Misc. *TRICE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Morris Lavine* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 211 F. 2d 513.

No. 153, Misc. *JACKSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 214 F. 2d 485.

No. 159, Misc. *ASHLEY v. CALIFORNIA*. Supreme Court of California. Certiorari denied. Reported below: 42 Cal. 2d 246, 267 P. 2d 271.

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No. 162, Misc. DANIELS *v.* RAGEN, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 168, Misc. ELDER *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *William H. Maness* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Edward S. Szukelewicz* for the United States. Reported below: 213 F. 2d 876.

No. 170, Misc. CHENOWETH *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 176, Misc. THOMPSON *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. *Herbert M. Wetzel* for petitioner.

No. 177, Misc. DIXON *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 187, Misc. SEELY *v.* HEINZE, WARDEN. Supreme Court of California. Certiorari denied.

No. 212, Misc. FUDGE *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 222, Misc. SHANK *v.* CRANOR, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied.

No. 223, Misc. GARCIA *v.* CALIFORNIA. District Court of Appeal of California, Fourth Appellate District. Certiorari denied. Reported below: 124 Cal. App. 2d 822, 269 P. 2d 673.

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No. 228, Misc. *MEEKS v. IOWA*. Supreme Court of Iowa. Certiorari denied. Reported below: 245 Iowa 1231, 65 N. W. 2d 76.

No. 229, Misc. *BRADSHAW ET AL. v. MARKS ET AL.* Supreme Court of Louisiana. Certiorari denied. *George M. Johnson* for petitioners. *Geo. Gunby* for respondents. Reported below: 225 La. 805, 74 So. 2d 36.

No. 230, Misc. *CHIARELLA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Daniel H. Greenberg* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Joseph A. Barry* for the United States. Reported below: 214 F. 2d 838.

No. 231, Misc. *HARRIS v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied.

No. 232, Misc. *McCUNE v. SKEEN, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 237, Misc. *ROUX v. SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY*. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 239, Misc. *CLARK v. TEETS, WARDEN*. Supreme Court of California. Certiorari denied.

No. 240, Misc. *JOHNSON v. DELMORE, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. Supreme Court of Washington. Certiorari denied.

No. 246, Misc. *OLSEN v. DELMORE, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. Supreme Court of Washington. Certiorari denied.

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No. 251, Misc. *POLLACK v. ASPBURY ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 14 F. R. D. 454.

No. 252, Misc. *HODGES v. BANNAN, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 253, Misc. *MILLS v. NEW YORK.* Appellate Division of the Supreme Court of New York, Fourth Department. Certiorari denied.

No. 273, Misc. *SUTTLES ET AL. v. DAVIS, COMMANDANT, U. S. DISCIPLINARY BARRACKS.* C. A. 10th Cir. Certiorari denied. *Thomas Homer Davis* and *Elisha Scott* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Robert G. Maysack* for respondent. Reported below: 215 F. 2d 760.

No. 47, Misc. *SCALF v. SKEEN, WARDEN.* Supreme Court of Appeals of West Virginia. Certiorari denied without prejudice to an application for a writ of habeas corpus in an appropriate United States District Court. Petitioner *pro se.* *John G. Fox*, Attorney General of West Virginia, and *T. D. Kauffelt*, Assistant Attorney General, for respondent.

Rehearing Denied.

No. 130. *INTERNATIONAL HARVESTER CO. v. MINNESOTA, ante*, p. 853;

No. 88, Misc. *DEFOE v. NATIONAL CAPITAL BANK, ante*, p. 847;

No. 109, Misc. *DEFOE v. NATIONAL CAPITAL BANK, ante*, p. 849; and

No. 215, Misc. *STINCHCOMB v. CALIFORNIA ET AL., ante*, p. 879. Petitions for rehearing denied.

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Case Dismissed Under Rule 60.

No. 472. WABASH RAILROAD CO. v. DRESCHER, ADMINISTRATRIX. On petition for writ of certiorari to the Supreme Court of Missouri. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *Sam B. Sebree* for petitioner. *Guy W. Green* for respondent. Reported below: 270 S. W. 2d 843.

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Decisions Per Curiam.

No. 304, October Term, 1953. REMMER v. UNITED STATES, 347 U. S. 227. On motion for leave to file and petition for rehearing. *Per Curiam*: The motion for leave to file and the petition for rehearing are granted. This case is restored to the docket, and the whole record, including the findings and order of Judge Goodman, is remanded to the Court of Appeals for its consideration on the errors assigned when the case was before the Court of Appeals before, in order that the Court on the whole record may reconsider the case in the light of our recent decisions in *Holland v. United States*, 348 U. S. 121; *Friedberg v. United States*, 348 U. S. 142; *Smith v. United States*, 348 U. S. 147; and *United States v. Calderon*, 348 U. S. 160, and Judge Goodman's findings and order.

MR. JUSTICE BLACK would reverse the judgment of conviction and grant a new trial in view of the jury incident discussed in *Remmer v. United States*, 347 U. S. 227.

THE CHIEF JUSTICE took no part in the consideration or decision of this case.

John R. Golden, Leslie C. Gillen and Spurgeon Avakian for petitioner. Reported below: 205 F. 2d 277.

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No. 12. *GOLDBAUM ET AL. v. UNITED STATES*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit;

No. 13. *BANKS v. UNITED STATES*. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit;

No. 15. *MCFEE v. UNITED STATES*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit;

No. 133. *BROWN v. UNITED STATES*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit;

No. 135. *WATTS v. UNITED STATES*. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit;

No. 209. *BEATY v. UNITED STATES*. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit;

No. 215. *STRAUCH ET AL. v. UNITED STATES*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit;

No. 249. *BURDICK v. UNITED STATES*. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit; and

No. 622, October Term, 1953. *MITCHELL v. UNITED STATES*. On petition for rehearing. *Per Curiam*: In Nos. 12, 13, 15, 133, 135, 209, 215, and 249 the petitions for certiorari are severally granted. In No. 622, October Term, 1953, the petition for rehearing is granted, the order denying certiorari, 347 U. S. 1012, is vacated, and the petition for writ of certiorari is granted. The judgments are vacated and the cases are remanded to their respective Courts of Appeals for consideration in the light of *Holland v. United States*, 348 U. S. 121; *Friedberg v. United States*, 348 U. S. 142; *Smith v. United States*,

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348 U. S. 147; and *United States v. Calderon*, 348 U. S. 160, decided by this Court December 6, 1954.

We have not considered the merits of these cases, nor have we determined their relation to our recent opinions, *supra*, believing that re-examination by the Courts of Appeals is desirable even in those cases remotely involving the principles laid down in the net worth decisions.

MR. JUSTICE BLACK dissents.

Irvin Goldstein for petitioners in No. 12. *Joseph B. Keenan, Alvin O. West* and *John W. Graff* for petitioner in No. 13. *Elden McFarland* for petitioner in No. 15. *Lee S. Jones* and *Helen R. Graft* for petitioner in No. 133. *Peyton Ford, Sumner M. Redstone, H. D. Reed* and *Frank A. Bruno* for petitioner in No. 135. *Llewellyn A. Luce* and *W. M. Nicholson* for petitioner in No. 209. *John J. Hooker* for petitioners in No. 215. *Robert M. Taylor* and *John C. Noonan* for petitioner in No. 249. *Temple W. Seay* for petitioner in No. 622 (October Term, 1953).

Robert L. Stern, then Acting Solicitor General, *Assistant Attorney General Holland* and *Ellis N. Slack* for the United States in Nos. 12, 13 and 15. With them were *Meyer Rothwacks* and *Joseph M. Howard* in No. 12, *Murray L. Schwartz* in No. 13, and *David L. Luce* and *Mr. Howard* in No. 15. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, David L. Luce* and *Joseph M. Howard* for the United States in Nos. 133, 135, 209, 215 and 249.

Reported below: No. 12, 204 F. 2d 74; No. 13, 204 F. 2d 666; No. 15, 206 F. 2d 872; No. 133, 209 F. 2d 260; No. 135, 212 F. 2d 275; No. 209, 213 F. 2d 712; No. 215, 213 F. 2d 805; No. 249, 214 F. 2d 768; No. 622 (October Term, 1953), 208 F. 2d 854.

No. 408. *LACHMAN ET AL. v. CITY OF MIAMI BEACH.* Appeal from the Supreme Court of Florida. *Per Curiam:* The motion to dismiss is granted and the appeal is dis-

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missed for the want of a substantial federal question. *John M. Murrell* and *Raymond L. Wise* for appellants. *Thomas H. Anderson* for appellee. Reported below: 71 So. 2d 148.

No. 415. *BELRIDGE OIL Co. v. CITY OF LOS ANGELES*. Appeal from the Supreme Court of California. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. *Vernon Barrett* for appellant. *Roger Arnebergh* and *Bourke Jones* for appellee. Reported below: 42 Cal. 2d 823, 271 P. 2d 5.

No. 446. *STAPLING MACHINES Co. v. STONE, CHAIRMAN, STATE TAX COMMISSION OF MISSISSIPPI*. Appeal from the Supreme Court of Mississippi. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed. *Bernard Leonard Tighe, Jr.* for appellant. *John E. Stone* for appellee. Reported below: — Miss. —, 73 So. 2d 123.

Miscellaneous Orders.

No. 316, Misc. *COLORADO v. KNOUS, CHIEF JUDGE, U. S. DISTRICT COURT FOR THE DISTRICT OF COLORADO*. Motion for leave to file and petition for writ of prohibition or writ of mandamus. A rule is ordered to issue, returnable Monday, February 7th, requiring the respondent to show cause why the petition for writ of prohibition or for a writ of mandamus should not be granted. *Duke W. Dunbar*, Attorney General of Colorado, and *Frank A. Wachob*, Deputy Attorney General, for petitioner. *Frank Delaney* for respondent. Reported below: See 125 F. Supp. 18.

No. 10, Original. *ARIZONA v. CALIFORNIA ET AL.* The motion of the State of California for an allowance of time to file a brief in response to the briefs of Colorado, Wyo-

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ming, Utah, and New Mexico is granted. California is allowed thirty days from this date to file its brief in response. THE CHIEF JUSTICE took no part in the consideration or decision of this motion. *Northcutt Ely* for the State of California, defendant.

No. —. INTERNATIONAL LONGSHOREMEN'S & WAREHOUSEMEN'S UNION *v.* NATIONAL LABOR RELATIONS BOARD. The motion for an order *nunc pro tunc* extending time within which to file petition for certiorari is denied. *Lloyd E. McMurray* for movant.

No. 22, Misc. CROCKARD *v.* DEPARTMENT OF CORRECTIONS OF MICHIGAN. Supreme Court of Michigan. Certiorari denied. Petition for other relief also denied. Petitioner *pro se*. *Edmund E. Shepherd*, Solicitor General of Michigan, for respondent.

No. 264, Misc. BREWER *v.* MICHIGAN ET AL. Supreme Court of Michigan. Certiorari denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 310, Misc. KOALSKA *v.* SWENSON, WARDEN. Petition for writ of certiorari to the Supreme Court of Minnesota denied. Appeal dismissed and petition for writ of habeas corpus denied. Reported below: — Minn. —, 66 N. W. 2d 337.

No. 393, Misc. BARY ET AL. *v.* UNITED STATES. Application for reduction of bail, referred to the entire Court by MR. JUSTICE CLARK, denied. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit also denied. *Joseph Forer* and *David Rein* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Tompkins*, *Harold D. Koffsky* and *William S. Kenney* for the United States.

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No. 254, Misc. *LOVE v. UNITED STATES*;No. 298, Misc. *BAXTER v. TEES, WARDEN*; andNo. 314, Misc. *LILYROTH v. RAGEN, WARDEN*. Motions for leave to file petitions for writs of certiorari denied.No. 301, Misc. *BRIMAGE v. RAGEN, WARDEN*. Motion for leave to file petition for writ of certiorari out of time denied.No. 267, Misc. *BOLESTA v. PERRY, U. S. DISTRICT JUDGE, ET AL.*;No. 269, Misc. *EPHRAIM v. RAGEN, WARDEN*;No. 284, Misc. *EX PARTE MCCOLLUM*;No. 294, Misc. *HALL v. EIDSON, WARDEN, ET AL.*;No. 309, Misc. *PACKER v. MARONEY, WARDEN, ET AL.*;No. 328, Misc. *DUNN v. LOONEY, WARDEN*; andNo. 330, Misc. *SHORES v. UNITED STATES*. Motions for leave to file petitions for writs of habeas corpus denied.No. 326, Misc. *NEWSTEAD v. MAYFIELD, CIRCUIT JUDGE, ET AL.* Motion for leave to file petition for writ of mandamus denied.No. 435. *REICHERT v. COMMISSIONER OF INTERNAL REVENUE*. Leave to withdraw appearance of Winfield K. Denton, Esquire, granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Holland and Ellis N. Slack* for respondent. Reported below: 214 F. 2d 19.No. 442. *FLYNN ET AL. v. UNITED STATES*. Motion to defer consideration of petition denied. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. MR. JUSTICE BLACK is

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of the opinion certiorari should be granted. *Harry Sacher* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Tompkins, Robert W. Ginnane and Harold D. Koffsky* for the United States. The motion to defer consideration was filed by counsel for appellants in cases then pending in various United States Courts of Appeals. Reported below: 216 F. 2d 354.

Certiorari Granted. (See also Nos. 12, 13, 15, 133, 135, 209, 215 and 249, and No. 622, October Term, 1953, *supra*.)

No. 451. *FEDERAL COMMUNICATIONS COMMISSION v. ALLEGHENY BROADCASTING CORP.* United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Solicitor General Sobeloff* and *Warren E. Baker* for petitioner. *Donald C. Beelar* for respondent. Reported below: — U. S. App. D. C. —, — F. 2d —.

No. 454. *MASTRO PLASTICS CORP. ET AL. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 2d Cir. Certiorari granted. *Bernard H. Fitzpatrick* for petitioners. *Solicitor General Sobeloff, George J. Bott, David P. Findling, Dominick L. Manoli and Harvey B. Diamond* for respondent. Reported below: 214 F. 2d 462.

No. 463. *UNITED STATES v. TWIN CITY POWER CO. ET AL.* C. A. 4th Cir. Certiorari granted. *Solicitor General Sobeloff* for the United States. *David W. Robinson* for respondents. Reported below: 215 F. 2d 592.

No. 445. *JEW SING v. BARBER, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE.* C. A. 9th Cir. Certiorari granted. *Joseph S. Hertogs* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg* for respondent. Reported below: 215 F. 2d 906.

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No. 457. *CORN PRODUCTS REFINING Co. v. COMMISSIONER OF INTERNAL REVENUE*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted limited to questions 1 and 2 presented in the petition for certiorari which read as follows:

1. "Are transactions in commodity futures which are not 'true hedges' capital asset transactions and thus subject to the limitations of Section 117 of the Internal Revenue Code of 1939, or do the resulting gains and losses from such transactions give rise to ordinary income and ordinary deductions? (1940) (1942)"

2. "Are commodity futures contracts 'securities' and thus subject to the 'wash sales' provisions of Section 118 of the Internal Revenue Code of 1939? (1940) (1942)"

Samuel A. McCain, Harry J. Rudick and Jay O. Kramer for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack and Harry Marselli* for respondent. Reported below: 215 F. 2d 513.

Certiorari Denied. (See also Nos. 435 and 442 and Misc. Nos. 22, 254, 264, 298, 301, 310, 314 and 393, *supra*.)

No. 71. *CLARK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Don O. Russell and Robert J. Callahan, Jr.* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, David L. Luce and Joseph M. Howard* for the United States. Reported below: 211 F. 2d 100.

No. 89. *STAYBACK v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Richard S. Doyle, John E. Toolan and Jules G. Körner, III* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, David L. Luce and Joseph M. Howard* for the United States. Reported below: 212 F. 2d 313.

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No. 100. *BRYAN ET UX. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 5th Cir. Certiorari denied. *C. J. Batter* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, A. F. Prescott* and *Fred E. Youngman* for respondent. Reported below: 209 F. 2d 822.

No. 309. *MITCHELL ET UX. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Valentine Brookes* and *Arthur H. Kent* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, David L. Luce, Joseph M. Howard* and *Frederick B. Ugast* for the United States. Reported below: 213 F. 2d 951.

No. 380. *COBRA MANUFACTURING CO. v. COFFMAN.* C. A. 9th Cir. Certiorari denied. *Milton B. Safier* for petitioner. *George W. Jansen* for respondent. Reported below: 214 F. 2d 489.

No. 413. *KINNEAR-WEED CORP. v. HUMBLE OIL & REFINING CO.* C. A. 5th Cir. Certiorari denied. *William E. Kinnear* for petitioner. Reported below: 214 F. 2d 891.

No. 420. *DOWELL ET AL. v. CITY OF TULSA ET AL.* Supreme Court of Oklahoma. Certiorari denied. *E. O. Patterson* for petitioners. *Edmund Lashley* for respondents. Reported below: 273 P. 2d 859.

No. 423. *MINNESOTA MINING & MANUFACTURING CO. v. GATEWAY DECORATORS, INC.* C. A. 5th Cir. Certiorari denied. *T. J. Blackwell* for petitioner.

No. 425. *FANCHON & MARCO, INC. v. PARAMOUNT PICTURES, INC. ET AL.* C. A. 9th Cir. Certiorari denied. *Russell Hardy, Henry Schaefer, Jr. and James Wallace*

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Kemp for petitioner. *Homer I. Mitchell, W. B. Carman* and *Warren M. Christopher* for Paramount Pictures, Inc. et al., and *Gurney E. Newlin* and *Hudson B. Cox* for Twentieth Century-Fox Film Corporation et al., respondents. Reported below: 215 F. 2d 167.

No. 426. *ADAM, MELDRUM & ANDERSON CO., INC. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 2d Cir. Certiorari denied. *Fred R. Tansill* and *Eugene Meacham* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack* and *S. Dee Hanson* for respondent. Reported below: 215 F. 2d 163.

No. 428. *PHILLIPS, TRUSTEE, v. TEXAS & NEW ORLEANS RAILROAD CO.* C. A. 5th Cir. Certiorari denied. *Fred Much* for petitioner. *William R. Brown* for respondent. Reported below: 211 F. 2d 419.

No. 430. *ALLEGHANY CORPORATION ET AL. v. JAMES FOUNDATION OF NEW YORK, INC.* C. A. 2d Cir. Certiorari denied. *Orison S. Marden* and *Robert J. Bulkley* for petitioners. *A. Donald MacKinnon* for respondent. Reported below: 214 F. 2d 446.

No. 431. *MOSES v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 2d Cir. Certiorari denied. *Bernard S. Barron* and *George P. Halperin* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland* and *Ellis N. Slack* for respondent. Reported below: 214 F. 2d 912.

No. 433. *CONSTANCE v. HARVEY, TRUSTEE IN BANKRUPTCY.* C. A. 2d Cir. Certiorari denied. *Milton E. Ehrenreich* for petitioner. *Harvey M. Lifset* for respondent. Reported below: 215 F. 2d 571.

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No. 434. *GEORGIA KAOLIN Co. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Walter J. Blenko* and *Edgar J. Goodrich* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Morton* and *Ralph S. Spritzer* for the United States. Reported below: 214 F. 2d 284.

No. 437. *MONROE v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Henry Klepak* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, John H. Mitchell* and *Joseph M. Howard* for the United States. Reported below: 215 F. 2d 81.

No. 438. *BEHRENDs v. WAIDE ET AL.* Supreme Court of Illinois. Certiorari denied. *J. W. Templeman* for petitioner. Reported below: 3 Ill. 2d 239, 120 N. E. 2d 559.

No. 440. *CITY OF DALLAS ET AL. v. CIVIL AERONAUTICS BOARD ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Brackley Shaw* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Barnes, Daniel M. Friedman, Emory T. Nunneley, Jr.* and *O. D. Ozment* for the Civil Aeronautics Board; and *Cecil A. Beasley, Jr.* and *Frederick A. Ballard* for the City of Fort Worth et al., respondents. Briefs of *amici curiae* supporting petitioners were filed by *Herman C. Wilson, Walter J. Mattison, J. Elliot Drinard, Dale H. Fillmore, Fred G. Stickel, III, J. W. Anderson, Barnett I. Shur, Alexander G. Brown, A. C. Van Soelen* and *Charles S. Rhyne* for the member municipalities of the National Institute of Municipal Law Officers; and *Leander I. Shelley* for the Airport Operators Council. Reported below: — U. S. App. D. C. —, 221 F. 2d 501.

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No. 441. *ILLINOIS EX REL. DALY ET AL. v. STRATTON, GOVERNOR, ET AL.* Supreme Court of Illinois. Certiorari denied.

No. 443. *BLUE RIDGE RURAL ELECTRICAL COOPERATIVE, INC. v. BYRD.* C. A. 4th Cir. Certiorari denied. *James D. Poag* and *Wesley M. Walker* for petitioner. *Henry Hammer* for respondent. Reported below: 215 F. 2d 542.

No. 444. *ARNAUD'S RESTAURANT, INC. ET AL. v. COTTER.* C. A. 5th Cir. Certiorari denied. *Sidney G. Roos* and *Cicero C. Sessions* for petitioners. *Joseph M. Jones* filed a waiver of right to file a reply brief for respondent. Reported below: 212 F. 2d 883.

No. 449. *ST. REGIS PAPER CO. v. STUART.* C. A. 1st Cir. Certiorari denied. *Robert Proctor* and *Horace R. Lamb* for petitioner. *Reginald Heber Smith* for respondent. Reported below: 214 F. 2d 762.

No. 452. *PELLEY v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. *Albert W. Dilling* and *Kirkpatrick W. Dilling* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 214 F. 2d 597.

No. 453. *ROBIQUE ET AL. v. LAMBERT, U. S. DIRECTOR OF INTERNAL REVENUE.* C. A. 5th Cir. Certiorari denied. *G. Wray Gill* and *Gerard H. Schreiber* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack* and *Robert B. Ross* for respondent. Reported below: 214 F. 2d 3.

No. 455. *IRVIN v. CHAPMAN, SUPERINTENDENT OF RAIFORD STATE PENITENTIARY.* Supreme Court of Florida. Certiorari denied. *Thurgood Marshall, Jack*

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Greenberg and *Frank D. Reeves* for petitioner. *Richard W. Ervin*, Attorney General of Florida, and *Reeves Bowen*, Assistant Attorney General, for respondent. Reported below: 75 So. 2d 591.

No. 456. *SCHMIDT v. SHELL ET AL.* District Court of Appeal of California, First Appellate District. Certiorari denied. *James W. Harvey* for petitioner. *Ingemar E. Hoberg* for respondents. Reported below: 126 Cal. App. 2d 279, 272 P. 2d 82.

No. 459. *LOPIPARO v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. *Sidney M. Glazer* for petitioner. *Solicitor General Sobeloff*, Assistant Attorney General *Olney*, *Beatrice Rosenberg* and *Joseph A. Barry* for the United States. Reported below: 216 F. 2d 87.

No. 461. *GEROSA (SUBSTITUTED FOR JOSEPH), COMPTROLLER OF THE CITY OF NEW YORK, ET AL. v. UNITED PIECE DYE WORKS.* Supreme Court of New York, New York County. Certiorari denied. *Stanley Buchsbaum* for petitioners. *Wilbur H. Friedman* for respondent. Reported below: 307 N. Y. 780, 836, 121 N. E. 2d 617, 122 N. E. 2d 329.

No. 462. *SIGURDSON v. LANDON ET AL.* C. A. 9th Cir. Certiorari denied. *Harry Wolpin* for petitioner. *Solicitor General Sobeloff*, Assistant Attorney General *Olney*, *Beatrice Rosenberg* and *Robert G. Maysack* for respondents. Reported below: 215 F. 2d 791.

No. 467. *SCHIFFMAN v. WILKINSON, WARDEN.* C. A. 9th Cir. Certiorari denied. *Moses Polakoff* and *Sheldon Lowe* for petitioner. *Solicitor General Sobeloff*, Assistant Attorney General *Olney*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for respondent. Reported below: 216 F. 2d 589.

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No. 469. *DABOLL ET AL. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 9th Cir. Certiorari denied. *Toy R. Gregory* and *John W. Bonner* for petitioners. *Solicitor General Sobeloff, David P. Findling, Dominick L. Manoli* and *Samuel M. Singer* for respondent. Reported below: 216 F. 2d 143.

No. 491. *CHICAGO, ROCK ISLAND & PACIFIC RAILROAD CO. v. KIFER.* C. A. 10th Cir. Certiorari denied. *Robert E. Shelton* for petitioner. *Rex H. Holden* filed a waiver of right to file a brief in opposition for respondent. Reported below: 216 F. 2d 753.

No. 34, Misc. *O'LEARY v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 124, Misc. *OWENS v. ABRAM, WARDEN, ET AL.* Supreme Court of New Mexico. Certiorari denied. Petitioner *pro se.* *Richard H. Robinson*, Attorney General of New Mexico, *Fred M. Standley* and *Henry A. Kiker, Jr.*, Assistant Attorneys General, and *Dean S. Zinn* for Abram, respondent. Reported below: 58 N. M. 682, 274 P. 2d 630.

No. 133, Misc. *BAILEY v. BLALOCK, SUPERINTENDENT, SOUTHWESTERN STATE HOSPITAL.* Supreme Court of Appeals of Virginia. Certiorari denied. Reported below: 195 Va. lxxxv.

No. 227, Misc. *WORLEY v. UNITED STATES ET AL.* C. A. 6th Cir. Certiorari denied. *Carmack Cochran* and *John D. Whalley* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, A. F. Prescott* and *James Q. Riordan* for the United States; and *Charles C. Trabue, Jr.* for Dunn, respondents. Reported below: 213 F. 2d 509.

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No. 256, Misc. *HAMPTON v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 257, Misc. *Ross v. DELMORE, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. Supreme Court of Washington. Certiorari denied.

No. 258, Misc. *McCoy v. SKEEN, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 259, Misc. *ANDERSON v. CALIFORNIA*. District Court of Appeal of California, Second Appellate District. Certiorari denied. Reported below: 126 Cal. App. 2d 702, 272 P. 2d 805.

No. 261, Misc. *WORLEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, A. F. Prescott and James Q. Riordan* for the United States. Reported below: 213 F. 2d 509.

No. 262, Misc. *HOOPER v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 263, Misc. *BIFIELD ET AL. v. CALIFORNIA*. District Court of Appeal of California, Fourth Appellate District. Certiorari denied.

No. 265, Misc. *ADAMS v. BERGAN, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 266, Misc. *NICKOLS v. RANDOLPH, WARDEN*. Supreme Court of Illinois. Certiorari denied.

No. 268, Misc. *DEMARIOS v. RAGEN, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied.

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No. 271, Misc. *CALDWELL v. BANNAN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 272, Misc. *KANCAR v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Reported below: 307 N. Y. 782, 121 N. E. 2d 618.

No. 274, Misc. *GREENE v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 275, Misc. *MASON v. NEW YORK*. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 277, Misc. *OLLIS v. RAGEN, WARDEN*. Circuit Court of Will County, Illinois. Certiorari denied.

No. 278, Misc. *STEWART v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 280, Misc. *FERRELL v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 281, Misc. *MAGNER v. HOBBY, SECRETARY OF HEALTH, EDUCATION, AND WELFARE*. C. A. 2d Cir. Certiorari denied. *Roderick B. Travis* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger and Samuel D. Slade* for respondent. Reported below: 215 F. 2d 190.

No. 282, Misc. *DAVIDSON v. BUCKMAN, ATTORNEY GENERAL, ET AL.* Court of Appeals of Kentucky. Certiorari denied. Reported below: 271 S. W. 2d 373.

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No. 283, Misc. HOWLERY *v.* RANDOLPH, WARDEN. Circuit Court of Randolph County, Illinois. Certiorari denied.

No. 285, Misc. SMITH *v.* RAGEN, WARDEN. Circuit Court of Will County, Illinois. Certiorari denied.

No. 287, Misc. KINCHELOE *v.* FARMER. C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Edmund F. Ortmeyer* for respondent. Reported below: 214 F. 2d 604.

No. 288, Misc. HORN *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 289, Misc. WOODS *v.* SKEEN, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 290, Misc. LOUDEN *v.* SKEEN, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 293, Misc. QUEVREAUX *v.* RANDOLPH, WARDEN. Supreme Court of Illinois. Certiorari denied.

No. 295, Misc. BELL *v.* BANNAN, WARDEN. Supreme Court of Michigan. Certiorari denied.

No. 296, Misc. BYRNE *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 300, Misc. MEACHAM *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 304, Misc. COYLE *v.* HEINZE, WARDEN. Supreme Court of California. Certiorari denied.

No. 321, Misc. KUSHNIC *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

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No. 322, Misc. *MONROE v. NEW YORK*. Appellate Division of the Supreme Court of New York, First Department. Certiorari denied. Petitioner *pro se*. *Harold Roland Shapiro* for respondent. Reported below: 283 App. Div. 933, 130 N. Y. S. 2d 876.

No. 324, Misc. *O'HALLORAN v. DAY, WARDEN*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. Petitioner *pro se*. *Richardson Dilworth* for respondent.

No. 325, Misc. *STANISZEWSKI v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 343, Misc. *HOWLERY v. CRIMINAL COURT OF COOK COUNTY*. Criminal Court of Cook County, Illinois. Certiorari denied.

Rehearing Granted. (See Nos. 304 and 622, October Term, 1953, supra.)

Rehearing Denied.

No. 6. *WATSON ET UX. v. EMPLOYERS LIABILITY INSURANCE CORP., LTD. ET AL.*, *ante*, p. 66;

No. 258. *FUNK v. SEABOARD AIR LINE RAILWAY CO.*, *ante*, p. 835;

No. 308. *BITTERLING v. MAPLE ISLAND FARM, INC.*, *ante*, p. 882;

No. 341. *HALL v. BATTLE, GOVERNOR, ET AL.*, *ante*, p. 872;

No. 342. *ALEXANDER v. TEXAS*, *ante*, p. 872;

No. 349. *ROY v. ROY*, *ante*, p. 873; and

No. 351. *LOUISIANA PUBLIC SERVICE COMMISSION ET AL. v. UNITED STATES ET AL.*, *ante*, p. 885. Petitions for rehearing denied.

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No. 377. DUGGAN, TRUSTEE, ET AL. *v.* MAGIDSON, EXECUTRIX, *ante*, p. 883;

No. 398. LEWIS *v.* UNITED STATES, *ante*, p. 888;

No. 121, Misc. EX PARTE JACKSON, *ante*, p. 893;

No. 153, Misc. JACKSON *v.* UNITED STATES, *ante*, p. 900;

No. 149, Misc. OWENS *v.* MAYO, PRISON CUSTODIAN, *ante*, p. 877;

No. 168, Misc. ELDER *v.* UNITED STATES, *ante*, p. 901;

No. 192, Misc. COOPER ET AL. *v.* NEW YORK, *ante*, p. 878;

No. 208, Misc. MARRON *v.* RAGEN, WARDEN, *ante*, p. 879;

No. 210, Misc. WATSON *v.* SCHOOL DISTRICT OF McKEESPORT, *ante*, p. 879;

No. 213, Misc. DIXON *v.* RAGEN, WARDEN, *ante*, p. 893; and

No. 248, Misc. NEWSTEAD *v.* WEISMANTEL, WARDEN, *ante*, p. 893. Petitions for rehearing denied.

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Decisions Per Curiam.

No. 429. TRAXLER *v.* MISSISSIPPI. Appeal from and petition for writ of certiorari to the Supreme Court of Mississippi. *Per Curiam:* The appeal is dismissed for want of jurisdiction. 28 U. S. C. § 1257 (2). The petition for writ of certiorari is denied. *Forrest B. Jackson* for appellant-petitioner. Reported below: 220 Miss. 354, 67 So. 2d 292.

No. 439. TOCCO *v.* UNITED STATES ET AL. Appeal from the United States District Court for the District of Oregon. *Per Curiam:* The motion to affirm is granted and the judgment is affirmed. *Norman L. Easley* for

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appellant. *Solicitor General Sobeloff* and *Edward M. Reidy* for the United States and the Interstate Commerce Commission, appellees.

No. 460. *MILLER v. PUBLIC SERVICE CO. OF COLORADO ET AL.* Appeal from the Supreme Court of Colorado. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Harry A. Feder* for appellant. *William A. Bryans, III*, and *Gerhard A. Gesell* for the Public Service Co., appellee. Reported below: 129 Colo. 513, 272 P. 2d 283.

No. 464. *STARY ET AL. v. CITY OF BROOKLYN ET AL.* Appeal from the Supreme Court of Ohio. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Barnet Hodes, J. Herzl Segal* and *Scott W. Lucas* for appellants. *Michael L. Hearns* for appellees. Reported below: 162 Ohio St. 120, 121 N. E. 2d 11.

No. 473. *GULF OIL CORP. v. JOSEPH, COMPTROLLER OF THE CITY OF NEW YORK.* Appeal from the Court of Appeals of New York. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed. *Matthew S. Gibson* for appellant. *Stanley Buchsbaum* for appellee. Reported below: 307 N. Y. 342, 121 N. E. 360.

No. 488. *ANDERSON BROTHERS CORP. v. BOARD OF SUPERVISORS OF WASHINGTON COUNTY.* Appeal from the Supreme Court of Mississippi. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a properly presented federal question. THE CHIEF JUSTICE and MR. JUSTICE BLACK would dismiss for want of a substantial federal question. *Victor W. Bouldin* for appellant. *John E. Stone* for appellee. Reported below: — Miss. —, 73 So. 2d 105.

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Miscellaneous Orders.

No. 468. *BELL v. UNITED STATES.* Certiorari, 348 U. S. 895, to the United States Court of Appeals for the Sixth Circuit. It is ordered that James R. Browning, Esquire, of Washington, D. C., a member of the bar of this Court, be appointed to serve as counsel for the petitioner in this case.

No. 131. *WHITEHOUSE ET AL. v. ILLINOIS CENTRAL RAILROAD CO. ET AL.* Certiorari, 348 U. S. 809, to the United States Court of Appeals for the Seventh Circuit. The motion for leave to file brief of American Train Dispatchers' Association et al., as *amici curiae*, is granted. The Court calls this case to the attention of the National Mediation Board and expresses its readiness to accept any brief it might wish to submit.

No. 179. *COURTNEY ET AL. v. LOCKETT.* Certiorari, 348 U. S. 854, to the Supreme Court of Kansas. Schroeder substituted as party respondent for Lockett.

No. 204. *SOCIETY FOR SAVINGS IN THE CITY OF CLEVELAND v. PECK, TAX COMMISSIONER OF OHIO.* Appeal from the Supreme Court of Ohio. Probable jurisdiction noted, 348 U. S. 807. Bowers substituted as the party appellee for Peck. MR. JUSTICE BURTON took no part in the consideration or decision of this motion.

No. 250, Misc. *ADDINGTON v. TENNESSEE.* Appeal from the Supreme Court of Tennessee. Motion to modify the order entered in this case on December 6, 1954, 348 U. S. 892, granted and the order is modified so as to read as follows: "*Per Curiam:* The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. Insofar as the papers

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whereon the appeal was taken seek review of rulings of the court below upon questions of the asserted denial of rights under the Federal Constitution which by themselves would not be subject to review by appeal, the papers are treated as a petition for writ of certiorari (28 U. S. C. § 2103), and certiorari is denied."

No. 217, Misc. MEDICH *v.* UNITED STATES;

No. 341, Misc. EPHRAIM *v.* RAGEN, WARDEN; and

No. 345, Misc. BALEY *v.* ABRAM, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied. Petitioners *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Robert G. Maysack* for the United States in No. 217, Misc.

No. 348, Misc. WINSTON *v.* UNITED STATES. Application denied.

No. 350, Misc. FINNIE *v.* UNITED STATES;

No. 353, Misc. WARREN *v.* UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS; and

No. 363, Misc. JENNINGS *v.* SCHAEFER ET AL. Motions for leave to file petitions for writs of mandamus denied.

No. —. UCKELE *v.* UNITED STATES. Motion denied.

Probable Jurisdiction Noted.

No. 549. NUKK ET AL. *v.* SHAUGHNESSY, DISTRICT DIRECTOR OF THE IMMIGRATION AND NATURALIZATION SERVICE. Appeal from the United States District Court for the Southern District of New York. Probable jurisdiction noted. *Blanch Freedman* for appellants. *Solicitor General Sobeloff* for respondent. Reported below: 125 F. Supp. 498.

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Certiorari Granted.

No. 399. *DERECKTOR v. UNITED STATES*. Court of Claims. Certiorari granted. *Seymour W. Miller* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger* and *Samuel D. Slade* for the United States. Reported below: 129 Ct. Cl. 103, 128 F. Supp. 136.

No. 470. *WILLIAMS v. UNITED STATES*. C. A. 9th Cir. Certiorari granted. *Henry C. Clausen* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger, Samuel D. Slade* and *Lester S. Jayson* for the United States. Reported below: 215 F. 2d 800.

Certiorari Denied. (See also No. 429 and Misc. No. 250, supra.)

No. 109. *BEWLEY ET AL. v. HENDERSON*. Court of Appeals of Kentucky. Certiorari denied. *Rodes K. Myers* for petitioners. *Marshall Funk* for respondent. Reported below: 264 S. W. 2d 680.

No. 458. *PEREZ ET AL. v. TRIFILETTI ET AL.* Supreme Court of Florida. Certiorari denied. *Morris P. Glushien* for petitioners. *Jeptah P. Marchant* and *Joseph A. Perkins* for respondents. Reported below: 74 So. 2d 100.

No. 471. *BRASIER v. CITY OF LINCOLN ET AL.* Supreme Court of Nebraska. Certiorari denied. *Herbert W. Baird* for petitioner. Reported below: 159 Neb. 12, 65 N. W. 2d 213.

No. 474. *CALTEX (PHILIPPINES), INC. v. UNITED STATES*. Court of Claims. Certiorari denied. *Leo T. Kissam, Albert E. Van Dusen* and *Henry J. Kiernan* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger* and *Samuel D. Slade* for the United States. Reported below: 130 Ct. Cl. 103, 132 F. Supp. 136.

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ney General Burger, Melvin Richter and William W. Ross for the United States. Reported below: 129 Ct. Cl. 605, 122 F. Supp. 830.

No. 475. *FORD ET AL. v. HUGHES TOOL CO.* C. A. 10th Cir. Certiorari denied. *Charles M. McKnight* and *Robert F. Davis* for petitioners. *George I. Haight, Robert F. Campbell* and *Edward A. Haight* for respondent. Reported below: 215 F. 2d 924.

No. 476. *GRiffin, ADMINISTRATRIX, v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. *G. Byron Dobbs* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger* and *Melvin Richter* for the United States. Reported below: 216 F. 2d 217.

No. 480. *McCaw ET AL. v. FASE, TAX COMMISSIONER OF HAWAII.* C. A. 9th Cir. Certiorari denied. *Kenneth Davis* for petitioners. *Edward N. Sylva, Attorney General of Hawaii, and Rhoda V. Lewis, Deputy Attorney General*, for respondent. Reported below: 216 F. 2d 698.

No. 481. *McCaw ET AL. v. FASE, TAX COMMISSIONER OF HAWAII.* C. A. 9th Cir. Certiorari denied. *Kenneth Davis* for petitioners. *Edward N. Sylva, Attorney General of Hawaii, and Rhoda V. Lewis, Deputy Attorney General*, for respondent. Reported below: 216 F. 2d 700.

No. 482. *ELGIN, JOLIET & EASTERN RAILWAY Co. v. CROWLEY ET AL.* Appellate Court of Illinois, First District. Certiorari denied. *Harlan L. Hackbert* for petitioner. *Ezra L. D'Isa* for respondents. Reported below: 1 Ill. App. 2d 481, 117 N. E. 2d 843.

No. 483. *DANIEL LUMBER Co. ET AL. v. EMPRESAS HONDURENAS, S. A.* C. A. 5th Cir. Certiorari denied. *Bennett B. Patterson* for petitioners. *J. D. Wheeler* for respondent. Reported below: 215 F. 2d 465.

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No. 484. *SEYMOUR SALES CO. ET AL. v. FEDERAL TRADE COMMISSION*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *F. Joseph Donohue* and *Henry H. Koven* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Barnes, William J. Lamont, Earl W. Kintner* and *Robert B. Dawkins* for respondent. Reported below: — U. S. App. D. C. —, 216 F. 2d 633.

No. 485. *HALSETH, TRADING AS PERRY SALES CO., v. FEDERAL TRADE COMMISSION*. C. A. 7th Cir. Certiorari denied. *Samuel E. Hirsch* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Barnes, William J. Lamont, Earl W. Kintner* and *Robert B. Dawkins* for respondent.

No. 486. *NOONAN v. NEW YORK LIFE INSURANCE CO.* C. A. 9th Cir. Certiorari denied. *Thomas H. Ryan* for petitioner. *Earl S. MacArthur* for respondent. Reported below: 215 F. 2d 905.

No. 487. *CONTINENTAL OIL CO. v. WILLIAMS ET AL.* C. A. 10th Cir. Certiorari denied. *Charles B. Cochran* for petitioner. *Duke Duvall* and *A. G. C. Bierer, Jr.* filed a waiver of right to file a brief in opposition for respondents. Reported below: 215 F. 2d 4.

No. 490. *LEE KWOK DUN v. BROWNE, ATTORNEY GENERAL*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Jack Wasserman* and *Nathaniel S. Ruvell* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Edward S. Szukelewicz* for respondent. Reported below: — U. S. App. D. C. —, 217 F. 2d 21.

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No. 492. *BROWN LAND & ROYALTY CO., INC. v. PICKETT ET AL.* Supreme Court of Louisiana. Certiorari denied. *Frank J. Looney* for petitioner. *Richard C. Cadwallader* for Pickett et al., respondents. Reported below: 226 La. 88, 75 So. 2d 18.

No. 493. *MEYER ET AL. v. UNITED STATES.* Court of Claims. Certiorari denied. *Homer Cummings, Albert L. Reeves, Jr.* and *William D. Donnelly* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack* and *Melva M. Graney* for the United States. Reported below: 129 Ct. Cl. 214, 121 F. Supp. 898.

No. 496. *GUYER v. ELGER, ADMINISTRATRIX.* C. A. 8th Cir. Certiorari denied. *Harry E. Wilmarth* for petitioner. *E. Marshall Thomas* for respondent. Reported below: 216 F. 2d 537.

No. 510. *WILSON, EXECUTOR, ET AL. v. SIMLER.* C. A. 10th Cir. Certiorari denied. *Porter R. Chandler, Fred E. Suits* and *John B. Dudley* for petitioners. *Leslie L. Conner* and *Charles W. Conner* for respondent.

No. 83, Misc. *TAYLOR v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, for respondent.

No. 331, Misc. *FELDON v. KING, SUPERINTENDENT, CALIFORNIA MEDICAL FACILITY.* C. A. 9th Cir. Certiorari denied.

No. 334, Misc. *CUMBERLAND v. WARDEN, MARYLAND PENITENTIARY.* Court of Appeals of Maryland. Certiorari denied. Reported below: 205 Md. 646, 109 A. 2d 66.

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No. 337, Misc. *BERMAN v. RAGEN, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 338, Misc. *PALMORE v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 339, Misc. *NOR WOODS v. TEETS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 342, Misc. *FLYNN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Allan L. Sapiro* and *Marvin J. Colangelo* for petitioner. Reported below: 217 F. 2d 29.

No. 344, Misc. *FORSYTHE v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied.

No. 346, Misc. *PELTIER v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 349, Misc. *FARMER v. SKEEN, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 352, Misc. *HALL v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM, ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 354, Misc. *NASH v. CUMMINGS, WARDEN*. Supreme Court of Errors of Connecticut. Certiorari denied.

No. 355, Misc. *DARDEN v. TEXAS ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 356, Misc. *LONGLEY v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

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No. 357, Misc. *SCHWARTZ v. HEINZE, WARDEN.* Supreme Court of California. Certiorari denied.

No. 358, Misc. *IN RE FLETCHER.* C. A. 4th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Robert G. Maysack* filed a brief in opposition for the United States. Reported below: 216 F. 2d 915.

No. 360, Misc. *HENDRICKSON v. PENNSYLVANIA.* Supreme Court of Pennsylvania, Eastern District. Certiorari denied. Petitioner *pro se.* *Richardson Dilworth* for respondent.

No. 361, Misc. *HOWLERY v. RANDOLPH, WARDEN.* Supreme Court of Illinois. Certiorari denied.

No. 362, Misc. *KEYS v. DAY, WARDEN.* Supreme Court of Pennsylvania, Eastern District. Certiorari denied. Petitioner *pro se.* *Richardson Dilworth* for respondent.

No. 365, Misc. *WATKINS v. FLORIDA.* Supreme Court of Florida. Certiorari denied. Reported below: 75 So. 2d 11.

No. 367, Misc. *MOORE v. RAGEN, WARDEN.* Criminal Court of Cook County, Illinois. Certiorari denied.

No. 368, Misc. *LOLLI v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied.

No. 369, Misc. *SELTENRICH v. SIGLER, WARDEN.* Supreme Court of Louisiana. Certiorari denied.

No. 394, Misc. *NASH v. CITY OF NEW YORK.* Court of Appeals of New York and the Appellate Division of the Supreme Court of New York, First Department. Cer-

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tiorari denied. Petitioner *pro se*. Seymour B. Quel for respondent. Reported below: 307 N. Y. 847, 122 N. E. 2d 399; 284 App. Div. 843, 131 N. Y. S. 2d 304.

Rehearing Denied.

No. 278. BORN *v.* LAUBE, ADMINISTRATOR, ET AL., *ante*, p. 855. Motion for leave to file petition for rehearing granted. Petition for rehearing denied.

No. 18. FRIEDBERG *v.* UNITED STATES, *ante*, p. 142;

No. 37. HOLLAND ET UX. *v.* UNITED STATES, *ante*, p. 121;

No. 121. MOORE *v.* MEAD'S FINE BREAD CO., *ante*, p. 115;

No. 329. THOMAS RIGGING CO. *v.* NATIONAL LABOR RELATIONS BOARD, *ante*, p. 871;

No. 395. HALL *v.* FIRST NATIONAL BANK OF ATLANTA, EXECUTOR, *ante*, p. 896;

No. 403. EISTRAT *v.* BRUSH INDUSTRIAL LUMBER CO. ET AL., *ante*, p. 896;

No. 56, Misc. MEZO *v.* ILLINOIS, *ante*, p. 899;

No. 177, Misc. DIXON *v.* ILLINOIS, *ante*, p. 901;

No. 212, Misc. FUDGE *v.* CALIFORNIA, *ante*, p. 901; and

No. 273, Misc. SUTTLES ET AL. *v.* DAVIS, COMMANDANT, U. S. DISCIPLINARY BARRACKS, *ante*, p. 903. Petitions for rehearing denied.

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Decisions Per Curiam.

No. 32. CALIFORNIA EX REL. BROWN, ATTORNEY GENERAL, ET AL. *v.* ST. LOUIS UNION TRUST CO. Certiorari, 348 U. S. 808, to the St. Louis Court of Appeals of Missouri. Argued January 31, 1955. Decided February 7, 1955. *Per Curiam*: The writ of certiorari is dismissed as improvidently granted. Walter H. Miller argued the cause for petitioners. With him on the brief were Ed-

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mund G. Brown, Attorney General of California, and *Elizabeth Miller*, Deputy Attorney General. *Milton Yawitz* argued the cause for respondent. With him on the brief was *Chas. D. Long*. Reported below: — Mo. App. —, 260 S. W. 2d 821.

No. 55. INDIANA DEPARTMENT OF STATE REVENUE, GROSS INCOME TAX DIVISION, *v. NEBEKER*. Certiorari, 348 U. S. 808, to the Supreme Court of Indiana. Argued February 1, 1955. Decided February 7, 1955. *Per Curiam*: Affirmed on the authority of *Freeman v. Hewit*, 329 U. S. 249. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS dissent. *Lloyd C. Hutchinson*, Deputy Attorney General of Indiana, argued the cause for petitioner. With him on the brief were *Edwin K. Steers*, Attorney General, and *Carl M. Franceschini*, Deputy Attorney General. *Raymond O. Evans* argued the cause and filed a brief for respondent. Reported below: 233 Ind. 58, 116 N. E. 2d 104.

No. 179. COURTNEY ET AL. *v. SCHROEDER*. Certiorari, 348 U. S. 854, to the Supreme Court of Kansas. Argued February 4, 1955. Decided February 7, 1955. *Per Curiam*: The judgment is reversed and the case is remanded for proceedings not inconsistent with the opinion of this Court in *In re Oliver*, 333 U. S. 257. *Payne H. Ratner* argued the cause for petitioners. With him on the brief was *Keith Eales*. *Dale M. Stucky* argued the cause for respondent. With him on the brief were *Harold R. Fatzer*, Attorney General of Kansas, and *Warner Moore*. Reported below: 175 Kan. 704, 267 P. 2d 190.

No. 385. DANIMAN ET AL. *v. BOARD OF EDUCATION OF THE CITY OF NEW YORK ET AL.* Appeal from the Court of Appeals of New York. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want

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of a properly presented federal question. MR. JUSTICE BLACK would hold this case for the decision in No. 466, *Slochower v. Board of Higher Education of the City of New York* [probable jurisdiction noted, *post*, p. 935]. *Harold I. Cammer* and *Paxton Blair* for appellants. *Daniel T. Scannell* and *Helen R. Cassidy* for appellees. Reported below: 306 N. Y. 532, 119 N. E. 2d 373; 307 N. Y. 806, 121 N. E. 2d 629.

No. 489. *DAVIS v. BOARD OF REGENTS OF THE UNIVERSITY OF THE STATE OF NEW YORK*. Appeal from the Supreme Court of New York, Albany County. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a properly presented federal question. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS dissent. *William J. Hughes, Jr.* and *James F. Reilly* for appellant. *Jacob K. Javits*, Attorney General of New York, and *Henry S. Manley*, Acting Solicitor General, for appellee. Reported below: 307 N. Y. 786, 121 N. E. 2d 619.

No. 31, Misc. *KAY v. UNITED STATES*. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. *Per Curiam*: The motion for leave to proceed in forma pauperis and the petition for writ of certiorari are granted. Upon consideration of the Government's confession of error and examination of the record the judgment of the Court of Appeals is vacated and the case is remanded to the District Court for hearing on petitioner's motion to vacate the judgment. Petitioner *pro se*. *Solicitor General Sobeloff* for the United States. Reported below: 212 F. 2d 795.

No. 302, Misc. *SHAMERY v. ILLINOIS*. Appeal from the Supreme Court of Illinois. *Per Curiam*: The appeal is dismissed for want of jurisdiction. 28 U. S. C.

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§ 1257 (2). Treating the papers whereon the appeal was taken as a petition for writ of certiorari as required by 28 U. S. C. § 2103, certiorari is denied.

No. 312, Misc. *MERRIFIELD v. KENTUCKY*. Appeal from the Court of Appeals of Kentucky. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. 28 U. S. C. § 1257 (2). Treating the papers whereon the appeal was taken as a petition for writ of certiorari as required by 28 U. S. C. § 2103, certiorari is denied. Appellant *pro se*. *J. D. Buckman, Jr.*, Attorney General of Kentucky, and *Zeb. A. Stewart*, Assistant Attorney General, for appellee. Reported below: 268 S. W. 2d 405.

No. 327, Misc. *SENTNER ET AL. v. UNITED STATES*. On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. *Per Curiam*: The motion for leave to proceed in forma pauperis and the petition for writ of certiorari are granted. The order of the Court of Appeals insofar as it denies petitioners leave to proceed in forma pauperis is reversed and the case is remanded to that court for further proceedings. *Adkins v. DuPont Co.*, 335 U. S. 331. *Sydney L. Berger* for Sentner, petitioner. *Solicitor General Sobeloff*, Assistant Attorney General *Tompkins* and *Harold D. Koffsky* for the United States.

Miscellaneous Order.

No. 299, Misc. *BLACKWELL v. RAGEN, WARDEN*. Motion for leave to file petition for writ of habeas corpus denied.

Probable Jurisdiction Noted.

No. 466. *SLOCHOWER v. BOARD OF HIGHER EDUCATION OF THE CITY OF NEW YORK*. Appeal from the Court of

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Appeals of New York. Probable jurisdiction noted. *Ephraim S. London* for appellant. *Daniel T. Scannell* and *Helen R. Cassidy* for appellee. Reported below: 306 N. Y. 532, 119 N. E. 2d 373; 307 N. Y. 806, 121 N. E. 2d 629.

Certiorari Granted. (See also *Misc. Nos. 31 and 327, supra.*)

No. 504. *UNITED STATES v. ANDERSON, CLAYTON & Co.* Court of Claims. Certiorari granted. *Solicitor General Sobeloff* for the United States. *John C. White* for respondent. Reported below: 129 Ct. Cl. 295, 122 F. Supp. 837.

No. 226, *Misc. MICHEL v. LOUISIANA.* Supreme Court of Louisiana. Certiorari granted. *Gerard H. Schreiber* for petitioner. *Fred S. LeBlanc*, Attorney General of Louisiana, and *Michael E. Culligan*, Assistant Attorney General, for respondent. Reported below: 225 La. 1040, 74 So. 2d 207.

Certiorari Denied. (See also *Misc. Nos. 302 and 312, supra.*)

No. 190. *BABCOCK & WILCOX Co. v. PEDRICK, ADMINISTRATRIX.* C. A. 2d Cir. Certiorari denied. *John F. Dooling, Jr.* for petitioner. *Solicitor General Sobeloff*, Assistant Attorney General *Holland, Ellis N. Slack* and *Hilbert P. Zarky* for respondent. Reported below: 212 F. 2d 645.

No. 495. *CENTRAL MINE EQUIPMENT Co. v. BOWDIL COMPANY.* C. A. 8th Cir. Certiorari denied. *John H. Sutherland* and *John H. Bruninga* for petitioner. *Bruce B. Krost* and *Charles M. Spence* for respondent. Reported below: 216 F. 2d 156.

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No. 497. *GLASSCOTT v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Alexander Campbell* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack and Joseph M. Howard* for the United States. Reported below: 216 F. 2d 487.

No. 539. *MASON v. SUMMER LAKE IRRIGATION DISTRICT ET AL.* C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Cleveland C. Cory* for respondents. Reported below: 216 F. 2d 609.

No. 523. *UNITED INSURANCE CO. OF CHICAGO ET AL. v. MALONEY, INSURANCE COMMISSIONER OF CALIFORNIA*. District Court of Appeal of California, First Appellate District. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application. *Jesse H. Steinhart* for petitioners. *Edmund G. Brown*, Attorney General of California, and *Harold B. Haas*, Deputy Attorney General, for respondent. Reported below: 127 Cal. App. 2d 155, 273 P. 2d 579

No. 60, Misc. *RANDALL v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, for respondent.

No. 98, Misc. *McELHANEY v. RANDOLPH, WARDEN*. Circuit Court of Randolph County, Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, for respondent.

No. 182, Misc. *BALDWIN v. CALIFORNIA*. Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Edmund G. Brown*, Attorney General of California, *William V. O'Connor*, Chief Deputy Attorney General,

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and *Norman H. Sokolow*, Deputy Attorney General, for respondent. Reported below: 42 Cal. 2d 858, 270 P. 2d 1028.

No. 247, Misc. *MAULDING v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM, ET AL.* Court of Criminal Appeals of Texas. Certiorari denied. Petitioner *pro se*. *John Ben Shepperd*, Attorney General of Texas, and *J. Fred Jones*, Assistant Attorney General, for respondents.

No. 255, Misc. *REEVES v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 260, Misc. *WILLIAMS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Sam Elson* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 215 F. 2d 1.

No. 279, Misc. *ALLEN v. SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY*. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 297, Misc. *GREEN v. COLORADO*. Supreme Court of Colorado. Certiorari denied.

No. 303, Misc. *EDGERLY v. KENNELLY ET AL.* C. A. 7th Cir. Certiorari denied. *Eugene T. Devitt* for petitioner. *John J. Mortimer*, *L. Louis Karton* and *Arthur Magid* for Kennelly et al., and *Thomas Dodd Healy*, *Harold Stickler* and *W. Donald McSweeney* for Gilbert, respondents. Reported below: 215 F. 2d 420.

No. 305, Misc. *BUCKINGHAM v. CRANOR, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. Supreme Court of Washington. Certiorari denied. Reported below: 45 Wash. 2d 116, 273 P. 2d 494.

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No. 317, Misc. *BROWN v. BALDI, SUPERINTENDENT, PHILADELPHIA COUNTY PRISON, ET AL.* Supreme Court of Pennsylvania, Eastern District. Certiorari denied. *Thurgood Marshall, David Levinson and Jack Greenberg* for petitioner. *Richardson Dilworth* filed a brief for the State of Pennsylvania in opposition. *Eugene Cook, Attorney General, Robert H. Hall, Assistant Attorney General, and James W. Tracey, Jr. and Lamar W. Sizemore, Deputy Assistant Attorneys General*, for the State of Georgia, respondent. Reported below: 378 Pa. 504, 106 A. 2d 777.

No. 318, Misc. *MARKHAM v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 215 F. 2d 56.

No. 347, Misc. *O'LEARY, ADMINISTRATRIX, v. UNITED STATES LINES Co.* C. A. 1st Cir. Certiorari denied. *Samuel B. Horovitz* for petitioner. *G. Philip Wardner* for respondent. Reported below: 215 F. 2d 708.

Rehearing Denied.

No. 473, October Term, 1953. *ALKER ET AL. v. BUTCHER & SHERRED ET AL.*, 346 U. S. 925. Motion for leave to file a third petition for rehearing denied.

No. 672, October Term, 1953. *FRAVER v. STUDEBAKER CORPORATION*, 347 U. S. 968. Motion for leave to file petition for rehearing denied.

No. 402, Misc., October Term, 1953. *POWELL v. UNITED STATES*, 347 U. S. 961. Motion for leave to file a second petition for rehearing denied.

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No. 165, Misc. BOBO *v.* CALIFORNIA, *ante*, p. 877.
Motion for leave to file petition for rehearing denied.

No. 227, Misc. WORLEY *v.* UNITED STATES ET AL., *ante*, p. 917; and

No. 261, Misc. WORLEY *v.* UNITED STATES, *ante*, p. 918.
Rehearing denied.

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Decisions Per Curiam.

No. 80. FEDERAL TRADE COMMISSION *v.* RHODES PHARMACAL CO., INC. ET AL. Certiorari, 348 U. S. 812, to the United States Court of Appeals for the Seventh Circuit. Argued February 8, 1955. Decided February 14, 1955. *Per Curiam:* The Court finds that the order of the Commission is not ambiguous. The judgment of the Court of Appeals, insofar as it modified paragraph 1 (c) of the Commission's order, is reversed and the case is remanded to that court with instructions to restore the order of the Commission. Daniel M. Friedman argued the cause for petitioner. With him on the brief were Solicitor General Sobeloff, Assistant Attorney General Barnes, Charles F. Barber, Earl W. Kintner and Robert B. Dawkins. Edward Brodkey argued the cause for respondents. With him on the brief were Frank E. Gettleman and Arthur Gettleman. Reported below: 208 F. 2d 382.

No. 125. HARSH *v.* ILLINOIS TERMINAL RAILROAD CO. Certiorari, 348 U. S. 809, to the Supreme Court of Illinois. Argued February 8, 1955. Decided February 14, 1955. *Per Curiam:* Judgment reversed. Lavender *v.* Kurn, 327 U. S. 645. Morris B. Chapman argued the cause and filed a brief for petitioner. Fred P. Schuman and Harold G. Tally argued the cause for respondent. With them on

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the brief were *George D. Burroughs* and *Gordon Burroughs*. Reported below: See 351 Ill. App. 272, 114 N. E. 2d 901.

No. 508. SOUTHERN BAKERS ASSOCIATION, INC. ET AL. v. UNITED STATES ET AL. Appeal from the United States District Court for the Northern District of Georgia. *Per Curiam*: The judgment is vacated and the case is remanded to the District Court with directions to dismiss the petition for review upon the ground that the cause is moot. *Harold L. Russell* for appellants. *Solicitor General Sobeloff* and *Edward M. Reidy* for the United States and the Interstate Commerce Commission, appellees. Reported below: 124 F. Supp. 600.

Miscellaneous Orders.

No. 313, Misc. UNITED STATES EX REL. TOUHY v. KIPP, U. S. MARSHAL, ET AL. Motion for leave to file petition for writ of habeas corpus denied. *Robert B. Johnstone* for petitioner.

No. 316, Misc. COLORADO v. KNOUS, CHIEF JUDGE, U. S. DISTRICT COURT FOR THE DISTRICT OF COLORADO. Motion for leave to file petition for writ of prohibition or mandamus denied. *Duke W. Dunbar*, Attorney General of Colorado, and *Frank A. Wachob*, Deputy Attorney General, for petitioner. *Frank Delaney* for respondent. Reported below: See 125 F. Supp. 18.

Probable Jurisdiction Noted.

No. 477. LIQUID CARBONIC CORP. v. UNITED STATES. Appeal from the United States District Court for the Eastern District of New York. Probable jurisdiction noted. MR. JUSTICE CLARK took no part in the consideration or decision of this question. *James F. Dwyer* for appellant. *Solicitor General Sobeloff* for the United States. Reported below: 123 F. Supp. 653.

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Certiorari Denied.

No. 479. *KANISCHER v. IRWIN OPERATING CO.* C. A. 5th Cir. Certiorari denied. *Jacob Rassner* for petitioner. *Dewey Knight* for respondent. Reported below: 215 F. 2d 300.

No. 494. *GOLDMAN ET UX. v. FOGARTY.* Probate Court of Essex County, Massachusetts. Certiorari denied. *Leo Pfeffer* for petitioners.

No. 498. *ESTATE OF GOLDSTEIN ET AL. v. UNITED STATES.* Court of Claims. Certiorari denied. *J. V. Dillon* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack and Elizabeth B. Davis* for the United States. Reported below: 129 Ct. Cl. 264, 122 F. Supp. 677.

No. 499. *UNITED STATES v. GENERAL MOTORS CORP., FRIGIDAIRE DIVISION;* and

No. 511. *GENERAL MOTORS CORP., FRIGIDAIRE DIVISION, v. UNITED STATES.* Court of Claims. Certiorari denied. *Solicitor General Sobeloff* for the United States. *Newell W. Ellison, Henry M. Hogan, Daniel M. Gribbon and Calvert Thomas* for the General Motors Corp., Frigidaire Division. Reported below: 128 Ct. Cl. 465, 121 F. Supp. 932.

No. 500. *GEARON ET AL. v. UNITED STATES.* Court of Claims. Certiorari denied. *Walter F. Boye and Robert V. Smith* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Burger, John R. Benney and Melvin Richter* for the United States. Reported below: 126 Ct. Cl. 548, 115 F. Supp. 910; 129 Ct. Cl. 315, 121 F. Supp. 652.

No. 503. *UNITED STATES LINES CO. v. UNITED STATES.* Court of Claims. Certiorari denied. *Cletus Keating* and

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Vernon S. Jones for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger, Paul A. Sweeney and Herman Marcuse* for the United States. Reported below: 129 Ct. Cl. 466, 124 F. Supp. 375.

No. 505. *BARTRON ET AL. v. DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION*. C. A. 3d Cir. Certiorari denied. *Isadore Glauberman* for petitioners. *John H. Pursel and Robie L. Mitchell* for respondent. *Saul N. Schechter* filed a brief for the Town of Belvidere, New Jersey, et al., as *amici curiae*, urging that the petition for a writ of certiorari be granted. Reported below: 216 F. 2d 717.

No. 509. *MARSMAN v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 4th Cir. Certiorari denied. *Herbert W. Clark and Nelson T. Hartson* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, Hilbert P. Zarky and Louise Foster* for respondent. Reported below: 216 F. 2d 77.

No. 515. *BOSTON METALS Co. v. COMPANIA DE AS-TRAL, S. A.* Court of Appeals of Maryland. Certiorari denied. *Nolan P. Chipman* for petitioner. *William A. Grimes* for respondent. Reported below: 205 Md. 237, 107 A. 2d 357, 108 A. 2d 372.

No. 516. *KANE, ADMINISTRATRIX, v. CHICAGO, BURLINGTON & QUINCY RAILROAD CORP.* Supreme Court of Missouri. Certiorari denied. *Ernest D. Martin* for petitioner. *H. M. Langworthy* for respondent. Reported below: 271 S. W. 2d 518.

No. 517. *McCATRON ET AL., DOING BUSINESS AS PRICE VALLEY LUMBER Co., ET AL. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 9th Cir. Certiorari denied. *Oscar*

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W. Worthwine for petitioners. *Solicitor General Sobeloff*, *David P. Findling* and *Dominick L. Manoli* for respondent. Reported below: 216 F. 2d 212.

No. 531. *FIALER'S LIMOUSINES, INC. ET AL. v. PUBLIC UTILITIES COMMISSION OF CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied. *Allan P. Matthew* and *Walker W. Lowry* for Fialer's Limousines, Inc., and *Douglas Brookman* for Airline Ground Transportation Association, Inc., petitioners. *Everett C. McKeage* and *Halsey L. Rixford* for respondents. *Dion Holm*, for the City and County of San Francisco et al., and *Reginald L. Vaughan*, for Barrett Garages, Inc., filed a brief in opposition to the petition.

No. 520. *LARDNER v. TWENTIETH CENTURY-FOX FILM CORP.* C. A. 9th Cir. Certiorari denied. MR. JUSTICE CLARK took no part in the consideration or decision of this application. *Robert W. Kenny* for petitioner. *Irving M. Walker* for respondent. Reported below: 216 F. 2d 844.

No. 158, Misc. *DOWNS v. CALIFORNIA.* District Court of Appeal of California, Third Appellate District. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application. Petitioner *pro se*. *Edmund G. Brown*, Attorney General of California, and *Doris H. Maier*, Deputy Attorney General, for respondent.

No. 204, Misc. *IN RE HEILMAN.* Supreme Court of Kansas. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application. *Emmet A. Blaes* for petitioner. *John Berglund* for respondents. Reported below: 176 Kan. 5, 269 P. 2d 459.

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No. 307, Misc. *MARSHALL v. CALIFORNIA*. Supreme Court of California. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application.

No. 311, Misc. *UNITED STATES EX REL. TOUHY v. RAGEN, WARDEN*. C. A. 7th Cir. Certiorari denied. *Robert B. Johnstone* for petitioner.

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Case Dismissed Under Rule 60.

No. 378, Misc. *LEEK v. STEINER, WARDEN*. On petition for writ of certiorari to the Court of Appeals of Maryland. Dismissed on motion of petitioner pursuant to Rule 60 of the Rules of this Court. Reported below: 205 Md. 641, 109 A. 2d 57.

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Decisions Per Curiam.

No. 230. *MITCHELL, SECRETARY OF LABOR, v. JOYCE AGENCY, INC.* Certiorari, 348 U. S. 813, to the United States Court of Appeals for the Seventh Circuit. Argued February 4, 7, 1955. Decided February 28, 1955. *Per Curiam*: The judgment of the Court of Appeals is reversed. *Kirschbaum Co. v. Walling*, 316 U. S. 517; *Walling v. Jacksonville Paper Co.*, 317 U. S. 564; *Phillips Co. v. Walling*, 324 U. S. 490. The judgment of the District Court is affirmed, and the case is remanded to the District Court. The motion of the petitioner to make Goldblatt Bros., Inc., a party in this Court is denied without prejudice to the right of the petitioner to renew said motion in the District Court, or to take such other proceedings for enforcement of the judgment as the petitioner may deem advisable and proper in the circumstances. See *Walling v. Reuter, Inc.*, 321 U. S. 671. *Bessie Margolin*

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argued the cause for petitioner. With her on the brief were *Solicitor General Sobeloff*, *Sylvia S. Ellison* and *Harold S. Saxe*. *Stanford Clinton* argued the cause for respondent. With him on the brief was *Robert A. Sprecher*. Reported below: 211 F. 2d 241.

No. 518. *AIRCOOLED MOTORS, INC. v. WILLIAMS*. Appeal from the Court of Appeals of New York. *Per Curiam*: The appeal is dismissed for want of a substantial federal question. *Henry S. Fraser* for appellant. Reported below: 307 N. Y. 332, 841, 121 N. E. 2d 251, 122 N. E. 2d 333.

No. 530. *SMALLS ET AL. v. ATLANTIC COAST LINE RAILROAD Co.* On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. *MR. JUSTICE REED*, *MR. JUSTICE BURTON*, and *MR. JUSTICE MINTON* dissent. *Henry Hammer* for petitioners. Reported below: 216 F. 2d 842.

No. 532. *IN RE ANASTAPLO*. Appeal from the Supreme Court of Illinois. *Per Curiam*: The appeal is dismissed for want of a substantial federal question. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. *MR. JUSTICE BLACK* and *MR. JUSTICE DOUGLAS* dissent. Reported below: 3 Ill. 2d 471, 121 N. E. 2d 826.

Miscellaneous Orders.

No. 9, Original. *TEXAS v. NEW MEXICO ET AL.* The report of the Special Master dated January 31, 1955, is received and ordered filed. Exceptions, if any, to the report of the Special Master may be filed by the parties within 60 days.

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No. 10, Original. *ARIZONA v. CALIFORNIA ET AL.* The motion of California defendants for leave to file an amended answer is granted. The motion to join as parties the States of Colorado, New Mexico, Utah, and Wyoming is hereby referred to George I. Haight, Special Master, to hear the parties and report with all convenient speed his opinion and recommendation as to whether the motion should be granted. THE CHIEF JUSTICE took no part in the consideration or decision of these motions. *Ross F. Jones*, Attorney General, *Howard F. Thompson*, Special Assistant Attorney General, *John H. Moeur*, *Burr Sutter*, *Theodore Kiendl* and *Perry M. Ling* for the State of Arizona, complainant. *Edmund G. Brown*, Attorney General, *Northcutt Ely*, *Robert L. McCarty*, *Prentiss Moore* and *Gilbert F. Nelson*, Assistant Attorneys General, and *Charles E. Corker* and *Burton J. Gindler*, Deputy Attorneys General, for the State of California, *Francis E. Jenney* for the Palo Verde Irrigation District, *Harry W. Horton* and *R. L. Knox, Jr.* for the Imperial Irrigation District, *Earl Redwin* for the Coachella Valley County Water District, *James H. Howard*, *Charles C. Cooper, Jr.*, *Donald M. Keith*, *Alan Patten* and *Frank P. Doherty* for the Metropolitan Water District of Southern California, *Roger Arnebergh* for the City of Los Angeles, and *T. B. Cosgrove* for the City of San Diego, defendants. *Harvey Dickerson*, Attorney General, *William N. Dunseath* and *John W. Barrett*, Deputy Attorneys General, *W. T. Mathews* and *William J. Kane*, Special Assistant Attorneys General, and *H. W. Edwards* for the State of Nevada, intervenor. *Duke W. Dunbar*, Attorney General, and *Hatfield Chilson*, Special Assistant Attorney General, for the State of Colorado, and *Howard B. Black*, Attorney General, for the State of Wyoming. *Richard Robinson*, Attorney General, and *Fred E. Wilson*, Special Assistant Attorney General, for the State of New Mexico. *E. R. Callister*, Attorney General, and *Ken Chamberlain*, Assistant Attorney General, for the State of Utah.

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No. 371, Misc. *McNEES v. BANNAN, WARDEN*;

No. 373, Misc. *AUSTIN v. EIDSON, WARDEN*;

No. 385, Misc. *EX PARTE HOWELL*; and

No. 386, Misc. *MARSHALL v. UNITED STATES*. Motions for leave to file petitions for writs of habeas corpus denied.

No. 379, Misc. *PACHECO v. TEXAS*;

No. 392, Misc. *EX PARTE FLEISCHMAN*; and

No. 432, Misc. *IN RE VAN PELT*. Motions for leave to file petitions for writs of mandamus denied.

No. 16. *SILESIAN HOLDING CO. ET AL. v. UNION BANK OF SWITZERLAND ET AL.*; and

No. 17. *BROWNELL, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN, v. UNION BANK OF SWITZERLAND ET AL.* On petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit. The motion to defer consideration of the petitions for certiorari until October 1, 1955, is granted. *Ralph D. Ray* filed the motion for the Silesian Holding Company. *Solicitor General Sobeloff* for petitioner in No. 17, *William Gilligan* for the Silesian-American Corporation, *Charles E. Scribner* for the Bondholders Protective Committee, and *Lawrence J. McKay* for respondents, filed written consents to the granting of the motion. See also 348 U. S. 881.

No. 157. *RYAN STEVEDORING CO., INC. v. PAN-ATLANTIC STEAMSHIP CORP.* Certiorari, 348 U. S. 813, to the United States Court of Appeals for the Second Circuit. The motion for leave to file brief of American Merchant Marine Institute, Inc., as *amicus curiae*, is denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS would grant leave to file. The motion of the Government for leave to

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appear and present oral argument, as *amicus curiae*, is granted. *Solicitor General Sobeloff* filed the motion for the Government.

No. 173. AMALGAMATED CLOTHING WORKERS OF AMERICA ET AL. *v.* RICHMAN BROTHERS Co. Certiorari, 348 U. S. 813, to the United States Court of Appeals for the Sixth Circuit. The motion of the Government for leave to appear and present oral argument, as *amicus curiae*, is granted. *Solicitor General Sobeloff* filed the motion for the Government.

No. 184. WILLIAMSON, ATTORNEY GENERAL, ET AL. *v.* LEE OPTICAL OF OKLAHOMA, INC. ET AL.; and

No. 185. LEE OPTICAL OF OKLAHOMA, INC. ET AL. *v.* WILLIAMSON, ATTORNEY GENERAL. Appeals from the United States District Court for the Western District of Oklahoma. Probable jurisdiction noted, 348 U. S. 854. The motion for leave to file brief of Pennsylvania Optical Co., as *amicus curiae*, is denied.

No. 236. PENNSYLVANIA *v.* NELSON. Certiorari, 348 U. S. 814, to the Supreme Court of Pennsylvania, Western District. The motion of the State of New Hampshire for leave to appear and present oral argument, as *amicus curiae*, is granted. The United States, having heretofore been requested to file a brief, is invited to argue orally. *Louis C. Wyman*, Attorney General, filed the motion for the State of New Hampshire.

Probable Jurisdiction Noted.

No. 512. S. HOWES Co., INC. *v.* W. P. MILLING Co. Appeal from the Supreme Court of Oklahoma. Probable jurisdiction noted. *A. Camp Bonds* and *Manly Fleischmann* for appellant. *Thomas L. Gibson* for appellee. Reported below: 277 P. 2d 655.

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Certiorari Granted. (See also No. 530, supra.)

No. 436. UNITED GAS PIPE LINE Co. v. MOBILE GAS SERVICE CORP. ET AL.; and

No. 556. FEDERAL POWER COMMISSION v. MOBILE GAS SERVICE CORP. C. A. 3d Cir. Certiorari granted. *Thomas Fletcher* and *C. Huffman Lewis* for the United Gas Pipe Line Co. *Solicitor General Sobeloff* and *Willard W. Gatchell* for the Federal Power Commission. *William C. Chanler* and *Samuel M. Johnston* for the Mobile Gas Service Corporation. Reported below: 215 F. 2d 883.

No. 529. NEESE, ADMINISTRATOR, v. SOUTHERN RAILWAY Co. C. A. 4th Cir. Certiorari granted. *Henry Hammer* for petitioner. *Frank G. Tompkins, Jr.* and *Henry L. Walker* for respondent. Reported below: 216 F. 2d 772.

No. 396, Misc. PORET ET AL. v. LOUISIANA. Supreme Court of Louisiana. Certiorari granted. *Rudolph F. Becker, Jr.* for petitioners. Reported below: 226 La. 201, 75 So. 2d 333.

Certiorari Denied. (See also No. 532, supra.)

No. 506. TAMBLYN v. UNITED STATES. C. A. 5th Cir. Certiorari denied. *H. L. Anderton* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Oney, Beatrice Rosenberg* and *Edward S. Szukelewicz* for the United States. Reported below: 216 F. 2d 345.

No. 507. DAVIS AIRFOILS, INC. v. UNITED STATES. Court of Claims. Certiorari denied. *Oscar A. Trippet, Lyle C. Newcomer* and *Edward Gallagher* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger* and *Paul A. Sweeney* for the United States. Reported below: 129 Ct. Cl. 514, 124 F. Supp. 350.

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No. 514. *CENTRAL STATES CORP. v. LUTHER, TRUSTEE.* C. A. 10th Cir. Certiorari denied. *Martin W. Bell* for petitioner. *John F. Eberhardt* for respondent. Reported below: 215 F. 2d 38.

No. 519. *ACKERMAN v. PENNSYLVANIA.* Supreme Court of Pennsylvania, Western District. Certiorari denied. *Marjorie Hanson Matson, Harry S. Kalson and Murdaugh Stuart Madden* for petitioner. *Albert A. Fiok* for respondent.

No. 524. *GALT v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 7th Cir. Certiorari denied. *Frederick Bernays Wiener and Owen Rall* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack and Harry Marselli* for respondent. Reported below: 216 F. 2d 41.

No. 527. *WOLF v. BOYD, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE.* C. A. 9th Cir. Certiorari denied. *David Rein* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg* for respondent. Reported below: 215 F. 2d 377.

No. 533. *WAITUS v. SOUTH CAROLINA.* Supreme Court of South Carolina. Certiorari denied. *John Bolt Culbertson, Frank D. Reeves, Aubrey E. Robinson, Jr. and Charles T. Duncan* for petitioner. Reported below: — S. C. —, 83 S. E. 2d 629.

No. 535. *SCHUMACHER v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. *Daniel Bartlett* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 216 F. 2d 780.

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No. 537. *UNITED STATES EX REL. KEEFE v. DULLES, SECRETARY OF STATE, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Alan R. Vogeler* and *Merritt B. Curtis* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for respondents. Reported below: — U. S. App. D. C. —, — F. 2d —.

No. 540. *DIXIE TERMINAL CO. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 6th Cir. Certiorari denied. *John B. Hollister* for petitioner. *Solicitor General Sobeloff*, *David P. Findling* and *Dominick L. Manoli* for respondent.

No. 541. *VINCENT ET AL. v. SUNI-CITRUS PRODUCTS CO. ET AL.* C. A. 5th Cir. Certiorari denied. *Prentice E. Edrington* for petitioners. *Harry A. Toulmin, Jr.*, *J. Thomas Gurney* and *M. F. Goldstein* for respondents. Reported below: 215 F. 2d 305.

No. 542. *FIDELITY & CASUALTY CO. OF NEW YORK v. BANK OF ALTBURG.* C. A. 8th Cir. Certiorari denied. *Allen L. Oliver* for petitioner. *Rush H. Limbaugh* for respondent. Reported below: 216 F. 2d 294.

No. 545. *SECURITIES AND EXCHANGE COMMISSION v. TRANVISION, INC.* C. A. 2d Cir. Certiorari denied. *Solicitor General Sobeloff* and *William H. Timbers* for petitioner. *Maxwell H. Goldstein* for respondent. *A. Alan Reich* filed a brief for the Statutory Creditors' Committee, as *amicus curiae*, in opposition to the petition for a writ of certiorari. Reported below: 217 F. 2d 243.

No. 546. *LOU JOHNSON CO., INC. ET AL. v. MOIST COLD REFRIGERATOR CO., INC.* C. A. 9th Cir. Certiorari denied. *Leonard S. Lyon*, *Frank H. Uriell*, *Charles L.*

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Byron and *William E. Lucas* for petitioners. *John B. Cunningham, T. Roland Berner* and *Aaron Lewittes* for respondent. Reported below: 217 F. 2d 39.

No. 547. *TRADERS AND GENERAL INSURANCE CO. v. EDWARDS ET AL.* C. A. 10th Cir. Certiorari denied. *Rex H. Holden* for petitioner. *G. Ellis Gable* for respondents. Reported below: 216 F. 2d 441.

No. 550. *FOGARTY ET AL. v. AUSTRIAN ET AL., TRUSTEES*; and

No. 551. *PASTERNAK, EXECUTOR, v. AUSTRIAN ET AL., TRUSTEES.* C. A. 2d Cir. Certiorari denied. *Horace R. Lamb* and *Murray D. Welch* for petitioners in No. 550. *Harry J. Pasternak* for petitioner in No. 551. *Carl J. Austrian* and *Saul J. Lance* for respondents. *Solicitor General Sobeloff, William H. Timbers* and *David Ferber* filed a brief for the Securities and Exchange Commission, as *amicus curiae*. Reported below: 216 F. 2d 278.

No. 553. *ARCHER ET VIR v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Henry J. Fox* and *Edward Feldman* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Burger, Paul A. Sweeney* and *Morton Hollander* for the United States. Reported below: 217 F. 2d 548.

No. 557. *McINTIRE v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. *C. A. Summers* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Carl H. Imlay* for the United States. Reported below: 217 F. 2d 663.

No. 568. *MARTENEY v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. *Emmet A. Blaes* and *A. Lewis Oswald* for petitioner. *Solicitor General Sobeloff* for the United States. Reported below: 218 F. 2d 258.

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No. 332, Misc. *BRADLEY v. HOWARD UNIVERSITY ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 351, Misc. *SCASSERRA v. PENNSYLVANIA.* Supreme Court of Pennsylvania, Western District. Certiorari denied.

No. 364, Misc. *POLLACK v. ASPBURY ET AL.* C. A. 2d Cir. Certiorari denied.

No. 370, Misc. *JOSEY v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Edward S. Szukelewicz* for the United States. Reported below: 216 F. 2d 181.

No. 382, Misc. *BATES v. TEETS, WARDEN.* Supreme Court of California. Certiorari denied.

No. 383, Misc. *JOHNS v. MARYLAND.* Court of Appeals of Maryland. Certiorari denied. Reported below: 205 Md. 644, 108 A. 2d 906.

No. 384, Misc. *NORWOOD v. MAYO, STATE PRISON CUSTODIAN.* Supreme Court of Florida. Certiorari denied. Reported below: 74 So. 2d 370.

No. 390, Misc. *LESTER, ADMINISTRATOR, v. NATIONAL BROADCASTING CO., INC. ET AL.* C. A. 9th Cir. Certiorari denied. *Harry Wolpin* for petitioner. *T. B. Cosgrove, John N. Cramer and Leonard A. Diether* for respondents. Reported below: 217 F. 2d 399.

No. 401, Misc. *PIPPIN v. EDMONDSON, WARDEN.* Supreme Court of Kansas. Certiorari denied. Reported below: 177 Kan. 123, 276 P. 2d 315.

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No. 404, Misc. *IN RE WILLNER*. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied. *Henry Waldman* for petitioner. *Jacob K. Javits*, Attorney General of New York, and *Henry S. Manley*, Solicitor General, for the Committee on Character and Fitness, Appellate Division of the Supreme Court of New York, First Department, respondent. Reported below: 283 App. Div. 934, 130 N. Y. S. 2d 876.

No. 408, Misc. *CROMIE v. PENNSYLVANIA*. Supreme Court of Pennsylvania, Western District. Certiorari denied.

No. 409, Misc. *IN RE GIBSON*. C. A. 9th Cir. Certiorari denied. Reported below: 218 F. 2d 320.

No. 410, Misc. *PRESLEY v. PEPPERSACK, WARDEN*. Court of Appeals of Maryland. Certiorari denied. Reported below: 205 Md. 660, 109 A. 2d 922.

No. 424, Misc. *MCDONALD v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 433, Misc. *CRAIG v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 434, Misc. *BRIDGES v. BANNAN, WARDEN, ET AL.* Supreme Court of Michigan. Certiorari denied.

No. 436, Misc. *FRANCE v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. Reported below: 205 Md. 636, 109 A. 2d 65.

No. 437, Misc. *BROWNING v. LOONEY, WARDEN*. C. A. 10th Cir. Certiorari denied.

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Rehearing Denied.

No. 380. COBRA MANUFACTURING CO. v. COFFMAN, *ante*, p. 912;

No. 442. FLYNN ET AL. v. UNITED STATES, *ante*, p. 909;

No. 462. SIGURDSON v. LANDON ET AL., *ante*, p. 916;

No. 471. BRASIER v. CITY OF LINCOLN ET AL., *ante*, p. 926;

No. 492. BROWN LAND & ROYALTY CO., INC. v. PICKETT ET AL., *ante*, p. 929; and

No. 360, Misc. HENDRICKSON v. PENNSYLVANIA, *ante*, p. 931. Petitions for rehearing denied.

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Decisions Per Curiam.

No. 105. O'NEILL v. BALTIMORE & OHIO RAILROAD CO. Certiorari, 348 U. S. 812, to the United States Court of Appeals for the Sixth Circuit. Argued March 2, 1955. Decided March 7, 1955. *Per Curiam*: The judgment of the Court of Appeals is reversed and the case is remanded to the District Court with instructions to reinstate its order dated July 30, 1952. *C. Richard Grieser* argued the cause and filed a brief for petitioner. *Robert F. Ebinger* argued the cause for respondent. With him on the brief were *E. H. Burgess*, *Kenneth H. Ekin* and *Arvin J. Alexander*. Reported below: 211 F. 2d 190.

No. 368. MARCELLE v. ESTATE OF LUPIA ET AL. Certiorari, 348 U. S. 882, to the United States Court of Appeals for the Second Circuit. Argued March 4, 1955. Decided March 7, 1955. *Per Curiam*: We reject the construction placed upon the statute by the Fifth Circuit and approve the construction placed thereon by the Second Circuit, whose judgment is affirmed. *Lee A. Jackson*

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argued the cause for petitioner. With him on the brief were *Solicitor General Sobeloff, Assistant Attorney General Holland, Marvin E. Frankel, Ellis N. Slack and Walter Akerman, Jr.* *Leon London* filed a brief for respondents. Reported below: 214 F. 2d 942.

No. 525. *BECKER v. UNITED STATES.* On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. *Per Curiam:* The petition for writ of certiorari is granted and the judgment is reversed. *Mortensen v. United States*, 322 U. S. 369. *Leonard F. Schmitt* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 217 F. 2d 555.

Miscellaneous Orders.

No. 412. *WILLIAMS v. GEORGIA.* Certiorari, 348 U. S. 854, to the Supreme Court of Georgia. Eugene Gressman, Esquire, of Washington, D. C., is invited to appear and present oral argument, as *amicus curiae*, in support of the petitioner.

No. 23. *MCALLISTER v. UNITED STATES*, 348 U. S. 19. The application for an order of modification of the judgment is denied.

No. 157. *RYAN STEVEDORING CO., INC. v. PAN-ATLANTIC STEAMSHIP CORP.* Certiorari, 348 U. S. 813, to the United States Court of Appeals for the Second Circuit. The motion for leave to file brief of Association of American Ship Owners, as *amicus curiae*, is denied.

No. 184. *WILLIAMSON, ATTORNEY GENERAL, ET AL. v. LEE OPTICAL OF OKLAHOMA, INC. ET AL.* Appeal from

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the United States District Court for the Western District of Oklahoma. Probable jurisdiction noted, 348 U. S. 854. The motion of American Committee on Optics and Visual Physiology and others for leave to join in brief of the Guild of Prescription Opticians of America, Inc., as *amici curiae*, is granted. *Herbert A. Bergson* for movants.

No. 451. FEDERAL COMMUNICATIONS COMMISSION *v.* ALLEN TOWN BROADCASTING CORP. Certiorari, 348 U. S. 910, to the United States Court of Appeals for the District of Columbia Circuit. The motion for leave to file brief of Easton Publishing Co., as *amicus curiae*, is denied.

No. 333. PINO *v.* NICOLLS, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. Certiorari, 348 U. S. 870, to the United States Court of Appeals for the First Circuit. Landon, present District Director, Immigration and Naturalization Service, substituted for Nicolls.

Certiorari Granted. (See also Nos. 525, *supra*, and 534, *ante*, p. 373.)

No. 522. NATIONAL LABOR RELATIONS BOARD *v.* WARREN CO., INC. C. A. 5th Cir. Certiorari granted. *Solicitor General Sobeloff* for petitioner. *John Wesley Weekes* for respondent. Reported below: 214 F. 2d 481.

No. 555. REA *v.* UNITED STATES. C. A. 10th Cir. Certiorari granted. *Joseph A. Sommer* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Gray Thoron, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 218 F. 2d 237.

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Certiorari Denied.

Nos. 432 and 570. LOCAL 63, TEXTILE WORKERS UNION OF AMERICA, C. I. O. *v.* CHENEY BROTHERS. Supreme Court of Errors of Connecticut. Certiorari denied. *Louise Blackmar Hart Hunt* for petitioner. *William K. Cole* for respondent. Reported below: 141 Conn. 606, 109 A. 2d 240.

No. 554. WALKER *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Wm. C. Pierce* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Sydney Brodie* for the United States. Reported below: 216 F. 2d 683.

No. 571. SAWYER *v.* STEVENS, SECRETARY OF THE ARMY, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Claude L. Dawson* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger, Paul A. Sweeney and Benjamin Forman* for respondents. Reported below: — U. S. App. D. C. —, — F. 2d —.

No. 319, Misc. BILLEAUDEAU ET AL. *v.* TEMPLE ASSOCIATES, INC. C. A. 5th Cir. Certiorari denied. *Albert Tate, Jr.* for petitioners. *Ward R. Burke* for respondent. Reported below: 213 F. 2d 707.

No. 403, Misc. GRAHAM ET AL. *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion the petition should be granted. *William Strong* for petitioners. *Edmund G. Brown, Attorney General of California, William V. O'Connor, Chief Deputy Attorney General, and William E. James, Deputy Attorney General*, for respondent. Reported below: 43 Cal. 2d 319, 273 P. 2d 249.

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Rehearing Denied.

No. 353. *COWLES PUBLISHING CO. v. NATIONAL LABOR RELATIONS BOARD*, *ante*, p. 876. Motion for leave to file petition for rehearing denied. MR. JUSTICE DOUGLAS took no part in the consideration or decision of this motion.

No. 539. *MASON v. SUMMER LAKE IRRIGATION DISTRICT ET AL.*, *ante*, p. 937. Rehearing denied.

No. 257, October Term, 1953. *JONES v. LYKES BROTHERS STEAMSHIP CO., INC.*, 346 U. S. 857. Motion for leave to file second petition for rehearing denied.

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Decisions Per Curiam.

No. 246. *DIEHL v. LEHIGH VALLEY RAILROAD CO. ET AL.* Certiorari, 348 U. S. 860, to the United States Court of Appeals for the Third Circuit. Argued February 28, March 1, 1955. Decided March 14, 1955. *Per Curiam*: Upon the facts disclosed in the opinion of the Court of Appeals for the Third Circuit, 211 F. 2d 95, the applicable Acts of Congress, and the opinion of this Court in *Oakley v. Louisville & Nashville R. Co.*, 338 U. S. 278, the judgment of the Court of Appeals is reversed. MR. JUSTICE REED dissents for the reasons given in the opinion of the Court of Appeals for the Third Circuit. *Harry Montgomery Leet* argued the cause for petitioner. With him on the brief was *Sheldon E. Bernstein*. *Richard R. Lyman* argued the cause for respondents. With him on a brief were *Clarence M. Mulholland* and *Edward J. Hickey, Jr.* for the System Federation No. 96, Railway Employes' Department, A. F. of L., et al., respondents. *Thomas Price Mikell* and *Harry E. Srogell* filed a brief for the

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Lehigh Valley Railroad Co., respondent. *Solicitor General Sobeloff, Assistant Attorney General Burger and Samuel D. Slade* filed a memorandum for the United States, as *amicus curiae*, urging reversal.

No. 538. *CALVARESI ET AL. v. UNITED STATES*; and

No. 548. *SMALDONE ET AL. v. UNITED STATES*. On petitions for writs of certiorari to the United States Court of Appeals for the Tenth Circuit. *Per Curiam*: In the interests of justice and in the exercise of the supervisory powers of this Court, certiorari is granted and the cases are severally reversed and remanded to the District Court for retrial before a different judge. *A. X. Erickson, W. H. Erickson and Albert E. Sherlock* for petitioners in No. 538. *Peyton Ford, Alan Y. Cole and F. E. Dickerson* for petitioners in No. 548. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Edward S. Szukelewicz* for the United States. Reported below: 216 F. 2d 891.

No. 567. *MONTANA EX REL. JOHNSON v. STATE BOARD OF LAND COMMISSIONERS ET AL.* On petition for writ of certiorari to the Supreme Court of Montana. *Per Curiam*: Certiorari is granted. The decision below is reversed insofar as it holds that the 1953 Montana Statute, Montana Rev. Codes, 1947 (Cum. Supp. 1953), § 81-1702 (2), is inconsistent with federal law. The case is accordingly remanded to the Montana Supreme Court for proceedings not inconsistent with this order. *William J. Jameson, Dean Acheson, Charles A. Horsky and W. Graham Claytor, Jr.* for petitioner. *Arnold H. Olsen, Attorney General of Montana, and William F. Crowley, Assistant Attorney General*, for respondents. *Russell E. Smith* for the Governor of Montana, respondent. Briefs of *amici curiae* in support of the petition were filed by

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Leslie R. Burgum, Attorney General, and *C. L. Young* for the State of North Dakota, and *Phil W. Saunders*, Attorney General, and *Ralph A. Dunham* for the State of South Dakota. Reported below: 128 Mont. —, 279 P. 2d 393.

Miscellaneous Orders.

No. 11, Original. *MISSISSIPPI v. LOUISIANA*. The report of the Special Master is received and ordered filed. Exceptions, if any, to the report of the Special Master may be filed by the parties within 60 days.

No. 186. *GENERAL DRIVERS, WAREHOUSEMEN AND HELPERS, LOCAL UNION No. 89, ET AL. v. AMERICAN TOBACCO Co., INC.* Certiorari, 348 U. S. 813, to the Court of Appeals of Kentucky. The motion of the Government for leave to appear and present oral argument, as *amicus curiae*, is granted. *Solicitor General Sobeloff* filed the motion for the Government.

No. 132, Misc. *FAUBERT v. MICHIGAN ET AL.* C. A. 6th Cir. Certiorari denied. Motion for leave to file petition for writ of habeas corpus also denied. Petitioner *pro se*. *Thomas M. Kavanagh*, Attorney General of Michigan, and *Edmund E. Shepherd*, Solicitor General, for respondents. Reported below: 214 F. 2d 311.

No. 221, Misc. *EX PARTE WASHINGTON*. Motion for leave to file petition for writ of habeas corpus denied. Petitioner *pro se*. *Solicitor General Sobeloff* for the United States, respondent.

Certiorari Granted. (See also Nos. 538, 548 and 567, *supra*.)

No. 616. *SHAUGHNESSY, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE, v. UNITED STATES*

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EX REL. ACCARDI. C. A. 2d Cir. Certiorari granted. *Solicitor General Sobeloff* for petitioner. *Jack Wasserman* for respondent. Reported below: 219 F. 2d 77.

Certiorari Denied. (See also No. 132, *Misc.*, *supra*.)

No. 536. ST. JOE PAPER CO. ET AL. *v.* ATLANTIC COAST LINE RAILROAD CO.;

No. 544. CONN ET AL. *v.* ATLANTIC COAST LINE RAILROAD CO.;

No. 552. LYNCH ET AL. *v.* ATLANTIC COAST LINE RAILROAD CO.; and

No. 573. ATLANTIC COAST LINE RAILROAD CO. *v.* ST. JOE PAPER CO. ET AL. C. A. 5th Cir. Certiorari denied. Mr. JUSTICE BLACK and Mr. JUSTICE CLARK took no part in the consideration or decision of these applications. *William D. Mitchell*, *Edward E. Watts, Jr.* and *Dinsmore Adams* for petitioners in No. 536 and the St. Joe Paper Co. et al., respondents in No. 573. *Henry P. Adair*, *Fred H. Kent* and *Donald Russell* for the DuPont Trustees et al., and *Giles J. Patterson* and *John R. Turney* for the St. Joe Paper Co., petitioners in No. 536 and respondents in No. 573. *Clifton S. Thomson* and *Chester Bedell* for *Aird* et al., *Clarence M. Mulholland* and *Edward J. Hickey, Jr.* for the Railway Labor Executives' Association, *Harold J. Gallagher*, *Walter H. Brown, Jr.* and *James B. McDonough, Jr.* for the Seaboard Air Line Railroad Co., and *Sidney S. Alderman* and *Henry L. Walker* for the Southern Railway System et al., petitioners in No. 536. *Howard P. Macfarlane* and *George W. Erickson* for Conn et al., and *Miller Walton* for *Welbon* et al., petitioners in No. 544. *J. Turner Butler*, *John T. G. Crawford* and *Willard P. Scott* for petitioners in No. 552. *Edward W. Bourne*, *Charles Cook Howell*, *Charles Cook Howell, Jr.* and *Richard B. Gwathmey* for the Atlantic Coast Line Railroad Co. Reported below: 216 F. 2d 832.

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No. 558. *JOHN HANCOCK MUTUAL LIFE INSURANCE Co. v. BEARDSLEE*. C. A. 7th Cir. Certiorari denied. *Owen Rall* for petitioner. *Irving M. Greenfield* and *Irving D. Levin* for respondent. Reported below: 216 F. 2d 457.

No. 562. *STOW MANUFACTURING CO. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 2d Cir. Certiorari denied. *Roy C. McHenry* for petitioner. *Solicitor General Sobeloff, David P. Findling, Dominick L. Manoli* and *Rosanna A. Blake* for respondent. Reported below: 217 F. 2d 900.

No. 563. *EDWARD S. WAGNER CO., INC. v. MITCHELL, SECRETARY OF LABOR*. C. A. 2d Cir. Certiorari denied. *Irwin N. Wilpon* for petitioner. *Solicitor General Sobeloff, Stuart Rothman, Bessie Margolin* and *Sylvia S. Ellison* for respondent. Reported below: 217 F. 2d 303.

No. 569. *UNITED STATES EX REL. CIRCELLA v. SAHLI, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 7th Cir. Certiorari denied. *Thomas M. Tracey* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Felicia Dubrovsky* for respondent. Reported below: 216 F. 2d 33.

No. 574. *ROSCOE BIFOCAL CO., INC. v. SIMON, GENERAL PARTNER OF RAY SIMON OPTICAL CO.* C. A. 7th Cir. Certiorari denied. *Max Chill* for petitioner. *Norman H. Nachman* for respondent. Reported below: 216 F. 2d 339.

No. 578. *THOMPSON, TRUSTEE, ET AL. v. ST. LOUIS-SAN FRANCISCO RAILWAY CO.* C. A. 8th Cir. Certiorari denied. *Thos. T. Railey, Geo. W. Holmes* and *Toll R.*

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Ware for petitioners. *James L. Homire, John E. McCullough* and *Alvin J. Baumann* for respondent. Reported below: 218 F. 2d 166.

No. 245, Misc. *BENNETT v. EIDSON, WARDEN*. Supreme Court of Missouri. Certiorari denied. Petitioner *pro se*. *John M. Dalton*, Attorney General of Missouri, and *Samuel M. Watson*, Assistant Attorney General, for respondent.

No. 366, Misc. *HOLLIDAY v. ABRAM, WARDEN*. Supreme Court of New Mexico. Certiorari denied. Petitioner *pro se*. *Richard H. Robinson*, Attorney General of New Mexico, *Fred M. Standley* and *Santiago E. Campos*, Assistant Attorneys General, and *Dean S. Zinn* for respondent.

No. 469, Misc. *VOSS v. TENNESSEE*. Supreme Court of Tennessee, Middle District. Certiorari denied. *James Clarence Evans* for petitioner. *Nat Tipton* and *Knox Bigham*, Assistant Attorneys General of Tennessee, for respondent. Reported below: — S. W. 2d —.

Rehearing Denied.

No. 41. *PREMIER OIL REFINING COMPANY OF TEXAS v. UNITED STATES*, *ante*, p. 254;

No. 43. *TEE-HIT-TON INDIANS v. UNITED STATES*, *ante*, p. 272; and

No. 475. *FORD ET AL. v. HUGHES TOOL CO.*, *ante*, p. 927. Petitions for rehearing denied.

No. 520. *LARDNER v. TWENTIETH CENTURY-FOX FILM CORP.*, *ante*, p. 944. Rehearing denied. MR. JUSTICE CLARK took no part in the consideration or decision of this application.

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Decisions Per Curiam.

No. 450. *BATES v. UNITED STATES.* On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. *Per Curiam:* The petition for certiorari is granted. Petitioner's claim to exemption as a conscientious objector has been denied by the National Appeal Board without his Selective Service file ever having been referred to the Department of Justice for inquiry, hearing, and recommendation. The procedure prescribed by § 6 (j) of the Universal Military Training and Service Act, 62 Stat. 612, as amended, 50 U. S. C. App. § 456 (j), has not been complied with, and the judgment of conviction is accordingly reversed. *Hayden C. Covington* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 216 F. 2d 130.

No. 521. *MOORE v. UNITED STATES.* On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. *Per Curiam:* The petition for certiorari is granted. Petitioner and witnesses tendered by him declined, because of religious scruples against oath-taking, to use the word "solemnly" in affirming to tell the truth. The trial court refused to permit them to testify. There is no requirement that the word "solemnly" be used in the affirmation, and the judgment of conviction is therefore reversed and the case remanded for a new trial. *Francis Heisler* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Carl H. Imlay* for the United States. Reported below: 217 F. 2d 428.

*MR. JUSTICE HARLAN took no part in the consideration or decision of the cases in which orders were this day announced.

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No. 526. *SIMON v. UNITED STATES*. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. *Simmons v. United States*, 348 U. S. 397. *Hayden C. Covington* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 218 F. 2d 127.

No. 560. *ABC FREIGHT FORWARDING CORP. v. UNITED STATES ET AL.* Appeal from the United States District Court for the Southern District of New York. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed. *Nathaniel T. Helman* for appellant. *Solicitor General Sobeloff and Edward M. Reidy* for the United States and the Interstate Commerce Commission; and *Harry C. Ames, David Axelrod, James L. Givan, Robert E. Quirk and S. S. Eisen* for the Acme Fast Freight, Inc. et al., appellees. Reported below: 125 F. Supp. 926.

No. 565. *BRADLEY v. UNITED STATES*. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. *Gonzales v. United States*, 348 U. S. 407. *Hayden C. Covington* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 218 F. 2d 657.

No. 564. *MCRAE v. UNITED STATES*. Appeal from the United States District Court for the District of Colorado. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed. Petitioner *pro se*. *Solicitor General Sobeloff* for the United States.

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Miscellaneous Orders.

No. 357. MANEJA ET AL. *v.* WAIALUA AGRICULTURAL CO., LTD.; and

No. 358. WAIALUA AGRICULTURAL CO., LTD. *v.* MANEJA ET AL. Certiorari, 348 U. S. 870, to the United States Court of Appeals for the Ninth Circuit. The motion for leave to file brief of American Farm Bureau Federation, as *amicus curiae*, is granted. *Paul E. Mathias* for movant.

No. 394. IN RE LEVY. Certiorari, 348 U. S. 887, to the United States Court of Appeals for the Fifth Circuit. The motion for leave to file brief of the Houston Bar Association, as *amicus curiae*, is granted. *Leroy Denman Moody* for movant.

No. 478, Misc. RADIO CORPORATION OF AMERICA *v.* IGUE, U. S. DISTRICT JUDGE, ET AL. Motion for leave to file petition for writ of mandamus or other appropriate relief denied. *Adlai E. Stevenson* and *John T. Cahill* for petitioner. *Thomas C. McConnell* for respondents.

No. 377, Misc. IN RE HUNT. Application for certificate of probable cause denied.

No. 400, Misc. ELLIOTT *v.* SUPREME COURT OF MICHIGAN;

No. 415, Misc. CRABTREE *v.* UNITED STATES; and

No. 453, Misc. BANKS *v.* DENMAN, CHIEF JUDGE. Motions for leave to file petitions for writs of mandamus denied.

No. 418, Misc. FOXALL *v.* RAGEN, WARDEN, ET AL.; and

No. 446, Misc. JAMES *v.* UNITED STATES. Motions for leave to file petitions for writs of certiorari denied.

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No. 448, Misc. *DAMPHER v. ILLINOIS*; andNo. 460, Misc. *POWERS v. TEXAS ET AL.* Motions for leave to file petitions for writs of habeas corpus denied.No. —. *IN RE JONES*;No. —. *IN RE HAWKE*;No. —. *IN RE COLLINS*; andNo. —. *IN RE BALTZEGAR*. Rules are ordered to issue, returnable on Thursday, April 14, 1955, requiring L. Barrett Jones, of Jackson, Mississippi; George S. Hawke, of Cincinnati, Ohio; William B. Collins, of Westfield, N. J.; and J. B. Baltzegar, of Norway, S. C., to show cause why judgments for costs should not be entered against them.*Certiorari Granted.* (See also Nos. 450, 521, 526 and 565, *supra*.)No. 586. *LOCAL UNION NO. 25 OF THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN & HELPERS OF AMERICA ET AL. v. NEW YORK, NEW HAVEN & HARTFORD RAILROAD CO.* The petition for writ of certiorari to the Superior Court of Massachusetts is granted limited to question 1 presented by the petition for the writ which reads as follows:

“1. Does the Labor Management Relations Act oust State courts of jurisdiction of a suit by a railroad to enjoin a union and union representatives from engaging in peaceably conducted strikes or attempts to induce such strikes by the employees of interstate motor carriers for the purpose of persuading such carriers to agree to restrict their use of interstate railroad transportation facilities and to give some portion of such interstate carriage work to their employees who are all represented by the union?”

John D. O'Reilly, Jr. for petitioners. *William T. Griffin* for respondent. Reported below: 331 Mass. 720, 122 N. E. 2d 759.

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No. 617. *SEARS, ROEBUCK & Co. v. MACKEY ET AL.* C. A. 7th Cir. Certiorari granted. *Frank H. Marks* for petitioner. *John Paul Stevens* for Mackey, respondent. Reported below: 218 F. 2d 295.

Certiorari Denied. (See also *Misc. Nos. 418 and 446, supra.*)

No. 390. *WHITE v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Hayden C. Covington* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 215 F. 2d 782.

No. 391. *Tomlinson v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Hayden C. Covington* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Carl H. Imlay* for the United States. Reported below: 216 F. 2d 12.

No. 447. *UNITED STATES v. CLOSE.* C. A. 7th Cir. Certiorari denied. *Solicitor General Sobeloff* for the United States. *Hayden C. Covington* for respondent. Reported below: 215 F. 2d 439.

No. 448. *UNITED STATES v. HINKLE.* C. A. 9th Cir. Certiorari denied. *Solicitor General Sobeloff* for the United States. *Hayden C. Covington* for respondent. Reported below: 216 F. 2d 8.

No. 501. *WATERMAN STEAMSHIP CORP. v. UNITED STATES.* Court of Claims. Certiorari denied. *Walter P. Hickey* and *L. de Grove Potter* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger, Leavenworth Colby* and *Herman Marcuse* for the United States. Reported below: 129 Ct. Cl. 455, 124 F. Supp. 622.

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No. 502. *WATERMAN STEAMSHIP CORP. v. UNITED STATES.* Court of Claims. Certiorari denied. *Walter P. Hickey* and *L. de Grove Potter* for petitioner. *Solicitor General Sobeloff* for the United States. Reported below: 129 Ct. Cl. 460, 124 F. Supp. 634.

No. 513. *LYKES BROS. STEAMSHIP CO., INC. v. UNITED STATES.* Court of Claims. Certiorari denied. *Joseph M. Rault* and *Walter Carroll* for petitioner. *Solicitor General Sobeloff* for the United States. Reported below: 129 Ct. Cl. 455, 124 F. Supp. 622.

No. 543. *BROWNING v. TEXAS.* Court of Criminal Appeals of Texas. Certiorari denied. *M. Gabriel Nahas, Jr.* for petitioner. *John Ben Shepperd*, Attorney General of Texas, and *Will D. Davis*, Assistant Attorney General, for respondent. Reported below: 160 Tex. Cr. R. —, 276 S. W. 2d 522.

No. 559. *RIDGEWAY v. RIDGEWAY.* Supreme Court of Ohio. Certiorari denied. *Alexander H. Martin* for petitioner. *Kent H. Meyers* for respondent. Reported below: 162 Ohio St. 119, 120 N. E. 2d 719.

No. 572. *SNEAD v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. *C. Carter Lee* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 217 F. 2d 912.

No. 576. *BYRNES v. MUTUAL LIFE INSURANCE CO.* C. A. 9th Cir. Certiorari denied. *John Alan Appleman* and *Allan K. Perry* for petitioner. *Denison Kitchel* for respondent. Reported below: 217 F. 2d 497.

No. 580. *WARNER BROTHERS PICTURES, INC. ET AL. v. COLUMBIA BROADCASTING SYSTEM, INC. ET AL.* C. A. 9th

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Cir. Certiorari denied. *R. W. Perkins* for petitioners. *Joe Crider, Jr.* for the Columbia Broadcasting System, Inc. et al.; and *Abraham Marcus* for Hammett, respondents. Reported below: 216 F. 2d 945.

No. 590. *F. P. NEWPORT CORP., LTD. v. SAMSELL, TRUSTEE IN BANKRUPTCY, ET AL.* C. A. 9th Cir. Certiorari denied. *Morris Lavine* for petitioner. *Norman A. Bailie* and *Richard A. Turner* for Sampsell, respondent. Reported below: 216 F. 2d 344.

No. 591. *IHLER ET UX. v. ROSEN.* Supreme Court of Wisconsin. Certiorari denied. *John R. Foley* for petitioners. *James A. Smith* for respondent. Reported below: 267 Wis. 220, 64 N. W. 2d 845.

No. 596. *BROWN ET AL. v. BRITTON.* Supreme Court of Florida. Certiorari denied. *Morris E. White* for petitioners. Reported below: 75 So. 2d 753.

No. 597. *CLEARY v. CHICAGO TITLE & TRUST CO.* Supreme Court of Illinois. Certiorari denied. *John O'C. FitzGerald* for petitioner. *Joseph B. Fleming* and *Thomas M. Thomas* for respondent. Reported below: 4 Ill. 2d 57, 122 N. E. 2d 227.

No. 606. *LENZNER ET AL. v. CITY OF TRENTON.* Supreme Court of New Jersey. Certiorari denied. *Robert T. McCracken* and *George G. Chandler* for petitioners. *Louis Josephson* for respondent. Reported below: 16 N. J. 465, 109 A. 2d 409.

No. 615. *RUBIN ET AL. v. CHICAGO, SOUTH SHORE & SOUTH BEND RAILROAD ET AL.* C. A. 7th Cir. Certiorari denied. *William Henning Rubin* for petitioners. *Kenneth F. Burgess* and *Walter J. Cummings, Jr.* for the Chicago, South Shore & South Bend Railroad, respondent. Reported below: 217 F. 2d 177.

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No. 634. *AETNA CASUALTY & SURETY Co. v. PITTS.* C. A. 2d Cir. Certiorari denied. *William S. O'Connor* for petitioner. *Jules Chopak* for respondent. Reported below: 218 F. 2d 58.

No. 635. *IN RE HOLMES.* Supreme Court of Pennsylvania, Eastern District. Certiorari denied. *Thomas D. McBride* for petitioner. *Richardson Dilworth* for the State of Pennsylvania. Reported below: 379 Pa. 599, 109 A. 2d 523.

No. 599. *SHAFFER v. SEAS SHIPPING Co., INC.* C. A. 3d Cir. Certiorari denied. *Paul M. Goldstein* and *Herman Moskowitz* for petitioner. *Thomas E. Byrne, Jr.* for respondent. Reported below: 218 F. 2d 442.

No. 592. *RADIO CORPORATION OF AMERICA v. IGOE, U. S. DISTRICT JUDGE.* C. A. 7th Cir. Certiorari denied. *Adlai E. Stevenson* and *John T. Cahill* for petitioner. *Thomas C. McConnell* for respondent. Reported below: 217 F. 2d 218.

No. 220, Misc. *CULVER v. MICHIGAN.* Supreme Court of Michigan. Certiorari denied. Petitioner *pro se.* *Thomas M. Kavanagh*, Attorney General of Michigan, *Edmund E. Shepherd*, Solicitor General, and *Daniel J. O'Hara*, Assistant Attorney General, for respondent.

No. 233, Misc. *SKLADD v. BANNAN, WARDEN.* C. A. 6th Cir. Certiorari denied. Petitioner *pro se.* *Thomas M. Kavanagh*, Attorney General of Michigan, *Edmund E. Shepherd*, Solicitor General, and *Daniel J. O'Hara*, Assistant Attorney General, for respondent.

No. 340, Misc. *BOZELL v. LINDSAY ET AL.* C. A. 4th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor*

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General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Robert G. Maysack for respondents. Reported below: 215 F. 2d 190.

No. 372, Misc. *BARNETT v. CITY OF MEMPHIS ET AL.* Supreme Court of Tennessee. Certiorari denied. *Nell Sanders Aspero* for petitioner. *Marion G. Evans* for the Board of Education of the Memphis City Schools, respondent. Reported below: 196 Tenn. 590, 269 S. W. 2d 906.

No. 375, Misc. *MUNROE v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied.

No. 376, Misc. *YANKOVICH v. MICHIGAN.* Supreme Court of Michigan. Certiorari denied.

No. 380, Misc. *PENNENGA v. NEW YORK.* Suffolk County Court, New York. Certiorari denied.

No. 388, Misc. *MORTON v. STEELE, WARDEN.* C. A. 8th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg* for respondent. Reported below: 217 F. 2d 13.

No. 389, Misc. *BEAN v. NEW YORK.* Appellate Division, Supreme Court of New York, Third Judicial Department. Certiorari denied. Reported below: 284 App. Div. 922, 134 N. Y. S. 2d 483.

No. 405, Misc. *DiMAGGIO v. NEW YORK.* Appellate Division, Supreme Court of New York, First Judicial Department. Certiorari denied. Reported below: 284 App. Div. 871, 134 N. Y. S. 2d 589.

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No. 406, Misc. *BELL v. SKEEN, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 411, Misc. *ARNOLD v. CUMMINGS, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 412, Misc. *HUDSON v. DAY, WARDEN*. C. A. 3d Cir. Certiorari denied.

No. 413, Misc. *LEE v. KINDELAN, WARDEN*. C. A. 1st Cir. Certiorari denied. Reported below: 217 F. 2d 647.

No. 417, Misc. *HILDERBRAND v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 423, Misc. *DANIELS v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 425, Misc. *BENJAMIN ET AL. v. MCINTOSH*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *David Carliner* for petitioners. *Mark P. Friedlander* for respondent. Reported below: — U. S. App. D. C. —, 219 F. 2d 27.

No. 439, Misc. *VITI v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied.

No. 441, Misc. *SIMS v. IOWA*. Supreme Court of Iowa. Certiorari denied.

No. 443, Misc. *MULLREED v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 447, Misc. *BREMER v. LOONEY, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 449, Misc. *SALKELD v. RAGEN, WARDEN*. Circuit Court of Marion County, Illinois. Certiorari denied.

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No. 450, Misc. *FORD v. NEW YORK*. County Court of Erie County, New York. Certiorari denied.

No. 451, Misc. *COLLINS v. BANNAN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 454, Misc. *LUJAN v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 456, Misc. *MOODY v. ROBBINS, WARDEN*. Supreme Judicial Court of Maine. Certiorari denied.

No. 457, Misc. *JEROME v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 461, Misc. *HENSON v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 217 F. 2d 134.

No. 462, Misc. *SORIMPT v. DELMORE, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. Supreme Court of Washington. Certiorari denied.

No. 465, Misc. *PRIEGEL v. TEETS, WARDEN, ET AL.* Supreme Court of California. Certiorari denied.

No. 466, Misc. *SPENCER v. STEELE, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 467, Misc. *MILLER v. TEETS, WARDEN, ET AL.* Supreme Court of California. Certiorari denied.

No. 471, Misc. *DAVIS v. SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY*. Supreme Court of Appeals of Virginia. Certiorari denied.

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No. 473, Misc. *CORNES v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 475, Misc. *PIKE v. BANNAN, WARDEN*. Supreme Court of Michigan. Certiorari denied.

No. 476, Misc. *CORBO v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Reported below: 307 N. Y. 928, 123 N. E. 2d 574.

No. 477, Misc. *PHILLIPS v. INDIANA*. Circuit Court of St. Joseph County, Indiana. Certiorari denied.

No. 452, Misc. *RUPP v. TEETS, WARDEN*. Supreme Court of California. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application. *A. J. Zirpoli* for petitioner. *Edmund G. Brown*, Attorney General of California, *Clarence A. Linn*, Assistant Attorney General, and *Arlo E. Smith*, Deputy Attorney General, for respondent.

Rehearing Denied.

No. 125. *HARSH v. ILLINOIS TERMINAL RAILROAD Co.*, *ante*, p. 940;

No. 479. *KANISCHER v. IRWIN OPERATING Co.*, *ante*, p. 942;

No. 495. *CENTRAL MINE EQUIPMENT Co. v. BOWDIL COMPANY*, *ante*, p. 936;

No. 505. *BARTRON ET AL. v. DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION*, *ante*, p. 943;

No. 508. *SOUTHERN BAKERS ASSOCIATION, INC. ET AL. v. UNITED STATES ET AL.*, *ante*, p. 941; and

No. 317, Misc. *BROWN v. BALDI, SUPERINTENDENT, PHILADELPHIA COUNTY PRISON, ET AL.*, *ante*, p. 939. Petitions for rehearing denied.

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Decisions Per Curiam.

No. 186. GENERAL DRIVERS, WAREHOUSEMEN, AND HELPERS, LOCAL UNION No. 89, ET AL. v. AMERICAN TOBACCO Co., INC. Certiorari, 348 U. S. 813, to the Court of Appeals of Kentucky. Argued March 31-April 1, 1955. Decided April 4, 1955. *Per Curiam*: The judgment is reversed. *Weber v. Anheuser-Busch, Inc.*, 348 U. S. 468; *Bus Employees v. Wisconsin Board*, 340 U. S. 383. *Herbert S. Thatcher* and *William S. Tyson* argued the cause for petitioners. *J. Albert Woll*, *David Previant* and *Ralph H. Logan* were with *Mr. Thatcher* on the brief. By special leave of Court, *Dominick L. Manoli* argued the cause for the National Labor Relations Board, as *amicus curiae*, urging reversal. With him on the brief were *Solicitor General Sobeloff*, *David P. Findling* and *Norton J. Come*. *Nelson Helm* argued the cause for respondent. With him on the brief was *Francis E. Koch*. Reported below: 264 S. W. 2d 250.

No. 394. IN RE LEVY. Certiorari, 348 U. S. 887, to the United States Court of Appeals for the Fifth Circuit. Argued March 31, 1955. Decided April 4, 1955. *Per Curiam*: The record in this case discloses no sufficient grounds for the failure and refusal of the District Court to grant petitioner's application for admission to the bar of that Court. The judgment of the Court of Appeals is accordingly reversed with direction to remand the cause to the District Court for appropriate action in accordance with this order. *Bernard A. Golding* argued the cause for petitioner. *Leroy Denman Moody* filed a brief for the Houston Bar Association, as *amicus curiae*, urging affirmance. Reported below: 214 F. 2d 331.

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No. 566. *WARD TRANSPORT, INC. ET AL. v. UNITED STATES ET AL.* Appeal from the United States District Court for the District of Colorado. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed. *Nuel D. Belnap* and *Albert L. Vogl* for appellants. *Solicitor General Sobeloff* and *Edward M. Reidy* for the United States and the Interstate Commerce Commission; and *Walter R. McFarland* and *Eldon Martin* for the Atchison, Topeka & Santa Fe Railway Co. et al., appellees. Reported below: 125 F. Supp. 363.

No. 577. *PAINTERS' DISTRICT COUNCIL NO. 22, BROTHERHOOD OF PAINTERS, DECORATORS & PAPERHANGERS OF AMERICA (A. F. L.), ET AL. v. AUSTIN ET AL.* Appeal from the Supreme Court of Michigan. *Per Curiam*: The appeal is dismissed for want of jurisdiction. 28 U. S. C. § 1257 (2). Treating the papers whereon the appeal was taken as a petition for writ of certiorari, as required by 28 U. S. C. § 2103, certiorari is denied. *Edward N. Barnard* for appellants. Reported below: 339 Mich. 462, 64 N. W. 2d 550.

No. 581. *TERRY v. CITY OF PORTLAND ET AL.* Appeal from the Supreme Court of Oregon. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. The motion of the appellees to adjudge as damages double costs is denied. *Wilber Henderson* for appellant. *Alexander G. Brown* for appellees. Reported below: — Ore. —, 269 P. 2d 544.

No. 594. *AMERICAN CIVIL LIBERTIES UNION ET AL. v. CITY OF CHICAGO ET AL.* Appeal from the Supreme Court of Illinois. *Per Curiam*: The appeal is dismissed for want of a final judgment. *MR. JUSTICE BLACK, MR. JUSTICE*

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DOUGLAS and MR. JUSTICE HARLAN dissent. *Leon Despres* for appellants. Reported below: 3 Ill. 2d 334, 121 N. E. 2d 585.

Miscellaneous Orders.

No. 337. NORWOOD ET AL. *v.* KIRKPATRICK, CHIEF JUDGE, U. S. DISTRICT COURT. Certiorari, 348 U. S. 870, to the United States Court of Appeals for the Third Circuit. The motion for leave to file brief of Dining Car Employees Union, as *amicus curiae*, is denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this motion.

No. 357. MANEJA ET AL. *v.* WAIALUA AGRICULTURAL CO., LTD.; and

No. 358. WAIALUA AGRICULTURAL CO., LTD. *v.* MANEJA ET AL. Certiorari, 348 U. S. 870, to the United States Court of Appeals for the Ninth Circuit. The motion for leave to file supplemental brief on behalf of the Secretary of Labor, as *amicus curiae*, in response to brief filed by the American Farm Bureau Federation is granted. *Solicitor General Sobeloff, Stuart Rothman and Bessie Margolin* for movant.

No. 470, Misc. *IN RE JUDD.* Motion for leave to file petition for writ of certiorari denied.

Certiorari Denied. (*See also No. 577 and Misc. No. 470, supra.*)

No. 561. DISTRICT OF COLUMBIA *v.* RANDLE. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Vernon E. West, Chester H. Gray, Milton D. Korman and Harry L. Walker* for petitioner. *Alvin L. Newmyer and Alvin L. Newmyer, Jr.* for respondent. Reported below: 94 U. S. App. D. C. —, 217 F. 2d 669.

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No. 582. *OLLIFF v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. *Pat M. Baskin* for petitioner. Reported below: 160 Tex. Cr. R. —, 276 S. W. 2d 839.

No. 583. *PENNSYLVANIA EX REL. KUNTZ v. STACKHOUSE ET UX*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. *Thomas D. McBride* for petitioner. *Edwin E. Lippincott, II* for respondents. Reported below: See 176 Pa. Super. 361, 108 A. 2d 73.

No. 585. *DOLCIN CORPORATION ET AL. v. FEDERAL TRADE COMMISSION*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Michael F. Markel* and *Wayne K. Hill* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Barnes, Daniel M. Friedman, Earl W. Kintner* and *Robert B. Dawkins* for respondent. Reported below: — U. S. App. D. C. —, 219 F. 2d 742.

No. 598. *SKINNER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *J. B. Tietz* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 215 F. 2d 767.

No. 603. *DENTON ET AL., DOING BUSINESS AS MARDEN MANUFACTURING Co., v. NATIONAL LABOR RELATIONS BOARD*. C. A. 5th Cir. Certiorari denied. *Burr Tracy Ansell* and *A. R. Surles, Jr.* for petitioners. *Solicitor General Sobeloff, David P. Findling* and *Dominick L. Manoli* for respondent. Reported below: 217 F. 2d 567.

No. 609. *CATO v. SILLING*. Supreme Court of Appeals of West Virginia. Certiorari denied. *J. Campbell Palmer III* for petitioner. *J. B. Fisher* for respondent.

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No. 612. *ALSUP v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Webb M. Mize* and *R. W. Thompson, Jr.* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 219 F. 2d 72.

No. 613. *KALPAKOFF v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *J. B. Tietz* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 217 F. 2d 748.

No. 620. *ROGERS v. ALTON*. District Court of Appeal of California, First Appellate District. Certiorari denied. *R. A. Rogers pro se*. *Robert Emmett Halsing* for respondent. Reported below: 127 Cal. App. 2d 667, 274 P. 2d 487.

No. 478. *OBEAR-NESTER GLASS Co. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 7th Cir. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *Henry C. Lowenhaupt* and *Louis F. Oberdorfer* for petitioner. *Solicitor General Sobeloff* for respondent. Reported below: 217 F. 2d 56.

No. 97, Misc. *NEAL v. BECKSTEAD, SHERIFF, ET AL.* C. A. 10th Cir. Certiorari denied. *Herbert Monte Levy* and *David I. Shapiro* for petitioner. *E. R. Callister*, Attorney General of Utah, and *Walter L. Budge* and *Morgan W. Lewis, Jr.*, Assistant Attorneys General, for respondents. Reported below: 214 F. 2d 133.

No. 270, Misc. *NEAL v. GRAHAM, WARDEN*. Supreme Court of Utah. Certiorari denied. *Herbert Monte Levy* for petitioner. *E. R. Callister*, Attorney General of Utah, and *Walter L. Budge* and *Morgan W. Lewis, Jr.*, Assistant Attorneys General, for respondent.

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No. 419, Misc. *McBRIDE v. TEETS, WARDEN*. Supreme Court of California. Certiorari denied.

No. 468, Misc. *SWAILS v. LOUISIANA*. Supreme Court of Louisiana. Certiorari denied. Reported below: 226 La. 441, 76 So. 2d 523.

No. 472, Misc. *GENNAITTE v. HEINZE, WARDEN, ET AL.* Supreme Court of California. Certiorari denied.

No. 474, Misc. *BOLDEN v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 486, Misc. *WILSON v. DELAWARE*. Supreme Court of Delaware. Certiorari denied. *Louis L. Redding* for petitioner. *Joseph Donald Craven*, Attorney General of Delaware, for respondent. Reported below: 48 Del. —, 109 A. 2d 381.

Rehearing Denied.

No. 506. *TAMBLYN v. UNITED STATES*, *ante*, p. 950; and

No. 386, Misc. *MARSHALL v. UNITED STATES*, *ante*, p. 948. Petitions for rehearing denied. MR. JUSTICE HARLAN took no part in the consideration or decision of these applications.

APRIL 5, 1955.

Case Dismissed Under Rule 60.

No. 512. *S. HOWES Co., INC. v. W. P. MILLING Co.* Appeal from the Supreme Court of Oklahoma. Probable jurisdiction noted, 348 U. S. 949. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *A. Camp Bonds* and *Manly Fleischmann* for appellant. *Thomas L. Gibson* for appellee.

