

DECISIONS PER CURIAM AND ORDERS FROM
APRIL 11 THROUGH JUNE 6, 1955.

APRIL 11, 1955.

Decisions Per Curiam.

No. 333. *PINO v. LANDON*, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. Certiorari, 348 U. S. 870, to the United States Court of Appeals for the First Circuit. Argued March 30, 1955. Decided April 11, 1955. *Per Curiam*: On the record here we are unable to say that the conviction has attained such finality as to support an order of deportation within the contemplation of § 241 of the Immigration and Nationality Act. The judgment is reversed. *Reuben Goodman* argued the cause for petitioner. With him on the brief were *Paul T. Smith* and *Jacob Spiegel*. *John F. Davis* argued the cause for respondent. With him on the brief were *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Richard J. Blanchard*. Reported below: 215 F. 2d 237.

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. Argued March 3-4, 1955. Decided April 11, 1955. *Per Curiam*: The judgment is affirmed by an equally divided Court. MR. JUSTICE HARLAN took no part in the consideration or decision of this case. *Sidney A. Schwartz* argued the cause for petitioner. With him on the brief was *Edward Ash*. *Edward J. Behrens* argued the cause for respondent. With him on the brief was *Charles H. Lawson*. By special leave of Court, 348 U. S. 948, *Leavenworth Colby* argued the cause for the United States, as *amicus curiae*, urging affirmance. With him on

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the brief were *Solicitor General Sobeloff, Assistant Attorney General Burger, Paul A. Sweeney* and *Herman Marcuse*. Reported below: 211 F. 2d 277.

No. 213. INDIAN TOWING CO., INC. ET AL. *v.* UNITED STATES. Certiorari, 348 U. S. 810, to the United States Court of Appeals for the Fifth Circuit. Argued February 10, 1955. Decided April 11, 1955. *Per Curiam*: The judgment is affirmed by an equally divided Court. MR. JUSTICE HARLAN took no part in the consideration or decision of this case. *Richard B. Montgomery* argued the cause for petitioners. With him on the brief was *Cicero C. Sessions*. *Lester S. Jayson* argued the cause for the United States. With him on the brief were *Solicitor General Sobeloff, Assistant Attorney General Burger* and *Paul A. Sweeney*. Reported below: 211 F. 2d 886.

No. 584. SEABOARD AIR LINE RAILROAD CO. *v.* UNITED STATES ET AL. Appeal from the United States District Court for the Eastern District of Virginia. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed. *James B. McDonough, Jr.* and *Charles T. Abeles* for appellant. *Solicitor General Sobeloff, Charles H. Weston* and *Edward M. Reidy* for the United States and the Interstate Commerce Commission; and *R. B. Gwathmey* for the Atlantic Coast Line Railroad Co., appellees. Reported below: 131 F. Supp. 129.

No. 611. LAZAR *v.* OKLAHOMA. Appeal from the Criminal Court of Appeals of Oklahoma. *Per Curiam*: The appeal is dismissed for want of a substantial federal question. *John B. Dudley* for appellant. Reported below: 275 P. 2d 1003.

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No. 600. *W. J. DILLNER TRANSFER CO. v. PENNSYLVANIA PUBLIC UTILITY COMMISSION ET AL.* Appeal from the Supreme Court of Pennsylvania, Western District; and

No. 601. *W. J. DILLNER TRANSFER CO. v. PENNSYLVANIA PUBLIC UTILITY COMMISSION ET AL.* Appeal from the Supreme Court of Pennsylvania, Middle District. *Per Curiam:* The motions to dismiss are granted and the appeals are dismissed for want of a substantial federal question. *J. Paul Rupp* and *Ernie Adamson* for appellant. *Thomas M. Kerrigan* for the Pennsylvania Public Utility Commission; and *Harold S. Shertz* for Highway Express Lines, Inc. et al., appellees. Reported below: See 175 Pa. Super. 461, 472, 107 A. 2d 159, 164.

Miscellaneous Orders.

No. 376. *PETERS v. HOBBY ET AL.* Certiorari, 348 U. S. 882, to the United States Court of Appeals for the District of Columbia Circuit. Motion of the Congress of Industrial Organizations for leave to appear and present oral argument, as *amicus curiae*, denied.

No. —. *IN RE ANASTAPLO.* Motion for leave to file application for admission to the Bar of the Supreme Court of the United States denied.

No. 608. *OKLAHOMA EX REL. GRIMES ET AL. v. BOARD OF EDUCATION OF OKLAHOMA CITY ET AL.* Petition for writ of certiorari to the Supreme Court of Oklahoma and for other relief denied. *Harlan Grimes pro se.* *Ned Looney* and *Alexander M. Heron* for the National Surety Corporation; and *Maurice M. Thomas* for the New Amsterdam Casualty Co., respondents. Reported below: 186 Okla. 665, 99 P. 2d 876.

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Certiorari Granted.

No. 625. UNITED STATES *v.* MINKER. C. A. 3d Cir. Certiorari granted. *Solicitor General Sobeloff* for the United States. *Jacob Kossman* for respondent. Reported below: 217 F. 2d 350.

No. 399, Misc. PENNSYLVANIA EX REL. HERMAN *v.* CLAUDY, WARDEN. Supreme Court of Pennsylvania, Western District. Certiorari granted. *Marjorie H. Matson* and *Herbert Monte Levy* for petitioner. Reported below: See 176 Pa. Super. 387, 107 A. 2d 595.

*Certiorari Denied. (See also No. 608, *supra*.)*

No. 587. G. & P. AMUSEMENT CO. *v.* REGENT THEATER CO. ET AL. C. A. 6th Cir. Certiorari denied. *Samuel T. Gaines* for petitioner. *Jerome N. Curtis* for the Regent Theater Co. et al.; and *Luther Day* for Warner Bros. Pictures Distributing Corporation et al., respondents. Reported below: 216 F. 2d 749.

No. 602. JAMOUNEAU *v.* HARNER ET AL. Supreme Court of New Jersey. Certiorari denied. Petitioner *pro se*. *Grover C. Richman, Jr.*, Attorney General of New Jersey, *Harold Kolovsky*, Assistant Attorney General, and *David M. Satz, Jr.*, Deputy Attorney General, for Richman, respondent. Reported below: 16 N. J. 500, 109 A. 2d 640.

No. 607. GRIMES *v.* MAYNARD ET AL. Court of Civil Appeals of Texas, Tenth Supreme Judicial District. Certiorari denied. *Harlan Grimes pro se*. *Tom M. Miller* for respondents. Reported below: 270 S. W. 2d 282.

No. 610. STOCKTON HARBOR INDUSTRIAL CO. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. *Valentine Brookes* and *Arthur H. Kent*

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for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, Lee A. Jackson and Melva M. Graney* for respondent. Reported below: 216 F. 2d 638.

No. 618. *EDWARDS ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 5th Cir. Certiorari denied. *Chester H. Ferguson and George W. Erickson* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack and Robert B. Ross* for respondent. Reported below: 217 F. 2d 952.

No. 619. *CHICAGO, ROCK ISLAND & PACIFIC RAILROAD Co. v. WRIGHT*. Supreme Court of Oklahoma. Certiorari denied. *Robert E. Shelton* for petitioner. *Irving H. Green and Walter D. Hanson* for respondent. Reported below: 278 P. 2d 830.

No. 621. *DAVIS v. CALIFORNIA*. Supreme Court of California. Certiorari denied. *Max Solomon* for petitioner. Reported below: 43 Cal. 2d 661, 276 P. 2d 801.

No. 622. *ALPHA SILK Co. ET AL. v. UNITED STATES*. Court of Claims. Certiorari denied. *William A. Roberts, Irene Kennedy and Roger H. Muzzall* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Burger and Melvin Richter* for the United States. Reported below: 130 Ct. Cl. 43, 125 F. Supp. 941.

No. 631. *CONSOLIDATED FREIGHTWAYS, INC. v. UNITED TRUCK LINES, INC.* C. A. 9th Cir. Certiorari denied. *Donald A. Schafer* for petitioner. *James A. Williams* for respondent. Reported below: 216 F. 2d 543.

No. 641. *WHITIN MACHINE WORKS v. NATIONAL LABOR RELATIONS BOARD*. C. A. 4th Cir. Certiorari denied. *Whiteford S. Blakeney* for petitioner. *Solicitor*

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General Sobeloff, David P. Findling, Dominick L. Manoli and Frederick U. Reel for respondent. Reported below: 217 F. 2d 593.

No. 669. *FINN ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Sobeloff* for the United States. Reported below: 219 F. 2d 894.

No. 627. *SHANKS VILLAGE RESIDENTS ASSOCIATION, INC. ET AL. v. COLE, ADMINISTRATOR, HOUSING AND HOME FINANCE AGENCY.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Milton M. Carrow* and *Henry J. Fox* for petitioners. *Solicitor General Sobeloff* and *Assistant Attorney General Morton* for respondent. Reported below: 95 U. S. App. D. C. —, 219 F. 2d 28.

No. 630. *BARD-PARKER CO., INC. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 2d Cir. Certiorari denied. *MR. JUSTICE HARLAN* took no part in the consideration or decision of this application. *Stanley Worth* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack* and *Harry Baum* for respondent. Reported below: 218 F. 2d 52.

No. 242, Misc. *ROBINSON v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Joseph A. Barry* for the United States. Reported below: 214 F. 2d 677, 684.

No. 308, Misc. *WINSTON v. HEINZE, WARDEN.* Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Edmund G. Brown*, Attorney General of California, and *Doris H. Maier*, Deputy Attorney General, for respondent.

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No. 402, Misc. *BEASLEY v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Richard W. Tompkins* 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. —, 218 F. 2d 366.

No. 414, Misc. *PRUITT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Joseph A. Barry* for the United States. Reported below: 217 F. 2d 648.

No. 435, Misc. *LEWIS v. MISSISSIPPI*. Supreme Court of Mississippi. Certiorari denied. *W. Arlington Jones* for petitioner. *J. P. Coleman*, Attorney General of Mississippi, for respondent. Reported below: 222 Miss. —, 75 So. 2d 448.

No. 504, Misc. *TUNE v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied. *Edward J. Gilhooly* and *Charles Danzig* for petitioner. *Charles V. Webb, Jr.* and *C. William Caruso* for respondent. Reported below: 17 N. J. 100, 110 A. 2d 99.

Rehearing Denied.

No. 7. *WILBURN BOAT CO. ET AL. v. FIREMAN'S FUND INSURANCE CO.*, 348 U. S. 310;

No. 518. *AIRCOOLED MOTORS, INC. v. WILLIAMS*, 348 U. S. 946; and

No. 530. *SMALLS ET AL. v. ATLANTIC COAST LINE RAILROAD CO.*, 348 U. S. 946. Petitions for rehearing denied. MR. JUSTICE HARLAN took no part in the consideration or decision of these applications.

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No. 532. *IN RE ANASTAPLO*, 348 U. S. 946;

No. 571. *SAWYER v. STEVENS, SECRETARY OF THE ARMY, ET AL.*, 348 U. S. 959;

No. 132, Misc. *FAUBERT v. MICHIGAN ET AL.*, 348 U. S. 962; and

No. 332, Misc. *BRADLEY v. HOWARD UNIVERSITY ET AL.*, 348 U. S. 954. Petitions for rehearing denied. MR. JUSTICE HARLAN took no part in the consideration or decision of these applications.

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Decisions Per Curiam.

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

No. 322. *PANHANDLE EASTERN PIPE LINE CO. v. CORPORATION COMMISSION OF OKLAHOMA ET AL.* Appeals from the Supreme Court of Oklahoma. *Per Curiam*: Judgments reversed. *Natural Gas Pipeline Co. v. Panoma Corp.*, 349 U. S. 44. MR. JUSTICE HARLAN took no part in the consideration or decision of these cases. *Jack T. Conn, D. H. Culton, Coleman Hayes and Arthur R. Seder, Jr.* for appellant in No. 320. *Edward H. Lange and Mark H. Adams* for appellant in No. 322. *Mac Q. Williamson*, Attorney General of Oklahoma, for the Corporation Commission of Oklahoma; *T. Murray Robinson and Leon Shipp* for certain mineral owners in Texas County, Oklahoma; and *Rayburn L. Foster, Harry D. Turner, R. M. Williams, Kenneth Heady and Cecil C. Hamilton* for the Phillips Petroleum Co., appellees. Reported below: 272 P. 2d 425.

No. 588. *ILLINOIS CENTRAL RAILROAD CO. ET AL. v. MISSISSIPPI PUBLIC SERVICE COMMISSION ET AL.*; and

No. 589. *INTERSTATE COMMERCE COMMISSION v. MISSISSIPPI PUBLIC SERVICE COMMISSION ET AL.* Appeals from the United States District Court for the Southern District of Mississippi. *Per Curiam*: The motions to

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affirm are granted and the judgment is affirmed. MR. JUSTICE REED dissents. *Harold E. Spencer, A. J. Baumann, Robert Burns, J. L. Byrd, A. J. Dixon, Y. D. Lott, Jr.* and *Prime F. Osborn* for appellants in No. 588. *Edward M. Reidy* and *Leo H. Pou* for appellant in No. 589. *J. P. Coleman*, Attorney General of Mississippi, and *Dugas Shands*, Assistant Attorney General, for the Mississippi Public Service Commission; and *Jim C. Floyd* and *Charles A. Horsky* for the American Sand & Gravel Co. et al., appellees. Reported below: 124 F. Supp. 809.

No. 604. *McKAY, SECRETARY OF THE INTERIOR, ET AL. v. CLACKAMAS COUNTY, OREGON.* On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia 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 with instructions to dismiss the proceeding upon the ground that the cause is moot. MR. JUSTICE BURTON and MR. JUSTICE HARLAN dissent. *Solicitor General Sobeloff* for petitioners. *A. W. Lafferty* and *Richard L. Merrick* for respondent. Reported below: — U. S. App. D. C. —, —, 219 F. 2d 479, 497.

No. 605. *WEST EDMOND HUNTON LIME UNIT v. YOUNG ET AL.* Appeal from the Supreme Court of Oklahoma. *Per Curiam:* The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *T. Murray Robinson* and *Rufus S. Day, Jr.* for appellant. *John Barry* for appellees. Reported below: 275 P. 2d 304.

Miscellaneous Orders.

No. 695. *NATIONAL UNION OF MARINE COOKS AND STEWARDS ET AL. v. NATIONAL LABOR RELATIONS BOARD ET AL.* On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. The

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application for a stay is denied. *Norman Leonard* for petitioners. *Solicitor General Sobeloff* for the National Labor Relations Board, respondent.

No. 153. SECURITIES AND EXCHANGE COMMISSION *v.* DREXEL & Co., 348 U. S. 341. Opinion amended by adding the following footnote at the end of the eighth paragraph [reported as amended, 348 U. S. 341, 344]:

A petition for rehearing states that Electric is not a "public utility company" within the meaning of the Act and therefore § 12 (d) is inapplicable. We do not prejudice that position by this opinion, for whether or not Electric is a "public utility company," § 12 of the Act is concededly applicable. Section 12 (c) provides:

"It shall be unlawful for any registered holding company or any subsidiary company thereof, by use of the mails or any means or instrumentality of interstate commerce, or otherwise, to declare or pay any dividend on any security of such company or to acquire, retire, or redeem any security of such company, in contravention of such rules and regulations or orders as the Commission deems necessary or appropriate to protect the financial integrity of companies in holding-company systems, to safeguard the working capital of public-utility companies, to prevent the payment of dividends out of capital or unearned surplus, or to prevent the circumvention of the provisions of this title or the rules, regulations, or orders thereunder."

Section 12 (f) provides:

"It shall be unlawful for any registered holding company or subsidiary company thereof, by use of the mails or any means or instrumentality of interstate commerce, or otherwise, to negotiate, enter into, or take any step in the performance of any transaction not otherwise unlawful under this title, with any company in the same holding-company system or with any affiliate of a company in such holding-company system in contravention of such rules and regulations or orders regarding reports, accounts, costs, maintenance of competitive conditions, disclosure of interest, duration of contracts, and similar matters as the Commission deems necessary or appropriate in the public interest or for the protection of investors or consumers or to prevent the circumvention of the provisions of this title or the rules and regulations thereunder."

The broad powers granted the Commission under these provisions are plainly adequate to give it the control it reserved in this case over the fees incident to the exchange of the old securities.

MR. JUSTICE HARLAN did not participate.

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No. 320, Misc. *NORRIS v. SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY*. Motion for leave to file petition for writ of habeas corpus denied. Petitioner *pro se*. *J. Lindsay Almond, Jr.*, Attorney General of Virginia, and *Thomas M. Miller*, Assistant Attorney General, for respondent.

Certiorari Granted. (See No. 604, *supra*.)

Certiorari Denied.

No. 593. *PERPETUAL BUILDING & LOAN ASSN. v. SERIES DIRECTORS OF EQUITABLE BUILDING & LOAN ASSN. ET AL.* C. A. 4th Cir. Certiorari denied. *Edward W. Mullins* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Burger* and *Samuel D. Slade* for the Federal National Mortgage Association; and *Edgar L. Morris* for *C. W. Haynes & Co., Inc.* et al., respondents. Reported below: 217 F. 2d 1.

No. 626. *KORMUTH v. UNITED STATES STEEL CO. ET AL.* Supreme Court of Pennsylvania, Western District. Certiorari denied. *W. Bertram Waychoff*, *Joseph F. McVeigh*, *Francis J. Myers* and *Cornelius C. O'Brien* for petitioner. *Charles E. Kenworthey* for the United States Steel Co.; and *Charles M. Thorp, Jr.* and *W. C. Montgomery* for the Hillman Coal & Coke Co. et al., respondents. Reported below: 379 Pa. 365, 108 A. 2d 907.

No. 632. *LLOYD v. CAMPBELL, EXECUTOR, ET AL.* Supreme Court of Ohio. Certiorari denied. *Paul Thomas Key* for petitioner. *Ralph Stickle* and *George Q. Keeley* for Lloyd, respondent. Reported below: 162 Ohio St. 203, 122 N. E. 2d 695.

No. 633. *DESMOND v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. *Jacob Rassner* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Burger*,

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Paul A. Sweeney and *Morton Hollander* for the United States. Reported below: 217 F. 2d 948.

No. 637. *PELLICER v. BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS, FREIGHT HANDLERS, EXPRESS & STATION EMPLOYEES ET AL.* C. A. 5th Cir. Certiorari denied. *Martin J. Pearl* for petitioner. *Clarence M. Mulholland, Edward J. Hickey, Jr., Richard R. Lyman* and *James L. Crawford* for the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees et al.; and *Wm. Hart Sibley* for the Railway Express Agency, Inc., respondents. Reported below: 217 F. 2d 205.

No. 638. *BENTON COUNTY, OREGON, ET AL. v. CLACKAMAS COUNTY, OREGON.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Paul R. Connolly* for petitioners. *Richard L. Merrick* for respondent. Reported below: 94 U. S. App. D. C. —, —, 219 F. 2d 479, 497.

No. 639. *MATSON NAVIGATION CO. v. LAWLER.* C. A. 9th Cir. Certiorari denied. *Moses Lasky* for petitioner. *Richard Gladstein* for respondent. *John Hays* filed a brief for the Pacific American Steamship Association, as *amicus curiae*, urging reversal. Reported below: 217 F. 2d 645.

No. 642. *DOTO, ALIAS ADONIS, v. NEW JERSEY.* Supreme Court of New Jersey. Certiorari denied. *Abraham J. Slurzberg* and *William H. Collins* for petitioner. *Ralph L. Fusco*, Deputy Attorney General of New Jersey, for respondent. Reported below: 16 N. J. 397, 109 A. 2d 9.

No. 666. *RECORD PUBLISHING CO. v. HERTZ ET AL.* C. A. 3d Cir. Certiorari denied. *William W. Knox* for petitioner. *Charles E. Kenworthey* for respondents. Reported below: 219 F. 2d 397.

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No. 636. *BRUSWITZ ET AL. v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *Bruno Schachner* for Koenke, and *Frederick H. Block* for Bruswitz, petitioners. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, John H. Mitchell, Joseph M. Howard* and *Harold S. Larsen* for the United States. Reported below: 219 F. 2d 59.

Rehearing Denied.

No. 30. *NATIONAL CITY BANK OF NEW YORK v. REPUBLIC OF CHINA ET AL.*, 348 U. S. 356. Rehearing denied. MR. JUSTICE DOUGLAS and MR. JUSTICE HARLAN took no part in the consideration or decision of this application.

No. 153. *SECURITIES AND EXCHANGE COMMISSION v. DREXEL & Co.*, 348 U. S. 341. Rehearing denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application.

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Decisions Per Curiam.

No. 575. *DONADUCY v. PENNSYLVANIA.* Appeal from the Supreme Court of Pennsylvania, Western District. *Per Curiam:* The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. MR. JUSTICE BLACK dissents. *Herbert Monte Levy* for appellant. *Wayne A. Gleeten* for appellee. Reported below: See 176 Pa. Super. 27, 107 A. 2d 139.

No. 614. *WISCONSIN EX REL. WISCONSIN LUTHERAN HIGH SCHOOL CONFERENCE v. SINAR, INSPECTOR OF BUILDINGS, ET AL.* Appeal from the Supreme Court of Wisconsin. *Per Curiam:* The motion to dismiss is granted and the appeal is dismissed for want of a sub-

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stantial federal question. *Ernst J. von Briesen* and *Ralph M. Hoyt* for appellant. *Herbert L. Mount* for appellees. Reported below: 267 Wis. 91, 65 N. W. 2d 43.

Miscellaneous Orders.

No. —. *BOMPENSIERO v. SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO, ET AL.* Application for stay denied. *Jack Wasserman* for petitioner. *Edmund G. Brown*, Attorney General of California, *Frank J. Mackin*, Assistant Attorney General, and *William E. James*, Deputy Attorney General, for respondents. Reported below: See 44 Cal. 2d —, 281 P. 2d 250.

No. 2. *BRIGGS ET AL. v. ELLIOTT ET AL.*, 347 U. S. 483. Appeal from the United States District Court for the Eastern District of South Carolina. Motion for leave to file brief of *Louis L. Brown* and *Robert W. Wesley*, as *amici curiae*, denied.

Certiorari Granted.

No. 465. *STEINER ET AL., DOING BUSINESS AS CUMBERLAND BATTERY MANUFACTURING CO., ET AL. v. MITCHELL, SECRETARY OF LABOR.* C. A. 6th Cir. Certiorari granted. *Cecil Sims* for petitioners. *Solicitor General Sobeloff*, *Stuart Rothman*, *Bessie Margolin* and *Sylvia S. Ellison* for respondent. Reported below: 215 F. 2d 171.

No. 647. *MITCHELL, SECRETARY OF LABOR, v. KING PACKING Co.* C. A. 9th Cir. Certiorari granted. *Solicitor General Sobeloff* and *Stuart Rothman* for petitioner. Reported below: 216 F. 2d 618.

No. 629. *DILLON v. UNITED STATES.* C. A. 8th Cir. Certiorari granted. *Morris A. Shenker* and *Sidney M. Glazer* for petitioner. *Solicitor General Sobeloff*, *Assist-*

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ant Attorney General Holland, Ellis N. Slack, John H. Mitchell and Joseph M. Howard for the United States. Reported below: 218 F. 2d 97.

No. 645. *ARMSTRONG v. ARMSTRONG ET AL.* Supreme Court of Ohio. Certiorari granted. *Robert N. Gorman, Stanley A. Silversteen, James W. Hengelbrok and Julius R. Samuels* for petitioner. *Walter K. Sibbald* for Armstrong, respondent. Reported below: 162 Ohio St. 406, 123 N. E. 2d 267.

Certiorari Denied.

No. 640. *ROCK DRILLING, ETC., BUILDING AND COMMON LABORERS' LOCAL UNION NO. 17 v. MASON & HANGER CO., INC. ET AL.* C. A. 2d Cir. Certiorari denied. *Hyman N. Glickstein* for petitioner. *Franklin Nevius* for Mason & Hanger Co., Inc., *Mark F. Hughes* for Walsh Construction Co., Inc. et al., and *William H. Wurts* for George M. Brewster & Son, Inc., respondents. Reported below: 217 F. 2d 687.

No. 643. *MAHONEY v. SAILORS' UNION OF THE PACIFIC ET AL.* Supreme Court of Washington. Certiorari denied. *Melville Monheimer* for petitioner. Reported below: 45 Wash. 2d 453, 275 P. 2d 440.

No. 646. *BIANCHI ET AL. v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. *Morris A. Shenker, Sidney M. Glazer and Harry H. Craig* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Richard J. Blanchard* for the United States. Reported below: 219 F. 2d 182.

No. 648. *HOLBROOK v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *A. C. Wheeler* for petitioner. *Solicitor*

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tor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, John H. Mitchell and Joseph M. Howard for the United States. Reported below: 216 F. 2d 238.

No. 649. *ROSAIRE v. BAROID SALES DIVISION, NATIONAL LEAD Co.* C. A. 5th Cir. Certiorari denied. *Earl Babcock* for petitioner. *Harry R. Pugh, Jr.* and *Henry R. Ashton* for respondent. Reported below: 218 F. 2d 72.

No. 650. *OKLAHOMA EX REL. COMMISSIONERS OF THE LAND OFFICE v. MAGNOLIA PETROLEUM Co.* C. A. 10th Cir. Certiorari denied. *Mac Q. Williamson*, Attorney General of Oklahoma, *Fred Hansen*, First Assistant Attorney General, and *R. H. Dunn* for petitioner. *Earl A. Brown, Chas. B. Wallace* and *James E. Horigan* for respondent. Reported below: 218 F. 2d 1.

No. 651. *SEAY ET AL. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Frank B. Stow* and *Robert E. Andrews* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 217 F. 2d 572.

No. 652. *WILSON v. HOMESTEAD VALVE MANUFACTURING Co.* C. A. 3d Cir. Certiorari denied. *Artemas C. Leslie* and *Henry A. Craig* for petitioner. *Charles M. Thorp, Jr.* for respondent. Reported below: 217 F. 2d 792.

No. 662. *ATLANTIC COAST LINE RAILROAD Co. v. CHANCEY.* Supreme Court of Florida. Certiorari denied. *Charles Cook Howell, Charles Cook Howell, Jr.* and *William M. Howell* for petitioner. *Chester Bedell* for respondent. Reported below: 76 So. 2d 871.

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No. 668. LOCAL 175, INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, ET AL. *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *H. G. B. King* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Barnes, Charles H. Weston and Fred D. Turnage* for the United States. Reported below: 219 F. 2d 431.

No. 670. GREEN ET UX. *v.* GREEN ET AL. C. A. 7th Cir. Certiorari denied. *G. W. Horsley* for petitioners. *August F. Brandt* for respondents. Reported below: 218 F. 2d 130.

No. 672. NEW YORK LIFE INSURANCE CO. ET AL. *v.* LAKE, TRUSTEE IN BANKRUPTCY. C. A. 4th Cir. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *G. C. A. Anderson and Hilary W. Gans* for petitioners. *Frank B. Ober* for respondent. *John V. Bloys and Noel T. Dowling* filed a brief for the Life Insurance Association of America, as *amicus curiae*, in support of the petition for writ of certiorari. Reported below: 218 F. 2d 394.

Rehearing Denied.

No. 203. LEWIS *v.* UNITED STATES, 348 U. S. 419; and No. 417, Misc. HILDERBRAND *v.* UNITED STATES, 348 U. S. 975. Petitions for rehearing denied. MR. JUSTICE HARLAN took no part in the consideration or decision of these applications.

No. 390, Misc. LESTER, ADMINISTRATOR, *v.* NATIONAL BROADCASTING CO., INC. ET AL., 348 U. S. 954. Motion for leave to file petition for rehearing denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application.

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Decisions Per Curiam.

No. 595. *DE MOSS 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 on confession of error by the Government and on the authority of *Bates v. United States*, 348 U. S. 966. *Hayden C. Covington* for petitioner. *Solicitor General Sobeloff* for the United States. Reported below: 218 F. 2d 119.

No. 644. *DAVIDSON 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 of the Court of Appeals is vacated. The cause is remanded to the Court of Appeals for consideration of whether petitioner's conscientious objector claim comes within the provisions of § 6 (j) of the Universal Military Training and Service Act, in which event this case would be governed by *Gonzales v. United States*, 348 U. S. 407. *J. B. Tietz* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 218 F. 2d 609.

No. 517, Misc. *HILLER v. UNITED STATES*. Appeal from the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The appeal is dismissed for want of jurisdiction. Reported below: 218 F. 2d 641.

Miscellaneous Orders.

No. 387. *MITCHELL, SECRETARY OF LABOR, v. C. W. VOLLMER & CO., INC.* Certiorari, 348 U. S. 886, to the United States Court of Appeals for the Fifth Circuit.

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Argued March 3, 1955. Examination of the record raises a question in the Court's mind as to whether this case is moot in view of respondent's completion of his contract. Counsel are invited to submit memoranda upon this point on or before May 14, 1955. See *Commercial Cable Co. v. Burleson*, 250 U. S. 360; *United States v. W. T. Grant Co.*, 345 U. S. 629. THE CHIEF JUSTICE and MR. JUSTICE BLACK object to this order. *Stuart Rothman* argued the cause for petitioner. With him on the brief were *Solicitor General Sobeloff*, *Ralph S. Spritzer*, *Bessie Margolin* and *Sylvia S. Ellison*. *Eberhard P. Deutsch* argued the cause for respondent. With him on the brief was *René H. Himel, Jr.* Reported below: 214 F. 2d 132.

No. 323, Misc. *HILL v. LOONEY, WARDEN*;

No. 480, Misc. *IN RE WEINBERG*;

No. 482, Misc. *DUBIN v. WORTHING*;

No. 489, Misc. *MEEK v. CALIFORNIA*;

No. 497, Misc. *NEWTON v. MICHIGAN*; and

No. 512, Misc. *CAGLE v. HARDWICK, WARDEN, ET AL.* Motions for leave to file petitions for writs of habeas corpus denied. Petitioners *pro se*. *Solicitor General Sobeloff* for respondent in No. 323, Misc.

No. 438, Misc. *WRIGHT v. UNITED STATES*; and

No. 503, Misc. *BINKLEY v. FEDERAL DISTRICT COURT, COLUMBUS, OHIO, ET AL.* Motions for leave to file petitions for writs of certiorari denied.

Certiorari Granted. (See Nos. 595 and 644, *supra*.)

Certiorari Denied. (See also Misc. Nos. 438 and 503, *supra*.)

No. 624. *BARNES v. TEXAS.* Court of Criminal Appeals of Texas. Certiorari denied. *Angelo Piranio* for petitioner. *John Ben Shepperd*, Attorney General of

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Texas, and *Robert O. Fagg*, Assistant Attorney General, for respondent. Reported below: — Tex. Cr. R. —, 278 S. W. 2d 305.

No. 654. *PAPALARDO ET AL. v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Sobeloff*, Assistant Attorney General *Olney*, *Beatrice Rosenberg* and *Joseph A. Barry* for the United States. Reported below: 218 F. 2d 694.

No. 655. *VAUGHAN v. MILLER, CLERK, U. S. DISTRICT COURT*. C. A. 8th Cir. Certiorari denied. Reported below: 216 F. 2d 958.

No. 656. *CITY OF HASTINGS, NEBRASKA, v. FEDERAL POWER COMMISSION ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Sherman E. Burt*, *Lloyd J. Marti* and *Chauncey C. Sheldon* for petitioner. *Solicitor General Sobeloff*, Assistant Attorney General *Burger*, *Melvin Richter*, *Willard W. Gatchell* and *William J. Grove* for the Federal Power Commission; and *Oscar Cox* for the Kansas-Nebraska Natural Gas Co., Inc., respondents. Reported below: 95 U. S. App. D. C. —, 221 F. 2d 31.

No. 657. *HENDERSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *L. E. Gwinn* for petitioner. *Solicitor General Sobeloff*, Assistant Attorney General *Olney*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 218 F. 2d 14.

No. 658. *BENDER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Maurice J. Walsh* and *Ezra F. Ressman* 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: 218 F. 2d 869.

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No. 660. *DEROSIER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Henry G. Simmonite* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 218 F. 2d 420.

No. 661. *UNION MANUFACTURING CO. v. NATIONAL LABOR RELATIONS BOARD*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *John R. Fitzpatrick, Edward J. Lynch* and *Harry J. Maginnis* for petitioner. *Solicitor General Sobeloff, David P. Findling, Dominick L. Manoli* and *Frederick U. Reel* for respondent. Reported below: 95 U. S. App. D. C. —, 221 F. 2d 532.

No. 664. *DARSYN LABORATORIES, INC. v. LENOX LABORATORIES, INC. ET AL.* C. A. 3d Cir. Certiorari denied. *H. C. Bierman* for petitioner. *George F. Hetfield* for the Gamma Chemical Corporation et al.; and *Max Mehler* for Biber, respondents. Reported below: 217 F. 2d 648.

No. 665. *SUMMERFIELD, POSTMASTER GENERAL, v. SUNSHINE BOOK CO. ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Solicitor General Sobeloff* for petitioner. *O. John Rogge* and *Murray A. Gordon* for respondents. Reported below: 95 U. S. App. D. C. —, 221 F. 2d 42.

No. 671. *SHURMAN ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Julius Lucius Echeles* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 219 F. 2d 282.

No. 676. *STANDRIDGE ET AL. v. CALIFORNIA DOLOMITE CO. ET AL.* District Court of Appeal of California, Fourth

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Appellate District. Certiorari denied. *John W. Howard* for petitioners. Reported below: 128 Cal. App. 2d 635, 275 P. 2d 823.

No. 680. *ISTHMUS DEVELOPMENT CO. v. BURT*. C. A. 5th Cir. Certiorari denied. *Wm. Q. Boyce* for petitioner. *D. H. Culton, B. M. Britain* and *L. A. White* for respondent. Reported below: 218 F. 2d 353.

No. 681. *GUSICK v. ARIZONA*. Supreme Court of Arizona. Certiorari denied. *Wm. Scott Stewart* for petitioner. *Robert Morrison*, Attorney General of Arizona, and *R. G. Langmade*, Special Assistant Attorney General, for respondent. Reported below: 78 Ariz. 367, 280 P. 2d 691.

No. 683. *KAMMERER v. ATLANTIC COAST LINE RAILROAD CO.* C. A. 5th Cir. Certiorari denied. *Thurman Arnold* and *Milton V. Freeman* for petitioner. *Charles L. Gowen* for respondent. Reported below: 218 F. 2d 149.

No. 710. *WINSLOW v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *John R. Golden* for petitioner. *Solicitor General Sobeloff* for the United States. Reported below: 216 F. 2d 912.

No. 150, Misc. *MEEHAN v. CALIFORNIA*. District Court of Appeal of California, First Appellate District. 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. Reported below: 124 Cal. App. 2d 589, 269 P. 2d 70.

No. 374, Misc. *HERZIC v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

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No. 387, Misc. *SMART v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 442, Misc. *HENTSCHEL ET UX. v. BABY BATHINETTE CORP. ET AL.* C. A. 2d Cir. Certiorari denied. *Vine H. Smith* for petitioners. *William C. Combs* for the Baby Bathinette Corporation et al.; and *George Berkowitz* for the White Metal Rolling & Stamping Corporation, respondents. Reported below: 215 F. 2d 102.

No. 444, Misc. *KOSTAL v. CALIFORNIA*. District Court of Appeal of California, Second Appellate District. Certiorari denied. Reported below: 128 Cal. App. 2d 1, 274 P. 2d 908.

No. 455, Misc. *JOHNSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Felicia H. Dubrovsky* for the United States. Reported below: 218 F. 2d 288.

No. 481, Misc. *JANOWICZ v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 484, Misc. *ZIEMAN v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied.

No. 485, Misc. *Koss v. RANDOLPH, WARDEN*. Circuit Court of Randolph County, Illinois. Certiorari denied.

No. 488, Misc. *OBERY v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Reported below: 95 U. S. App. D. C. —, 217 F. 2d 860.

No. 491, Misc. *DOLAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Stanley M. Rosenblum* for petitioner. *Solicitor General Sobeloff, Assistant Attorney*

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General Olney and *Beatrice Rosenberg* for the United States. Reported below: 218 F. 2d 454.

No. 495, Misc. *DAVIS v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 496, Misc. *NORVELL v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied.

No. 498, Misc. *LILLY v. RANDOLPH, WARDEN*. Circuit Court of Randolph County, Illinois. Certiorari denied.

No. 499, Misc. *WASHINGTON v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied.

No. 505, Misc. *BRUCE v. PENNSYLVANIA*. Superior Court of Pennsylvania, Philadelphia District. Certiorari denied. Reported below: 177 Pa. Super. 63, 110 A. 2d 838.

No. 506, Misc. *ATKINSON v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM, ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 511, Misc. *SQUIRE v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 513, Misc. *WILLIAMS v. DELMORE, WARDEN*. Supreme Court of Washington. Certiorari denied.

Rehearing Granted. (See No. 28, *ante*, p. 70.)

Rehearing Denied.

No. 598. *SKINNER v. UNITED STATES*, 348 U. S. 981; No. 609. *CATO v. SILLING*, 348 U. S. 981; and No. 470, Misc. *IN RE JUDD*, 348 U. S. 980. Petitions for rehearing denied.

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No. 736, October Term, 1953. *McRAE v. WOODS, ACTING HOUSING EXPEDITER*, 347 U. S. 1017. Motion for leave to file petition for rehearing denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this motion.

No. 51. *ASSOCIATION OF WESTINGHOUSE SALARIED EMPLOYEES v. WESTINGHOUSE ELECTRIC CORP.*, 348 U. S. 437;

No. 184. *WILLIAMSON, ATTORNEY GENERAL OF OKLAHOMA, ET AL. v. LEE OPTICAL OF OKLAHOMA, INC. ET AL.*, 348 U. S. 483;

No. 199. *COMMISSIONER OF INTERNAL REVENUE v. GLENSHAW GLASS CO. ET AL.*, 348 U. S. 426;

No. 559. *RIDGEWAY v. RIDGEWAY*, 348 U. S. 971;

No. 564. *McRAE v. UNITED STATES*, 348 U. S. 967;

No. 590. *F. P. NEWPORT CORP., LTD. v. SAMPSELL, TRUSTEE IN BANKRUPTCY, ET AL.*, 348 U. S. 972;

No. 233, Misc. *SKLADD v. BANNAN, WARDEN*, 348 U. S. 973; and

No. 446, Misc. *JAMES v. UNITED STATES*, 348 U. S. 968. Petitions for rehearing denied. MR. JUSTICE HARLAN took no part in the consideration or decision of these applications.

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Decisions Per Curiam.

No. 659. *PURE OIL CO. v. BOWERS, TAX COMMISSIONER OF OHIO*. Appeal from the Supreme Court of Ohio. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a properly presented substantial federal question. *William S. Evatt* and *Robert L. Barton* for appellant. *C. William O'Neill*, Attorney General of Ohio, and *W. E. Herron*, Assistant Attorney General, for appellee. Reported below: 162 Ohio St. 375, 123 N. E. 2d 428.

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No. 514, Misc. *DONAHUE v. CONNECTICUT*. Appeal from the Supreme Court of Errors of Connecticut. *Per Curiam*: The appeal is dismissed and, treating the papers whereon the appeal was taken as a petition for certiorari, certiorari is denied. *Albert L. Coles* and *Philip H. Smith* for appellant. Reported below: 141 Conn. 656, 109 A. 2d 364.

Miscellaneous Orders.

No. —. *BURKE ET AL. v. UNITED STATES ET AL.* Motion to waive the rules and docket the case denied.

No. 376. *PETERS v. HOBBY ET AL.* Certiorari, 348 U. S. 882, to the United States Court of Appeals for the District of Columbia Circuit. Motion for leave to file brief of Emergency Civil Liberties Committee, as *amicus curiae*, 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 petition for rehearing is granted. The judgment entered April 11, 1955, 349 U. S. 901, is vacated and the case is restored to the docket for reargument. MR. JUSTICE HARLAN took no part in the consideration or decision of the petition for rehearing. *Sidney A. Schwartz* for petitioner.

No. 213. *INDIAN TOWING CO., INC. ET AL. v. UNITED STATES.* Certiorari, 348 U. S. 810, to the United States Court of Appeals for the Fifth Circuit. The petition for rehearing is granted. The judgment entered April 11, 1955, 349 U. S. 902, is vacated and the case is restored to the docket for reargument. MR. JUSTICE HARLAN took no part in the consideration or decision of the petition for rehearing. *Richard B. Montgomery* for petitioners.

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No. 236, Misc. *LANG v. HEINZE, WARDEN*;
No. 519, Misc. *MITCHELL v. LOONEY, WARDEN*;
No. 526, Misc. *HOPWOOD v. BROWNELL, ATTORNEY
GENERAL, ET AL.*;
No. 531, Misc. *SYKES v. TEETS, WARDEN*;
No. 538, Misc. *FORSYTHE v. NEW JERSEY*;
No. 563, Misc. *POTTER v. EIDSON, WARDEN*;
No. 568, Misc. *DAVIS v. CLEMMER, DIRECTOR, DE-
PARTMENT OF CORRECTIONS, DISTRICT OF COLUMBIA*; and
No. 579, Misc. *LAROSE v. CLEMMER, DIRECTOR, DE-
PARTMENT OF CORRECTIONS, DISTRICT OF COLUMBIA*. Motions for leave to file petitions for writs of habeas corpus denied. Petitioners *pro se*. *Edmund G. Brown*, Attorney General of California, and *Doris H. Maier*, Deputy Attorney General, for respondent in No. 236, Misc.

No. 493, Misc. *SULLIVAN v. HEINZE, WARDEN, ET AL.* Motion for leave to file petition for writ of habeas corpus and motions for *subpoena duces tecum* and to appoint a referee denied.

No. 560, Misc. *BOLESTA v. UNITED STATES*. Application denied.

Certiorari Granted.

No. 716. *FALCONE ET AL. v. BARNES, OFFICER IN
CHARGE, IMMIGRATION AND NATURALIZATION SERVICE.* C. A. 2d Cir. Certiorari granted. *Anthony S. Falcone* for petitioners. *Solicitor General Sobeloff* for respondent. Reported below: 219 F. 2d 137.

Certiorari Denied. (See also No. 514, Misc., supra.)

No. 528. *HEIKKILA v. BARBER, DISTRICT DIRECTOR,
IMMIGRATION AND NATURALIZATION SERVICE.* C. A. 9th Cir. Certiorari denied. *Lloyd E. McMurray* for peti-

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tioner. *Solicitor General Sobeloff, Assistant Attorney General Olney* and *Beatrice Rosenberg* for respondent. Reported below: 216 F. 2d 407.

No. 674. *OSBRINK ET AL., DOING BUSINESS AS R. H. OSBRINK MANUFACTURING CO., v. NATIONAL LABOR RELATIONS BOARD.* C. A. 9th Cir. Certiorari denied. *Homer D. Crotty* for petitioners. *Solicitor General Sobeloff, David P. Findling* and *Dominick L. Manoli* for respondent. Reported below: 218 F. 2d 341.

No. 675. *HANRATTY v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Jewell D. Lemons* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 218 F. 2d 358.

No. 678. *JARRICO v. RKO RADIO PICTURES, INC.* District Court of Appeal of California, Second Appellate District. Certiorari denied. *Samuel Rosenwein* for petitioner. *Peery Price* for respondent. Reported below: 128 Cal. App. 2d 172, 274 P. 2d 928.

No. 684. *HARRIMAN ET AL. v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. *Louis Bender* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Joseph A. Barry* for the United States. Reported below: 219 F. 2d 918.

No. 685. *ILLINOIS EX REL. GOLDSTEIN ET AL. v. BABB, SHERIFF.* Supreme Court of Illinois. Certiorari denied. *Henry H. Koven* for petitioners. *Latham Castle*, Attorney General of Illinois, *John L. Davidson, Jr.*, First Assistant Attorney General, and *Fred G. Leach* and *William C. Wines*, Assistant Attorneys General, for respondent. Reported below: 4 Ill. 2d 483, 123 N. E. 2d 639.

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No. 686. *DUMAINE v. SECURITIES AND EXCHANGE COMMISSION*. C. A. 1st Cir. Certiorari denied. *John J. Burns* for petitioner. *Solicitor General Sobeloff, William H. Timbers, Arden L. Andresen and Elizabeth B. A. Rogers* for respondent. Reported below: 218 F. 2d 308.

No. 687. *CLIFFORD ET AL. v. OHIO*. Supreme Court of Ohio. Certiorari denied. *Raymond T. Jackson and Charles D. Johnson* for petitioners. *Frank T. Cullitan and Gertrude M. Bauer* for respondent. Reported below: 162 Ohio St. 370, 123 N. E. 2d 8.

No. 688. *AUTOMATIC DIE & PRODUCTS Co. v. CAMPBELL ET AL., TRUSTEES*. Supreme Court of Ohio. Certiorari denied. *Lawrence C. Spieth* for petitioner. *Morris Berick* for respondents. Reported below: 162 Ohio St. 321, 123 N. E. 2d 401.

No. 689. *LEFORS v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. *Maury Hughes* for petitioner. *John Ben Shepperd*, Attorney General of Texas, and *Robert O. Fagg*, Assistant Attorney General, for respondent. Reported below: — Tex. Cr. R. —, 278 S. W. 2d 837.

No. 691. *ELLIOTT v. OREGON*. Supreme Court of Oregon. Certiorari denied. *A. L. Wirin and Fred Okrand* for petitioner. Reported below: — Ore. —, 277 P. 2d 754.

No. 693. *COHEN ET AL., EXECUTORS, v. GLASS, EXECUTRIX, ET AL.* C. A. 2d Cir. Certiorari denied. *Meyer Kraushaar* for petitioners. *Joseph P. Tumulty, Jr.* for Glass et al.; and *Ralph Montgomery Arkush* for the Middle States Petroleum Corporation, respondents. Reported below: 220 F. 2d 593.

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No. 695. NATIONAL UNION OF MARINE COOKS AND STEWARDS ET AL. *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. 9th Cir. Certiorari denied. *Norman Leonard* for petitioners. *Solicitor General Sobeloff, David P. Findling* and *Dominick L. Manoli* for the National Labor Relations Board, respondent. Reported below: 218 F. 2d 913.

No. 696. URBAIN ET AL. *v.* KNAPP BROTHERS MANUFACTURING CO. ET AL. C. A. 6th Cir. Certiorari denied. *Curtis F. Prangley* for petitioners. *Truman A. Herron* for respondents. Reported below: 217 F. 2d 810.

No. 697. CALDWELL *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Albert J. Ahern, Jr.* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 95 U. S. App. D. C. —, 218 F. 2d 370.

No. 698. GROOB, TRUSTEE IN BANKRUPTCY, *v.* RECONSTRUCTION FINANCE CORP. C. A. 2d Cir. Certiorari denied. *Elliott R. Katz* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger, Melvin Richter* and *Lionel Kestenbaum* for respondent. Reported below: 218 F. 2d 641.

No. 699. HILL *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. *Charles W. Tessmer* for petitioner. *John Ben Shepperd, Attorney General of Texas*, and *Robert O. Fagg, Assistant Attorney General*, for respondent. Reported below: — Tex. Cr. R. —, — S. W. 2d —.

No. 700. HAZELCORN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Louis Bender* and *Moses L. Kove* for petitioner. *Solicitor General Sobeloff, Assistant*

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Attorney General Olney, Beatrice Rosenberg and Robert G. Maysack for the United States. Reported below: 218 F. 2d 145.

No. 729. *SICILIANO v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. *Charles A. Bellows* for petitioner. *Latham Castle*, Attorney General of Illinois, *John L. Davidson, Jr.*, First Assistant Attorney General, and *Fred G. Leach* and *William C. Wines*, Assistant Attorneys General, for respondent. Reported below: 4 Ill. 2d 581, 123 N. E. 2d 725.

No. 761. *Coco v. FLORIDA*. Supreme Court of Florida. Certiorari denied. *Wallace N. Maer* for petitioner. *Richard W. Ervin*, Attorney General of Florida, and *Bart L. Cohen*, Assistant Attorney General, for respondent. Reported below: 80 So. 2d 346.

No. 703. *SCHWARTZ, ADMINISTRATRIX, v. KANSAS CITY SOUTHERN RAILWAY Co.* Supreme Court of Missouri. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion certiorari should be granted. *B. Nathaniel Richter* for petitioner. *Richard S. Richter* for respondent. Reported below: 365 Mo. —, 275 S. W. 2d 236.

No. 333, Misc. *LANG v. HEINZE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 520, Misc. *McCoy v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 521, Misc. *BARR v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied.

No. 522, Misc. *GINIVALLI v. BANNAN, WARDEN*. C. A. 6th Cir. Certiorari denied.

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No. 527, Misc. *MYLES v. INDIANA*. Supreme Court of Indiana. Certiorari denied. Reported below: 234 Ind. 129, 124 N. E. 2d 205.

No. 536, Misc. *FERGUSON v. ILLINOIS*. Circuit Court of Rock Island County, Illinois. Certiorari denied.

No. 537, Misc. *BANKS v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 540, Misc. *SMITH v. VIRGINIA*. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 545, Misc. *SMITH v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 547, Misc. *CROWE v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 548, Misc. *KREUTER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Isabelle Cappello* for the United States. Reported below: 218 F. 2d 532.

No. 549, Misc. *PELLEGRINI v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 550, Misc. *FLEISCHMAN v. NEW YORK ET AL.* Supreme Court of New York, Cayuga County. Certiorari denied.

No. 551, Misc. *GOODSON v. VIRGINIA*. Supreme Court of Appeals of Virginia. Certiorari denied.

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No. 556, Misc. *JACKSON v. MOORE, WARDEN*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 557, Misc. *STEWART v. OHIO*. Court of Appeals of Ohio, Second Appellate District. Certiorari denied.

No. 558, Misc. *McCoy v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 559, Misc. *JACKSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 602, Misc. *JACKSON v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 564, Misc. *MACMANN v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 565, Misc. *GARROW v. CALIFORNIA*. District Court of Appeal of California, Fourth Appellate District. Certiorari denied. Reported below: 130 Cal. App. 2d 75, 278 P. 2d 475.

No. 566, Misc. *DEFOE v. WEAVER BROS., INC.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Homer Brooks* for petitioner. *Milton W. King, Bernard I. Nordlinger, Wallace Luchs, Jr. and Robert B. Frank* for respondent.

No. 569, Misc. *MORICONI v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 573, Misc. *TILL v. SUPERIOR COURT OF SAN MATEO COUNTY, CALIFORNIA*. District Court of Appeal of California, First Appellate District. Certiorari denied.

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No. 577, Misc. WILLIAMS *v.* EIDSON, WARDEN. Supreme Court of Missouri. Certiorari denied.

No. 578, Misc. WHITE *v.* UNITED STATES. C. A. 5th 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: 218 F. 2d 145.

No. 589, Misc. NORDESTE *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 600, Misc. SYKES *v.* TEETS, WARDEN, ET AL. Supreme Court of California. Certiorari denied. Reported below: 44 Cal. 2d —, 280 P. 2d 769.

Rehearing Granted. (See Nos. 157 and 213, *supra*.)

Rehearing Denied.

No. 604. MCKAY, SECRETARY OF THE INTERIOR, ET AL. *v.* CLACKAMAS COUNTY, OREGON, *ante*, p. 909. Rehearing denied.

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Decisions Per Curiam.

No. 623. NATIONAL BANK OF DETROIT *v.* DEPARTMENT OF REVENUE OF MICHIGAN. Appeal from the Supreme Court of Michigan. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed. Edward P. Wright for appellant. Thomas M. Kavanagh, Attorney General of Michigan, Edmund E. Shepherd, Solicitor General, and Daniel J. O'Hara, Assistant Attorney General, for appellee. Reported below: 340 Mich. 573, 66 N. W. 2d 237.

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No. 694. *IN RE RINES, ADMINISTRATOR.* Appeal from the Supreme Judicial Court of Massachusetts. *Per Curiam:* The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *David Rines* and *Robert H. Rines* for appellant. *Melville F. Weston* for appellees. Reported below: 331 Mass. 714, 122 N. E. 2d 364.

No. 701. *PENNSYLVANIA v. BUDD COMPANY ET AL.* Appeal from the Supreme Court of Pennsylvania, Middle District. *Per Curiam:* The motion to dismiss is granted and the appeal is dismissed for failure to properly present a federal question. As to questions not subject to review by appeal, the papers whereon the appeal was taken are treated as a petition for writ of certiorari and certiorari is denied for the reason that the judgments rest on adequate state grounds. *Herbert B. Cohen*, Attorney General of Pennsylvania, and *George W. Keitel* and *Howell C. Mette*, Deputy Attorneys General, for appellant. *Henry S. Drinker*, *Leslie M. Swope* and *James J. Dougherty* for the Budd Company, and *Charles E. Kenworthey* and *Roy J. Keefer* for the Westinghouse Electric Corporation, appellees. Reported below: 379 Pa. 159, 108 A. 2d 563.

Miscellaneous Orders.

No. 11, Original. *MISSISSIPPI v. LOUISIANA.* This case is set for hearing on Monday, October 10, next, on the exceptions to the report of the Special Master. The brief of the State of Louisiana is to be filed on or before August 25 and that of the State of Mississippi 30 days after service of brief of the State of Louisiana.

No. 727. *WRIGHT, SUCCESSOR TO HOFFMAN, STATE TREASURER, ET AL. v. MISSISSIPPI RIVER FUEL CORP.* Supreme Court of Illinois. The motion that cause pro-

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ceed with Warren E. Wright as one of the petitioners is granted. Certiorari denied. *Latham Castle*, Attorney General of Illinois, *John L. Davidson, Jr.*, First Assistant Attorney General, *William C. Wines*, Assistant Attorney General, and *Richard L. Cooper*, Special Assistant Attorney General, for petitioners. *William A. Dougherty*, *James Lawrence White*, *John H. Hendren*, *Norman J. Gundlach* and *Arthur W. Manley* for respondent. Reported below: 4 Ill. 2d 468, 123 N. E. 2d 503.

No. 561, Misc. *SAM v. DELMORE, WARDEN*. Supreme Court of Washington. Certiorari denied. The motion for leave to file petition for writ of habeas corpus is also denied.

No. 660, Misc. *BURWELL v. CALIFORNIA*. Supreme Court of California. The petition for stay of execution is denied. Certiorari also denied. Reported below: 44 Cal. 2d —, 279 P. 2d 744.

No. 678, Misc. *ROGERS v. CALIFORNIA*. Supreme Court of California. The petition for stay of execution is denied. Certiorari also denied. Reported below: 44 Cal. 2d —, 279 P. 2d 744.

No. 516, Misc. *FARNUM v. BIGELOW, COMMISSIONER, STATE MENTAL HYGIENE DEPARTMENT*. The motion for leave to file petition for writ of mandamus and for other relief is denied.

No. 553, Misc. *EX PARTE BUTLER*;

No. 562, Misc. *HAMILTON v. BROWNELL, ATTORNEY GENERAL*; and

No. 585, Misc. *CHAPMAN v. LOONEY, WARDEN, ET AL.* The motions for leave to file petitions for writs of habeas corpus are severally denied.

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Certiorari Granted.

No. 704. MITCHELL, SECRETARY OF LABOR, *v.* MYRTLE GROVE PACKING Co. C. A. 5th Cir. Certiorari granted. *Solicitor General Sobeloff* and *Stuart Rothman* for petitioner. Reported below: 217 F. 2d 952.

No. 715. REX TRAILER Co., INC. *v.* UNITED STATES. C. A. 7th Cir. Certiorari granted. *Gustav H. Dongus* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Burger* and *Melvin Richter* for the United States. Reported below: 218 F. 2d 880.

No. 736. FEDERAL POWER COMMISSION *v.* SIERRA PACIFIC POWER Co.; and

No. 744. PACIFIC GAS & ELECTRIC Co. *v.* SIERRA PACIFIC POWER Co. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Solicitor General Sobeloff* and *Willard W. Gatchell* for petitioner in No. 736. *Robert H. Gerdes* and *Robert E. May* for petitioner in No. 744. *William C. Chanler* for respondent. Reported below: 95 U. S. App. D. C. —, — F. 2d —.

No. 416, Misc. GRIFFIN ET AL. *v.* ILLINOIS. Supreme Court of Illinois. Certiorari granted.

Certiorari Denied. (*See also Nos. 701, 727, and Misc. Nos. 561, 660 and 678, supra.*)

No. 319. PICKETT ET AL. *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied. *Howard D. Cline* and *Francis J. George* for petitioners. *Frank G. Millard*, Attorney General of Michigan, *Edmund E. Shepherd*, Solicitor General, and *Daniel J. O'Hara*, Assistant Attorney General, for respondent. Reported below: 339 Mich. 294, 63 N. W. 2d 681.

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No. 702. *Rossi v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Charles J. Margiotti* and *Samuel Goldstein* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 219 F. 2d 612.

No. 705. *COLBERT (NOW BRIANS) v. RODHOUSE*. Supreme Court of Oklahoma. Certiorari denied. *James W. Bounds* for petitioner. *Albert W. Trice* for respondent. Reported below: 279 P. 2d 349.

No. 706. *UNITED STATES v. WILLIAMS, DOING BUSINESS AS WILLIAMS EQUIPMENT Co., ET AL.* Court of Claims. Certiorari denied. *Solicitor General Sobeloff* for the United States. *Tracy E. Griffin* for respondents. Reported below: 130 Ct. Cl. 435, 127 F. Supp. 617.

No. 707. *UNITED STATES v. GENERAL CASUALTY Co. ET AL.* Court of Claims. Certiorari denied. *Solicitor General Sobeloff* for the United States. *Clifford B. Kimberly* and *Ernest Hubbell* for respondents. Reported below: 130 Ct. Cl. 520, 127 F. Supp. 805.

No. 708. *ANGLO CHINESE SHIPPING Co., LTD. v. UNITED STATES*. Court of Claims. Certiorari denied. *Henry J. Bogatko* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Burger* and *Melvin Richter* for the United States. Reported below: 130 Ct. Cl. 361, 127 F. Supp. 553.

No. 709. *BERRY v. UNITED STATES*. Court of Claims. Certiorari denied. *Russell V. Johnson* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Burger* and *Melvin Richter* for the United States. Reported below: 130 Ct. Cl. 33, 126 F. Supp. 190.

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No. 711. *CONSOLIDATED ENGINEERING CORP. v. UNITED STATES*. Court of Claims. Certiorari denied. *James B. Christie* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger, Melvin Richter and William W. Ross* for the United States. Reported below: 130 Ct. Cl. 504, 127 F. Supp. 558.

No. 717. *WOOD, DOING BUSINESS AS 53RD STREET SUBWAY LIQUOR STORE, v. O'GRADY ET AL.* Court of Appeals of New York. Certiorari denied. *Julius Kass* for petitioner. *Jacob Friedberg and Morris P. Glushien* for respondents. Reported below: 307 N. Y. 532, 122 N. E. 2d 386.

No. 719. *NILES 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: 220 F. 2d 278.

No. 720. *SCHNACKENBERG v. TOWLE*. Supreme Court of Illinois. Certiorari denied. *George E. Hale* for petitioner. *John E. Cassidy* for respondent. Reported below: 4 Ill. 2d 561, 123 N. E. 2d 817.

No. 726. *WATTS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Sumner M. Redstone, H. D. Reed and Frank A. Bruno* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, John H. Mitchell, Joseph M. Howard and Harold S. Larsen* for the United States. Reported below: 220 F. 2d 483.

No. 730. *ALKER v. FIDELITY-PHILADELPHIA TRUST CO., TRUSTEE, ET AL.* C. A. 3d Cir. Certiorari denied. *A. D. Bruce, Harry J. Alker, Jr. and Francis E. Walter* for

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petitioner. *Richard C. Bull, Thomas Raeburn White and Thomas B. K. Ringe* for respondents. Reported below: 218 F. 2d 602.

No. 712. *JUNGERSEN v. AXEL BROS., INC. ET AL.* C. A. 2d Cir. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *Elliott L. Biskind* for petitioner. *John Vaughan Groner* for respondents. Reported below: 217 F. 2d 646.

No. 714. *DICTOGRAPH PRODUCTS, INC. v. FEDERAL TRADE COMMISSION.* C. A. 2d Cir. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *Louis P. Haffer* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Barnes, Charles F. Barber, Daniel M. Friedman, Earl W. Kintner and Robert B. Dawkins* for respondent. Reported below: 217 F. 2d 821.

No. 238, Misc. *LOVEJOY 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.

No. 398, Misc. *COLLINS v. HEINZE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *Edmund G. Brown*, Attorney General of California, and *Doris H. Maier*, Deputy Attorney General, for Heinze, respondent. Reported below: 217 F. 2d 62.

No. 428, Misc. *ORTEGA v. RAGEN, WARDEN.* C. A. 7th Cir. Certiorari denied. Reported below: 216 F. 2d 561.

No. 532, Misc. *POLLACK v. ASPBURY ET AL.* C. A. 2d Cir. Certiorari denied.

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No. 535, Misc. *FURMAN v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 539, Misc. *BRABSON v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Reported below: 308 N. Y. 694, 124 N. E. 2d 324.

No. 570, Misc. *LAWSON v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 571, Misc. *WORBETZ v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied. Petitioner *pro se*. *Leon Gerofsky* for respondent. Reported below: 17 N. J. 569, 112 A. 2d 246.

No. 572, Misc. *PORTER v. SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY*. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 591, Misc. *BUTLER v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

Rehearing Denied.

No. 584. *SEABOARD AIR LINE RAILROAD Co. v. UNITED STATES ET AL.*, *ante*, p. 902. Rehearing denied.

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Decisions Per Curiam.

No. 663. *FONG, GUARDIAN AD LITEM, ET AL. v. DULLES, SECRETARY OF STATE*. 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. The judgment of the Court of Appeals is vacated and the case is remanded to the District Court for a new trial in accordance with the Govern-

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ment's suggestion. *Joseph S. Hertogs* for petitioners. *Solicitor General Sobeloff* for respondent. Reported below: 217 F. 2d 138.

No. 677. *MEYER ET AL. v. ST. LOUIS SOUTHWESTERN RAILWAY CO. ET AL.* Appeal from the Supreme Court of Missouri. *Per Curiam*: The motions to dismiss are granted and the appeal is dismissed for want of a substantial federal question. MR. JUSTICE FRANKFURTER took no part in the consideration or decision of this case. *Walter E. Meyer* and *Roberts P. Elam* for appellants. *John W. Murphy* and *Lackland H. Bloom* for the St. Louis Southwestern Railway Co.; and *Paul D. Miller* and *Clem F. Storckman* for the Southern Pacific Co. et al., appellees. Reported below: 363 Mo. 1057, 272 S. W. 2d 249.

No. 742. *COMBS ET AL. v. ILLINOIS STATE TOLL HIGHWAY COMMISSION ET AL.* Appeal from the United States District Court for the Northern District of Illinois. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed. The motion to limit the time for filing rehearing and to issue the mandate forthwith is granted. Petition for rehearing, if any, is to be filed prior to 11:00 a. m., Friday, June 3d. *John J. Yowell* for appellants. *Latham Castle*, Attorney General of Illinois, *John L. Davidson, Jr.*, First Assistant Attorney General, *George W. McGurn*, Assistant Attorney General, and *Werner W. Schroeder* and *Theodore W. Schroeder*, Special Assistant Attorneys General, for appellees. Reported below: 128 F. Supp. 305.

Miscellaneous Orders.

No. 9, Original. *TEXAS v. NEW MEXICO ET AL.* This case is set for hearing on Monday, October 10th, next, on the exceptions to the report of the Special Master dated January 31, 1955.

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No. 143, Misc., October Term, 1953. *SHELTON v. UNITED STATES*. The motion to vacate the order of November 30, 1953, 346 U. S. 892, dismissing the petition for writ of certiorari is denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this motion. Petitioner *pro se*. *Solicitor General Sobeloff* for the United States.

Certiorari Granted. (See also No. 663, *supra*.)

No. 690. *GIBSON v. LOCKHEED AIRCRAFT SERVICE, INC.* C. A. 5th Cir. Certiorari granted. *G. C. Spillers* and *Edward C. Fritz* for petitioner. *R. K. Hanger* for respondent. Reported below: 217 F. 2d 730.

No. 718. *COMMUNIST PARTY OF THE UNITED STATES v. SUBVERSIVE ACTIVITIES CONTROL BOARD*. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *John J. Abt* and *Joseph Forer* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Tompkins*, *Charles F. Barber*, *Harold D. Koffsky*, *Philip R. Monahan* and *George R. Gallagher* for respondent. Reported below: 95 U. S. App. D. C. —, — F. 2d —.

No. 731. *BERNHARDT v. POLYGRAPHIC CO., INC.* C. A. 2d Cir. Certiorari granted. *Manfred W. Ehrich, Jr.* and *Eugene V. Clark* for petitioner. *Joseph A. McNamara* and *Guy M. Page* for respondent. Reported below: 218 F. 2d 948.

No. 458, Misc. *GONZALES v. LANDON, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE, ET AL.* C. A. 9th Cir. Certiorari granted. *W. S. Maycock* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Edward S. Szukelewicz* for respondents. Reported below: 215 F. 2d 955.

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No. 588, Misc. *REECE v. GEORGIA*. Supreme Court of Georgia. Certiorari granted. *Daniel Duke* for petitioner. Reported below: 211 Ga. 339, 85 S. E. 2d 773.

Certiorari Denied.

No. 679. *SMITH v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. *Geo. W. McCleskey* for petitioner. *John Ben Shepperd*, Attorney General of Texas, and *A. M. Lecroix*, Assistant Attorney General, for respondent. Reported below: — Tex. Cr. R. —, 273 S. W. 2d 623.

No. 721. *LEW WAH FOOK, GUARDIAN AD LITEM, v. BROWNELL, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. *C. W. Cornell* for petitioner. *Solicitor General Sobeloff*, Assistant Attorney General *Olney* and *Beatrice Rosenberg* for respondent. Reported below: 218 F. 2d 924.

No. 722. *CONNOLLY, RECEIVER, ET AL. v. FIRST TRUST & DEPOSIT CO.* C. A. 2d Cir. Certiorari denied. *Laurence Sovik* for petitioners. *Gerald H. Henley* for respondent. Reported below: 218 F. 2d 671.

No. 723. *WHEELER v. UNITED STATES*; and

No. 724. *McGOWAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *David H. Greenberg* for petitioner in No. 723. *Irving S. Abrams* for petitioner in No. 724. *Solicitor General Sobeloff*, Assistant Attorney General *Olney*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 219 F. 2d 773.

No. 725. *CAPITOL HILL SOUTHEAST CITIZENS ASSOCIATION v. COE ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

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Betty Cochran Stockvis for petitioner. *Vernon E. West, Chester H. Gray, Milton D. Korman and Harry L. Walker* for respondents. Reported below: 95 U. S. App. D. C. —, 219 F. 2d 33.

No. 728. *BEECHER v. LEAVENWORTH STATE BANK ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 217 F. 2d 304.

No. 732. *MERCHANTS MATRIX CUT SYNDICATE, INC. ET AL. v. UNITED STATES ET AL.* C. A. 7th Cir. Certiorari denied. *Charles L. Stewart, Jr.* for the Intertype Corporation, and *Horace A. Young* for the Advertising Checking Bureau, Inc., petitioners. *Solicitor General Sobeloff, Assistant Attorney General Morton and John C. Harrington* for the United States. *Claude A. Roth* for the Clark-Congress Corporation, respondent. *Mr. Sobeloff, Mr. Morton and S. Billingsley Hill* filed a brief for the United States, as *amicus curiae*, supporting the Clark-Congress Corporation. Reported below: 219 F. 2d 90.

No. 734. *VERMONT TRANSIT CO., INC. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 2d Cir. Certiorari denied. *Guy M. Page* and *Charles W. Tye* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack and Louise Foster* for respondent. Reported below: 218 F. 2d 468.

No. 737. *PANHANDLE EASTERN PIPE LINE CO. v. FEDERAL POWER COMMISSION ET AL.* C. A. 3d Cir. Certiorari denied. *William E. Miller* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger, Melvin Richter, Lionel Kestenbaum, Willard W. Gatchell and William J. Grove* for the Federal Power Commission; *Samuel Brezner* for Wayne County, Michigan; *Donald R. Richberg, Arthur R. Seder, Jr. and Charles V. Shannon* for the American Louisiana Pipe Line Co. et al., and

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Oscar L. Chapman for the Michigan Consolidated Gas Co., respondents. Reported below: 219 F. 2d 729.

No. 739. *BUSINESS MEN'S ASSURANCE CO. v. DRIGGERS*. C. A. 5th Cir. Certiorari denied. *William Lipscomb* and *George L. Gordon* for petitioner. Reported below: 219 F. 2d 292.

No. 740. *BEATY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Llewellyn A. Luce* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, John H. Mitchell, Joseph M. Howard* and *Dickinson Thatcher* for the United States. Reported below: 220 F. 2d 681.

No. 741. *JOHNSON v. MISSISSIPPI*. Supreme Court of Mississippi. Certiorari denied. *Thurgood Marshall* and *Jack Greenberg* for petitioner. *J. P. Coleman*, Attorney General of Mississippi, for respondent. Reported below: 222 Miss. —, 76 So. 2d 841.

No. 745. *FITZPATRICK v. SNYDER, COMMANDER, BOSTON NAVAL SHIPYARD, ET AL.* C. A. 1st Cir. Certiorari denied. *Claude L. Dawson* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger* and *Paul A. Sweeney* for respondents. Reported below: 220 F. 2d 522.

No. 746. *THYS COMPANY ET AL. v. ANGLO-CALIFORNIA NATIONAL BANK, EXECUTOR*. C. A. 9th Cir. Certiorari denied. *Stephen S. Townsend* and *Carl Hoppe* for petitioners. *Arlington C. White* and *Margaret E. White* for respondent. Reported below: 219 F. 2d 131.

No. 748. *MALL TOOL CO. v. BORG-WARNER CORPORATION*. C. A. 7th Cir. Certiorari denied. *Horace Dawson* for petitioner. *Casper W. Ooms* for respondent. Reported below: 217 F. 2d 850.

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No. 768. *GORDON v. GORDON ET AL.* Probate Court of Massachusetts, Bristol County. Certiorari denied. *Samuel Abrams* for petitioner. *Lee M. Friedman* for respondents. Reported below: See 332 Mass. 197, 210, 124 N. E. 2d 228, 236.

No. 773. *TUBULAR SERVICE & ENGINEERING CO. ET AL. v. SUN OIL CO.* C. A. 5th Cir. Certiorari denied. *Earl Babcock* and *Thomas O. Arnold* for petitioners. *James B. Simms* and *Frank S. Busser* for respondent. Reported below: 220 F. 2d 27.

No. 667. *PETERSON ET AL. v. PHILLIPS PETROLEUM CO.* C. A. 10th Cir. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *Olin Wellborn, III*, for petitioners. *Rayburn L. Foster, Harry D. Turner and George L. Sneed* for respondent. Reported below: 218 F. 2d 926.

No. 735. *FROMAN v. PAN AMERICAN AIRWAYS, INC.* Court of Appeals of New York. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *Michael Halperin and Irving Lemov* for petitioner. *William J. Junkerman* for respondent. Reported below: 299 N. Y. 88, 85 N. E. 2d 880.

No. 161, Misc. *BEECHER v. LEAVENWORTH STATE BANK ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 214 F. 2d 114.

No. 464, Misc. *HEIRENS v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, and *John L. Davidson, Jr., Fred G. Leach and William C. Wines*, Assistant Attorneys General, for respondent. Reported below: 4 Ill. 2d 131, 122 N. E. 2d 231.

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No. 542, Misc. VON GLAHN *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. *Reginald C. Smith* for petitioner. Reported below: 308 N. Y. 662, 124 N. E. 2d 312.

No. 543, Misc. SELL *v.* DAY, WARDEN. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 583, Misc. HARRISON *v.* MISSOURI. Supreme Court of Missouri. Certiorari denied. Reported below: 276 S. W. 2d 222.

No. 586, Misc. SORBER *v.* MISSISSIPPI. Supreme Court of Mississippi. Certiorari denied. *R. D. Everitt* for petitioner. Reported below: 222 Miss. —, 76 So. 2d 234.

Rehearing Denied.

No. 478. OBEAR-NESTER GLASS CO. *v.* COMMISSIONER OF INTERNAL REVENUE, 348 U. S. 982. The motion for leave to file petition for rehearing is denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this motion.

No. 632. LLOYD *v.* CAMPBELL, EXECUTOR, ET AL., *ante*, p. 911; and

No. 670. GREEN ET UX. *v.* GREEN ET AL., *ante*, p. 917. The petitions for rehearing are denied.

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Decision Per Curiam.

No. 581, Misc. LEE *v.* McDONALD, WARDEN. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The motion for leave to proceed in forma pauperis and the petition for writ of certiorari are granted. The judgment of the Court of Appeals is vacated and the case is remanded to the Dis-

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trict Court with directions to dismiss the petition for writ of habeas corpus upon the ground that the cause is moot. Petitioner *pro se*. *Solicitor General Sobeloff* for respondent. Reported below: 217 F. 2d 619.

Miscellaneous Orders.

No. 815. *GRiffin ET AL. v. ILLINOIS.* Certiorari, 349 U. S. 937, to the Supreme Court of Illinois. It is ordered that *Charles A. Horsky, Esquire*, of Washington, D. C., a member of the Bar of this Court, be appointed to serve as counsel for the petitioners in this case.

No. 150. *UNITED STATES EX REL. TOTH v. TALBOTT, SECRETARY OF THE AIR FORCE.* Certiorari, 348 U. S. 809, to the United States Court of Appeals for the District of Columbia Circuit. Argued February 8-9, 1955. This case is restored to the docket for reargument. *William A. Kehoe, Jr., Al. Philip Kane, Charles V. Koons, John J. McGrath, Peter F. Flaherty, Joseph H. Ridge and James F. Smith* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Marvin E. Frankel, Beatrice Rosenberg, Carl H. Imlay and Chester W. Wilson* for respondent. *Ralph B. Gregg* filed a brief for the American Legion, as *amicus curiae*, urging reversal. Reported below: 94 U. S. App. D. C. —, 215 F. 2d 22.

No. 292, Misc. *MANCHESTER v. GLADDEN, WARDEN;*
No. 643, Misc. *ROOKS v. ELLIS, GENERAL MANAGER,*
TEXAS PRISON SYSTEM;

No. 658, Misc. *GROAT v. AGENT OF LEVIN, U. S. DISTRICT JUDGE, ET AL.;* and

No. 666, Misc. *WELDON v. BROWNELL, ATTORNEY GENERAL, ET AL.* The motions for leave to file petitions for writs of certiorari are denied. Petitioners *pro se*. *Robert Y. Thornton*, Attorney General of Oregon, and *Wolf D. von Otterstedt*, Assistant Attorney General, for respondent in No. 292, Misc.

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No. 306, Misc. KENDRICK *v.* MANNING, SUPERINTENDENT, SOUTH CAROLINA PENITENTIARY;
No. 335, Misc. EX PARTE HIGHTOWER;
No. 596, Misc. COLLINS *v.* RAGEN, WARDEN;
No. 617, Misc. FARRIS ET AL. *v.* HEINZE, WARDEN,
ET AL.;
No. 650, Misc. TAYLOR *v.* UNITED STATES;
No. 657, Misc. TABOR *v.* HARDWICK, WARDEN;
No. 664, Misc. HAMILTON *v.* UFFELMAN, SUPERINTENDENT, ILLINOIS STATE SECURITY HOSPITAL;
No. 665, Misc. HOWELL *v.* LOONEY, WARDEN;
No. 669, Misc. NEWSTEAD *v.* BAYNES;
No. 674, Misc. KELLEY *v.* VIRGINIA ET AL.;
No. 675, Misc. WELLENS *v.* CALIFORNIA;
No. 680, Misc. EX PARTE JACKSON; and
No. 682, Misc. HILDERBRAND *v.* STEELE, WARDEN.

The motions for leave to file petitions for writs of habeas corpus are denied. Petitioners *pro se*. *T. C. Callison*, Attorney General of South Carolina, and *William A. Dallis*, Assistant Attorney General, for respondent in No. 306, Misc.

No. 638, Misc. IN RE HOWLERY. The application is denied.

No. 659, Misc. DANKER *v.* STARR, U. S. DISTRICT JUDGE;
No. 670, Misc. EX PARTE LIPSCOMB; and
No. 683, Misc. LANCASTER *v.* KENT, U. S. DISTRICT JUDGE. The motions for leave to file petitions for writs of mandamus are denied.

No. —. IN RE JONES, 348 U. S. 969. It appearing that all costs in the cases of *Amalgamated Association of Street, Electric Railway, etc., Employees et al. v. Southern*

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Bus Lines, 345 U. S. 964, Nos. 716 and 717, of the October Term, 1952, have now been paid, the rule to show cause is discharged.

No. —. *IN RE BALTZEGAR*, 348 U. S. 969. It appearing that all costs in the case of *Rickenbaker v. United States*, 348 U. S. 832, have now been paid, the rule to show cause is discharged.

No. —. *IN RE HAWKE*, 348 U. S. 969. The rule to show cause is discharged, it appearing that the respondent died prior to the date the rule issued.

No. —. *IN RE COLLINS*, 348 U. S. 969. It appearing that the rule to show cause has not been served because the respondent cannot be located, the rule is discharged.

Certiorari Granted. (*See also No. 581, Misc., supra.*)

No. 763. *ULLMANN v. UNITED STATES*. C. A. 2d Cir. The motion for leave to file brief of Emergency Civil Liberties Committee, as *amicus curiae*, is denied. Certiorari granted. *Nathan Witt, Leonard B. Boudin and Victor Rabinowitz* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Tompkins, Harold D. Koffsky and John H. Davitt* for the United States. Reported below: 221 F. 2d 760.

No. 790. *AFFRONTI v. UNITED STATES*. C. A. 8th Cir. Certiorari granted. *Harry F. Murphy* for petitioner. *Solicitor General Sobeloff* for the United States. Reported below: 220 F. 2d 150.

No. 793. *UNITED STATES v. LESLIE SALT Co.* C. A. 9th Cir. Certiorari granted. *Solicitor General Sobeloff* for the United States. *Walter C. Fox, Jr.* for respondent. Reported below: 218 F. 2d 91.

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Certiorari Denied. (See also Misc. Nos. 292, 643, 658 and 666, supra.)

No. 653. *COUTO v. SHAUGHNESSY*, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 2d Cir. Certiorari denied. *Aaron L. Danzig* for petitioner. *Solicitor General Sobeloff* for respondent. Reported below: 218 F. 2d 758.

No. 743. *FELDMANN ET AL. v. PERLMAN ET AL.* C. A. 2d Cir. Certiorari denied. *Arthur H. Dean* and *Howard T. Milman* for petitioners. *Eugene Eisenmann* and *William E. Haudek* for respondents. Reported below: 219 F. 2d 173.

No. 747. *FAIRBAIRN, ADMINISTRATRIX, v. NORTH ATLANTIC & GULF STEAMSHIP Co.* C. A. 2d Cir. Certiorari denied. *Jacob Rassner* for petitioner. *Eugene Underwood* for respondent. Reported below: 218 F. 2d 602.

No. 749. *HENRY HEIDE, INC. v. NATIONAL LABOR RELATIONS BOARD*; and

No. 783. *CANDY AND CONFECTIONERY WORKERS UNION, LOCAL 452, AFL, v. NATIONAL LABOR RELATIONS BOARD.* C. A. 2d Cir. Certiorari denied. *Godfrey P. Schmidt*, *Theodore Kiendl*, *William R. Meagher* and *Rufus D. McDonald* for petitioner in No. 749. *Lawrence Kovalsky* for petitioner in No. 783. *Solicitor General Sobeloff*, *Theophil C. Kammholz*, *David P. Findling*, *Dominick L. Manoli* and *Rosanna A. Blake* for respondent. Reported below: 219 F. 2d 46.

No. 750. *CEFALU v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Fred A. Blanche* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Holland*, *Ellis N. Slack*, *John H. Mitchell*, *Joseph M. Howard* and *James X. Kilbridge* for the United States. Reported below: 218 F. 2d 956.

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No. 751. WEST TEXAS UTILITIES CO. v. NATIONAL LABOR RELATIONS BOARD. C. A. 5th Cir. Certiorari denied. *Frank Cain* for petitioner. *Solicitor General Sobeloff, Theophil C. Kammholz, David P. Findling, Dominick L. Manoli* and *Frederick U. Reel* for respondent. Reported below: 218 F. 2d 824.

No. 752. WALTERS ET AL. v. HALL. Supreme Court of South Carolina. Certiorari denied. *Arthur J. Goldberg* and *David E. Feller* for petitioners. *Thomas E. McCutchen, Jr.* for respondent. Reported below: — S. C. —, 85 S. E. 2d 729.

No. 753. H. KOCH & SONS v. HYCON MFG. CO. C. A. 9th Cir. Certiorari denied. *George B. White* and *Collins Mason* for petitioner. *Robert W. Fulwider* and *Edward E. Tuttle* for respondent. Reported below: 219 F. 2d 353.

No. 755. CAMMARATA v. MICHIGAN. Supreme Court of Michigan. Certiorari denied. *Joseph W. Louisell* and *Ivan E. Barris* for petitioner. *Thomas M. Kavanagh*, Attorney General of Michigan, *Edmund E. Shepherd*, Solicitor General, and *Daniel J. O'Hara*, Assistant Attorney General, for respondent. Reported below: 341 Mich. 528, 67 N. W. 2d 677.

No. 756. PERMANENTE STEAMSHIP CORP. v. PETERSON. District Court of Appeal of California, First Appellate District. Certiorari denied. *Cyril Appel* and *George Liebermann* for petitioner. *Albert Michelson* for respondent. Reported below: 129 Cal. App. 2d 579, 277 P. 2d 495.

No. 764. HUPMAN v. UNITED STATES. C. A. 6th Cir. Certiorari denied. *Frank J. Donner, Arthur Kinoy*,

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Marshall Perlin and David Scribner for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Tompkins and Philip R. Monahan* for the United States. Reported below: 219 F. 2d 243.

No. 767. *FRANTZ ET AL., DOING BUSINESS AS FRANTZ EQUIPMENT Co., v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. *Joseph W. Henderson, George M. Brodhead and Harry Norman Ball* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Burger, Melvin Richter and Morton Hollander* for the United States. Reported below: 220 F. 2d 123.

No. 769. *CITY OF AMARILLO v. COPELAND.* C. A. 5th Cir. Certiorari denied. *Don H. Culter* for petitioner. *John H. Merchant and J. O. Fitzjarrald* for respondent. Reported below: 218 F. 2d 49.

No. 770. *JOHNSON, ADMINISTRATRIX, v. NEW YORK, NEW HAVEN & HARTFORD RAILROAD Co.* C. A. 2d Cir. Certiorari denied. *Jacquin Frank and Herman B. Gerlinger* for petitioner. *Edward R. Brumley and Robert M. Peet* for respondent. Reported below: 220 F. 2d 279.

No. 772. *LEWIS v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. *Capelle Damrell* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 220 F. 2d 357.

No. 775. *UNITED STATES v. ROBERSON.* Court of Claims. Certiorari denied. *Solicitor General Sobeloff* for the United States. *Clarence G. Pechacek* for respondent. Reported below: 129 Ct. Cl. 581, 124 F. Supp. 857.

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No. 776. *PACIFIC EMPLOYERS INSURANCE CO. v. WACKERLE ET AL.* C. A. 8th Cir. Certiorari denied. *Roy B. Thomson* for petitioner. *Lon Hocker* for respondents. Reported below: 219 F. 2d 1.

No. 778. *BISHOP ET AL. v. UNITED STATES.* Court of Claims. Certiorari denied. *John F. Donelan* and *David V. Lansden* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Morton* and *Roger P. Marquis* for the United States. Reported below: 130 Ct. Cl. —, 126 F. Supp. 449.

No. 781. *McALMOND v. DELMORE, WARDEN.* Supreme Court of Washington. Certiorari denied. Petitioner *pro se*. *Don Eastvold*, Attorney General of Washington, and *E. P. Donnelly* and *Michael Alfieri*, Assistant Attorneys General, for respondent.

No. 786. *NATIONAL SAVINGS & TRUST CO. ET AL., SURVIVING TRUSTEES, v. BROWNELL, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *John E. Powell*, *Arthur P. Drury*, *John M. Lynham* and *Charles T. Tittmann* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Townsend*, *James D. Hill* and *George B. Searls* for respondent. Reported below: 95 U. S. App. D. C. —, 222 F. 2d 395.

No. 811. *BRILL, TRUSTEE IN BANKRUPTCY, v. COHEN & MILLER ADVERTISING, INC. ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Leon M. Shinberg* for petitioner. *James R. Sharp* for Cohen & Miller Advertising, Inc.; and *Herbert J. Miller, Jr.* for Washington Times-Herald, Inc., respondents. Reported below: 95 U. S. App. D. C. —, 221 F. 2d 868.

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No. 840. *PIRMAN ET AL. v. FLORIDA STATE IMPROVEMENT COMMISSION ET AL.* Supreme Court of Florida. Certiorari denied. *O. K. Reaves* for petitioners. *J. Turner Butler* for the Florida State Improvement Commission, respondent. Reported below: 78 So. 2d 718.

No. 758. *NATIONAL AIRLINES, INC. v. SCHOLNIK.* C. A. 6th Cir. Certiorari denied. MR. JUSTICE BURTON took no part in the consideration or decision of this application. *Thomas V. Koykka* and *Edward D. Crocker* for petitioner. *Ralph Rudd* for respondent. Reported below: 219 F. 2d 115.

No. 762. *LYLES & LANG CONSTRUCTION CO. v. E. I. DU PONT DE NEMOURS & CO. ET AL.;* and

No. 785. *E. I. DU PONT DE NEMOURS & CO. v. LYLES & LANG CONSTRUCTION CO.* C. A. 4th Cir. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of these applications. *James F. Dreher* and *David W. Robinson* for the Lyles & Lang Construction Co. *Solicitor General Sobeloff, Assistant Attorney General Burger, Paul A. Sweeney* and *Benjamin Forman* for respondents in No. 762. *Mr. Sobeloff* for petitioner in No. 785. Reported below: 219 F. 2d 328.

No. 541, Misc. *THRAILKILL ET AL. v. BALTIMORE & OHIO RAILROAD CO.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *J. Kenton Chapman* for petitioners. *Stephen Ailes* for respondent.

No. 93, Misc. *HARTFIELD v. RAGEN, WARDEN.* Supreme Court of Illinois. Certiorari denied. Petitioner *pro se.* *Latham Castle*, Attorney General of Illinois, for respondent.

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No. 160, Misc. *MAHURIN v. TOMLINSON*. 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. 188, Misc. *WESTBROOK v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, for respondent.

No. 211, Misc. *MAHURIN 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. 235, Misc. *MASON v. DELMORE, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. Supreme Court of Washington. Certiorari denied. *Don Eastvold*, Attorney General, and *E. P. Donnelly* and *Michael R. Alfieri*, Assistant Attorneys General, for respondent.

No. 291, Misc. *HIGHTOWER v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Joseph A. Barry* for the United States.

No. 336, Misc. *Ross v. TEETS, WARDEN*. Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Edmund G. Brown*, Attorney General of California, *Clarence A. Linn*, Assistant Attorney General, and *Arlo E. Smith*, Deputy Attorney General, for respondent.

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No. 359, Misc. *HARRIS v. TEETS, 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. 395, Misc. *RUTLEDGE v. GREELEY COUNTY DISTRICT COURT ET AL.* Supreme Court of Kansas. Certiorari denied. Petitioner *pro se*. *Harold R. Fatzer*, Attorney General of Kansas, and *James L. Galle*, Assistant Attorney General, for respondents.

No. 397, Misc. *PROVANCHER v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, for respondent.

No. 420, Misc. *HAINES v. COURTNEY ET AL.* C. A. 7th Cir. Certiorari denied.

No. 422, Misc. *JENNINGS v. NESTER ET AL.* C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *John Gutknecht*, *John J. Mortimer*, *Charles Dana Snewind*, *L. Louis Karton* and *Arthur Magid* for respondents. Reported below: 217 F. 2d 153.

No. 426, Misc. *STRONG v. EDMONDSON, WARDEN, ET AL.* Supreme Court of Kansas. Certiorari denied. Petitioner *pro se*. *Harold R. Fatzer*, Attorney General of Kansas, *James L. Galle*, Assistant Attorney General, and *Robert A. Reeder* for respondents. Reported below: 177 Kan. 247, 277 P. 2d 585.

No. 427, Misc. *LEVY v. HAYWARD ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff* for the United States.

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No. 429, Misc. PARKER *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 217 F. 2d 672.

No. 430, Misc. POND *v.* INDIANA. Supreme Court of Indiana. Certiorari denied. Petitioner *pro se*. *Edwin K. Steers, Attorney General of Indiana, and Owen S. Boling, Deputy Attorney General*, for respondent. Reported below: 233 Ind. 585, 121 N. E. 2d 640.

No. 431, Misc. CLARK *v.* FLORIDA. Supreme Court of Florida. Certiorari denied. *Wm. W. Flournoy* for petitioner. *Richard W. Ervin, Attorney General of Florida, and John S. Floyd, Special Assistant Attorney General*, for respondent.

No. 459, Misc. CROZIER ET UX. *v.* BANK OF HAWAII ET AL. C. A. 9th Cir. Certiorari denied. *O. P. Soures* for petitioners.

No. 492, Misc. KUBUS *v.* MINNESOTA. Supreme Court of Minnesota. Certiorari denied. Reported below: — Minn. —, 68 N. W. 2d 217.

No. 500, Misc. SWAGGERTY *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Felicia H. Dubrovsky* for the United States. Reported below: 218 F. 2d 875.

No. 501, Misc. HAYMAN *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 502, Misc. HODGE *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General*

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Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Robert G. Maysack for the United States. Reported below: 217 F. 2d 716.

No. 507, Misc. *HITE v. WESTERN MARYLAND RAILWAY*. C. A. 4th Cir. Certiorari denied. *Milford J. Meyer* and *William Saxon* for petitioner. *Hilary W. Gans* for respondent. Reported below: 217 F. 2d 781.

No. 508, Misc. *LUNCE ET AL. v. INDIANA*. Supreme Court of Indiana. Certiorari denied. *James C. Cooper* for petitioners. Reported below: 233 Ind. 685, 122 N. E. 2d 5.

No. 509, Misc. *SIMPSON v. TEETS, WARDEN*. Supreme Court of California. Certiorari denied. *A. J. Zirpoli* for petitioner. *Edmund G. Brown*, Attorney General of California, *Clarence A. Linn*, Chief Assistant Attorney General, and *Arlo E. Smith*, Deputy Attorney General, for respondent.

No. 510, Misc. *WARD v. UNITED STATES*. C. A. 4th 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: 218 F. 2d 885.

No. 518, Misc. *BURDEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Joseph A. Barry* for the United States. Reported below: 218 F. 2d 822.

No. 524, Misc. *MAHURIN v. MORRIS ET UX.* Supreme Court of Missouri. Certiorari denied.

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No. 533, Misc. *WITT v. McGEE, DIRECTOR OF CORRECTIONS, ET AL.* Supreme Court of California. Certiorari denied.

No. 534, Misc. *BATES v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *A. Lillian C. Kennedy, Eugene A. Chase, Frank D. Reeves, Aubrey E. Robinson, Jr. and Charles T. Duncan* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 95 U. S. App. D. C. —, 219 F. 2d 30.

No. 544, Misc. *EDWARDS v. UNITED STATES.* C. A. 1st Cir. Certiorari denied.

No. 546, Misc. *HUDSON v. IOWA.* Supreme Court of Iowa. Certiorari denied.

No. 552, Misc. *APPLEBAUM ET AL., DOING BUSINESS AS CENTER AMUSEMENTS, v. PARAMOUNT PICTURES, INC. ET AL.* C. A. 5th Cir. Certiorari denied. *Walter P. Armstrong, Jr.* for petitioners. *Earl T. Thomas* for respondents. Reported below: 217 F. 2d 101.

No. 575, Misc. *DAYTON v. BENNETT, DIRECTOR, BUREAU OF PRISONS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 218 F. 2d 696.

No. 582, Misc. *CONDON v. NEW YORK.* County Court of Kings County, New York. Certiorari denied. Petitioner *pro se.* *William I. Siegel* for respondent.

No. 584, Misc. *SERRAILLE v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied.

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No. 587, Misc. *PLOCAR v. FOSTER, SHERIFF*. Supreme Court of Georgia. Certiorari denied. *Reuben A. Garland* for petitioner. *Eugene Cook*, Attorney General of Georgia, *Robert H. Hall*, Deputy Assistant Attorney General, and *E. Freeman Leverett*, Assistant Attorney General, for respondent. Reported below: 211 Ga. 153, 84 S. E. 2d 360.

No. 592, Misc. *BALDRIDGE v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 594, Misc. *NISTAL v. HAUSAUER, COMMANDING GENERAL, NEW YORK NATIONAL GUARD*. Court of Appeals of New York. Certiorari denied. *Arthur G. Warner* for petitioner. *Jacob K. Javits*, Attorney General of New York, *Henry S. Manley*, Solicitor General, and *Abe Wagman* and *Jerome O. Glucksman*, Assistant Attorneys General, for respondent. Reported below: 308 N. Y. 146, 124 N. E. 2d 94.

No. 597, Misc. *RANDALL v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied.

No. 598, Misc. *MITCHELL v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 603, Misc. *BARNES v. FEDERAL COMMUNICATIONS COMMISSION*. C. A. 7th Cir. Certiorari denied. Reported below: — F. 2d —.

No. 605, Misc. *LYONS v. WEEMS ET AL., DOING BUSINESS AS WEEMS BROTHERS SEAFOOD Co.* Supreme Court of Mississippi. Certiorari denied. *William Eugene Morse* for petitioner. *W. Lee Guice* and *R. W. Thompson, Jr.* for respondents. Reported below: 222 Miss. —, 76 So. 2d 354.

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No. 606, Misc. *VRANIAK v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Reported below: 5 Ill. 2d 384, 125 N. E. 2d 513.

No. 607, Misc. *HAINES v. RAGEN, WARDEN*. C. A. 7th Cir. and the United States District Court for the Northern District of Illinois. Certiorari denied.

No. 608, Misc. *YAGER v. UNITED STATES*. C. A. 7th 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: 220 F. 2d 795.

No. 609, Misc. *GALLE v. RAGEN, WARDEN*. Circuit Court of Will County, Illinois. Certiorari denied.

No. 610, Misc. *HALL v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 611, Misc. *RODRIGUEZ v. JACKSON, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 612, Misc. *VANDEVER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. Solicitor General *Sobeloff* for the United States. Reported below: 220 F. 2d 438.

No. 613, Misc. *WILSON v. DISTRICT OF COLUMBIA*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *De Long Harris* for petitioner. *Vernon E. West, Chester H. Gray, Milton D. Korman, Harry L. Walker* and *Hubert B. Pair* for respondent.

No. 614, Misc. *SPROCH v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

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No. 615, Misc. *Woods v. RAGEN, WARDEN*. Circuit Court of Will County, Illinois. Certiorari denied.

No. 616, Misc. *TAYLOR v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 620, Misc. *FRECCIA v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 621, Misc. *BOONE v. MASSACHUSETTS*. Supreme Judicial Court of Massachusetts. Certiorari denied.

No. 622, Misc. *MILAN v. KENTUCKY ET AL.* Court of Appeals of Kentucky. Certiorari denied. Petitioner *pro se*. *J. D. Buckman, Jr.*, Attorney General, and *Zeb A. Stewart*, Assistant Attorney General, for the State of Kentucky, respondent. Reported below: 275 S. W. 2d 921.

No. 623, Misc. *HILL v. UNITED STATES*. C. A. 7th 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: 221 F. 2d 437.

No. 624, Misc. *FORD v. DISTRICT OF COLUMBIA*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Albert A. Stern* and *Homer Brooks* for petitioner. *Vernon E. West*, *Chester H. Gray*, *Milton D. Korman*, *Harry L. Walker* and *Hubert B. Pair* for respondent. Reported below: 95 U. S. App. D. C. —, 219 F. 2d 769.

No. 625, Misc. *DE LORENZO v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Bernard Margolius* for petitioner. *Solicitor General Sobeloff*, *Assistant At-*

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Torney General Olney, Beatrice Rosenberg and Robert G. Maysack for the United States. Reported below: 95 U. S. App. D. C. —, 219 F. 2d 506.

No. 626, Misc. *DAVIS v. SUMMERFIELD, POSTMASTER GENERAL*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Burger* and *Melvin Richter* for respondent. Reported below: 95 U. S. App. D. C. —, 219 F. 2d 510.

No. 627, Misc. *HICKS ET UX. v. CORBETT ET AL.* District Court of Appeal of California, Second Appellate District. Certiorari denied. Reported below: 130 Cal. App. 2d 87, 278 P. 2d 77.

No. 628, Misc. *LENZ v. LOONEY, WARDEN*. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Joseph A. Barry* for respondent. Reported below: 217 F. 2d 841.

No. 629, Misc. *HARVEY v. MAYO, PRISON CUSTODIAN*. Supreme Court of Florida. Certiorari denied.

No. 631, Misc. *PRATT v. DEPARTMENT OF THE ARMY ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Burger* and *Paul A. Sweeney* for respondents.

No. 632, Misc. *MOYLE v. TEETS, WARDEN*. Supreme Court of California. Certiorari denied.

No. 633, Misc. *PAGE v. SKEEN, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

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No. 634, Misc. *CASON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 635, Misc. *BYRNES v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 636, Misc. *PUGLIESE v. MASSACHUSETTS*. Supreme Judicial Court of Massachusetts. Certiorari denied.

No. 640, Misc. *BYERS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff* for the United States.

No. 641, Misc. *LANCASTER v. PENNSYLVANIA ET AL.* Supreme Court of Pennsylvania, Western District. Certiorari denied.

No. 645, Misc. *KELLY v. INDIANA*. Supreme Court of Indiana. Certiorari denied. Reported below: — Ind. —, 126 N. E. 2d 13.

No. 646, Misc. *WORTHINGTON v. FLORIDA*. Supreme Court of Florida. Certiorari denied.

No. 647, Misc. *MANHAT v. UNITED STATES ET AL.* C. A. 2d Cir. Certiorari denied. *William L. Standard* and *Louis R. Harolds* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Burger*, *Paul A. Sweeney* and *William W. Ross* for the United States, respondent. Reported below: 220 F. 2d 143.

No. 648, Misc. *HALL v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM, ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 649, Misc. *WALLACE v. COPIAH COUNTY LUMBER Co. ET AL.* Supreme Court of Mississippi. Certiorari

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denied. *Leon E. Provine* for petitioner. *Charles B. Snow* and *Junior O'Mara* for respondents. Reported below: — Miss. —, 77 So. 2d 316.

No. 651, Misc. *CURTIS v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 652, Misc. *MARCIA v. CALIFORNIA*. District Court of Appeal of California, Fourth Appellate District. Certiorari denied. Reported below: 130 Cal. App. 2d 860, 279 P. 2d 987.

No. 653, Misc. *PHILYAW v. ARKANSAS*. Supreme Court of Arkansas. Certiorari denied. *Marvin Brooks Norfleet* for petitioner. Reported below: — Ark. —, 277 S. W. 2d 484.

No. 654, Misc. *GATES v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 655, Misc. *FIRMSTONE v. DAY, WARDEN*. C. A. 3d Cir. Certiorari denied. Reported below: 220 F. 2d 746.

No. 656, Misc. *MALVIN v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied.

No. 661, Misc. *ORTEGA v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Reported below: 5 Ill. 2d 79, 125 N. E. 2d 481.

No. 662, Misc. *TAIT v. RAGEN, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 667, Misc. *WOHL v. NEW YORK*. County Court of Nassau County, New York. Certiorari denied.

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No. 671, Misc. *WATERMAN v. SECRETARY OF THE AIR FORCE ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 672, Misc. *BUZZIE v. CALIFORNIA.* District Court of Appeal of California, Fourth Appellate District. Certiorari denied.

No. 676, Misc. *HAMILTON v. BAKER,* CIRCUIT COURT JUDGE. Circuit Court of Dearborn County, Indiana. Certiorari denied.

No. 677, Misc. *CHARIZIO v. CUMMINGS, WARDEN.* C. A. 2d Cir. Certiorari denied.

No. 679, Misc. *ZAKOWICKI v. CONBOY, SUPERINTENDENT, GREAT MEADOWS CORRECTIONAL INSTITUTION.* Court of Appeals of New York. Certiorari denied.

No. 681, Misc. *SULLIVAN v. HEINZE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 684, Misc. *HUDSON v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 685, Misc. *DORIS v. MISSOURI.* Supreme Court of Missouri. Certiorari denied.

No. 686, Misc. *OWENS v. CUMMINGS, WARDEN.* C. A. 2d Cir. Certiorari denied.

No. 691, Misc. *COOPER ET AL. v. DENNO, WARDEN.* C. A. 2d Cir. Certiorari denied. *Nathan Kestnbaum* for petitioners. *Jacob K. Javits*, Attorney General of New

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York, *Henry S. Manley*, Solicitor General, *Vincent A. Marsicano*, Assistant Attorney General, and *John J. O'Brien* for respondent. Reported below: 221 F. 2d 626.

No. 580, Misc. *BOLLOTIN v. WORKMAN SERVICE CO. ET AL.* District Court of Appeal of California, Second Appellate District. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application. Reported below: 128 Cal. App. 2d 339, 275 P. 2d 599.

Rehearing Denied.

No. 152, October Term, 1952. *MONDAKOTA GAS CO. v. MONTANA-DAKOTA UTILITIES CO.*, 344 U. S. 827. The motion for leave to file petition for rehearing is denied. THE CHIEF JUSTICE and MR. JUSTICE HARLAN took no part in the consideration or decision of this motion.

No. 459. *LOPIPARO v. UNITED STATES*, 348 U. S. 916. The motion for leave to file petition for rehearing is denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this motion.

No. 646. *BIANCHI ET AL. v. UNITED STATES*, *ante*, p. 915;

No. 657. *HENDERSON v. UNITED STATES*, *ante*, p. 920;

No. 681. *GUSICK v. ARIZONA*, *ante*, p. 922;

No. 697. *CALDWELL v. UNITED STATES*, *ante*, p. 930;

No. 742. *COMBS ET AL. v. ILLINOIS STATE TOLL HIGHWAY COMMISSION ET AL.*, *ante*, p. 942.

No. 538, Misc. *FORSYTHE v. NEW JERSEY*, *ante*, p. 927;

No. 565, Misc. *GARROW v. CALIFORNIA*, *ante*, p. 933; and

No. 566, Misc. *DEFOE v. WEAVER BROS., INC.*, *ante*, p. 933. The petitions for rehearing in these cases are severally denied.

