

DECISIONS PER CURIAM AND ORDERS FROM  
END OF OCTOBER TERM, 1954, THROUGH  
APRIL 9, 1956.

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CASES DISMISSED IN VACATION.

No. 13. ENGINE AIR SERVICE, INC. ET AL. *v.* HALPERT, TRUSTEE IN BANKRUPTCY. Certiorari, 348 U. S. 854, to the United States Court of Appeals for the Second Circuit. June 9, 1955. Dismissed on motion of petitioners pursuant to Rule 60 of the Rules of this Court. *James G. Moore* for petitioners. Reported below: 212 F. 2d 860.

No. 166. ILLINOIS CENTRAL RAILROAD Co. *v.* COUSSENS, ADMINISTRATRIX. On petition for writ of certiorari to the Supreme Court of Mississippi. July 26, 1955. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *James L. Byrd* was on the stipulation for petitioner. With him on the petition were *Joseph H. Wright* and *John W. Freels*. Reported below: — Miss. —, 77 So. 2d 818.

No. 10, Misc. MASUTH *v.* INDIANA. On petition for writ of certiorari to the Supreme Court of Indiana. August 4, 1955. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *Richard W. Mehl* for petitioner. *Edwin K. Steers*, Attorney General of Indiana, for respondent. Reported below: 233 Ind. 515, 120 N. E. 2d 272.

No. 128. GOLDBAUM ET AL. *v.* UNITED STATES. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. August 9, 1955. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *Irvin Goldstein* for petitioners. *Solicitor*

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*General Sobeloff* was on the stipulation for the United States. With him on a brief in opposition to the petition were *Assistant Attorney General Holland, Ellis N. Slack, John H. Mitchell, Joseph M. Howard* and *Dickinson Thatcher*. Reported below: 222 F. 2d 360.

No. 107, Misc. *HODGE v. CALIFORNIA*. On petition for writ of certiorari to the Supreme Court of California. August 29, 1955. Dismissed on motion of petitioner under Rule 60 of the Rules of this Court.

No. 269. *LAMBERT'S POINT DOCKS, INC. v. KENDALL, ASSISTANT DIRECTOR, OFFICE OF DEFENSE MOBILIZATION*. On petition for writ of certiorari to the United States Emergency Court of Appeals. August 30, 1955. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *W. R. Ashburn* for petitioner. *Solicitor General Sobeloff* for respondent. Reported below: 224 F. 2d 284.

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*Case Dismissed Under Rule 60.*

No. 15. *DERECKTOR v. UNITED STATES*. Certiorari, 348 U. S. 926, to the Court of Claims. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *Seymour W. Miller* was on the stipulation for petitioner. With him on a brief was *Israel G. Seeger*. *Solicitor General Sobeloff* was on the stipulation for the United States. Reported below: 129 Ct. Cl. 103, 128 F. Supp. 136.

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*Decisions Per Curiam.*

No. 43. *WADE ET UX. v. MICHIGAN*. Appeal from the Supreme Court of Michigan. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want

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of a substantial federal question. *Thurman Arnold* for appellants. *Thomas M. Kavanagh*, Attorney General of Michigan, *Edmund E. Shepherd*, Solicitor General, and *Daniel J. O'Hara*, Assistant Attorney General, for appellee.

No. 59. *WILKOWSKI v. HART, LIEUTENANT GOVERNOR*. Appeal from the Supreme Court of Michigan. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Joseph A. McMenamin* for appellant. *Thomas M. Kavanagh*, Attorney General of Michigan, *Edmund E. Shepherd*, Solicitor General, and *Daniel J. O'Hara*, Assistant Attorney General, for appellee.

No. 62. *WHITAKER ET AL., DOING BUSINESS AS BLUE MOTOR COACH LINES, v. LOUISVILLE TRANSIT Co. ET AL.* Appeal from the Court of Appeals of Kentucky. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Jack Garrett Scott, George Bronz and Reuben S. Haslam* for appellants. *John E. Tarrant and Earl S. Wilson* for the Louisville Transit Co., appellee. Reported below: 274 S. W. 2d 391.

No. 99. *BUDBERG ET AL. v. COUNTY OF SANGAMON ET AL.* Appeal from the Supreme Court of Illinois. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Hugh J. Graham, Jr.* for appellants. *George P. Coutrakon* for appellees. Reported below: 4 Ill. 2d 518, 123 N. E. 2d 479.

No. 121. *CULLEN ET AL. v. BOHLINGER, SUPERINTENDENT OF INSURANCE OF THE STATE OF NEW YORK, ET AL.* Appeal from the Court of Appeals of New York and the

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Appellate Division of the Supreme Court of New York, First Department. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Samuel A. Berger* for appellants. *Jacob K. Javits*, Attorney General, *James O. Moore, Jr.*, Solicitor General, and *Samuel A. Hirshowitz* and *Daniel M. Cohen*, Assistant Attorneys General, for the Superintendent of Insurance of New York, and *Ralph M. Carson* and *W. Perry Epes* for the Insurance Company of North America et al., appellees. Reported below: 308 N. Y. 886, 126 N. E. 2d 564; 284 App. Div. 963, 136 N. Y. S. 2d 361.

No. 142. NEW YORK, CHICAGO & ST. LOUIS RAILROAD Co. v. LEONARD. Appeal from the Supreme Court of Ohio. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Edwin Knachel*, *Donald E. Ryan* and *Richard C. Ogline* for appellant. *Samuel T. Gaines* for appellee. Reported below: 162 Ohio St. 548, 124 N. E. 2d 156.

No. 174. ATWOOD ET AL. v. WILLACY COUNTY NAVIGATION DISTRICT. Appeal from the Supreme Court of Texas and the Court of Civil Appeals of Texas, Fourth Supreme Judicial District. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *William C. Wines* for appellants. *William Robert Smith* for appellee. Reported below: 153 Tex. 646; 271 S. W. 2d 137.

No. 52. INTERNATIONAL UNION, UNITED AUTOMOBILE, AIRCRAFT AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA, CIO, ET AL. v. GREAT LAKES GREYHOUND LINES. Appeal from the Supreme Court of Michigan. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question.

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MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS dissent. *Harold A. Cranefield* for appellants. *Edmund M. Brady* for appellee. Reported below: 341 Mich. 290, 67 N. W. 2d 105.

No. 55. NORTH CAROLINA ET AL. *v.* UNITED STATES ET AL. Appeal from the United States District Court for the Eastern District of North Carolina. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed. *Harry McMullan*, Attorney General, and *I. Beverly Lake*, Assistant Attorney General, for the State of North Carolina, and *R. Brookes Peters* for the North Carolina State Highway and Public Works Commission, appellants. *Solicitor General Sobeloff*, *Assistant Attorney General Barnes*, *Daniel M. Friedman* and *Edward M. Reidy* for the United States and the Interstate Commerce Commission, and *James B. McDonough, Jr.*, *Charles P. Reynolds*, *Arthur J. Winder*, *William T. Joyner*, *Arthur J. Dixon* and *Henry J. Karison* for the Aberdeen & Rockfish Railroad Co. et al., appellees. Reported below: 128 F. Supp. 718.

No. 212. BURKHALTER *v.* LIBERTY MUTUAL INSURANCE COMPANIES, INC. ET AL. Appeal from the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed. Appellant *pro se.* *H. Plant Osborne* for Copp et al.; and *Harry T. Gray* and *Sam R. Marks* for the Chrysler Sales Corporation, appellees. Reported below: 221 F. 2d 212.

No. 108. LANDES *v.* DOMESTIC RELATIONS COURT OF THE CITY OF NEW YORK ET AL. Appeal from the Court of Appeals of New York. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Appellant *pro se.* *Peter Campbell Brown* and *Seymour B. Quel* for appellees. Reported below: 308 N. Y. 756, 125 N. E. 2d 110.

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No. 186. *BLUMENSCHNEIN ET AL. v. HOUSING AUTHORITY OF THE CITY OF PITTSBURGH*. 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. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. *Paul Ginsburg* for appellants. *Theodore L. Hazlett, Jr.* for appellee. Reported below: 379 Pa. 566, 109 A. 2d 331.

Nos. 187 and 188. *IN RE RINES, ADMINISTRATOR*. Appeals from the Supreme Judicial Court of Massachusetts. *Per Curiam*: The appeals are dismissed for want of a substantial federal question. *David Rines* and *Robert H. Rines* for appellant.

No. 217. *ALBUQUERQUE BROADCASTING CO. v. BUREAU OF REVENUE OF NEW MEXICO ET AL.* Appeal from the Supreme Court of New Mexico. *Per Curiam*: The appeal is dismissed for want of a substantial federal question. *Arthur T. Hannett* for appellant. Reported below: 59 N. M. 201, 281 P. 2d 654.

No. 238. *COTA v. COFFMAN*. Appeal from the Supreme Court of California. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. *THE CHIEF JUSTICE* took no part in the consideration or decision of this case. Appellant *pro se*. *George R. Richter, Jr.* and *Gordon F. Hampton* for appellee.

No. 50. *RASMUSSEN v. BROWNELL, ATTORNEY GENERAL*. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia

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Circuit. *Per Curiam*: The petition for writ of certiorari is granted. The judgment is reversed and the case is remanded to the Court of Appeals for consideration on the merits. MR. JUSTICE CLARK took no part in the consideration or decision of this case. *Jack Wasserman* for petitioner. *Solicitor General Sobeloff* for respondent. Reported below: 95 U. S. App. D. C. 260, 221 F. 2d 541.

No. 91. *KRETSKE v. UNITED STATES*. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. *Per Curiam*: The petition for writ of certiorari is granted. On consideration of the record and the confession of error by the Solicitor General, the judgment of the Court of Appeals is reversed and the case is remanded to the District Court for a new trial. *Myer H. Gladstone* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 220 F. 2d 785.

No. 143. *ANDERSON, ADMINISTRATRIX, v. ATLANTIC COAST LINE RAILROAD Co.*; and

No. 261. *SWAFFORD v. ATLANTIC COAST LINE RAILROAD Co.* On petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The petitions for writs of certiorari in these cases are granted and the judgments are reversed. MR. JUSTICE REED, MR. JUSTICE FRANKFURTER, MR. JUSTICE BURTON, and MR. JUSTICE HARLAN are of the opinion that certiorari should not have been granted in these cases. *Thomas J. Lewis* and *Richard M. Maxwell* for petitioner in No. 143. *Howard P. Macfarlane* for petitioner in No. 261. *William M. Howell* for respondent in No. 143. *G. L. Reeves*, *Norman C. Shepard* and *Frank G. Kurka* for respondent in No. 261. Reported below: No. 143, 221 F. 2d 548; No. 261, 220 F. 2d 901.

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No. 223. *BLOCK v. BLOCK*. On petition for writ of certiorari to the Supreme Court of Ohio. *Per Curiam*: The petition for writ of certiorari is granted; the judgment is vacated, and the cause is remanded to the Supreme Court of Ohio for clarification as to whether its decision rests on state or federal grounds. See *Halvey v. Halvey*, 330 U. S. 610. *Henry B. Street* and *Philip R. Toomin* for petitioner. *Murray Seansongood* and *Robert P. Goldman* for respondent. Reported below: 163 Ohio St. 230, 126 N. E. 2d 331.

No. 271. *UNITED STATES v. COLOTTA ET AL., DOING BUSINESS AS LONG & CHAMBLESS PLUMBING & HEATING Co.* On petition for writ of certiorari to the Supreme Court of Mississippi. *Per Curiam*: The petition for writ of certiorari in this case is granted and the judgment is reversed. MR. JUSTICE DOUGLAS dissents. *Solicitor General Sobeloff*, *Assistant Attorney General Holland*, *Marvin E. Frankel*, *Ellis N. Slack*, *A. F. Prescott* and *Fred E. Youngman* for the United States. Reported below: — Miss. —, 79 So. 2d 474.

No. 30, Misc. *GREGORY v. UNITED STATES*. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the Court of Appeals for consideration on the merits. Petitioner *pro se*. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 219 F. 2d 809.

No. 283, Misc. *BURWELL v. TEETS, WARDEN*. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The motion for stay of execution of death sentence and the peti-

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tion for writ of certiorari to the Court of Appeals for the Ninth Circuit are granted. The judgment of that court is reversed, and the case is remanded so that the petitioner's application for a certificate of probable cause may be entertained on its merits. *House v. Mayo*, 324 U. S. 42, 48 (1945). 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. Reported below: 226 F. 2d 309.

No. 262, Misc. *ROGERS v. TEETS, WARDEN*. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The motion for stay of execution of death sentence and the petition for writ of certiorari to the Court of Appeals for the Ninth Circuit are granted. The judgment of that court is reversed, and the case is remanded so that the petitioner's application for a certificate of probable cause may be entertained on its merits. *House v. Mayo*, 324 U. S. 42, 48 (1945). 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.

#### *Miscellaneous Orders.*

No. 170. *GENERAL STORES CORP. v. SHLENSKY ET AL.* On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Motion for leave to file brief of respondents, Wage Claimants, granted. Petition for writ of certiorari granted. *Edwin M. Otterbourg* for petitioner. *Solicitor General Sobeloff*, *William H. Timbers*, *Thomas G. Meeker* and *David Ferber* for the Securities & Exchange Commission, *A. Alan Reich* for Shlensky, *Samuel Blumberg* for the Creditors

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Committee, and *Max Goldweber* for the Wage Claimants, respondents. Reported below: 222 F. 2d 234.

No. 242. INTER-STATE NATIONAL BANK OF KANSAS CITY *v.* LUTHER, TRUSTEE. On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Motion to add the First National Bank of Kansas City as a party petitioner granted. Petition for writ of certiorari granted. *Frank H. Terrell* for petitioner and the First National Bank of Kansas City. *John F. Eberhardt* for respondent. Reported below: 221 F. 2d 382.

No. 307. PURITAN CHURCH ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. Motion for disqualification of certain Justices denied. Motion for appointment of a Commissioner denied. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Petitioners *pro se*. *Solicitor General Sobeloff* and *Assistant Attorney General Holland* for respondent.

No. 67, Misc. CARPENTER *v.* HARLEM VALLEY STATE HOSPITAL ET AL.;

No. 70, Misc. GUNTER *v.* EIDSON, WARDEN; and

No. 96, Misc. MARSH *v.* MAILER ET AL., MEMBERS OF BOARD OF PAROLE, STATE OF NEW YORK. Motions for leave to file petitions for writs of habeas corpus denied.

No. 42, October Term, 1952. F. W. WOOLWORTH Co. *v.* CONTEMPORARY ARTS, INC., 344 U. S. 228. The motion for clarification of the mandate is denied. THE CHIEF JUSTICE and MR. JUSTICE HARLAN took no part in the consideration or decision of this motion. *Cedric W. Porter*

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and *Harry F. R. Dolan* were on the motion for respondent. *Kenneth W. Greenawalt* and *Martin A. Schenck* were on the brief for petitioner in opposition to the motion.

No. 131, October Term, 1954. *WHITEHOUSE ET AL. v. ILLINOIS CENTRAL RAILROAD CO. ET AL.*, 349 U. S. 366. The petition for modification of the opinion is denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this petition. *Kenneth F. Burgess* and *Walter J. Cummings, Jr.* were on the petition for the Carrier Members, National Railroad Adjustment Board, Third Division, respondents. *Milton Kramer* in opposition.

No. 406, October Term, 1954. *BOUDOIN v. LYKES BROTHERS STEAMSHIP CO., INC.*, 348 U. S. 336. The motion of petitioner to amend the judgment is granted. It is ordered that the certified copy of the judgment sent to the District Court be recalled and that the judgment be amended so as to provide for a remand of the cause to the United States Court of Appeals for the Fifth Circuit for further proceedings in conformity with the opinion of this Court. MR. JUSTICE HARLAN took no part in the consideration or decision of this motion. *Raymond H. Kierr* was on the motion. *William E. Wright* was on a memorandum in opposition.

No. 3. *UNITED STATES EX REL. TOTH v. TALBOTT, SECRETARY OF THE AIR FORCE*, 349 U. S. 949. Quarles, present Secretary of the Air Force, substituted in place of Talbott, resigned.

No. 4. *RYAN STEVEDORING CO., INC. v. PAN-ATLANTIC STEAMSHIP CORP.*, 349 U. S. 926. The motions for leave to file briefs of American Merchant Marine Institute, Inc., and Association of American Ship Owners, as *amici curiae*, are denied.

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No. 58. ULLMANN *v.* UNITED STATES. Certiorari, 349 U. S. 951, to the United States Court of Appeals for the Second Circuit. The motion for leave to file brief of Emergency Civil Liberties Committee, as *amicus curiae*, is denied.

No. 7, Original. UNITED STATES *v.* LOUISIANA, 340 U. S. 899. The motion of the plaintiff for modification of decree is denied. THE CHIEF JUSTICE, MR. JUSTICE CLARK, and MR. JUSTICE HARLAN took no part in the consideration or decision of this motion. *Attorney General Brownell, Solicitor General Sobeloff, Assistant Attorney General Rankin, Oscar H. Davis, John F. Davis and George S. Swarth* for the United States, plaintiff. *Fred S. LeBlanc, Attorney General, John L. Madden, Assistant Attorney General, Bailey Walsh, Special Assistant Attorney General, W. Scott Wilkinson, L. H. Perez and Frank J. Looney* for the State of Louisiana, defendant.

No. 10, Original. ARIZONA *v.* CALIFORNIA ET AL. The report of the Special Master is received and it is ordered that exceptions thereto, if any, by the California defendants be filed on or before Friday, October 14th, next. It is ordered that *Simon H. Rifkind*, of New York City, be and he hereby is appointed Special Master in this case in the place of *George I. Haight*, deceased. THE CHIEF JUSTICE took no part in the consideration or decision of these questions.

No. 12, Original. SOUTH CAROLINA *v.* GEORGIA ET AL. The motion for leave to file complaint is denied. *T. C. Callison*, Attorney General, for the State of South Carolina, plaintiff. *Solicitor General Sobeloff, Assistant Attorney General Morton and Thomas L. McKeivitt* for the United States, and *Eugene Cook, Attorney General, and Thomas H. Gignilliat*, Deputy Assistant Attorney General, for the State of Georgia, defendants.

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No. 56, Misc. *CHRISP v. NORTH CAROLINA*;  
No. 86, Misc. *JOHNSON v. UTAH*; and  
No. 102, Misc. *PATTERSON v. SUPREME COURT OF ILLINOIS*. Applications denied.

No. 60, Misc. *IN RE STEWART*; and  
No. 76, Misc. *ELLIOTT v. BUTZEL, CHIEF JUSTICE, SUPREME COURT OF MICHIGAN*. Motions for leave to file petitions for writs of mandamus denied.

*Probable Jurisdiction Noted.*

No. 54. *UNITED STATES v. GREEN ET AL.* Appeal from the United States District Court for the Southern District of Illinois. Probable jurisdiction noted. *Solicitor General Sobeloff* for the United States. *A. M. Fitzgerald* for appellees. Reported below: 135 F. Supp. 162.

No. 102. *UNITED STATES ET AL. v. CONTRACT STEEL CARRIERS, INC.* Appeal from the United States District Court for the Northern District of Indiana. Probable jurisdiction noted. *Solicitor General Sobeloff, Assistant Attorney General Barnes, Daniel M. Friedman* and *Edward M. Reidy* for appellants. Reported below: 128 F. Supp. 25.

No. 63. *WERNER MACHINE Co., INC. v. DIRECTOR OF DIVISION OF TAXATION, DEPARTMENT OF TREASURY, NEW JERSEY*. Appeal from the Supreme Court of New Jersey. Probable jurisdiction noted. *Charles Goodwin, Jr., Halsey T. Tichenor, III, and Leopold Frankel* for appellant. *Grover C. Richman, Jr., Attorney General of New Jersey, and Ned J. Parsekian, Deputy Attorney General,* for appellee. Reported below: 17 N. J. 121, 110 A. 2d 89.

No. 82. *INTERNATIONAL HARVESTER CREDIT CORP. ET AL. v. GOODRICH ET AL., CONSTITUTING THE STATE TAX COMMISSION OF NEW YORK*. Appeal from the Court of

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Appeals of New York. Probable jurisdiction noted. *John Lord O'Brian* for appellants. Reported below: 308 N. Y. 731, 124 N. E. 2d 339.

No. 129. DOUD ET AL., DOING BUSINESS AS BONDIFIED SYSTEMS, ET AL. *v.* HODGE, AUDITOR OF PUBLIC ACCOUNTS OF ILLINOIS, ET AL. Appeal from the United States District Court for the Northern District of Illinois. Probable jurisdiction noted. *John J. Yowell* for appellants. *Latham Castle*, Attorney General of Illinois, and *William C. Wines* and *Raymond S. Sarnow*, Assistant Attorneys General, for appellees. Reported below: 127 F. Supp. 853.

No. 233. DIXIE CARRIERS, INC. ET AL. *v.* UNITED STATES ET AL. Appeal from the United States District Court for the Southern District of Texas. Probable jurisdiction noted. *Donald Macleay* for the Dixie Carriers, Inc. et al., and *Nuel D. Belnap* for the Federal Barge Line, Inc. et al., appellants. *Solicitor General Sobeloff*, *Assistant Attorney General Barnes* and *Daniel M. Friedman* for the United States, *Samuel R. Howell* for the Interstate Commerce Commission, and *John A. Daily* for the New York Central Railroad Co. et al., appellees. Reported below: 129 F. Supp. 28.

No. 132. HOLOPHANE CO., INC. *v.* UNITED STATES. Appeal from the United States District Court for the Southern District of Ohio. Probable jurisdiction noted. MR. JUSTICE HARLAN took no part in the consideration or decision of this question. *Howard F. Burns*, *Shepard Broad* and *Lewis Horwitz* for appellant. *Solicitor General Sobeloff*, *Assistant Attorney General Barnes* and *Daniel M. Friedman* for the United States. Reported below: 119 F. Supp. 114.

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No. 151. UNITED STATES *v.* E. I. DU PONT DE NEMOURS & Co. ET AL. Appeal from the United States District Court for the Northern District of Illinois. Probable jurisdiction noted. MR. JUSTICE CLARK and MR. JUSTICE HARLAN took no part in the consideration or decision of this question. *Solicitor General Sobeloff, Assistant Attorney General Barnes and Daniel M. Friedman* for the United States. *John Lord O'Brian, Hugh B. Cox and Charles A. Horsky* for E. I. du Pont de Nemours & Co., and *Ferris E. Hurd and Henry M. Hogan* for the General Motors Corporation, appellees. Reported below: 126 F. Supp. 235.

No. 158. FROZEN FOOD EXPRESS *v.* UNITED STATES ET AL.;

Nos. 159 and 163. INTERSTATE COMMERCE COMMISSION *v.* FROZEN FOOD EXPRESS ET AL.;

No. 160. AMERICAN TRUCKING ASSOCIATIONS ET AL. *v.* FROZEN FOOD EXPRESS ET AL.;

Nos. 161 and 164. AKRON, CANTON & YOUNGSTOWN RAILROAD Co. ET AL. *v.* FROZEN FOOD EXPRESS ET AL.; and

No. 162. EAST TEXAS MOTOR FREIGHT LINES, INC. ET AL. *v.* FROZEN FOOD EXPRESS ET AL. Appeals from the United States District Court for the Southern District of Texas. Probable jurisdiction noted. *Carl L. Phinney* for Frozen Food Express. *Leo H. Pou* for appellant in No. 159. With him was *Samuel R. Howell* for appellant in No. 163. *Rollo E. Kidwell* for appellants in No. 160. *Peter T. Beardsley* for the American Trucking Associations, Inc., and *Clarence D. Todd and Dale C. Dillon* for the Common Carrier Conference Irregular Route et al., appellants in Nos. 160 and 162. *David G. Macdonald and Francis W. McInerny* for the East Texas Motor Freight Lines et al., appellants in No. 162. *Joseph H. Hays, Carl Helmetag, Jr. and Charles P. Reynolds* for the Akron, Canton & Youngstown Railroad Co. et al.,

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appellants in Nos. 161 and 164. *Solicitor General Sobeloff, Assistant Attorney General Barnes, Daniel M. Friedman, Robert L. Farrington and Neil Brooks* for the United States and the Secretary of Agriculture, appellees in Nos. 162, 163 and 164. Reported below: 128 F. Supp. 374.

*Certiorari Granted.* (See also Nos. 50, 91, 143, 170, 223, 242, 261, 271 and Misc. Nos. 30, 262 and 283, *supra*.)

No. 92. BLACK ET AL. *v.* CUTTER LABORATORIES. Supreme Court of California. *Certiorari* granted. *Bertram Edises* and *A. L. Wirin* for petitioners. *Gardiner Johnson* for respondent. *Arthur J. Goldberg, Jay A. Darwin* and *Fred Okrand* filed a brief for the Congress of Industrial Organizations et al., as *amici curiae*, in support of the petition. Reported below: 43 Cal. 2d 788, 278 P. 2d 905.

No. 94. UNITED STATES ET AL. *v.* STORER BROADCASTING Co. United States Court of Appeals for the District of Columbia Circuit. *Certiorari* granted. *Solicitor General Sobeloff* and *Warren E. Baker* for petitioners. *Albert R. Connelly, Thomas H. Wall* and *John E. McCoy* for respondent. Reported below: 95 U. S. App. D. C. 97, 220 F. 2d 204.

No. 134. SQUIRE, COLLECTOR OF INTERNAL REVENUE, *v.* CAPOEMAN ET UX. C. A. 9th Cir. *Certiorari* granted. *Solicitor General Sobeloff* for petitioner. *John W. Cragun, Glen A. Wilkinson* and *Robert W. Barker* for respondents. Reported below: 220 F. 2d 349.

No. 201. HYUN *v.* LANDON, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 9th Cir. *Certiorari* granted. *John W. Porter* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Isabelle R. Cappello* for respondent. Reported below: 219 F. 2d 404.

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No. 213. UNITED STATES *v.* ZUCCA, ALIAS SARNI. C. A. 2d Cir. Certiorari granted. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Isabelle Cappello* for the United States. *Orrin G. Judd and Earle K. Moore* for respondent. Reported below: 221 F. 2d 805.

No. 231. HATAHLEY ET AL. *v.* UNITED STATES. C. A. 10th Cir. Certiorari granted. *Norman M. Littell, Lawrence A. Davis and Marvin J. Sonosky* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Morton, Roger P. Marquis and S. Billingsley Hill* for the United States. Reported below: 220 F. 2d 666.

No. 56. MURDOCK ACCEPTANCE CORP. *v.* UNITED STATES. C. A. 5th Cir. Certiorari granted. *T. H. Watkins, Elizabeth Hulen Grayson, W. H. Watkins and P. H. Eager* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Isabelle R. Cappello* for the United States. Reported below: 218 F. 2d 702.

No. 66. RIVERBANK LABORATORIES *v.* HARDWOOD PRODUCTS CORP. C. A. 7th Cir. Certiorari granted. *Jack H. Oppenheim and Philip B. Kurland* for petitioner. *David A. Fox, Gerrit P. Groen and Roger Sherman Hoar* for respondent. Reported below: 220 F. 2d 465.

No. 105. THOMPSON *v.* COASTAL OIL Co. C. A. 3d Cir. Certiorari granted. *Silas Blake Axtell and Charles A. Ellis* for petitioner. *Michael E. Hanrahan* for respondent. Reported below: 221 F. 2d 559.

No. 110. CAMMER *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Charles E. Ford* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General*

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*Olney, Beatrice Rosenberg and Richard J. Blanchard* for the United States. Reported below: 96 U. S. App. D. C. 30, 223 F. 2d 322.

No. 250. NATIONAL LABOR RELATIONS BOARD *v.* BABCOCK & WILCOX Co. C. A. 5th Cir. Certiorari granted. *Solicitor General Sobeloff, Theophil C. Kammholz, David P. Findling* and *Dominick L. Manoli* for petitioner. *O. B. Fisher* for respondent. Reported below: 222 F. 2d 316.

No. 251. NATIONAL LABOR RELATIONS BOARD *v.* SEAMPRUFE, INC. (HOLDENVILLE PLANT). C. A. 10th Cir. Certiorari granted. *Solicitor General Sobeloff, Theophil C. Kammholz, David P. Findling* and *Dominick L. Manoli* for petitioner. *Howard Lichtenstein* and *Karl H. Mueller* for respondent. Reported below: 222 F. 2d 858.

No. 257. SOUTHERN PACIFIC Co. *v.* GILEO ET AL. Supreme Court of California. Certiorari granted. *Arthur B. Dunne* and *Horace B. Wulff* for petitioner. *Clifton Hildebrand* for Gileo, *Nathaniel S. Colley* for Moreno et al., and *Archibald Marison Mull, Jr.* for Eufrazia, respondents. Reported below: 44 Cal. 2d 539, 543, 547, 881, 882, 282 P. 2d 872, 875, 877, 879, 880.

No. 286. COMMISSIONER OF INTERNAL REVENUE *v.* SOUTHWEST EXPLORATION Co. C. A. 9th Cir. Certiorari granted. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack* and *Hilbert P. Zarky* for petitioner. *Melvin D. Wilson* and *Joseph D. Peeler* for respondent. Reported below: 220 F. 2d 58.

No. 287. UNITED STATES *v.* HUNTINGTON BEACH Co. Court of Claims. Certiorari granted. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack* and *Hilbert P. Zarky* for the United States. *Fran-*

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*cis R. Kirkham and Harry R. Horrow* for respondent. Reported below: 132 Ct. Cl. 427, 132 F. Supp. 718.

No. 72. *COSTELLO v. UNITED STATES*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted limited to question 1 presented by the petition for the writ which reads as follows:

"1. May a defendant be required to stand trial and a conviction be sustained where only hearsay evidence was presented to the grand jury which indicted him?"

MR. JUSTICE CLARK and MR. JUSTICE HARLAN took no part in the consideration or decision of this application.

*Osmond K. Fraenkel, Morris Shilensky and Joseph Leary Delaney* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Marvin E. Frankel, Ellis N. Slack and Joseph M. Howard* for the United States. Reported below: 221 F. 2d 668.

No. 76. *COLD METAL PROCESS CO. ET AL. v. UNITED ENGINEERING & FOUNDRY CO.* C. A. 3d Cir. Certiorari granted. *William H. Webb, Clarence B. Zewadski and William Wallace Booth* for petitioners. *Jo. Baily Brown* for respondent. Reported below: 221 F. 2d 115.

No. 79. *NATIONAL LABOR RELATIONS BOARD v. COCA-COLA BOTTLING CO. OF LOUISVILLE, INC.* C. A. 6th Cir. Certiorari granted. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *Solicitor General Sobeloff and Theophil C. Kammholz* for petitioner. *James E. Fahey* for respondent. Reported below: 219 F. 2d 441.

No. 150. *SHIELDS v. ATLANTIC COAST LINE RAILROAD Co.* C. A. 5th Cir. Certiorari granted. The Court calls this case to the attention of the Interstate Commerce Commission and expresses its readiness to accept any brief it might wish to submit. *M. R. Nachman, Jr.* for peti-

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tioner. *Norman C. Shepard* for respondent. Reported below: 220 F. 2d 242.

No. 156. *REMMER v. UNITED STATES*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted limited to the questions presented under III A of the petition for the writ. THE CHIEF JUSTICE took no part in the consideration or decision of this application. *John R. Golden, Leslie C. Gillen and Spurgeon Avakian* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland and Joseph M. Howard* for the United States. Reported below: 222 F. 2d 720.

No. 255. *MILLINERY CENTER BUILDING CORP. v. COMMISSIONER OF INTERNAL REVENUE*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted limited to questions 1 and 2 presented by the petition for the writ which read as follows:

"1. Where a lessee, the owner of a valuable building on leased land, acquires the fee to the land to be relieved of what it considers to be the burdensome terms of a lease, may the lessee deduct the excess of the payment over the determined value of the land at the date of purchase as an ordinary expense of doing business under § 23 (a) of the United States Internal Revenue Code of 1939 or under § 23 (f) as a loss on a transaction entered into for profit and not compensated for by insurance or otherwise.

"2. In the alternative, may the lessee-petitioner consider the excess payment over the determined value of the land to be in the nature of a prepayment of rent for the remaining term of the extinguished lease and amortize such amount over 21 years?"

*Bernard Weiss* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, A. F. Prescott and Louise Foster* for respondent. Reported below: 221 F. 2d 322.

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No. 23, Misc. GREENWOOD *v.* UNITED STATES. C. A. 8th Cir. Certiorari granted. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg* for the United States. Reported below: 219 F. 2d 376.

*Certiorari Denied.* (See also Nos. 186, 238 and 307, *supra.*)

No. 61. SEELEY TUBE & BOX Co. *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *Walter J. Bilder* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger and Melvin Richter* for the United States. Reported below: 219 F. 2d 389.

No. 65. UNITED STATES *v.* PUTTY. C. A. 9th Cir. Certiorari denied. *Solicitor General Sobeloff* for the United States. *Thomas M. Jenkins* for respondent. Reported below: 220 F. 2d 473.

No. 67. BELLAH *v.* WHITTLESEY. District Court of Appeal of California, Second Appellate District. Certiorari denied. *Harry Graham Balter* for petitioner. *Joseph P. Loeb* for respondent. Reported below: 130 Cal. App. 2d 182, 278 P. 2d 511.

No. 68. GREAT LAKES STEEL CORP. *v.* UNITED STATES ET AL. C. A. 6th Cir. Certiorari denied. *Sherwin A. Hill, Edward T. Goodrich, James McEvoy, Jr. and Harry D. Fenske* for petitioner. *Samuel R. Howell* for the Interstate Commerce Commission, and *Willis T. Pierson and Frank H. Cole, Jr.* for the Baltimore & Ohio Railroad Co. et al., respondents. Reported below: 220 F. 2d 751.

No. 69. ORTON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Virgil H. Goode* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg* for the United States. Reported below: 221 F. 2d 632.

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No. 70. SWIDLER *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *Jacob Kossman* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, Joseph M. Howard, James X. Kilbridge* and *Harold S. Larsen* for the United States. Reported below: 220 F. 2d 351.

No. 75. SHUTT *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Wm. Andress, Jr.* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger, Melvin Richter* and *Benjamin Forman* for the United States. Reported below: 218 F. 2d 10.

No. 77. WOLCHER *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Harold Leventhal* and *Leo R. Friedman* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland* and *Philip Elman* for the United States. Reported below: 218 F. 2d 505.

No. 78. IGOE, U. S. DISTRICT JUDGE, *v.* CHICAGO, ROCK ISLAND & PACIFIC RAILROAD Co. C. A. 7th Cir. Certiorari denied. *Philip B. Perlman, James R. Browning* and *James A. Dooley* for petitioner. *Eaton Adams, M. V. Thompson* and *Hale Houts* for respondent. Reported below: 220 F. 2d 299.

No. 80. UNITED STATES EX REL. FERETIC *v.* SHAUGHNESSY, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 2d Cir. Certiorari denied. *Albert Mayer* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Richard J. Blanchard* for respondent. Reported below: 221 F. 2d 262.

No. 81. LICHTER ET AL., DOING BUSINESS AS SOUTHERN FIREPROOFING Co., *v.* UNITED STATES ET AL. United States Court of Appeals for the District of Columbia Cir-

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cuit. Certiorari denied. *Paul W. Steer* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Burger* and *Melvin Richter* for respondents. Reported below: 95 U. S. App. D. C. 316, 221 F. 2d 869.

No. 83. *MAH TOI v. BROWNELL, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. *Joseph S. Hertogs* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for respondent. Reported below: 219 F. 2d 642.

No. 84. *SAN ANTONIO TRANSIT CO. v. SCOFIELD, FORMERLY COLLECTOR OF INTERNAL REVENUE*. C. A. 5th Cir. Certiorari denied. *Robert Allan Ritchie*, *Robert F. Ritchie*, *Sylvan Lang* and *Leslie Byrd* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Holland*, *Ellis N. Slack*, *Hilbert P. Zarky* and *Davis W. Morton, Jr.* for respondent. Reported below: 219 F. 2d 149.

No. 85. *MARTIN BROTHERS BOX CO. v. INTERSTATE COMMERCE COMMISSION ET AL.* C. A. 9th Cir. Certiorari denied. *George L. Quinn, Jr.* and *Donald A. Schafer* for petitioner. *Samuel R. Howell* for the Interstate Commerce Commission, and *James C. Dezendorf*, *James E. Lyons* and *Charles W. Burkett, Jr.* for the Southern Pacific Co., respondents. Reported below: 219 F. 2d 811.

No. 86. *CRIST v. WASHINGTON, VIRGINIA & MARYLAND COACH Co., INC.* Supreme Court of Appeals of Virginia. Certiorari denied. Reported below: 196 Va. 642, 85 S. E. 2d 213.

No. 87. *LADUE & Co. v. BROWNELL, ATTORNEY GENERAL*. C. A. 7th Cir. Certiorari denied. *Nathan Shefner*

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for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Townsend, James D. Hill and George B. Searls* for respondent. Reported below: 220 F. 2d 468.

No. 88. *NEWMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *T. Reuben Burnside* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Isabelle Cappello* for the United States. Reported below: 220 F. 2d 289.

No. 89. *INTERNATIONAL ASSOCIATION OF MACHINISTS ET AL. v. FRIEDMAN*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Clarence M. Mulholland and Edward J. Hickey, Jr.* for petitioners. *Victor B. Harris and Seymour Krieger* for respondent. Reported below: 95 U. S. App. D. C. 128, 220 F. 2d 808.

No. 90. *TALACHE MINES, INC. v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. *W. H. Langroise* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack and Melva M. Graney* for respondents. Reported below: 218 F. 2d 491.

No. 93. *BUSOZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Robert H. Shutan* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 218 F. 2d 683.

No. 96. *ESSO SHIPPING CO. v. COMPANIA DE MADERAS DE CAIBARIEN, S. A.* C. A. 5th Cir. Certiorari denied. *Joseph M. Rault and Walter Carroll* for petitioner. Reported below: 220 F. 2d 120.

No. 97. *DEMELLE, DOING BUSINESS AS CURLEY'S TRANSPORTATION Co., v. INTERSTATE COMMERCE COMMIS-*

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SION. C. A. 1st Cir. Certiorari denied. *Harry C. Ames, Jr.* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Barnes, Daniel M. Friedman* and *Samuel R. Howell* for respondent. Reported below: 219 F. 2d 619.

No. 98. WALSH, U. S. DISTRICT JUDGE, ET AL. *v.* LYONS ET AL., DOING BUSINESS AS LYONS ELECTRICAL DISTRIBUTING Co. C. A. 2d Cir. Certiorari denied. *Albert R. Connelly* for petitioners. *Copal Mintz* for respondents. Reported below: 222 F. 2d 184.

No. 101. SOC. ARMADORA DEL NORTE *v.* LAHDE. C. A. 9th Cir. Certiorari denied. *Charles B. Howard* and *Lane Summers* for petitioner. *Oscar A. Zabel* for respondent. Reported below: 220 F. 2d 357.

No. 103. GARIPEY *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *William E. Leahy* for petitioner. *Solicitor General Sobeloff* and *Assistant Attorney General Holland* for the United States. Reported below: 220 F. 2d 252.

No. 104. MCFEE *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Elden McFarland* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, Joseph M. Howard* and *Dickinson Thatcher* for the United States. Reported below: 221 F. 2d 807.

No. 106. LEIGHTON *v.* SECURITIES & EXCHANGE COMMISSION. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* *Solicitor General Sobeloff, William H. Timbers* and *Alexander Cohen* for respondent. Reported below: 95 U. S. App. D. C. 217, 221 F. 2d 91.

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No. 107. 450 ACRES OF LAND, MORE OR LESS, IN CHATHAM COUNTY, GEORGIA, ET AL. *v.* UNITED STATES ET AL. C. A. 5th Cir. Certiorari denied. *Henry Hammer* for petitioners. *Solicitor General Sobeloff* and *Assistant Attorney General Morton* for the United States, and *Eugene Cook*, Attorney General, and *Thomas H. Gignilliat*, Deputy Assistant Attorney General, for the State of Georgia, respondents. Reported below: 220 F. 2d 353.

No. 109. UNITED STATES EX REL. CZAPKOWSKI *v.* HOLLAND, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 3d Cir. Certiorari denied. *Filindo B. Masino* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Joseph A. Barry* for respondent. Reported below: 220 F. 2d 436.

No. 113. JEOFFROY MFG., INC. *v.* GRAHAM. C. A. 5th Cir. Certiorari denied. *W. W. Gibson* for petitioner. *Claude A. Fishburn* and *Orville O. Gold* for respondent. Reported below: 219 F. 2d 511.

No. 114. LASH *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. *Reginald Heber Smith* and *Joseph N. Welch* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Holland*, *Ellis N. Slack*, *Joseph M. Howard* and *Dickinson Thatcher* for the United States. Reported below: 221 F. 2d 237.

No. 115. JONES *v.* AVCO MANUFACTURING CORP. C. A. 8th Cir. Certiorari denied. *E. A. Taylor* for petitioner. *R. Carter Tucker* for respondent. Reported below: 218 F. 2d 406.

No. 116. STERN ET AL. *v.* BOARD OF LEVEE COMMISSIONERS, ORLEANS LEVEE DISTRICT, ET AL. Supreme Court of

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Louisiana. Certiorari denied. *R. Emmett Kerrigan, Ralph L. Kaskell, Jr. and René H. Himel, Jr.* for petitioners. *Moses C. Scharff* for the Board of Levee Commissioners, and *Gerard H. Schreiber* for Roussel, respondents.

No. 122. GLEESON ET UX. *v.* CARR, TRUSTEE IN BANKRUPTCY. C. A. 9th Cir. Certiorari denied. *Morris Lavine* for petitioners. Reported below: 219 F. 2d 64.

No. 123. LONG ET AL. *v.* RYAN, U. S. DISTRICT JUDGE, ET AL. C. A. 2d Cir. Certiorari denied. *John A. Wilson* and *Willard M. L. Robinson* for petitioners. *I. Arnold Ross* for respondents.

No. 124. BASS ET AL., DOING BUSINESS AS JOSEPH A. BASS CO., ET AL. *v.* UNITED STATES ET AL. C. A. 8th Cir. Certiorari denied. *Josiah E. Brill* and *Max O'Rell Truitt* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Burger* and *Melvin Richter* for respondents. Reported below: 221 F. 2d 494.

No. 125. EMERY & KAUFMAN, LTD. *v.* HEYL. Supreme Court of Louisiana. Certiorari denied. *Eberhard P. Deutsch* and *René H. Himel, Jr.* for petitioner. Reported below: 227 La. 616, 633, 80 So. 2d 95, 101.

No. 126. HALFEN *v.* UNITED STATES C. A. 5th Cir. Certiorari denied. *John Peace* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack* and *Joseph M. Howard* for the United States. Reported below: 220 F. 2d 440.

No. 127. SICKLES *v.* GRAYBAR ELECTRIC CO. C. A. 7th Cir. Certiorari denied. *Jay E. Darlington* for petitioner. *Alfred H. Highland* for respondent. Reported below: 219 F. 2d 847.

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No. 130. *COCO v. FLORIDA*. Supreme Court of Florida. Certiorari denied. *Wallace N. Maer* for petitioner.

No. 131. *FARONE v. NEW YORK*. Court of Appeals of New York. Certiorari denied. *James F. Carroll* for petitioner. *Jacob K. Javits*, Attorney General of New York, *James O. Moore, Jr.*, Solicitor General, and *Ruth Kessler Toch* and *Arthur H. Christy*, Assistant Attorneys General, for respondent. Reported below: 304 N. Y. 391, 107 N. E. 2d 504; 308 N. Y. 305, 125 N. E. 2d 582.

No. 133. *SILLIMAN v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. *Joseph J. O'Connell, Jr.* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Holland* and *Ellis N. Slack* for respondent. Reported below: 220 F. 2d 282.

No. 135. *ECHILES ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 222 F. 2d 144.

No. 136. *SOPER ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Hubert A. Gilbert* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 220 F. 2d 158.

No. 137. *NEW CUT RATE LIQUORS, INC. ET AL. v. SEAGRAM DISTILLERS CORP.* C. A. 7th Cir. Certiorari denied. *William C. Wines* for petitioners. *Frank D. Mayer*, *Louis A. Kohn* and *Robert L. Stern* for respondent. Reported below: 221 F. 2d 815.

No. 138. *IRVING TRUST CO. ET AL., EXECUTORS, v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Ben-*

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*jamin M. Cardozo* and *Eli J. Blair* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Holland*, *Ellis N. Slack* and *I. Henry Kutz* for the United States. Reported below: 221 F. 2d 303.

No. 139. *EARHART v. CALLAN*, TRUSTEE IN BANKRUPTCY. C. A. 9th Cir. Certiorari denied. *John Egan Belcher* for petitioner. Reported below: 221 F. 2d 160.

No. 141. *CHAITT v. PENNSYLVANIA*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. *Lemuel B. Schofield* for petitioner. Reported below: 380 Pa. 532, 112 A. 2d 379.

No. 145. *NEW YORK EX REL. GADSON v. HOY*, SHERIFF. Appellate Division of the Supreme Court of New York, Second Department. Certiorari denied. *Curtis F. McClane* for petitioner. *John J. O'Brien* for respondent. Reported below: 285 App. Div. 974, 138 N. Y. Supp. 2d 704.

No. 146. *AMERICAN METAL Co., LTD. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. *Norris Darrell*, *John F. Dooling, Jr.* and *Robert MacCrate* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Holland*, *Ellis N. Slack* and *Melva M. Graney* for respondent. Reported below: 221 F. 2d 134.

No. 147. *REINECKE v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 8th Cir. Certiorari denied. *Henry C. Lowenhaupt* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Holland*, *Ellis N. Slack*, *Hilbert P. Zarky* and *Louise Foster* for respondent. Reported below: 220 F. 2d 406.

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No. 148. *MULLETT ET AL. v. KORTH, COLLECTOR OF INTERNAL REVENUE*. C. A. 10th Cir. Certiorari denied. *Shirley P. Jones* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack* and *Lee A. Jackson* for respondent. Reported below: 219 F. 2d 732.

No. 149. *BURRIS v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. *Eugene Gressman* for petitioner. Reported below: 161 Tex. Cr. R. 210, 276 S. W. 2d 260.

No. 152. *SOUTHERN PINE ELECTRIC COOPERATIVE v. NATIONAL LABOR RELATIONS BOARD*. C. A. 5th Cir. Certiorari denied. *J. M. Williams* and *Helen F. Humphrey* 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. 153. *SCOTT v. STANDARD CONVEYOR CO.* C. A. 8th Cir. Certiorari denied. *John S. Marsalek* for petitioner. *C. Arthur Anderson* for respondent. Reported below: 221 F. 2d 460.

No. 154. *TINKER & RASOR ET AL. v. STEARNS ET AL.* C. A. 9th Cir. Certiorari denied. *Edward B. Gregg* and *Henry Gifford Hardy* for petitioners. *James B. Simms* for respondents. Reported below: 220 F. 2d 49.

No. 157. *PONS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. *Jack Wasserman, Orlando J. Anton-santi* and *David Carliner* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 220 F. 2d 399.

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No. 165. *LEADMAN v. GREYHOUND CORPORATION*. Court of Appeals of Kentucky. Certiorari denied. *Cleon K. Calvert* for petitioner. *R. W. Keenon* for respondent. Reported below: 285 S. W. 2d 177.

No. 167. *SNOW ET UX. v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. *Willis C. Moffatt* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, Hilbert P. Zarky and Louise Foster* for respondents. Reported below: 223 F. 2d 103.

No. 168. *BURDICK v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. *Robert M. Taylor* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack and Harold S. Larsen* for the United States. Reported below: 221 F. 2d 932.

No. 169. *TURNER ET AL. v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. *C. R. Wharton* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack and Dickinson Thatcher* for the United States. Reported below: 222 F. 2d 926.

No. 171. *HURON MILLING Co. v. UNITED STATES.* Court of Claims. Certiorari denied. *Jay O. Kramer* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack and Joseph F. Goetten* for the United States. Reported below: 131 Ct. Cl. 733, 130 F. Supp. 818.

No. 172. *CAMPODONICO v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Maxwell M. Willens* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland and James X. Kilbridge* for the United States. Reported below: 222 F. 2d 310.

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No. 173. *PACE v. TOMLINSON, DIRECTOR OF INTERNAL REVENUE*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, A. F. Prescott and Walter Akerman, Jr.* for respondent. Reported below: 220 F. 2d 308.

No. 175. *TITUS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *William W. Barron* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 221 F. 2d 571.

No. 176. *WATERMAN STEAMSHIP CORP. v. TRIPLE A MACHINE SHOP, INC.* C. A. 9th Cir. Certiorari denied. *Chalmers G. Graham* for petitioner. *Lloyd M. Tweedt* for respondent. Reported below: 221 F. 2d 916.

No. 177. *AMES v. MENGEL COMPANY ET AL.* C. A. 6th Cir. Certiorari denied. *Ernest Woodward* for petitioner. *Chas. G. Middleton and Leo T. Wolford* for respondents. Reported below: 219 F. 2d 704.

No. 178. *VAUGHAN v. CITY BANK & TRUST CO.* C. A. 5th Cir. Certiorari denied. Reported below: 218 F. 2d 802.

No. 179. *MITCHELL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Howard F. Sachs* for petitioner. *Solicitor General Sobeloff and Assistant Attorney General Holland* for the United States. Reported below: 221 F. 2d 554.

No. 180. *MASTERCRAFTERS CLOCK & RADIO Co. v. VACHERON & CONSTANTIN-LE COULTRE WATCHES, INC. ET AL.* C. A. 2d Cir. Certiorari denied. *Clarence E. Threedy* for petitioner. *W. Brown Morton* for respondents. Reported below: 221 F. 2d 464.

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NO. 181. BOOMHOWER, INC. *v.* AMERICAN AUTOMOBILE INSURANCE Co. ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Thaddeus G. Benton* and *Ben T. Rauber* for petitioner. *Alexander M. Heron* for the American Automobile Insurance Co. et al., and *Edward White* for Kane, respondents. Reported below: 95 U. S. App. D. C. 124, 220 F. 2d 488.

NO. 182. MASSACHUSETTS PROTECTIVE ASSOCIATION, INC. *v.* BUCHANAN. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Louis M. Denit* and *Thomas S. Jackson* for petitioner. *Jo V. Morgan, Jr.* for respondent. Reported below: 96 U. S. App. D. C. 144, 223 F. 2d 609.

NO. 183. PIGOTT ET AL. *v.* DETROIT, TOLEDO & IRONTON RAILROAD ET AL. C. A. 6th Cir. Certiorari denied. *William A. Rhodes* for petitioners. *Wayland K. Sullivan* for the Brotherhood of Railroad Trainmen, respondent. Reported below: 221 F. 2d 736.

NO. 184. BISHOP *v.* REICHEL, ACTING DISTRICT DIRECTOR OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. *Laurence Sovik* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Holland*, *Ellis N. Slack* and *Morton K. Rothschild* for respondent. Reported below: 221 F. 2d 806.

NO. 189. PIERCE *v.* HEWLETT-PACKARD Co. ET AL. C. A. 1st Cir. Certiorari denied. *David Rines* and *Robert H. Rines* for petitioner. *Hector M. Holmes* for respondents. Reported below: 220 F. 2d 531.

NO. 190. RUBSAM *v.* HARLEY C. LONEY Co. C. A. 6th Cir. Certiorari denied. *Percy C. Heckendorf* for petitioner. *Casper W. Ooms* for respondent. Reported below: 217 F. 2d 353.

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No. 191. AMERICAN MARKING CORP. ET AL. *v.* ADOLPH GOTTSCHO, INC. Supreme Court of New Jersey. Certiorari denied. *Ralph G. Mesce* for petitioners. *Jerome C. Eisenberg* for respondent. Reported below: 18 N. J. 467, 114 A. 2d 438.

No. 192. MARKU *v.* UNION & LEAGUE OF ROMANIAN SOCIETIES OF AMERICA, INC. ET AL. Supreme Court of Ohio. Certiorari denied. *Novak N. Marku, pro se.* *Joseph J. Craciun* and *Richard H. Woods* for respondents. Reported below: 162 Ohio St. 536, 124 N. E. 2d 155.

No. 193. TAYLOR *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Morris Lavine* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Joseph A. Barry* for the United States. Reported below: 221 F. 2d 809.

No. 194. KIRSCHENMANN ET AL. *v.* WESTOVER, COLLECTOR OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. *Llewellyn A. Luce* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Holland*, *Ellis N. Slack* and *Harry Baum* for respondent. Reported below: 225 F. 2d 69.

No. 197. VASEN *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *James W. Cassedy, Jr.* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 222 F. 2d 3.

No. 199. WILSON BROTHERS *v.* TEXTILE WORKERS UNION OF AMERICA, CIO, ET AL. C. A. 2d Cir. Certiorari denied. *Edward J. Ennis* for petitioner. *Arthur J. Goldberg* and *David E. Feller* for respondents. Reported below: 224 F. 2d 176.

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No. 200. SHOPMEN'S LOCAL UNION No. 733, INTERNATIONAL ASSOCIATION OF BRIDGE, STRUCTURAL & ORNAMENTAL IRON WORKERS, A. F. OF L., *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 6th Cir. Certiorari denied. *Warren E. Hall, Jr.* and *Margaret Hills Fairleigh* for petitioner. *Solicitor General Sobeloff, Theophil C. Kammholz, David P. Findling, Dominick L. Manoli* and *Robert G. Johnson* for respondent. Reported below: 219 F. 2d 874.

No. 202. STELLA *v.* KAISER ET AL. C. A. 2d Cir. Certiorari denied. *Lewis M. Dabney, Jr.* for petitioner. *Harold H. Corbin* for Kaiser et al., and *Louis F. Carroll* for the Kaiser-Frazer Corporation, respondents. Reported below: 221 F. 2d 115.

No. 203. MARTIN, TRUSTEE, *v.* JOHNSTON. Supreme Court of Florida. Certiorari denied. *Robert H. Anderson* for petitioner. *William C. Gaither* for respondent. Reported below: 79 So. 2d 419.

No. 204. LURIE ET AL. *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Nathan M. Cohen* for Lurie, and *George F. Callaghan* for Dworetz, petitioners. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Carl H. Imlay* for the United States. Reported below: 222 F. 2d 11.

No. 205. WICHMAN *v.* ALLIS CHALMERS MANUFACTURING Co. C. A. 8th Cir. Certiorari denied. *Sam B. Sebree* for petitioner. *Walter A. Raymond* for respondent. Reported below: 220 F. 2d 426.

No. 206. NOEL ESTATE, INC. ET AL. *v.* RUSSELL. C. A. 5th Cir. Certiorari denied. *Charles L. Barnett* for petitioners. Reported below: 218 F. 2d 958.

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No. 207. HARRY ALEXANDER, INC. ET AL. *v.* FRIEND. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *G. A. Chadwick, Jr.* and *John A. Beck* for petitioners. *Henry F. Lerch* and *Wilton H. Wallace* for respondent. Reported below: 95 U. S. App. D. C. 139, 220 F. 2d 820.

No. 208. BOARD OF REGENTS OF THE UNIVERSITY OF MARYLAND *v.* TRUSTEES OF ENDOWMENT FUND OF THE UNIVERSITY OF MARYLAND ET AL. Court of Appeals of Maryland. Certiorari denied. *C. Ferdinand Sybert*, Attorney General of Maryland, and *David Kauffman*, Assistant Attorney General, for petitioner. *H. Vernon Eney* for the Trustees of the Endowment Fund of the University of Maryland, respondent. Reported below: 206 Md. 559, 112 A. 2d 678.

No. 214. TORRES *v.* WALSH, U. S. DISTRICT JUDGE. C. A. 2d Cir. Certiorari denied. *Edward A. Martin* for petitioner. *Walter X. Connor* for respondent. Reported below: 221 F. 2d 319.

No. 215. PROCHASKA *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *George F. Callaghan* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 222 F. 2d 1.

No. 216. ITEM COMPANY *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 5th Cir. Certiorari denied. *Eberhard P. Deutsch* and *René H. Himel, Jr.* for petitioner. *Solicitor General Sobeloff*, *Theophil C. Kammholz*, *David P. Findling*, *Dominick L. Manoli* and *Frederick U. Reel* for respondent. Reported below: 220 F. 2d 956.

No. 219. STRAUCH ET AL. *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *John J. Hooker* and *Bernard J.*

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*Long* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Holland* and *Joseph M. Howard* for the United States. Reported below: 223 F. 2d 377.

No. 220. LANDES *v.* KNIGHT, PRESIDENT JUDGE, ET AL. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 221. CAROLINA POWER & LIGHT CO. *v.* JERNIGAN, ADMINISTRATOR. C. A. 4th Cir. Certiorari denied. *Charles F. Rouse* and *A. Y. Arledge* for petitioner. *Warren E. Miller* for respondent. Reported below: 222 F. 2d 951.

No. 222. PREFERRED INSURANCE CO. ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *William H. Levit* and *George W. Murphy* for petitioners. *Solicitor General Sobeloff*, *Acting Assistant Attorney General Leonard*, *Paul A. Sweeney* and *Morton Hollander* for the United States. Reported below: 222 F. 2d 942.

No. 224. TRINITY UNIVERSAL INSURANCE CO. *v.* SMITHWICK. C. A. 8th Cir. Certiorari denied. *Wm. Andress, Jr.* and *Jay W. Dickey* for petitioner. *W. H. Rector* for respondent. Reported below: 222 F. 2d 16.

No. 225. McDOW ET AL. *v.* LOUISIANA SOUTHERN RAILWAY Co. C. A. 5th Cir. Certiorari denied. *Louis C. Guidry* for petitioners. *J. Blanc Monroe* for respondent. Reported below: 219 F. 2d 650.

No. 226. KAYE, ADMINISTRATOR, *v.* BECHLER ET AL. C. A. 10th Cir. Certiorari denied. *Peyton Ford*, *Alan Y. Cole*, *Travis I. Milsten* and *David R. Milsten* for petitioner. *James S. Twyford*, *Solon W. Smith* and *William J. Crowe* for respondents. Reported below: 222 F. 2d 216.

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No. 228. *SEXTON v. BARRY*. Supreme Court of Ohio. Certiorari denied. Petitioner *pro se*. *Thomas O. Nevison* for respondent. Reported below: 163 Ohio St. 124, 126 N. E. 2d 129.

No. 229. *BEAUMONT v. PENNSYLVANIA RAILROAD CO. ET AL.* Court of Appeals of New York. Certiorari denied. *Morrie Slijkin* for petitioner. *Edward F. Butler* for respondents. Reported below: 308 N. Y. 920, 127 N. E. 2d 80.

No. 230. *FRACH ET AL. v. SCHOETTLER, DIRECTOR, DEPARTMENT OF FISHERIES, ET AL.* Supreme Court of Washington. Certiorari denied. *John Spiller* and *Smith Troy* for petitioners. *Don Eastvold*, Attorney General of Washington, and *Joseph T. Mijich* and *E. P. Donnelly*, Assistant Attorneys General, for respondents. Reported below: 46 Wash. 2d 281, 280 P. 2d 1038.

No. 234. *SEAWRIGHT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Rees H. Davis* for petitioner. *Solicitor General Sobeloff*, Assistant Attorney General *Olney*, *Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 224 F. 2d 482.

No. 235. *FAIRMONT ALUMINUM Co. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 4th Cir. Certiorari denied. *Earl Q. Kullman* for petitioner. *Solicitor General Sobeloff*, Assistant Attorney General *Holland*, *Ellis N. Slack* and *Melva M. Graney* for respondent. Reported below: 223 F. 2d 622.

No. 237. *ARMCO DRAINAGE & METAL PRODUCTS, INC., FABRICATING DIVISION, v. NATIONAL LABOR RELATIONS BOARD*. C. A. 6th Cir. Certiorari denied. *Carl M. Jacobs* for petitioner. *Solicitor General Sobeloff*, *Theo-*

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*phil C. Kammholz, David P. Findling, Dominick L. Manoli and Nancy Sherman* for respondent. Reported below: 220 F. 2d 573.

No. 240. ALABAUGH ET AL. *v.* BALTIMORE & OHIO RAILROAD CO. ET AL. C. A. 4th Cir. Certiorari denied. *Walter H. Buck* for petitioners. *Bernard M. Savage* and *Harold N. McLaughlin* for the General Committee of Adjustment, Brotherhood of Locomotive Engineers on the Baltimore & Ohio Railroad, respondent. Reported below: 222 F. 2d 861.

No. 243. SCHWEGMANN BROTHERS GIANT SUPER MARKETS ET AL. *v.* HOFFMANN-LA ROCHE, INC. C. A. 5th Cir. Certiorari denied. *John Minor Wisdom* and *Saul Stone* for petitioners. *Joseph H. Stamler* and *Murray F. Cleveland* for respondent. Reported below: 221 F. 2d 326.

No. 245. TILBURY, DOING BUSINESS AS TILBURY'S SOUTHERN MEAT CO., *v.* ROGERS, REGIONAL DIRECTOR, WAGE, HOUR & PUBLIC CONTRACTS DIVISION, DEPARTMENT OF LABOR, ET AL. C. A. 5th Cir. Certiorari denied. *Otis W. Bullock* for petitioner. *Solicitor General Sobeloff, Stuart Rothman* and *Bessie Margolin* for the Secretary of Labor, respondent. Reported below: 220 F. 2d 757.

No. 246. CAPITAL TRANSIT CO., INC. *v.* FOSTER ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Frank F. Roberson* for petitioner. *Benjamin F. Rossner* for respondents. Reported below: 96 U. S. App. D. C. 179, 223 F. 2d 644.

No. 247. YORK *v.* McLEOD, WARDEN. Criminal Court of Appeals of Oklahoma. Certiorari denied. *Herbert K. Hyde* and *Roy St. Lewis* for petitioner. Reported below: 283 P. 2d 567.

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No. 248. *MACKAY v. BOYD*, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE, ET AL. C. A. 9th Cir. Certiorari denied. *Norman Leonard* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Isabelle R. Cappello* for respondents. Reported below: 218 F. 2d 666.

No. 249. *SHEARER ET UX. v. SMYTH*, COLLECTOR OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. *Willard C. Mills* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Holland*, *Ellis N. Slack*, *A. F. Prescott* and *John J. Kelley, Jr.* for respondent. Reported below: 221 F. 2d 478.

No. 252. *SAGONIAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Pat C. Whitaker* and *Tom P. Whitaker* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 223 F. 2d 146.

No. 253. *ANSON ET AL. v. HIRAM WALKER & SONS, INC.* C. A. 7th Cir. Certiorari denied. *David C. McCarthy* for petitioners. *Harold A. Smith* for respondent. Reported below: 222 F. 2d 100.

No. 259. *WIEMAN & WARD Co. v. CITY OF PITTSBURGH ET AL.* Supreme Court of Pennsylvania, Western District. Certiorari denied. *A. W. Henderson* for petitioner. *Oscar G. Peterson* for respondents. Reported below: 381 Pa. 535, 113 A. 2d 719.

No. 260. *DETROIT STAMPING Co. v. WEST POINT MANUFACTURING Co.* C. A. 6th Cir. Certiorari denied. *Lloyd M. Forster* for petitioner. *Warren E. Miller* for respondent. Reported below: 222 F. 2d 581.

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No. 263. UTAH ET AL. *v.* BRADLEY ESTATES, INC. ET AL. C. A. 10th Cir. Certiorari denied. *E. R. Callister, Jr.*, Attorney General of Utah, and *Peter W. Billings*, Special Assistant Attorney General, for petitioners. *Dennis McCarthy* for respondents. Reported below: 223 F. 2d 129.

No. 264. WISCONSIN EX REL. SAVELAND PARK HOLDING CORP. *v.* WIELAND, BUILDING INSPECTOR. Supreme Court of Wisconsin. Certiorari denied. *Emil Hersh* and *David V. Jennings, Jr.* for petitioner. *Maxwell H. Herriott* for respondent. Reported below: 269 Wis. 262, 69 N. W. 2d 217.

No. 266. HOEPKER ET AL. *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Hayden C. Covington* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 223 F. 2d 921.

No. 267. POMORSKI *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Hayden C. Covington* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 222 F. 2d 106.

No. 268. DIERCKS *v.* UNITED STATES. C. A. 7th 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: 223 F. 2d 12.

No. 270. LINDSTROM *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *Joseph F. McVeigh*, *Francis J. Myers* and *Cornelius C. O'Brien* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Holland* and

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*Joseph M. Howard* for the United States. Reported below: 222 F. 2d 761.

No. 272. LEWIS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Wayne L. Prim* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Holland* and *Joseph M. Howard* for the United States. Reported below: 227 F. 2d 561.

No. 274. BAKER ET AL. *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. *Harold Dublirer* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *William W. Goodrich* for the United States. Reported below: 221 F. 2d 957.

No. 279. INGLE COAL CORP. *v.* UNITED STATES. Court of Claims. Certiorari denied. *John E. McClure* and *William P. McClure* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Holland*, *Ellis N. Slack* and *Harry Baum* for the United States. Reported below: 131 Ct. Cl. 121, 127 F. Supp. 573.

No. 280. UNITED STATES *v.* TANNER ET AL. Court of Claims. Certiorari denied. *Solicitor General Sobeloff*, *Assistant Attorney General Burger* and *Samuel D. Slade* for the United States. *Burr Tracy Ansell* for respondents. Reported below: 129 Ct. Cl. 792, 125 F. Supp. 240.

No. 283. TURNER, GUARDIAN, *v.* BELL ET AL. Supreme Court of Tennessee. Certiorari denied. *Bailey Walsh* for petitioner. *Cooper Turner, Jr.* for Gill, Trustee, et al., respondents. Reported below: 198 Tenn. 232, 279 S. W. 2d 71.

No. 285. E. REGENSBURG & SONS *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Arthur B. Hyman* for

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petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack and L. W. Post* for the United States. Reported below: 221 F. 2d 336.

No. 288. GILMORE, FORMERLY KNAUER, *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *B. E. Hendricks* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack and A. F. Prescott* for the United States. Reported below: 222 F. 2d 167.

No. 289. INTERNATIONAL LONGSHOREMEN'S ASSOCIATION LOCAL UNION No. 1291 ET AL. *v.* PHILADELPHIA MARINE TRADE ASSOCIATION ET AL. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. *Abraham E. Freedman and Charles Lakatos* for petitioners. *Robert G. Kelly and Francis A. Scanlan* for the Philadelphia Marine Trade Association, *Owen B. Rhoads and Robert M. Landis* for the National Sugar Refining Co., and *Thomas F. Mount* for Dugan & McNamara, Inc., respondents. Reported below: 382 Pa. 326, 115 A. 2d 733.

No. 290. HERMAN *v.* NORTHWEST AIRLINES, INC. ET AL. C. A. 2d Cir. Certiorari denied. *Jacob Rassner* for petitioner. *Edward J. Behrens* for respondents. Reported below: 222 F. 2d 326.

No. 291. KERMATH MANUFACTURING CO. *v.* BROWNELL, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN. C. A. 6th Cir. Certiorari denied. *Harry A. Carson* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Townsend, James D. Hill and George B. Searls* for respondent. Reported below: 222 F. 2d 577.

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No. 293. *COSPER v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. *Herbert M. Wetzel, Arthur Frankel* and *Demetri M. Spiro* for petitioner. *Latham Castle*, Attorney General of Illinois, *John L. Davidson, Jr.*, First Assistant Attorney General, *Fred G. Leach* and *Murray F. Milne*, Assistant Attorneys General, and *John Gutknecht* for respondent. Reported below: 5 Ill. 2d 97, 125 N. E. 2d 60.

No. 295. *PIERCE v. AMERICAN COMMUNICATIONS CO., INC.* C. A. 1st Cir. Certiorari denied. *David Rines* and *Robert H. Rines* for petitioner. *Paul Kolisch, J. Pierre Kolisch* and *Robert L. Thompson* for respondent. Reported below: 221 F. 2d 959.

No. 299. *LANDELL, EXECUTOR, ET AL. v. NORTHERN PACIFIC RAILWAY CO., FORMERLY THE SUPERIOR & ST. CROIX RAILWAY CO.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Henry H. Fowler, Alexander B. Hawes, Robert W. Lishman, Marx Leva* and *Edward Brown Williams* for petitioners. *Porter R. Chandler, M. L. Countryman, Jr.* and *Bernard G. Ostmann* for respondent. Reported below: 96 U. S. App. D. C. 24, 223 F. 2d 316.

No. 302. *UNITED GAS PIPE LINE CO. v. FEDERAL POWER COMMISSION ET AL.* C. A. 5th Cir. Certiorari denied. *W. Scott Wilkinson* and *C. Huffman Lewis* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger, Melvin Richter, Herman Marcuse, Willard W. Gatchell* and *Lambert McAllister* for the Federal Power Commission, and *William A. Dougherty* and *James Lawrence White* for the Mississippi River Fuel Corporation, respondents. Reported below: 220 F. 2d 706.

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No. 303. BRASWELL *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *Charles W. Tessmer* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Joseph A. Barry* for the United States. Reported below: 224 F. 2d 706.

No. 304. ELLISON *v.* MUTUAL LIFE INSURANCE CO. OF NEW YORK. C. A. 5th Cir. Certiorari denied. *Walter G. Ramseur and Stuart B. Warren* for petitioner. *R. W. Shackelford* for respondent. Reported below: 223 F. 2d 686.

No. 305. VOGRIN *v.* HEDSTROM. C. A. 8th Cir. Certiorari denied. *Charles M. Miller* for petitioner. Reported below: 220 F. 2d 863.

No. 311. LIPSITZ ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 4th Cir. Certiorari denied. *Llewellyn A. Luce and Walter H. Maloney* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, Robert N. Anderson and Walter Akerman, Jr.* for respondent. Reported below: 220 F. 2d 871.

No. 313. ALBANESE *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Archibald Palmer* for petitioner. Reported below: 224 F. 2d 879.

No. 325. PEONY PARK, INC. ET AL. *v.* O'MALLEY, COLLECTOR OF INTERNAL REVENUE, ET AL. C. A. 8th Cir. Certiorari denied. *William J. Hotz and William J. Hotz, Jr.* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Holland, John R. Benney, Ellis N. Slack and Robert N. Anderson* for respondents. Reported below: 223 F. 2d 668.

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No. 331. LANDES *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 222 F. 2d 958.

No. 64. GOTFREDSON ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 6th Cir. Certiorari denied. MR. JUSTICE REED took no part in the consideration or decision of this application. *Nathaniel W. Gold* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, Hilbert P. Zarky and Davis W. Morton, Jr.* for respondent. Reported below: 217 F. 2d 673.

No. 73. BEARD *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. MR. JUSTICE CLARK took no part in the consideration or decision of this application. *Michael Gould, Thomas J. Kenney and Samuel Efron* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Philip Elman, Ellis N. Slack and Fred G. Folsom* for the United States. *Russell D. Niles, William A. Schnader, Lofton L. Tatum, J. Cleo Thompson, E. Dixie Beggs, Boris Kostelanetz and Bruno Schachner* filed a brief for the American Bar Association, as *amicus curiae*, in support of the petition for a writ of certiorari. Reported below: 222 F. 2d 84.

No. 120. ZIENTEK *v.* READING COMPANY. C. A. 3d Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion certiorari should be granted. *B. Nathaniel Richter* for petitioner. *John R. McConnell* for respondent. Reported below: 220 F. 2d 183.

No. 262. PEGLER ET AL. *v.* REYNOLDS. C. A. 2d Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion certiorari should be granted. *Milton Pollack* for petitioners. *Louis Nizer* for respondent. Reported below: 223 F. 2d 429.

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No. 292. *ECKER v. ATLANTIC REFINING CO. ET AL.* C. A. 4th Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion certiorari should be granted. *Kenneth C. Proctor* and *Francis D. Murnaghan, Jr.* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Townsend, James D. Hill* and *George B. Searls* for the United States et al., and *Robert D. Bartlett* and *Roy W. Johns* for the Atlantic Refining Co., respondents. Reported below: 222 F. 2d 618.

No. 319. *HAISLIP BAKING CO., INC. v. UNITED CONSTRUCTION WORKERS ET AL.* C. A. 4th Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion certiorari should be granted. *Fred B. Greear* for petitioner. *M. E. Boiarsky* for respondents. Reported below: 223 F. 2d 872.

No. 140. *OTO v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE BURTON took no part in the consideration or decision of this application. *William H. Collins* and *Samuel Paige* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Joseph A. Barry* for the United States. Reported below: 96 U. S. App. D. C. 17, 223 F. 2d 309.

No. 144. *DONG WING OTT ET AL. v. SHAUGHNESSY, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE.* C. A. 2d Cir. Certiorari denied. *Elmer Fried* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Isabelle R. Cappello* for respondent. Reported below: 220 F. 2d 537.

No. 155. *COSTELLO v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. MR. JUSTICE HARLAN took no part in

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the consideration or decision of this application. *Jack Wasserman* and *George Wolf* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Carl H. Imlay* for the United States. Reported below: 222 F. 2d 656.

NO. 277. UNITED STATES *v.* OTOE AND MISSOURIA TRIBE OF INDIANS. Court of Claims. Certiorari denied. MR. JUSTICE BLACK would dismiss on the ground that no case or controversy is involved. MR. JUSTICE REED is of the opinion certiorari should be granted. *Solicitor General Sobeloff*, *Assistant Attorney General Morton*, *Marvin E. Frankel*, *Roger P. Marquis* and *John C. Harrington* for the United States. *Luther Bohanon* and *Marvin J. Sonosky* for respondent. Reported below: 131 Ct. Cl. 593, 131 F. Supp. 265.

NO. 294. SAMISH *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application. *Harold C. Faulkner*, *Bartley C. Crum* and *Frederick J. Ludwig* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Holland*, *Joseph M. Howard* and *Harold S. Larsen* for the United States. Reported below: 223 F. 2d 358.

NO. 300. CRUMMER COMPANY ET AL. *v.* DUPONT ET AL. C. A. 5th Cir. Certiorari denied. MR. JUSTICE CLARK and MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *Francis P. Whitehair*, *Warren Hall* and *Chris Dixie* for petitioners. *Richard W. Ervin*, Attorney General of Florida, and *Ralph M. McLane*, Assistant Attorney General, for Clements et al., *Clarence G. Ashby* for DuPont et al., *Donald Russell* for Ball et al., *Charles R. Scott* for the St. Joe Paper Co., *William H. Rogers* for Pierce et al., *Asbury Sum-*

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*merlin* for Gall, *John W. Donahoo* and *Chester Bedell* for the Cummer Sons Cypress Co., and *H. M. Voorhis* and *W. H. Poe* for Leedy, Wheeler & Alleman, Inc. et al., respondents. Reported below: 223 F. 2d 238.

No. 7, Misc. *BANKS v. ILLINOIS*. Criminal Court of Cook County, Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, for respondent.

No. 8, Misc. *CONROY v. CRIMINAL COURT OF COOK COUNTY*. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, for respondent.

No. 9, Misc. *BROWN v. RAGEN, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, for respondent.

No. 20, Misc. *STUM v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, for respondent.

No. 24, Misc. *WILLIAMS v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, for respondent.

No. 25, Misc. *RITCHIE v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, for respondent.

No. 26, Misc. *GRIFFIN v. GLADDEN, WARDEN*. Supreme Court of Oregon. Certiorari denied. Petitioner *pro se*. *Robert Y. Thornton*, Attorney General of Oregon,

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and *Wolf D. von Otterstedt*, Assistant Attorney General, for respondent.

No. 27, Misc. *DI CHIARA v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, for respondent.

No. 33, Misc. *GAMBINO v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, for respondent.

No. 34, Misc. *AUSTIN v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, for respondent.

No. 41, Misc. *DAVIS v. RAGEN, WARDEN*. Circuit Court of Will County, Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, for respondent.

No. 42, Misc. *SHOTKIN v. DUGGAN ET AL.* Supreme Court of Florida. Certiorari denied.

No. 46, Misc. *BLANTON v. INDIANA*. Supreme Court of Indiana. Certiorari denied. Reported below: 234 Ind. 142, 124 N. E. 2d 382.

No. 49, Misc. *BERNSKI v. CUMMINGS, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 50, Misc. *DUKE v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM, ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

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No. 52, Misc. *ROBINSON v. MISSISSIPPI*. Supreme Court of Mississippi. Certiorari denied. *John E. Perkins* and *George M. Johnson* for petitioner. Reported below: 223 Miss. 70, 77 So. 2d 265.

No. 53, Misc. *ROUSSEAU v. HURTADO, EXECUTRIX, ET AL.* Supreme Court of California. Certiorari denied.

No. 54, Misc. *FERNINO v. CONNECTICUT*. Supreme Court of Errors of Connecticut. Certiorari denied.

No. 55, Misc. *WASHINGTON v. MAYO, PRISON CUSTODIAN*. Supreme Court of Florida. Certiorari denied. Reported below: 77 So. 2d 620.

No. 57, Misc. *DOVICO v. NEW YORK*. Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied. Reported below: 285 App. Div. 997, 139 N. Y. S. 2d 279.

No. 59, Misc. *MOLTON v. RANDOLPH, WARDEN*. Circuit Court of Sangamon County, Illinois. Certiorari denied.

No. 61, Misc. *LEVY v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 62, Misc. *D'ANGELO v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Petitioner *pro se*. *Dan J. Kelly* for respondent. Reported below: 308 N. Y. 883, 126 N. E. 2d 383.

No. 65, Misc. *FLORIDA EX REL. COPELAND v. MAYO, PRISON CUSTODIAN*. Supreme Court of Florida. Cer-

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tiorari denied. Petitioner *pro se*. *Releford McGriff* and *Joseph C. Waddy* for petitioner. Reported below: 78 So. 2d 399.

No. 66, Misc. *GALLAS v. DENNEY, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 71, Misc. *WINHOVEN v. UNITED STATES*. C. A. 9th 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 793.

No. 72, Misc. *SMITH ET AL. v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 73, Misc. *THOMAS v. RAGEN, WARDEN*. Circuit Court of Will County, Illinois. Certiorari denied.

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

No. 78, Misc. *WESTERFIELD v. MENARY, SHERIFF*. District Court of Appeal of California, First Appellate District. Certiorari denied.

No. 79, Misc. *SIDENER v. RANDOLPH, WARDEN*. Circuit Court of Adams County, Illinois. Certiorari denied.

No. 81, Misc. *BELL v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. Reported below: 207 Md. 618, 113 A. 2d 482.

No. 84, Misc. *FEENEY ET AL. v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. *William G. Grande* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney*

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*General Olney, Beatrice Rosenberg and Isabelle Cappello* for the United States. Reported below: 221 F. 2d 959.

No. 85, Misc. *VOLA v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied.

No. 87, Misc. *VAN PELT v. RAGEN, WARDEN*. Circuit Court of Will County, Illinois. Certiorari denied.

No. 88, Misc. *ROUZER v. CLAUDY, WARDEN*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 90, Misc. *LAVERA v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied.

No. 92, Misc. *LABOSTRIE v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 93, Misc. *PENNSYLVANIA EX REL. LANE v. BALDI, SUPERINTENDENT, PHILADELPHIA COUNTY PRISON*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. *Robert E. Redding* for petitioner. Reported below: 380 Pa. 201, 110 A. 2d 409.

No. 94, Misc. *MILANO v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 95, Misc. *MARKS v. RANDOLPH, WARDEN*. Circuit Court of St. Clair County, Illinois. Certiorari denied.

No. 97, Misc. *HOOPER v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 98, Misc. *SMITH v. SKEEN, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

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No. 103, Misc. LAZZARA *v.* CALIFORNIA. District Court of Appeal of California, First Appellate District. Certiorari denied. Reported below: 131 Cal. App. 2d 663, 281 P. 2d 4.

No. 105, Misc. MATTHEWS *v.* DAY, WARDEN. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. Reported below: 381 Pa. 617, 114 A. 2d 122.

No. 108, Misc. FARRAR *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. *Woodrow Seals* for petitioner. Reported below: 162 Tex. Cr. R. —, 277 S. W. 2d 114.

No. 109, Misc. BRABSON *v.* NEW YORK. Court of General Sessions, New York County, New York. Certiorari denied. Petitioner *pro se.* *Frank S. Hogan* and *Charles W. Manning* for respondent.

No. 112, Misc. VAUGHAN *v.* FIRST NATIONAL BANK OF GREENVILLE ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 218 F. 2d 804.

No. 117, Misc. EVANS *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 118, Misc. KEITHLEY *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 143, Misc. MITCHELL *v.* NEBRASKA. Supreme Court of Nebraska. Certiorari denied.

*Rehearing Denied.*

No. 340, Misc., October Term, 1954. BOZELL *v.* LINDSAY ET AL., 348 U. S. 973. 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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No. 20, October Term, 1954. *ELLIS v. DIXON ET AL., MEMBERS OF THE BOARD OF EDUCATION OF THE CITY OF YONKERS*, 349 U. S. 458;

No. 654, October Term, 1954. *PAPALARDO ET AL. v. UNITED STATES*, 349 U. S. 920;

No. 694, October Term, 1954. *IN RE RINES, ADMINISTRATOR*, 349 U. S. 935;

No. 703, October Term, 1954. *SCHWARTZ, ADMINISTRATRIX, v. KANSAS CITY SOUTHERN RAILWAY CO.*, 349 U. S. 931;

No. 728, October Term, 1954. *BEECHER v. LEAVENWORTH STATE BANK ET AL.*, 349 U. S. 945;

No. 161, Misc., October Term, 1954. *BEECHER v. LEAVENWORTH STATE BANK ET AL.*, 349 U. S. 947;

No. 730, October Term, 1954. *ALKER v. FIDELITY-PHILADELPHIA TRUST CO., TRUSTEE, ET AL.*, 349 U. S. 939;

No. 740, October Term, 1954. *BEATY v. UNITED STATES*, 349 U. S. 946;

No. 746, October Term, 1954. *THYS COMPANY ET AL. v. ANGLO-CALIFORNIA NATIONAL BANK, EXECUTOR*, 349 U. S. 946;

No. 761, October Term, 1954. *COCO v. FLORIDA*, 349 U. S. 931;

No. 764, October Term, 1954. *HUPMAN v. UNITED STATES*, 349 U. S. 953;

No. 444, Misc., October Term, 1954. *KOSTAL v. CALIFORNIA*, 349 U. S. 923;

No. 464, Misc., October Term, 1954. *HEIRENS v. ILLINOIS*, 349 U. S. 947;

No. 611, Misc., October Term, 1954. *RODRIGUEZ v. JACKSON, WARDEN*, 349 U. S. 963;

No. 613, Misc., October Term, 1954. *WILSON v. DISTRICT OF COLUMBIA*, 349 U. S. 963; and

No. 623, Misc., October Term, 1954. *HILL v. UNITED STATES*, 349 U. S. 964. Petitions for rehearing denied.

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No. 626, Misc., October Term, 1954. *DAVIS v. SUMMERFIELD, POSTMASTER GENERAL*, 349 U. S. 965;

No. 628, Misc., October Term, 1954. *LENZ v. LOONEY, WARDEN*, 349 U. S. 965;

No. 629, Misc., October Term, 1954. *HARVEY v. MAYO, PRISON CUSTODIAN*, 349 U. S. 965;

No. 635, Misc., October Term, 1954. *BYRNES v. ILLINOIS*, 349 U. S. 966;

No. 649, Misc., October Term, 1954. *WALLACE v. COPIAH COUNTY LUMBER Co. ET AL.*, 349 U. S. 966;

No. 669, Misc., October Term, 1954. *NEWSTEAD v. BAYNES*, 349 U. S. 950; and

No. 684, Misc., October Term, 1954. *HUDSON v. UNITED STATES*, 349 U. S. 968. Petitions for rehearing denied.

No. 145, October Term, 1954. *MARCELLO v. BONDS, OFFICER IN CHARGE, IMMIGRATION AND NATURALIZATION SERVICE*, 349 U. S. 302; and

No. 714, October Term, 1954. *DICTOGRAPH PRODUCTS, INC. v. FEDERAL TRADE COMMISSION*, 349 U. S. 940. Petitions for rehearing denied. MR. JUSTICE HARLAN took no part in the consideration or decision of these applications.

No. 677, October Term, 1954. *MEYER ET AL. v. ST. LOUIS SOUTHWESTERN RAILWAY Co. ET AL.*, 349 U. S. 942. Rehearing denied. MR. JUSTICE FRANKFURTER took no part in the consideration or decision of this application.

No. 742, October Term, 1954. *COMBS ET AL. v. ILLINOIS STATE TOLL HIGHWAY COMMISSION ET AL.*, 349 U. S. 942. Motion for leave to file second petition for rehearing denied.

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*Decisions Per Curiam.*

No. 24. WILLIAMS *v.* UNITED STATES. Certiorari, 348 U. S. 926, to the United States Court of Appeals for the Ninth Circuit. Argued October 13, 1955. Decided October 17, 1955. *Per Curiam*: This case is controlled by the California doctrine of *respondeat superior*. The judgment is vacated and the case is remanded for consideration in the light of that governing principle. *Henry C. Clausen* argued the cause and filed a brief for petitioner. *Morton Hollander* 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: 215 F. 2d 800.

No. 195. UNITED STATES *v.* PROVVOO. Appeal from the United States District Court for the District of Maryland. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed. MR. JUSTICE CLARK took no part in the consideration or decision of this case. *Solicitor General Sobeloff*, *Assistant Attorney General Tompkins*, *Gray Thoron* and *Philip R. Monahan* for the United States. *Frederick J. Green, Jr.* and *Theodore C. Waters, Jr.* for appellee. Reported below: 17 F. R. D. 183.

No. 265. M. & M. TRANSPORTATION CO. ET AL. *v.* UNITED STATES ET AL. Appeal from the United States District Court for the District of Massachusetts. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed. *Herbert Burstein* for appellants. *Solicitor General Sobeloff*, *Assistant Attorney General Barnes*, *Daniel M. Friedman*, *Samuel R. Howell* and *Leo H. Pou* for the United States and the Interstate Commerce Commission, and *S. Harrison Kahn* for the St.

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Johnsbury Trucking Co., Inc. et al., appellees. Reported below: 128 F. Supp 296.

No. 284. PEAIRS *v.* TEXAS. Appeal from the Court of Criminal Appeals of Texas. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Charles W. Tessmer* for appellant. *John Ben Shepperd*, Attorney General of Texas, and *Katherine W. Conti*, Assistant Attorney General, for appellee. Reported below: 162 Tex. Cr. R. —, 283 S. W. 2d 755.

No. 314. SMITH, EXECUTRIX, *v.* WISSLER, PRESIDENT JUDGE, COURT OF COMMON PLEAS OF LANCASTER COUNTY, ET AL. Appeal from the Supreme Court of Pennsylvania, Eastern District. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed. *Robert Ruppin* for appellant. *Paul A. Mueller* for appellees. Reported below: 381 Pa. 223, 112 A. 2d 625.

*Miscellaneous Orders.*

No. 9, Original. TEXAS *v.* NEW MEXICO ET AL. The Government is invited to set forth its views on the question of indispensability of the United States as a party at this time in light of the Report of the Special Master dated January 31, 1955, and the proposed Amendments of the State of Texas.

No. 1. SILESIAN HOLDING CO. ET AL. *v.* UNION BANK OF SWITZERLAND ET AL.; and

No. 2. BROWNELL, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN, *v.* UNION BANK OF SWITZERLAND ET AL. On petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit. The motion to defer consideration of the petitions for writs of certiorari until March 1, 1956, is granted.

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*Ralph D. Ray* filed the motion for the Silesian Holding Company. *Solicitor General Sobeloff* for petitioner in No. 2, *William Gilligan* for the Silesian-American Corporation, *Charles E. Scribner* for the Bondholders Protective Committee, and *Lawrence J. McKay* for respondents, consented to the motion. See also 348 U. S. 881, 948.

No. 48. COMMUNIST PARTY OF THE UNITED STATES *v.* SUBVERSIVE ACTIVITIES CONTROL BOARD. Certiorari, 349 U. S. 943, to the United States Court of Appeals for the District of Columbia Circuit. The motion for leave to file brief of Frank Aydelotte et al., as *amici curiae*, is granted. *Royal W. France* for movants.

No. 74. UNITED STATES *v.* LESLIE SALT CO. Certiorari, 349 U. S. 951, to the United States Court of Appeals for the Ninth Circuit. The motion for leave to file brief of Plymouth Oil Co., as *amicus curiae*, is denied.

No. 3, Misc. EATON *v.* SCHEINEMAN ET AL.; and

No. 129, Misc. STEWART *v.* ALVIS, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied. Petitioners *pro se*. *Latham Castle*, Attorney General, for the State of Illinois, respondent in No. 3.

No. 100, Misc. HACKETT *v.* UNITED STATES. Motion for leave to file petition for writ of certiorari denied.

No. 128, Misc. PECKHAM *v.* RAGEN, WARDEN. Motion for leave to file petition for writ of certiorari out of time denied.

*Certiorari Granted.* (See also No. 196, ante, p. 3.)

No. 278. MITCHELL, SECRETARY OF LABOR, *v.* BUDD ET AL., DOING BUSINESS AS J. T. BUDD, JR., & CO., ET AL. C. A.

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5th Cir. Certiorari granted. *Solicitor General Sobeloff, Stuart Rothman* and *Bessie Margolin* for petitioner. *Milton C. Denbo* for respondents. Reported below: 221 F. 2d 406.

No. 227. UNITED MINE WORKERS OF AMERICA ET AL. v. ARKANSAS OAK FLOORING CO. Supreme Court of Louisiana. Certiorari granted. The Solicitor General is invited to file a brief setting forth the views of the National Labor Relations Board. *Crampton Harris* and *Yelverton Cowherd* for petitioners. *Grove Stafford* for respondent. Reported below: 227 La. 1109, 81 So. 2d 413.

No. 281. UNITED STATES v. RYAN. C. A. 2d Cir. Certiorari granted. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Richard J. Blanchard* for the United States. *Louis Waldman* for respondent. Reported below: 225 F. 2d 417.

No. 308. YATES ET AL. v. UNITED STATES;

No. 309. SCHNEIDERMAN v. UNITED STATES; and

No. 310. RICHMOND ET AL. v. UNITED STATES. C. A. 9th Cir. Certiorari granted. The motions for leave to file briefs of American Civil Liberties Union and International Longshoremen's & Warehousemen's Union, as *amici curiae*, are denied. *Norman Leonard, Ben Margolis, Alexander H. Schullman* and *A. L. Wirin* for petitioners in No. 308. *Robert W. Kenny* for petitioner in No. 309. *Augustin Donovan* for petitioners in No. 310. *Solicitor General Sobeloff, Assistant Attorney General Tompkins, Robert W. Ginnane, Harold D. Koffsky* and *Lawrence K. Bailey* for the United States. Reported below: 225 F. 2d 146.

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No. 320. *PARR v. UNITED STATES*. C. A. 5th Cir. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and the case will be heard on the merits and on the question of appealability. *Thurman Arnold, Abe Fortas, Marvin K. Collie, Thomas E. James* and *Everett L. Looney* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland* and *Joseph M. Howard* for the United States. Reported below: 225 F. 2d 329.

*Certiorari Denied.* (See also *Misc. Nos. 100 and 128, supra.*)

No. 210. *AZTEC LAND & CATTLE CO. v. NAVAJO REALTY CO. ET AL.* Supreme Court of Arizona. *Certiorari denied.* *Frederick Bernays Wiener* for petitioner. *Robert Morrison, Attorney General, and R. G. Langmade, Assistant Attorney General,* for the State of Arizona, respondent. Reported below: 79 Ariz. 55, 65, 283 P. 2d 227, 234.

No. 211. *EDWARD B. MARKS MUSIC CORP. v. CONTINENTAL RECORD CO., INC. ET AL.* C. A. 2d Cir. *Certiorari denied.* *Fulton Brylawski* for petitioner. *Maxwell Okun* for respondents. Reported below: 222 F. 2d 488.

No. 218. *WHITENER v. SOUTH CAROLINA.* Supreme Court of South Carolina. *Certiorari denied.* *C. T. Graydon* for petitioner. *T. C. Callison, Attorney General of South Carolina, and William A. Dallis, Assistant Attorney General,* for respondent. Reported below: 228 S. C. 244, 89 S. E. 2d 701.

No. 239. *WARRING v. UNITED STATES.* C. A. 4th Cir. *Certiorari denied.* *G. C. A. Anderson* and *Charles E. Ford* for petitioner. *Solicitor General Sobeloff, Assistant*

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*Attorney General Holland and Joseph M. Howard* for the United States. Reported below: 222 F. 2d 906.

No. 256. CALLANAN ET AL. v. UNITED STATES. C. A. 8th Cir. Certiorari denied. *Thurman Arnold, Morris A. Shenker and Sidney M. Glazer* for Callanan, and *Harry H. Craig* for Thompson, petitioners. *Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg* for the United States. Reported below: 223 F. 2d 171.

No. 275. ORLANDO v. DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 2d Cir. Certiorari denied. *Laurence Sovik* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg* for respondent. Reported below: 222 F. 2d 537.

No. 276. IN RE NARRAGANSETT PIER AMUSEMENT CORP. ET AL. C. A. 1st Cir. Certiorari denied. *George S. Ryan and Max Winograd* for petitioner. *Jacob J. Kaplan* for respondents. Reported below: 224 F. 2d 231.

No. 306. WIELAND ET AL. v. C. A. SWANSON & SONS. C. A. 2d Cir. Certiorari denied. *Arthur F. Driscoll and George A. Rastery* for petitioners. *Sumner Ford* for respondent. Reported below: 223 F. 2d 26.

No. 312. UNITED STATES v. OHIO POWER CO. Court of Claims. Certiorari denied. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack and Hilbert P. Zarky* for the United States. *J. Marvin Haynes, N. Barr Miller, F. Eberhart Haynes and Oscar L. Tyree* for respondent. Reported below: 131 Ct. Cl. 95, 129 F. Supp. 215.

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No. 315. *LAQUE v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. *I. Duke Avnet* for petitioner. *C. Ferdinand Sybert*, Attorney General of Maryland, and *Norman P. Ramsey*, Deputy Attorney General, for respondent. Reported below: 207 Md. 242, 113 A. 2d 893.

No. 317. *ESTEP v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Robert H. Hughes* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Isabelle R. Cappello* for the United States. Reported below: 223 F. 2d 19.

No. 318. *DEHARDIT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Richard L. Williams* and *David Nelson Sutton* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Holland* and *Joseph M. Howard* for the United States. Reported below: 224 F. 2d 673.

No. 236. *REYNOLDS v. TEXAS*. Court of Criminal Appeals of Texas. Motion to strike petition denied. Certiorari denied. *Charles W. Tessmer* for petitioner. *John Ben Shepperd*, Attorney General of Texas, and *John A. Wild*, Assistant Attorney General, for respondent. Reported below: 162 Tex. Cr. R. —, 276 S. W. 2d 279.

No. 273. *AMERICAN-HAWAIIAN STEAMSHIP Co. v. UNITED STATES*; and

No. 361. *UNITED STATES v. AMERICAN-HAWAIIAN STEAMSHIP Co.* Court of Claims. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of these applications. *Clement C. Rinehart* for the American-Hawaiian Steamship Co. *Solicitor General Sobeloff*, *Assistant Attorney General Burger*, *Paul A. Sweeney* and *Herman Marcuse* for the United States.

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*Gray Thoron* was with them in No. 361. Reported below: 129 Ct. Cl. 365, 124 F. Supp. 378.

No. 29, Misc. *MONAGHAN v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Petitioner *pro se*. *Frank S. Hogan* and *Charles W. Manning* for respondent. Reported below: 308 N. Y. 701, 124 N. E. 2d 328.

No. 38, Misc. *NEAL v. CALIFORNIA*. 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.

No. 40, Misc. *VERCELES v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, for respondent.

No. 51, Misc. *VERRICO v. NEW JERSEY ET AL.* Supreme Court of New Jersey. Certiorari denied. *Ralph L. Fusco*, *Julius A. Feinberg* and *Philip J. Mylod*, Deputy Attorneys General, for respondents.

No. 77, Misc. *LANGER v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 80, Misc. *DELEVAY v. MILLER ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 83, Misc. *IN RE FLETCHER*. C. A. 4th Cir. Certiorari denied.

No. 99, Misc. *FARMER v. SKEEN, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 222 F. 2d 948.

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No. 110, Misc. THOMASON *v.* ALESTER G. FURMAN, INC. ET AL. C. A. 4th Cir. Certiorari denied. Petitioner *pro se.* C. F. Haynsworth, Jr. for respondents. Reported below: 222 F. 2d 421.

No. 113, Misc. AUSTIN *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Petitioner *pro se.* Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg for the United States. Reported below: 224 F. 2d 273.

No. 114, Misc. MURPHY *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 120, Misc. BURLESON *v.* WASHINGTON. Supreme Court of Washington. Certiorari denied.

No. 121, Misc. WIX *v.* OREGON. Supreme Court of Oregon. Certiorari denied. Reported below: 204 Ore. 597, 284 P. 2d 356.

No. 122, Misc. SANGUIGNI *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 123, Misc. HADLEY *v.* EIDSON, WARDEN. Supreme Court of Missouri. Certiorari denied.

No. 124, Misc. LYNCH *v.* NORTH CAROLINA. Supreme Court of North Carolina. Certiorari denied.

No. 125, Misc. BURKLEY *v.* JOHNSTON, WARDEN. Supreme Court of Pennsylvania, Western District. Certiorari denied.

No. 127, Misc. REID *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

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No. 130, Misc. *BLOXOM v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 131, Misc. *HARVELL v. INDIANA*. Circuit Court of St. Joseph County, Indiana. Certiorari denied.

No. 132, Misc. *MAHLER v. MICHIGAN*. Circuit Court of Branch County, Michigan. Certiorari denied.

No. 134, Misc. *REICKAUER v. SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY*. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 141, Misc. *SMITH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 142, Misc. *HORODECKI v. RAGEN, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 147, Misc. *GALLAGHER v. DAY, WARDEN*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 153, Misc. *RUSSEK v. PENNSYLVANIA*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 154, Misc. *SIMMONS v. NEW YORK*. Court of Appeals of New York and Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied. Reported below: See 285 App. Div. 470, 138 N. Y. S. 2d 97.

No. 155, Misc. *PLUE v. CUMMINGS, WARDEN*. C. A. 2d Cir. and United States District Court for the District of Connecticut. Certiorari denied. Reported below: 224 F. 2d 276.

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No. 158, Misc. *IN RE FLETCHER*. C. A. 4th Cir. Certiorari denied. Reported below: 221 F. 2d 477.

No. 159, Misc. *JOHNSON v. RAGEN, WARDEN*. C. A. 7th Cir. and United States District Court for the Northern District of Illinois, Eastern Division. Certiorari denied.

No. 162, Misc. *DIXON v. BOVEY, WARDEN*. Supreme Court of Nebraska. Certiorari denied. Reported below: 160 Neb. 316, 70 N. W. 2d 80.

No. 163, Misc. *MORGAN v. SYLVESTER ET AL.* C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Jacob K. Javits*, Attorney General of New York, *James O. Moore, Jr.*, Solicitor General, and *Samuel A. Hirshowitz* and *Daniel M. Cohen*, Assistant Attorneys General, for respondents. Reported below: 220 F. 2d 758.

No. 164, Misc. *CRABTREE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 224 F. 2d 282.

No. 166, Misc. *THOMPSON v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 175, Misc. *HILL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 223 F. 2d 699.

No. 180, Misc. *WATSON v. CALIFORNIA*. District Court of Appeal of California, Second Appellate District, Division Three. Certiorari denied. Reported below: 130 Cal. App. 2d 430, 278 P. 2d 933.

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No. 182, Misc. HURT *v.* BALKCOM, WARDEN. C. A. 5th Cir. Certiorari denied. Petitioner *pro se.* Eugene Cook, Attorney General of Georgia, Robert H. Hall, Deputy Assistant Attorney General, and E. Freeman Leverett, Assistant Attorney General, for respondent. Reported below: 224 F. 2d 21.

*Rehearing Denied.*

No. 712, October Term, 1954. JUNGENSEN *v.* AXEL BROS., INC. ET AL., 349 U. S. 940. Rehearing denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application.

No. 737, October Term, 1954. PANHANDLE EASTERN PIPE LINE CO. *v.* FEDERAL POWER COMMISSION ET AL., 349 U. S. 945. Rehearing denied.

No. 758, October Term, 1954. NATIONAL AIRLINES, INC. *v.* SCHOLNIK, 349 U. S. 956. Rehearing denied. MR. JUSTICE BURTON took no part in the consideration or decision of this application.

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*Decisions Per Curiam.*

No. 16. WALTON *v.* CALIFORNIA. Certiorari, 348 U. S. 894, to the Superior Court of California, Appellate Department, County of Santa Clara. Argued October 17, 1955. Decided October 24, 1955. *Per Curiam:* A majority of the Court are of opinion that the record in this case fails to establish that a federal question is presented and for that reason the writ of certiorari is dismissed. MR. JUSTICE REED and MR. JUSTICE DOUGLAS dissent. THE CHIEF JUSTICE did not participate in the consideration or decision of this case. Robert F. Peckham and Jay A. Darwin argued the cause and filed a brief for petitioner. Clarence A. Linn, Assistant Attorney General of Cali-

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fornia, argued the cause for respondent. With him on the brief were *Edmund G. Brown*, Attorney General, and *Arlo E. Smith*, Deputy Attorney General.

No. 25. LIQUID CARBONIC CORP. *v.* UNITED STATES. Appeal from the United States District Court for the Eastern District of New York. Argued October 19-20, 1955. Decided October 24, 1955. *Per Curiam*: The judgment is reversed and the case is remanded for a hearing on modification of the consent decree. *Hughes v. United States*, 342 U. S. 353. MR. JUSTICE REED and MR. JUSTICE BURTON dissent. MR. JUSTICE CLARK took no part in the consideration or decision of this case. *James F. Dwyer* argued the cause and filed a brief for appellant. *John F. Davis* argued the cause for the United States. On the brief were *Solicitor General Sobeloff*, *Assistant Attorney General Barnes* and *Daniel M. Friedman*. Reported below: 123 F. Supp. 653.

No. 29. NUKK ET AL. *v.* SHAUGHNESSY, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. Appeal from the United States District Court for the Southern District of New York. Argued October 19, 1955. Decided October 24, 1955. *Per Curiam*: The Court is of opinion that the complaints do present a case and controversy. *Rochester Telephone Corp. v. United States*, 307 U. S. 125. The judgment is reversed and the case is remanded for consideration on the merits. *Gloria Agrin* and *Blanch Freedman* argued the cause and filed a brief for appellants. *Gray Thoron* argued the cause for appellee. With him on the brief were *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg*, *J. F. Bishop* and *L. Paul Winings*. Reported below: 125 F. Supp. 498.

No. 327. JONES *v.* MISSISSIPPI. Appeal from the Supreme Court of Mississippi. *Per Curiam*: The appeal

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is dismissed and the petition for writ of certiorari is denied. *Forrest B. Jackson* for appellant-petitioner. Reported below: — Miss. —, 79 So. 2d 273.

No. 336. *STACEY ET AL. v. PAPPAS*. Appeal from the Supreme Judicial Court of Maine. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS would note probable jurisdiction. *Sidney W. Wernick* for appellants. *Israel Bernstein* for appellee. Reported below: 151 Me. 36, 116 A. 2d 497.

No. 338. *HOLMBY PRODUCTIONS, INC. ET AL. v. VAUGHN ET AL., CONSTITUTING THE KANSAS STATE BOARD OF REVIEW, ET AL.* Appeal from the Supreme Court of Kansas. *Per Curiam*: Judgment reversed. *Joseph Burstyn, Inc. v. Wilson*, 343 U. S. 495; *Superior Films, Inc. v. Department of Education*, 346 U. S. 587. *James C. Wilson* for appellants. *Harold R. Fatzer*, Attorney General of Kansas, and *Paul E. Wilson*, Assistant Attorney General, for appellees. Reported below: 177 Kan. 728, 282 P. 2d 412.

No. 48, Misc. *WETZEL v. MISSISSIPPI*. Appeal from the Supreme Court of Mississippi. *Per Curiam*: The appeal is dismissed and the petition for writ of certiorari is denied. *Albert Sidney Johnston, Jr.* for appellant-petitioner. Reported below: — Miss. —, 76 So. 2d 188.

#### *Miscellaneous Orders.*

No. 308. *YATES ET AL. v. UNITED STATES*;

No. 309. *SCHNEIDERMAN v. UNITED STATES*; and

No. 310. *RICHMOND ET AL. v. UNITED STATES*. Certiorari, 350 U. S. 860, to the United States Court of Appeals for the Ninth Circuit. The motion for leave to file brief of *Linus Pauling et al.*, as *amici curiae*, is denied.

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No. 310. RICHMOND ET AL. *v.* UNITED STATES. Certiorari, 350 U. S. 860, to the United States Court of Appeals for the Ninth Circuit. The motion for leave to file brief of Howard R. Carey et al., as *amici curiae*, is denied.

*Probable Jurisdiction Noted.*

No. 117. DENVER & RIO GRANDE WESTERN RAILROAD CO. *v.* UNION PACIFIC RAILROAD CO. ET AL.;

No. 118. UNION PACIFIC RAILROAD CO. ET AL. *v.* UNITED STATES ET AL.; and

No. 119. UNITED STATES ET AL. *v.* UNION PACIFIC RAILROAD CO. ET AL. Appeals from the United States District Court for the District of Nebraska; and

No. 332. WASHINGTON PUBLIC SERVICE COMMISSION ET AL. *v.* DENVER & RIO GRANDE WESTERN RAILROAD CO. ET AL.;

No. 333. UNION PACIFIC RAILROAD CO. ET AL. *v.* DENVER & RIO GRANDE WESTERN RAILROAD CO. ET AL.; and

No. 334. UNITED STATES ET AL. *v.* DENVER & RIO GRANDE WESTERN RAILROAD CO. ET AL. Appeals from the United States District Court for the District of Colorado. In these cases probable jurisdiction is noted.

*Frank E. Holman, Dennis McCarthy and Robert E. Quirk* for the Denver & Rio Grande Western Railroad Co. *Don Eastvold*, Attorney General of Washington, *Clarence S. Beck*, Attorney General of Nebraska, *Bert L. Overcash, C. W. Ferguson and George F. Guy* for the Washington Public Service Commission et al., appellants in Nos. 118 and 332 and appellees in Nos. 117 and 119; also with them in No. 118 was *Howard B. Black*, Attorney General of Wyoming. *Elmer B. Collins, L. E. Torinus, Roland J. Lehman and James C. Wilson* for the Union Pacific Railroad Co. et al., appellants in Nos. 118 and 333 and appel-

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lees in Nos. 117 and 119. *Solicitor General Sobeloff* for appellants in Nos. 119 and 334, with whom were *Edward M. Reidy* and *Neil Brooks* in No. 119 and *Assistant Attorney General Barnes, Daniel M. Friedman* and *Samuel R. Howell* in No. 334. *John R. Barry* for the Public Service Commission of Utah et al., *William J. Hickey* for the American Short Line Railroad Association, and *Lee J. Quasey* for the National Live Stock Producers Association et al., appellees in Nos. 332 and 333. Reported below: Nos. 117, 118 and 119, 132 F. Supp. 72; Nos. 332, 333 and 334, 131 F. Supp. 372.

*Certiorari Granted.*

No. 323. UNITED STATES EX REL. DARCY *v.* HANDY, WARDEN, ET AL. C. A. 3d Cir. Certiorari granted. *Charles J. Margiotti* for petitioner. Reported below: 224 F. 2d 504.

No. 342. CZAPLICKI *v.* THE HOEGH SILVERCLOUD ET AL. C. A. 2d Cir. Certiorari granted. *Nathan Baker* for petitioner. *James M. Estabrook* and *Francis X. Byrn* for The Hoegh Silvercloud et al., and *Raymond J. Scully* for the Hamilton Marine Contracting Co., Inc., respondents. Reported below: 223 F. 2d 189.

No. 351. ARCHAWSKI ET AL. *v.* HANIOTI. C. A. 2d Cir. Certiorari granted. *Harry D. Graham* for petitioners. Respondent *pro se*. Reported below: 223 F. 2d 406.

No. 37, Misc. DURLEY *v.* MAYO, PRISON CUSTODIAN. Supreme Court of Florida. Certiorari granted. Petitioner *pro se*. *Richard W. Ervin*, Attorney General of Florida, and *Reeves Bowen*, Assistant Attorney General, for respondent.

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*Certiorari Denied.* (See also No. 327 and Misc. No. 48, *supra.*)

No. 326. THOMPSON, TRUSTEE, *v.* MOORE; and

No. 339. MOORE *v.* THOMPSON, TRUSTEE. C. A. 5th Cir. *Certiorari denied.* *Palmer Hutcheson* for Thompson. *David H. Nutt* for Moore. Reported below: 223 F. 2d 91.

No. 328. PALMER *v.* UNITED STATES. C. A. 3d Cir. *Certiorari denied.* *John W. MacDonald* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 223 F. 2d 893.

No. 330. EATON *v.* EATON. Supreme Court of Louisiana. *Certiorari denied.* *Maurice R. Woulfe* for petitioner. Reported below: 227 La. 992, 81 So. 2d 371.

No. 335. DOUDS, REGIONAL DIRECTOR, NATIONAL LABOR RELATIONS BOARD, *v.* INTERNATIONAL LONGSHOREMEN'S ASSOCIATION, INDEPENDENT, ET AL. C. A. 2d Cir. *Certiorari denied.* *Solicitor General Sobeloff*, *Theophil C. Kammholz*, *David P. Findling* and *Dominick L. Manoli* for petitioner. *Vine H. Smith* and *John T. Sullivan* for the International Longshoremen's Association, Independent, et al., *Seymour D. Lewis* for Bowers et al., *Ambrose V. McCall* for Lynch, and *Edward V. Broderick* and *Joseph H. Broderick* for Ackalitis, respondents. Reported below: 224 F. 2d 455.

No. 340. BUCHMAN *v.* MORSE. District Court of Appeal of California, Second Appellate District. *Certiorari denied.* *Morris Lavine* for petitioner. *George I. Devor* for respondent. Reported below: 132 Cal. App. 2d 81, 281 P. 2d 608.

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No. 341. *D'IMPERIO v. SECRETARY OF THE TREASURY OF PUERTO RICO*. C. A. 1st Cir. Certiorari denied. *Orlando J. Antonsanti* for petitioner. *José Trías Monge*, Attorney General of Puerto Rico, and *Manuel J. Medina Aymat*, Assistant Attorney General, for respondent. Reported below: 223 F. 2d 413.

No. 344. *ELCHIBEGOFF v. DULLES, SECRETARY OF STATE, 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. Reported below: 95 U. S. App. D. C. 362, 222 F. 2d 53.

No. 346. *TADIO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *William B. Mahoney*, *Hyman Karnofsky* and *Arnold Weiss* for petitioner. *Solicitor General Sobeloff*, Assistant Attorney General *Holland* and *Joseph M. Howard* for the United States. Reported below: 223 F. 2d 759.

No. 347. *BLACKMAN v. BALABAN & KATZ CORP. ET AL.* C. A. 7th Cir. Certiorari denied. *Edward Blackman*, *pro se*. *Edward R. Johnston* and *Wesley G. Hall* for Balaban & Katz Corporation et al., *John F. Caskey* and *Francis E. Matthews* for Twentieth Century-Fox Film Corporation, *Miles G. Seeley* for Loew's Incorporated et al., and *Irving Goodman* and *John S. Miller* for the 32 West Randolph Corporation, respondents. Reported below: 222 F. 2d 54.

No. 349. *GREAT NORTHERN RAILWAY Co. v. HALLADA*. Supreme Court of Minnesota. Certiorari denied. *Edwin C. Matthias* and *Anthony Kane* for petitioner. *Carl L. Yaeger* for respondent. Reported below: 245 Minn. 581, 72 N. W. 2d 74.

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No. 350. BROWN, DOING BUSINESS AS BROWN ENGINEERING CO., *v.* MITCHELL, SECRETARY OF LABOR. C. A. 8th Cir. Certiorari denied. *Edgar Musgrave* and *Allen Whitfield* for petitioner. *Solicitor General Sobeloff*, *Stuart Rothman*, *Bessie Margolin* and *Harry M. Leet* for respondent. *Milton I. Baldinger* filed a brief for the National Society of Professional Engineers, as *amicus curiae*, in support of the petition. Reported below: 224 F. 2d 359.

No. 353. PENNSYLVANIA *v.* UNITED STATES EX REL. THOMPSON. C. A. 3d Cir. Certiorari denied. *Herbert B. Cohen*, Attorney General of Pennsylvania, *Frank P. Lawley, Jr.*, Deputy Attorney General, and *Albert A. Fiok* for petitioner. *Louis C. Glasso* and *Zeno Fritz* for respondent. Reported below: 221 F. 2d 763.

No. 324. WARREN COUNTY, MISSISSIPPI, *v.* HESTER ET AL. Supreme Court of Louisiana. Certiorari denied. MR. JUSTICE DOUGLAS took no part in the consideration or decision of this application. *L. W. Brooks* for petitioner. *Fred S. LeBlanc*, Attorney General, *Carroll Buck*, Special Assistant Attorney General, *Victor A. Sachse*, *Chas. J. Rivet* and *Fred G. Hudson, Jr.* for respondents. Reported below: 227 La. 1022, 81 So. 2d 381.

No. 345. STERLING *v.* LOCAL 438, LIBERTY ASSOCIATION OF STEAM & POWER PIPE FITTERS & HELPERS ASSOCIATION, ET AL. Court of Appeals of Maryland. Certiorari denied. *Louis R. Milio* for petitioner. *Max Sokol*, *Emanuel H. Horn*, *Martin F. O'Donoghue* and *Thomas X. Dunn* for respondents. Reported below: 207 Md. 132, 113 A. 2d 389.

No. 36, Misc. WHITE *v.* CALIFORNIA. Supreme Court of California. Motion for leave to file brief of National

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Lawyers Guild, as *amicus curiae*, denied. Certiorari denied. *William B. Esterman* for petitioner. *Edmund G. Brown*, Attorney General of California, *William V. O'Connor*, Chief Deputy Attorney General, and *Elizabeth Miller*, Deputy Attorney General, for respondent. Reported below: 43 Cal. 2d 740, 278 P. 2d 9.

No. 64, Misc. *SISK v. OVERLADE, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 220 F. 2d 68.

No. 135, Misc. *LYONS v. SUPREME COURT OF CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied. Reported below: 43 Cal. 2d 755, 278 P. 2d 681.

No. 139, Misc. *LEBRON ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Abraham M. Dubno* for Otero Otero, petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Tompkins* and *Philip R. Monahan* for the United States. Reported below: 222 F. 2d 531.

No. 186, Misc. *PRICE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Charles H. Davis* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 224 F. 2d 604.

No. 208, Misc. *MCBEE v. TENNESSEE*. Supreme Court of Tennessee, Eastern Division. Certiorari denied. *William Earl Badgett* for petitioner. *Knox Bigham*, Assistant Attorney General of Tennessee, for respondent.

*Rehearing Denied.*

No. 586, Misc., October Term, 1954. *SORBER v. MISSISSIPPI*, 349 U. S. 948. Rehearing denied.

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*Decisions Per Curiam.*

No. 232. MAYOR AND CITY COUNCIL OF BALTIMORE CITY ET AL. *v.* DAWSON ET AL. Appeal from the United States Court of Appeals for the Fourth Circuit. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed. *C. Ferdinand Sybert*, Attorney General of Maryland, *Norman P. Ramsey*, Deputy Attorney General, and *Ambrose T. Hartman*, Assistant Attorney General, for appellants. *Robert L. Carter*, *Thurgood Marshall* and *Jack Greenberg* for appellees. Reported below: 220 F. 2d 386.

No. 348. RINES, ADMINISTRATOR, *v.* JUSTICES OF THE SUPERIOR COURT OF MASSACHUSETTS ET AL. Appeal from the Supreme Judicial Court of Massachusetts. *Per Curiam*: The appeal is dismissed for want of a substantial federal question. *David Rines* and *Robert H. Rines* for appellant. Reported below: 332 Mass. 527, 126 N. E. 2d 124.

No. 364. PENDER *v.* CLARK COUNTY. Appeal from the Supreme Court of Nevada. *Per Curiam*: The appeal is dismissed for want of a substantial federal question. *Charles S. Rhyne* and *Eugene F. Mullin, Jr.* for appellant. *Edmund D. Campbell* for appellee. Reported below: 71 Nev. 47, 279 P. 2d 659.

No. 352. MILWAUKEE & SUBURBAN TRANSPORT CORP. *v.* PUBLIC SERVICE COMMISSION OF WISCONSIN ET AL. Appeal from the Supreme Court of Wisconsin. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for the want of a substantial federal question. Treating the papers whereon the appeal was taken as a

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petition for writ of certiorari, certiorari is denied. *Maxwell H. Herriott* for appellant. *Vernon W. Thomson*, Attorney General of Wisconsin, *Stewart G. Honeck*, Deputy Attorney General, and *William E. Torkelson* for the Public Service Commission, and *Walter J. Mattison* and *Harry G. Slater* for the City of Milwaukee et al., appellees. Reported below: 268 Wis. 573, 68 N. W. 2d 552.

No. 385. *DUNN BROS., INC. v. STONE, CHAIRMAN, STATE TAX COMMISSION*. Appeal from the Supreme Court of Mississippi. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *C. B. Snow, Junior O'Mara* and *George H. Butler* for appellant. *John E. Stone* for appellee. Reported below: — Miss. —, —, 80 So. 2d 802, 81 So. 2d 712.

No. 394. *BERRYMAN v. OKLAHOMA*. Appeal from the Criminal Court of Appeals of Oklahoma. *Per Curiam*: The appeal is dismissed for want of a substantial federal question. *Sid White* for appellant. Reported below: 283 P. 2d 558.

No. 301. *CHIU BUT HAO v. BARBER, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE*. 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 with directions to dismiss the petition for writ of habeas corpus upon the ground that the cause is moot. *Joseph S. Hertogs* for petitioner. *Solicitor General Sobeloff* for respondent. Reported below: 222 F. 2d 821.

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No. 395. *GIANFALA ET AL. v. TEXAS COMPANY.* On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The petition for writ of certiorari is granted. The judgment of the Court of Appeals is reversed and the case is remanded to the District Court with directions to reinstate its judgment. *South Chicago Coal & Dock Co. v. Bassett*, 309 U. S. 251; *Summerlin v. Massman Const. Co.*, 199 F. 2d 715; *Wilkes v. Mississippi River Sand & Gravel Co.*, 202 F. 2d 383; *Gahagan Const. Corp. v. Armao*, 165 F. 2d 301, 305. *Raymond H. Kierr* for petitioners. Reported below: 222 F. 2d 382.

No. 396. *HOLMES ET AL. v. CITY OF ATLANTA ET AL.* On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The petition for writ of certiorari is granted, the judgments both of the Court of Appeals and the District Court are vacated and the case is remanded to the District Court with directions to enter a decree for petitioners in conformity with *Mayor & City Council of Baltimore City v. Dawson*, ante, p. 877, decided this day. *Robert L. Carter*, *Thurgood Marshall* and *E. E. Moore* for petitioners. *J. C. Murphy* and *Henry L. Bowden* for respondents. Reported below: 223 F. 2d 93.

No. 82, Misc. *DE LUCIA v. NEW JERSEY.* On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. *Per Curiam*: The petition for writ of certiorari is granted. The judgment of the Court of Appeals is reversed and the case is remanded to the District Court for a hearing concerning the circumstances surrounding petitioner's plea of guilty. Petitioner *pro se*. *Grover C. Richman, Jr.*, Attorney General of New Jersey, and *Eugene T. Urbaniak*, Deputy Attorney General, for respondent. Reported below: 221 F. 2d 957.

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No. 206, Misc. *YAEGER v. DIRECTOR, DEPARTMENT OF WELFARE OF VIRGINIA, ET AL.* Appeal from the Supreme Court of Appeals of Virginia. *Per Curiam*: The appeal is dismissed.

*Miscellaneous Orders.*

No. 10, Original. *ARIZONA v. CALIFORNIA ET AL.* This case is set for argument on the exceptions to the report of the Special Master and is assigned for hearing at the end of the call for the week beginning December 5. A total of four hours is allowed for oral argument. The motion of the United States for determination of certain legal points is denied. THE CHIEF JUSTICE took no part in the consideration or decision of these questions. *Robert Morrison*, Attorney General, *John H. Moeur*, *John P. Frank*, *John Geoffrey Will*, *Burr Sutter*, *Perry Ling*, *Theodore Kiendl* and *Franklin M. Schultz* for the State of Arizona, complainant. *Edmund G. Brown*, Attorney General, *Northcutt Ely*, *Robert L. McCarty*, *Prentiss Moore* and *Gilbert F. Nelson*, Assistant Attorneys General, *Charles E. Corker*, *Howard L. Friedman*, *Burton J. Gindler*, *James B. McKenney*, *John R. Alexander* and *George Brody*, Deputy Attorneys General, for the State of California, *Francis E. Jenney* for the Palo Verde Irrigation District, *Harry W. Horton* and *R. L. Knox, Jr.* for the Imperial Irrigation District, *Earl Redwine* for the Coachella Valley County Water District, *James H. Howard*, *Charles C. Cooper, Jr.*, *Donald M. Keith*, *Alan Pattem* and *Frank P. Doherty* for the Metropolitan Water District of Southern California, *Roger Arnebergh* for the City of Los Angeles, and *T. B. Cosgrove* for the City of San Diego, defendants. *Attorney General Brownell* for the United States, and *Harvey Dickerson*, Attorney General, and *W. T. Mathews* and *Wm. J. Kane*, Special Assistant Attorneys General, for the State of Nevada, interveners. *Duke W. Dunbar*, Attorney General, and

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*Hatfield Chilson*, Special Assistant Attorney General, for the State of Colorado et al., *Richard Robinson*, Attorney General, and *Fred E. Wilson* for the State of New Mexico, *E. R. Callister*, Attorney General, and *Dennis McCarthy*, Special Assistant Attorney General, for the State of Utah, and *George F. Guy*, Attorney General, for the State of Wyoming.

No. 10. PENNSYLVANIA *v.* NELSON. Certiorari, 348 U. S. 814, to the Supreme Court of Pennsylvania, Western District. The motion for leave to appear and present oral argument on behalf of Phil Feldman and others, as *amici curiae*, is denied.

No. 15, Misc. BONGIORNO *v.* RAGEN, WARDEN, ET AL.;

No. 119, Misc. FARRELL *v.* TINSLEY, WARDEN;

No. 167, Misc. SPENCER *v.* STEINER, WARDEN;

No. 173, Misc. ANDERSON *v.* RANDOLPH, WARDEN;

No. 190, Misc. ZIPKIN *v.* MARTIN, WARDEN, ET AL.;

No. 197, Misc. HILDEBRANDT *v.* MADIGAN, WARDEN;

and

No. 214, Misc. PETERS *v.* JOHNSTON, WARDEN, ET AL.

Motions for leave to file petitions for writs of habeas corpus denied. Petitioners *pro se.* *Latham Castle*, Attorney General of Illinois, for respondents in No. 15, Misc.

No. 43, Misc. WANAMAKER *v.* SUPREME COURT OF OHIO ET AL. Motion for leave to file petition for writ of mandamus denied.

No. 184, Misc. McDOWELL *v.* SHERIFF OF LINN COUNTY, IOWA, ET AL. Petition for writ of injunction denied.

No. 212, Misc. SESSIONS *v.* MANNING, SUPERINTENDENT, SOUTH CAROLINA PENITENTIARY. Application denied.

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*Probable Jurisdiction Noted.*

No. 380. *COVEY v. TOWN OF SOMERS*. Appeal from the Court of Appeals of New York. Probable jurisdiction noted. *Adolph I. King, Samuel M. Sprafkin* and *Mandel Matthew Einhorn* for appellant. *Otto E. Koegel* for appellee. Reported below: 308 N. Y. 798, 941, 125 N. E. 2d 862, 127 N. E. 2d 90.

*Certiorari Granted. (See also Nos. 301, 395, 396 and Misc. No. 82, supra.)*

No. 282. *SCHULZ, ADMINISTRATRIX, v. PENNSYLVANIA RAILROAD CO.* C. A. 2d Cir. Certiorari granted. *Nathan Baker* for petitioner. *Joseph P. Allen* for respondent. Reported below: 222 F. 2d 540.

No. 383. *GENERAL BOX CO. v. UNITED STATES*. C. A. 5th Cir. Certiorari granted. *Fred G. Benton* and *Edward Donald Moseley* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Morton* and *S. Billingsley Hill* for the United States. Reported below: 224 F. 2d 7.

*Certiorari Denied. (See also No. 352, supra.)*

No. 329. *HEASLEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Peyton Ford* and *Alan Y. Cole* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland* and *Joseph M. Howard* for the United States. Reported below: 218 F. 2d 86.

No. 354. *HOUSING AUTHORITY OF THE CITY OF MILWAUKEE ET AL. v. LAWSON ET UX.* Supreme Court of Wisconsin. Certiorari denied. *Walter J. Mattison* for petitioners. *Osmond K. Fraenkel* and *Paul L. Ross* for respondents. Reported below: 270 Wis. 269, 70 N. W. 2d 605.

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No. 355. *BARDIN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Wesley G. Hall* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Holland* and *Joseph M. Howard* for the United States. Reported below: 224 F. 2d 255.

No. 356. *LEWIS ET UX. v. CARVER, TRUSTEE*. C. A. 5th Cir. Certiorari denied. *John B. Ogden* for petitioners. Reported below: 223 F. 2d 867.

No. 357. *WOLFE ET AL., DOING BUSINESS AS DUTCH PAINT CO. ETC., v. NATIONAL LEAD CO.* C. A. 9th Cir. Certiorari denied. *Joseph L. Alioto* for petitioners. *Robert E. Burns*, *Milton Handler* and *John B. Henrich* for respondent. Reported below: 223 F. 2d 195.

No. 358. *SUBIN v. GOLDSMITH ET AL.*; and

No. 362. *GOLDSMITH ET AL. v. SUBIN*. C. A. 2d Cir. Certiorari denied. *Osmond K. Fraenkel* for Subin. *Samuel M. Chapin* and *Samuel Gottlieb* for Goldsmith et al. Reported below: 224 F. 2d 753.

No. 359. *BRIDE, TRANSFEREE, ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 8th Cir. Certiorari denied. *Clarence C. Chilcott* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Holland*, *Ellis N. Slack* and *Harry Marselli* for respondent. Reported below: 224 F. 2d 39.

No. 360. *UNITED STATES v. ATCHISON, TOPEKA & SANTA FE RAILWAY Co.* Court of Claims. Certiorari denied. *Solicitor General Sobeloff*, *Assistant Attorney General Burger* and *Samuel D. Slade* for the United States. *Lawrence Cake* for respondent. Reported below: 132 Ct. Cl. 753, 130 F. Supp. 593.

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No. 365. *T. A. LOVING & CO. ET AL. v. UNITED STATES*. Court of Claims. Certiorari denied. *Paul W. Steer* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Burger, Samuel D. Slade* and *Lionel Kestenbaum* for the United States. Reported below: 132 Ct. Cl. 378, 132 F. Supp. 250.

No. 367. *LaROSE v. WYMAN, COMMANDING OFFICER*. C. A. 9th Cir. Certiorari denied. *Wayne M. Collins* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Felicia H. Dubrovsky* for respondent. Reported below: 223 F. 2d 849.

No. 368. *NEW YORK CENTRAL RAILROAD CO. v. RUDDY ET AL.* C. A. 2d Cir. Certiorari denied. *Thomas S. Kernan* for petitioner. *William Paul Allen* for Ruddy, respondent. Reported below: 224 F. 2d 96.

No. 369. *PAGANO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Bernard Tompkins* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 224 F. 2d 682.

No. 370. *KANSAS CITY POWER & LIGHT CO. ET AL. v. MCKAY, SECRETARY OF THE INTERIOR, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Raymond T. Jackson, John R. Baskin, Richard L. Arnold, E. Fontaine Broun* and *Henry T. Rathbun* for petitioners. *Irvin Fane* for the Kansas City Light & Power Co., *A. Z. Patterson* for the Missouri Public Service Co. et al., *J. D. James* for the Missouri Power & Light Co., and *Robert B. Oliver, Jr.* for the Missouri Utilities Co., petitioners. *Solicitor General Sobeloff, Assistant Attorney General Burger, Paul A. Sweeney* and *Morton Liftin* for respondents. Reported below: 96 U. S. App. D. C. 273, 225 F. 2d 924.

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No. 371. HOWARD FOUNDRY CO. *v.* HARTFORD FIRE INS. Co. C. A. 7th Cir. Certiorari denied. *Lawrence C. Mills* for petitioner. *A. M. Anderson* for respondent. Reported below: 222 F. 2d 767.

No. 372. CHINA DAILY NEWS, INC. ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Paul L. Ross* and *Martin Popper* for the China Daily News et al., and *Thomas Russell Jones* for Chin You Gon et al., petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Tompkins* and *Harold D. Koffsky* for the United States. Reported below: 224 F. 2d 670.

No. 375. AUTOMOBILE INSURANCE Co. ET AL. *v.* UNITED FRUIT Co. C. A. 2d Cir. Certiorari denied. *Henry N. Longley* for petitioners. *Burton H. White* and *Hervey C. Allen* for respondent. Reported below: 224 F. 2d 72.

No. 376. SMITH *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Bernard A. Golding* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Isabelle R. Cappello* for the United States. Reported below: 224 F. 2d 58.

No. 382. EDWARDS ET AL. *v.* SHELL OIL Co. ET AL. Supreme Court of Alabama. Certiorari denied. *E. C. Yokley* and *Morton B. Howell, Jr.* for petitioners. *Douglas Arant* for respondents. Reported below: 263 Ala. 4, 81 So. 2d 535.

No. 384. PACHMAYR ET AL., DOING BUSINESS AS PACHMAYR GUN WORKS, *v.* MERSHON Co., INC. C. A. 9th Cir. Certiorari denied. *Donald W. Hamblin* for petitioners. *Collins Mason* for respondent. Reported below: 220 F. 2d 879.

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No. 386. INTERNATIONAL MOLDERS & FOUNDRY WORKERS UNION OF AMERICA, AFL, LOCAL UNION No. 294, *v.* WESTERN FOUNDRY Co. C. A. 5th Cir. Certiorari denied. *L. N. D. Wells, Jr.* and *Ruth Weyand* for petitioner. *Ben F. Johnson* and *Thomas W. Hathaway* for respondent.

No. 387. GANNON *v.* BRITTON. Supreme Court of Oklahoma. Certiorari denied. *John Blaine Gilbreath* and *Walter J. Klockau, Jr.* for petitioner. *Jeff Busby* for respondent. Reported below: 285 P. 2d 407.

No. 388. URCILO ET AL. *v.* FULLER ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Raphael G. Urciolo* and *Joseph J. Urciolo* for petitioners. Reported below: 96 U. S. App. D. C. 14, 222 F. 2d 806.

No. 391. CALIFORNIA EX REL. BARTON *v.* AMERICAN AUTOMOBILE INSURANCE Co. ET AL. District Court of Appeal of California, Second Appellate District. Certiorari denied. *Edmund G. Brown*, Attorney General, and *Charles A. Barrett*, Deputy Attorney General, for the State of California, petitioner, and *Henry G. Bodkin* for relator. *A. B. Tanner*, *Francis R. Kirkham* and *Raymond G. Stanbury* for respondents. Reported below: 132 Cal. App. 2d 317, 282 P. 2d 559.

No. 392. COLLINS ET AL. *v.* CITY OF WICHITA, KANSAS. C. A. 10th Cir. Certiorari denied. *Kenneth G. Speir* and *Herbert H. Sizemore* for petitioners. *Robt. B. Morton* and *Paul J. Donaldson* for respondent. Reported below: 225 F. 2d 132.

No. 393. LAZAROV ET AL. *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *William Gerber*, *L. E. Gwinn*

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and *Irving M. Strauch* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 225 F. 2d 319.

No. 398. *DAVIDSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *J. B. Tietz* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 225 F. 2d 836.

No. 399. *ATLANTIC COAST LINE RAILROAD CO. v. GEORGIA, ASHBURN, SYLVESTER & CAMILLA RAILROAD CO.* Supreme Court of Georgia. Certiorari denied. *Norman C. Shepard* and *Frank G. Kurka* for petitioner. *Julian Webb* for respondent. Reported below: See 91 Ga. App. 698, 897, 87 S. E. 2d 92.

No. 401. *BOARD OF SUPERVISORS OF MONROE COUNTY v. WALKER ET AL.* Supreme Court of Mississippi. Certiorari denied. *William A. Bacon* and *Thomas Fite Paine* for petitioner. *Garner W. Green* for respondents. Reported below: — Miss. —, 81 So. 2d 225.

No. 378. *FIRST NATIONAL BANK v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. Mr. JUSTICE REED took no part in the consideration or decision of this petition. *John A. Reed* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Holland*, *Ellis N. Slack* and *L. W. Post* for respondent. Reported below: 221 F. 2d 959.

No. 397. *TOFT v. KETCHUM*. Supreme Court of New Jersey. Motion for leave to file brief of New Jersey State Bar Association, as *amicus curiae*, granted. Certiorari

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denied. *Peyton Ford* and *Alan Y. Cole* for petitioner. *Harry Green, Lionel P. Kristeller, Emma E. Dillon, Peyton Ford* and *Alan Y. Cole* for the New Jersey State Bar Association, in support of the petition. Reported below: 18 N. J. 280, 611, 113 A. 2d 671, 114 A. 2d 863.

No. 17, Misc. *CIHA v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, for respondent.

No. 126, Misc. *GOLDSTEIN v. UNITED STATES*. Court of Claims. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Burger* and *Samuel D. Slade* for the United States. Reported below: 131 Ct. Cl. 228, 130 F. Supp. 330.

No. 148, Misc. *WHITE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Nathan Kestnbaum* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 223 F. 2d 674.

No. 161, Misc. *MARRON v. RAGEN, WARDEN, ET AL.* Criminal Court of Cook County, Illinois. Certiorari denied.

No. 171, Misc. *JAMES v. UFFELMAN, SUPERINTENDENT, SECURITY HOSPITAL*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 176, Misc. *MOORE v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 177, Misc. *BOBO v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied.

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No. 178, Misc. *COLEMAN v. RANDOLPH*, WARDEN. Circuit Court of Randolph County, Illinois. Certiorari denied.

No. 187, Misc. *RANDOLPH v. INDIANA*. Supreme Court of Indiana. Certiorari denied. Reported below: 234 Ind. 57, 122 N. E. 2d 860.

No. 188, Misc. *WEITZ v. CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 189, Misc. *MEEKS v. LAINSON*, WARDEN. Supreme Court of Iowa. Certiorari denied. Reported below: 246 Iowa 1237, 71 N. W. 2d 446.

No. 192, Misc. *BUTLER v. MCLEOD*, WARDEN. Criminal Court of Appeals of Oklahoma. Certiorari denied. Reported below: 286 P. 2d 281.

No. 193, Misc. *ILLINOIS EX REL. MAYES v. RANDOLPH*, WARDEN. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 194, Misc. *UNITED STATES EX REL. LAWSON v. SKEEN*, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 195, Misc. *MCNEAL v. ILLINOIS*. Circuit Court of Will County, Illinois. Certiorari denied.

No. 198, Misc. *EL v. NEW YORK*. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied. Reported below: 285 App. Div. 930, 141 N. Y. S. 2d 527.

No. 199, Misc. *WALTON v. EIDSON*, WARDEN, ET AL. Supreme Court of Missouri. Certiorari denied.

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No. 205, Misc. LEWIS *v.* ILLINOIS. Circuit Court of Will County, Illinois. Certiorari denied.

No. 209, Misc. JONES *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 215, Misc. HUBER *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied. Reported below: 18 N. J. 447, 114 A. 2d 260.

No. 241, Misc. WATSON *v.* TENNESSEE. Supreme Court of Tennessee. Certiorari denied. *Frank N. Bratton* for petitioner. *George F. McCanless*, Attorney General of Tennessee, and *Nat Tipton*, Advocate General, for respondent.

No. 255, Misc. KNIGHT *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 225 F. 2d 55.

*Rehearing Denied.*

No. 126. HALFEN *v.* UNITED STATES, *ante*, p. 827; and  
No. 307. PURITAN CHURCH ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE, *ante*, p. 810. Petitions for rehearing denied.

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*Case Dismissed Under Rule 60.*

No. 312, Misc. TABOR *v.* HARDWICK, WARDEN. On motion for a rule nisi. Dismissed on motion of petitioner pursuant to Rule 60 of the Rules of this Court.

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*Decisions Per Curiam.*

No. 44. MITCHELL, SECRETARY OF LABOR, *v.* MYRTLE GROVE PACKING Co. Certiorari, 349 U. S. 937, to the United States Court of Appeals for the Fifth Circuit. Argued November 10, 1955. Decided November 14, 1955. *Per Curiam*: The Court, agreeing with the construction of the Fair Labor Standards Act given it by the Fourth Circuit Court of Appeals in *Tobin v. Blue Channel Corp.*, 198 F. 2d 245, reverses the judgments below. *Bessie Margolin* argued the cause for petitioner. With her on the brief were *Solicitor General Sobeloff*, *Gray Thoron*, *Stuart Rothman* and *Harold S. Saxe*. *W. L. Guice* argued the cause and filed a brief for respondent. Reported below: 217 F. 2d 952.

No. 366. NAIM *v.* NAIM. Appeal from the Supreme Court of Appeals of Virginia. *Per Curiam*: The inadequacy of the record as to the relationship of the parties to the Commonwealth of Virginia at the time of the marriage in North Carolina and upon their return to Virginia, and the failure of the parties to bring here all questions relevant to the disposition of the case, prevents the constitutional issue of the validity of the Virginia statute on miscegenation tendered here being considered "in clean-cut and concrete form, unclouded" by such problems. *Rescue Army v. Municipal Court*, 331 U. S. 549, 584. The judgment is vacated and the case remanded to the Supreme Court of Appeals in order that the case may be returned to the Circuit Court of the City of Portsmouth for action not inconsistent with this opinion. *David Carliner*, *Herbert Monte Levy*, *Will Maslow*, *Arthur Lazarus*, *Richard Schifter*, *Jack Wasserman* and *Edward Ennis* for appellant. *A. A. Bangel* for appellee. Reported below: 197 Va. 80, 87 S. E. 2d 749.

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No. 390. *SYRES ET AL. v. OIL WORKERS INTERNATIONAL UNION, LOCAL No. 23, ET AL.* On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The petition for writ of certiorari is granted. The judgment of the Court of Appeals is reversed and the case is remanded to the District Court for further proceedings. *Steele v. L. & N. R. Co.*, 323 U. S. 192; *Tunstall v. Brotherhood*, 323 U. S. 210; *Railroad Trainmen v. Howard*, 343 U. S. 768. *Roberson L. King* for petitioners. *Chris Dixie* for the Oil Workers International Union, Local 23, et al., and *Quentin Keith, David Proctor* and *Archie D. Gray* for the Gulf Oil Corporation, respondents. Reported below: 223 F. 2d 739.

No. 400. *ATCHISON, TOPEKA & SANTA FE RAILWAY CO. ET AL. v. UNITED STATES ET AL.* Appeal from the United States District Court for the Eastern District of Missouri. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed. MR. JUSTICE BLACK, MR. JUSTICE REED and MR. JUSTICE DOUGLAS would note probable jurisdiction and set the case for argument. *Joseph H. Hays, Amos M. Mathews* and *Carl Helmetag, Jr.* for appellants. *Robert W. Ginnane* and *Isaac K. Hay* for the Interstate Commerce Commission, and *Floyd F. Shields, Ernest L. Rushmer* and *Arthur D. Condon* for the Fruehauf Trailer Co. et al., appellees. Reported below: 130 F. Supp. 76.

No. 409. *WILSON, EXECUTOR, ET AL. v. SIMLER.* On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit. *Per Curiam*: The petition for writ of certiorari is granted. The judgments of the Court of Appeals are vacated and the judgments of the District Court reinstated. *Sutton v. English*, 246 U. S. 199. See *Markham v. Allen*, 326 U. S. 490, 494; *Pufahl v. Estate of Parks*, 299 U. S. 217, 226. MR. JUS-

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TICE BLACK dissents. *Porter R. Chandler, Fred E. Suits and John B. Dudley* for petitioners. *Leslie L. Conner and Charles W. Conner* for respondent.

NO. 415. OWENS ET AL. *v.* OKLAHOMA TURNPIKE AUTHORITY. Appeal from the Supreme Court of Oklahoma. *Per Curiam*: The appeal is dismissed for want of a substantial federal question. *Harry D. Moreland, Harold C. Stuart and Sam Clammer* for appellants. Reported below: 283 P. 2d 827.

NO. 425. STRICKLAND *v.* SEABOARD AIR LINE RAILROAD Co. On petition for writ of certiorari to the Supreme Court of Florida. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. *Bailey v. Central Vermont R. Co.*, 319 U. S. 350. *William C. Gaither* for petitioner. *Charles R. Scott and James B. McDonough, Jr.* for respondent. Reported below: 80 So. 2d 914.

*Certiorari Granted.* (See also Nos. 390, 409 and 425, *supra.*)

NO. 404. OFFUTT HOUSING Co. *v.* COUNTY OF SARPY ET AL. Supreme Court of Nebraska. Certiorari granted. *Robert L. Stern and Charles S. Reed* for petitioner. *Clarence S. Beck*, Attorney General of Nebraska, for respondents. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, Hilbert P. Zarky and Lyle M. Turner* filed a memorandum for the United States, as *amicus curiae*, in support of the petition. Reported below: 160 Neb. 320, 70 N. W. 2d 382.

NO. 373. COMMISSIONER OF INTERNAL REVENUE *v.* LOBUE. C. A. 3d Cir. Certiorari granted. *Solicitor*

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*General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, Hilbert P. Zarky and Joseph F. Goetten* for petitioner. *Melville F. Weston* for respondent. Reported below: 223 F. 2d 367.

No. 410. AMERICAN AIRLINES, INC. *v.* NORTH AMERICAN AIRLINES, INC. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Howard C. Westwood* and *J. Randolph Wilson* for petitioner. *Hardy K. Maclay* for respondent. Reported below: 97 U. S. App. D. C. —, 228 F. 2d 432.

No. 422. RANCO, INC. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 6th Cir. Certiorari granted. *Harry E. Smoyer* for petitioner. *Solicitor General Sobeloff* and *Theophil C. Kammholz* for respondent. Reported below: 222 F. 2d 543.

*Certiorari Denied.*

No. 321. J. J. DIX, INC. *v.* COMMISSIONER OF INTERNAL REVENUE; and

No. 363. COMMISSIONER OF INTERNAL REVENUE *v.* ESTATE OF DIX. C. A. 2d Cir. Certiorari denied. *Bernard Weiss* for petitioner in No. 321 and respondent in No. 363. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, Hilbert P. Zarky* and *S. Dee Hanson* for the Commissioner. Reported below: 223 F. 2d 436.

No. 402. CLIFTON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Henry Hammer* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Carl H. Imlay* for the United States. Reported below: 224 F. 2d 329.

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No. 403. FREEDMAN *v.* DONOVAN & SCHUENKE ET AL. C. A. 9th Cir. Certiorari denied. *Charles E. Taintor* for petitioner. *Benjamin W. Shipman* for respondents. Reported below: 226 F. 2d 804.

No. 406. WICHITA FALLS & SOUTHERN RAILWAY CO. *v.* GIFFORD. C. A. 5th Cir. Certiorari denied. *Leslie Humphrey* and *John B. Pope* for petitioner. *Phillip S. Kouri* for respondent. Reported below: 224 F. 2d 374.

No. 407. KEY ET AL. *v.* McDONALD. C. A. 10th Cir. Certiorari denied. *Mac Q. Williamson*, Attorney General of Oklahoma, and *Edward M. Box* and *James P. Garrett*, Assistant Attorneys General, for petitioners. Reported below: 224 F. 2d 608.

No. 408. SEMINOLE NATION *v.* WHITE ET AL. C. A. 10th Cir. Certiorari denied. *W. F. Semple* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Morton* and *Roger P. Marquis* for the United States, respondent. Reported below: 224 F. 2d 173.

No. 411. TEXAS CONSTRUCTION CO. ET AL. *v.* UNITED STATES FOR THE USE AND BENEFIT OF CALDWELL FOUNDRY & MACHINE CO., INC. C. A. 5th Cir. Certiorari denied. *John Plath Green* for petitioners. *Hawkins Golden* and *William Burrow* for the Caldwell Foundry & Machine Co., Inc., respondent. Reported below: 224 F. 2d 289.

No. 412. HANOVER FIRE INSURANCE CO. *v.* HOLCOMBE. C. A. 5th Cir. Certiorari denied. *Henry N. Longley*, *David W. Dyer* and *Douglas D. Batchelor* for petitioner. Reported below: 223 F. 2d 844.

No. 413. CITY OF DETROIT ET AL. *v.* MURRAY CORPORATION ET AL. C. A. 6th Cir. Certiorari denied. *James*

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*H. Lee, Philip A. McHugh and Albert E. Champney* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, Lee A. Jackson and Lyle M. Turner* for the United States, respondent.

No. 414. SONKEN-GALAMBA CORP. *v.* THOMPSON, TRUSTEE. C. A. 10th Cir. Certiorari denied. *Harry L. Jacobs and N. E. Snyder* for petitioner. *Thos. M. Van Cleave, Jr.* for respondent. Reported below: 225 F. 2d 608.

No. 416. MURPHY, WARDEN, ET AL. *v.* UNITED STATES EX REL. CAMINITO. C. A. 2d Cir. Certiorari denied. *Jacob K. Javits, Attorney General of New York, James O. Moore, Jr., Solicitor General, Edward S. Silver and William I. Siegel* for petitioners. *Maurice Edelbaum* for respondent. Reported below: 222 F. 2d 698.

No. 417. GRADY *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *John J. Kelly, Jr.* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg* for the United States. Reported below: 225 F. 2d 410.

No. 418. WAITERS & WAITRESSES UNION, LOCAL 301, AFL, ET AL. *v.* SANSOM HOUSE ENTERPRISES, INC. ET AL. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. *Charles A. Rothman* for petitioners. *I. Herbert Rothenberg* for respondents. Reported below: 382 Pa. 476, 115 A. 2d 746.

No. 419. PACCIONE *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Maurice Edelbaum* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg* for the United States. Reported below: 224 F. 2d 801.

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No. 420. JACOBSON *v.* MALANDRA. C. A. 3d Cir. Certiorari denied. *Sam Weiss* for petitioner. *Walter S. Anderson* for respondent. Reported below: 224 F. 2d 786.

No. 421. SCULLY *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Herman L. Falk* and *Edward Friedman* for petitioner. *Solicitor General Sobeloff* for the United States. Reported below: 225 F. 2d 113.

No. 423. CHINBURG, DOING BUSINESS AS FREMONT PLUMBING SHOP, ET AL. *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *A. G. McClintock* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Morton*, *Roger P. Marquis* and *Fred W. Smith* for the United States. Reported below: 224 F. 2d 177.

No. 424. ALLEN *v.* OHIO. Supreme Court of Ohio. Certiorari denied. *George R. Hargreaves* for petitioner. Reported below: 163 Ohio St. 531, 127 N. E. 2d 368.

*Rehearing Denied.*

No. 294. SAMISH *v.* UNITED STATES, *ante*, p. 848. Rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application.

No. 88. NEWMAN *v.* UNITED STATES, *ante*, p. 824;

No. 122. GLEESON ET UX. *v.* CARR, TRUSTEE IN BANKRUPTCY, *ante*, p. 827;

No. 180. MASTERCRAFTERS CLOCK & RADIO Co. *v.* VACHERON & CONSTANTIN-LE COULTRE WATCHES, INC. ET AL., *ante*, p. 832;

No. 189. PIERCE *v.* HEWLETT-PACKARD Co. ET AL., *ante*, p. 833; and

No. 295. PIERCE *v.* AMERICAN COMMUNICATIONS Co., INC., *ante*, p. 844. Petitions for rehearing denied.

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No. 190. RUBSAM *v.* HARLEY C. LONEY Co., *ante*, p. 833;

No. 193. TAYLOR *v.* UNITED STATES, *ante*, p. 834;

No. 204. LURIE ET AL. *v.* UNITED STATES, *ante*, p. 835;

No. 261. SWAFFORD *v.* ATLANTIC COAST LINE RAILROAD Co., *ante*, p. 807;

No. 325. PEONY PARK, INC. ET AL. *v.* O'MALLEY, COLLECTOR OF INTERNAL REVENUE, ET AL., *ante*, p. 845;

No. 345. STERLING *v.* LOCAL 438, LIBERTY ASSOCIATION OF STEAM & POWER PIPE FITTERS & HELPERS ASSOCIATION, ET AL., *ante*, p. 875;

No. 40, Misc. VERCELES *v.* ILLINOIS, *ante*, p. 864; and

No. 109, Misc. BRABSON *v.* NEW YORK, *ante*, p. 854.  
Petitions for rehearing denied.

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*Decisions Per Curiam.*

No. 18. JEW SING *v.* BARBER, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. Certiorari, 348 U. S. 910, to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The judgment of the Court of Appeals is vacated and the case is remanded to the District Court with directions to dismiss the petition for writ of habeas corpus upon the ground that the cause is moot. *Joseph S. Hertogs* for petitioner. *Solicitor General Sobeloff* for respondent. Reported below: 215 F.2d 906.

No. 436. CAHILL *v.* NEW YORK, NEW HAVEN & HARTFORD RAILROAD Co. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed.\* MR. JUSTICE REED believes certiorari should have been denied and dissents from the judgment of reversal. MR. JUSTICE

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\*Amended May 14, 1956. 351 U. S. 183.

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FRANKFURTER, MR. JUSTICE BURTON and MR. JUSTICE HARLAN are of the opinion that the petition for writ of certiorari should have been denied. *Randolph J. Seifert* and *William A. Blank* for petitioner. *Robert M. Peet* for respondent. Reported below: 224 F. 2d 637.

No. 31, Misc. BRAMBLE *v.* HEINZE, WARDEN, ET AL. On petition for writ of certiorari to the Supreme Court of California. *Per Curiam*: The motion for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. Since the record in this case fails to show whether denial of petitioner's application for habeas corpus rests on an adequate state ground or exclusively on a federal ground, the judgment of the Supreme Court of California is vacated and the cause is remanded to that court for further proceedings. THE CHIEF JUSTICE took no part in the consideration or decision of this case. Petitioner *pro se.* *Edmund G. Brown*, Attorney General of California, and *Doris H. Maier*, Deputy Attorney General, for respondents.

No. 47, Misc. CHAISSON ET AL. *v.* SOUTHCOAST CORPORATION ET AL. On petition for writ of certiorari to the Supreme Court of Louisiana. *Per Curiam*: The motion for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. It appearing that the cause has become moot, the judgment of the Supreme Court of Louisiana is vacated and the cause is remanded for such proceedings as by that court may be deemed appropriate. *Harris v. Battle*, 348 U. S. 803. THE CHIEF JUSTICE and MR. JUSTICE BLACK are of the opinion that the case is not moot and would grant certiorari and hear argument. *Joseph L. Rauh, Jr.* and *Daniel H. Pollitt* for petitioners. *Milton C. Denbo*, *Rufus G. Poole* and *Conrad Meyer III* for respondents. Reported below: 227 La. 146, 78 So. 2d 673.

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*Miscellaneous Orders.*

No. 489. *DURLEY v. MAYO*, PRISON CUSTODIAN. Certiorari, 350 U. S. 872, to the Supreme Court of Florida. It is ordered that *Neal Rutledge, Esquire*, of Miami, Florida, be appointed to serve as counsel for the petitioner in this case.

No. 439. *JOSLYN v. FISHER*. C. A. 7th Cir. Certiorari denied. Motion for damages also denied. *Alvin Glen Hubbard* for petitioner. *Gerald G. Barry* for respondent. Reported below: 223 F. 2d 184.

*Certiorari Granted.* (See also No. 436 and Misc. Nos. 31 and 47, *supra.*)

No. 442. *COLE v. YOUNG ET AL.*, MEMBERS OF THE U. S. CIVIL SERVICE COMMISSION, ET AL. United States Court of Appeals for the District of Columbia Circuit. Folsom, present Secretary of Health, Education, and Welfare, substituted for Hobby, resigned. Certiorari granted. *Osmond K. Fraenkel, David I. Shapiro* and *James H. Heller* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger* and *Paul A. Sweeney* for respondents. Reported below: 96 U. S. App. D. C. 379, 226 F. 2d 337.

*Certiorari Denied.* (See also No. 439, *supra.*)

No. 377. *EASTERN SUGAR ASSOCIATES (A TRUST) v. PEÑA*. C. A. 1st Cir. Certiorari denied. *Earle T. Fiddler* for petitioner. Reported below: 222 F. 2d 934.

No. 405. *GRIMES & HAUER, INC. v. POLLOCK ET AL.* Supreme Court of Ohio. Certiorari denied. *Welles K. Stanley* for petitioner. *Mortimer Riemer* for respondents. Reported below: 163 Ohio St. 372, 127 N. E. 2d 203.

No. 426. *NORTHERN FUR CO., INC. ET AL. v. MINNEAPOLIS, ST. PAUL & SAULT STE. MARIE RAILWAY CO. ET AL.*

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C. A. 7th Cir. Certiorari denied. *John M. Aherne* for petitioners. *R. J. Fletcher* for respondents. Reported below: 224 F. 2d 181.

No. 427. A/S J. LUDWIG MOWINCKELS REDERI *v.* AMADOR ET AL. C. A. 2d Cir. Certiorari denied. *James M. Estabrook* and *Francis X. Byrn* for petitioner. *Philip F. Di Costanzo* and *Robert Klonsky* for Amador, respondent. Reported below: 224 F. 2d 437.

No. 428. CADILLAC PUBLISHING CO., INC. *v.* SUMMERFIELD, POSTMASTER GENERAL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Horace J. Donnelly, Jr.* and *Arthur V. Sullivan, Jr.* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Burger* and *Paul A. Sweeney* for respondent. Reported below: 97 U. S. App. D. C. —, 227 F. 2d 29.

No. 429. CENEDELLA *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Sobeloff*, *Assistant Attorney General Holland* and *Joseph M. Howard* for the United States. Reported below: 224 F. 2d 778.

No. 431. MORRIS *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Isabelle R. Cappello* for the United States. Reported below: 225 F. 2d 91.

No. 432. BREWER *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *David H. Cannon* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 224 F. 2d 189.

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No. 434. FIREMEN'S INSURANCE CO. ET AL. *v.* EDLIN. C. A. 7th Cir. Certiorari denied. *Donald N. Clausen* and *Herbert W. Hirsh* for petitioners. *John E. Cassidy* for respondent. Reported below: 225 F. 2d 80.

No. 435. GAGLIANO *v.* BONDS, OFFICER IN CHARGE, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 5th Cir. Certiorari denied. *Jack Wasserman* and *G. Wray Gill* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Robert G. Maysack* for respondent. Reported below: 222 F. 2d 958.

No. 440. STANDARD COIL PRODUCTS CO., INC. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 1st Cir. Certiorari denied. *Arthur Richenthal* for petitioner. *Solicitor General Sobeloff*, *Theophil C. Kammholz*, *David P. Findling* and *Dominick L. Manoli* for respondent. Reported below: 224 F. 2d 465.

No. 441. WALKER ET AL. *v.* BOARD OF COUNTY COMMISSIONERS OF TALBOT COUNTY ET AL. Court of Appeals of Maryland. Certiorari denied. *Hyman A. Pressman* and *Herbert H. Balch* for petitioners. *T. Hughlett Henry, Jr.* and *Charles Elliot Wheeler* for respondents. Reported below: 208 Md. 72, 116 A. 2d 393.

No. 443. NORMAN LUMBER CO. *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Walter R. Jones, Jr.* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Morton*, *Roger P. Marquis* and *Elizabeth Dudley* for the United States. Reported below: 223 F. 2d 868.

No. 445. FIRST NATIONAL BANK IN HOUSTON *v.* UNITED STATES ET AL. Court of Claims. Certiorari denied. *Edward S. Boyles* for petitioner. *Solicitor*

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*General Sobeloff, Assistant Attorney General Burger, Melvin Richter and Herman Marcuse* for the United States, and *Emanuel Harris* for the National Surety Corporation et al., respondents. Reported below: 132 Ct. Cl. 724, 133 F. Supp. 381.

No. 447. CITY AND COUNTY OF SAN FRANCISCO *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Dion R. Holm, Thomas M. O'Connor and Frank J. Needles* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger, Samuel D. Slade and Benjamin Forman* for the United States. Reported below: 223 F. 2d 737.

No. 449. KELLOGG COMPANY ET AL. *v.* UNITED STATES. Court of Claims. Certiorari denied. *William H. Dillon* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack and Louise Foster* for the United States. Reported below: 132 Ct. Cl. 507, 133 F. Supp. 387.

No. 450. NORRIS *v.* NORRIS. Supreme Court of Michigan. Certiorari denied. *John McIntosh* for petitioner. *Frederick C. Hailer* for respondent. Reported below: 342 Mich. 83, 69 N. W. 2d 208.

No. 453. WM. H. MULLER & Co., INC. *v.* SWEDISH AMERICAN LINE, LTD. ET AL. C. A. 2d Cir. Certiorari denied. *George B. Warburton* for petitioner. *Charles S. Haight* for respondents. Reported below: 224 F. 2d 806.

No. 464. CHICAGO GREAT WESTERN RAILWAY Co. *v.* KENNEY. Supreme Court of Minnesota. Certiorari denied. *David L. Grannis and Bryce L. Hamilton* for petitioner. *Donald A. Chapman* for respondent. Reported below: 245 Minn. 284, 71 N. W. 2d 669.

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No. 475. CENTRAL HUDSON GAS & ELECTRIC CORP. *v.* BANKS ET AL. C. A. 2d Cir. Certiorari denied. *George A. Garvey* for petitioner. *Melvin Sacks* for Banks, and *Clarence E. Mellen* for Ninnie Brothers, respondents. Reported below: 224 F. 2d 631.

No. 484. PAYNE ET AL. *v.* KOEHLER, DISTRICT DIRECTOR OF INTERNAL REVENUE. C. A. 8th Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Sobeloff*, *Assistant Attorney General Holland*, *Ellis N. Slack* and *Kurt W. Melchior* for respondent. Reported below: 225 F. 2d 103.

No. 493. CLACKAMAS COUNTY, OREGON, *v.* MCKAY, SECRETARY OF THE INTERIOR, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Richard L. Merrick* for petitioner. *Solicitor General Sobeloff* for respondents. Reported below: 96 U. S. App. D. C. 385, 226 F. 2d 343.

No. 463. CAPITAL TRANSIT CO. *v.* SPIEGEL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Edmund L. Jones*, *F. Gloyd Awalt*, *W. V. T. Justis* and *F. Keith Kelly* for petitioner. Respondent *pro se*. Reported below: 96 U. S. App. D. C. 307, 226 F. 2d 29.

*Rehearing Denied.*

No. 73. BEARD *v.* UNITED STATES, *ante*, p. 846. Rehearing denied. MR. JUSTICE CLARK took no part in the consideration or decision of this application.

No. 238. COTA *v.* COFFMAN, *ante*, p. 806. Rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application.

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- No. 11, Original. *MISSISSIPPI v. LOUISIANA*, *ante*, p. 5;
- No. 43. *WADE ET UX. v. MICHIGAN*, *ante*, p. 802;
- No. 77. *WOLCHER v. UNITED STATES*, *ante*, p. 822;
- No. 86. *CRIST v. WASHINGTON, VIRGINIA & MARYLAND COACH Co., INC.*, *ante*, p. 823;
- No. 106. *LEIGHTON v. SECURITIES & EXCHANGE COMMISSION*, *ante*, p. 825;
- No. 113. *JEOFFROY MFG., INC. v. GRAHAM*, *ante*, p. 826;
- No. 127. *SICKLES v. GRAYBAR ELECTRIC Co.*, *ante*, p. 827;
- No. 135. *ECHILES ET AL. v. UNITED STATES*, *ante*, p. 828;
- No. 143. *ANDERSON, ADMINISTRATRIX, v. ATLANTIC COAST LINE RAILROAD Co.*, *ante*, p. 807;
- No. 173. *PACE v. TOMLINSON, DIRECTOR OF INTERNAL REVENUE*, *ante*, p. 832;
- No. 179. *MITCHELL v. UNITED STATES*, *ante*, p. 832;
- No. 212. *BURKHALTER v. LIBERTY MUTUAL INSURANCE COMPANIES, INC. ET AL.*, *ante*, p. 805;
- No. 216. *ITEM COMPANY v. NATIONAL LABOR RELATIONS BOARD*, *ante*, p. 836;
- No. 235. *FAIRMONT ALUMINUM Co. v. COMMISSIONER OF INTERNAL REVENUE*, *ante*, p. 838;
- No. 293. *COSPER v. ILLINOIS*, *ante*, p. 844;
- No. 299. *LANDELL, EXECUTOR, ET AL. v. NORTHERN PACIFIC RAILWAY Co., FORMERLY THE SUPERIOR & ST. CROIX RAILWAY Co.*, *ante*, p. 844;
- No. 53, Misc. *ROUSSEAU v. HURTADO, EXECUTRIX, ET AL.*, *ante*, p. 851;
- No. 118, Misc. *KEITHLEY v. ILLINOIS*, *ante*, p. 854;  
and
- No. 164, Misc. *CRABTREE v. UNITED STATES*, *ante*, p. 867. Petitions for rehearing denied.

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## NOVEMBER 30, 1955.

*Case Dismissed Under Rule 60.*

No. 363, Misc. HARRIS *v.* TEXAS. Appeal from the Court of Criminal Appeals of Texas. Dismissed on motion of petitioner pursuant to Rule 60 of the Rules of this Court. Reported below: 150 Tex. Cr. R. 137, 199 S. W. 2d 522.

## DECEMBER 5, 1955.

*Decisions Per Curiam.*

No. 9. INTERSTATE COMMERCE COMMISSION *v.* STONE'S EXPRESS, INC.; and

No. 14. ST. JOHNSBURY TRUCKING CO., INC. ET AL. *v.* STONE'S EXPRESS, INC. Appeals from the United States District Court for the District of Massachusetts. Probable jurisdiction noted, 348 U. S. 886. *Per Curiam*: The judgments are vacated and the cases are remanded to the District Court for dismissal of the proceedings in accordance with the stipulation of the parties as to mootness. *Robert W. Ginnane* for appellant in No. 9. *S. Harrison Kahn* for appellants in No. 14. *Herbert Burstein* for appellee. Reported below: 122 F. Supp. 955.

No. 37. DILLON *v.* UNITED STATES. Certiorari, 349 U. S. 914, to the United States Court of Appeals for the Eighth Circuit. *Per Curiam*: The writ of certiorari is dismissed and the case is remanded to the Court of Appeals for such further action as law and justice may require. *Solicitor General Sobeloff* filed a Suggestion of Mootness. Reported below: 218 F. 2d 97.

No. 40. SNYDER, ADMINISTRATOR, *v.* UNITED STATES. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. *Per Curiam*: The petition for writ of certiorari is granted. The judgment of the Court of Appeals is reversed and the

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judgment of the District Court reinstated. MR. JUSTICE REED, MR. JUSTICE FRANKFURTER, MR. JUSTICE BURTON, and MR. JUSTICE HARLAN would deny certiorari. *John Geyer Tausig* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger and Melvin Richter* for the United States. Reported below: 218 F. 2d 266.

No. 296. UNITED STATES *v.* UNION TRUST CO. ET AL. 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 and the judgment is affirmed. *Indian Towing Co. v. United States*, 350 U. S. 61. *Solicitor General Sobeloff, Assistant Attorney General Burger, Paul A. Sweeney and Lester S. Jayson* for the United States. *David G. Bress, Sheldon E. Bernstein, Alvin L. Newmyer and Jo V. Morgan, Jr.* for respondents. Reported below: 95 U. S. App. D. C. 189, 221 F. 2d 62.

No. 298. UNION TRUST CO. ET AL. *v.* EASTERN AIR LINES, INC. 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 and the judgment is reversed.\* MR. JUSTICE FRANKFURTER and MR. JUSTICE HARLAN would not grant certiorari. *David G. Bress, Sheldon E. Bernstein, Alvin L. Newmyer and Jo V. Morgan, Jr.* for petitioners. *Joseph W. Henderson, Richard W. Galiber and John M. Aherne* for respondent. Reported below: 95 U. S. App. D. C. 189, 221 F. 2d 62.

No. 389. FEDERAL TRADE COMMISSION *v.* AMERICAN CRAYON CO. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. *Solicitor General Sobeloff,*

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\*Modified, *post*, p. 962.

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*Assistant Attorney General Barnes, Daniel M. Friedman, Earl W. Kintner and Robert B. Dawkins for petitioner. Thomas F. Butler, Jr. for respondent. Reported below: 223 F. 2d 264.*

No. 433. KANSAS EX REL. BROWN, COUNTY ATTORNEY, ET AL. *v.* HEDRICK, COUNTY CLERK, ET AL. Appeal from the Supreme Court of Kansas. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Kenneth G. Speir* for appellants. *Robt. B. Morton* and *Paul J. Donaldson* for the City of Wichita, Kansas, appellee. Reported below: 178 Kan. 135, 283 P. 2d 437.

No. 438. WHITE ET AL. *v.* ANSON ET AL., MEMBERS OF BOARD OF EDUCATION OF KANAWHA COUNTY. Appeal from the Supreme Court of Appeals of West Virginia. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. *Hayden C. Covington* for appellants. *John O. Kizer* and *W. M. Woodroe* for appellees.

No. 461. DRAWDY INVESTMENT CO. *v.* LEONARD ET UX. Appeal from the Supreme Court of Florida. *Per Curiam*: The appeal is dismissed for want of a substantial federal question. *John P. Booth* and *Charles M. Trammell* for appellant. Reported below: 77 So. 2d 855.

No. 191, Misc. UNITED STATES EX REL. HENDRICKSON *v.* HENDRICK, SUPERINTENDENT, PHILADELPHIA COUNTY PRISON. Appeal from the United States District Court for the Eastern District of Pennsylvania. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed. Appellant *pro se*. *Samuel Dash* and *Victor Wright* for appellee.

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No. 256, Misc. UNITED STATES EX REL. NICHOLS *v.* WESTERN UNION TELEGRAPH Co. Appeal from the United States District Court for the Eastern District of Virginia. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed. Appellant *pro se.* Howard W. Smith, Jr. for appellee.

*Miscellaneous Orders.*

No. 85. MARTIN BROTHERS BOX Co. *v.* INTERSTATE COMMERCE COMMISSION ET AL. The motion to set aside the order denying certiorari, 350 U. S. 823, is denied. George L. Quinn, Jr. and Donald A. Schafer for petitioner. Robert W. Ginnane and Samuel R. Howell for the Interstate Commerce Commission, and James C. Dezendorf, James E. Lyons and Charles W. Burkett, Jr. for the Southern Pacific Co., respondents. Reported below: 219 F. 2d 811.

No. 224, Misc. JOHNSON *v.* WARDEN, EASTERN STATE PENITENTIARY;

No. 230, Misc. FORESTIER *v.* UNITED STATES;

No. 233, Misc. PATTERSON *v.* TINSLEY, WARDEN; and

No. 252, Misc. HOWLERY *v.* RANDOLPH, WARDEN.

Motions for leave to file petitions for writs of habeas corpus denied.

No. 238, Misc. EX PARTE MARTIN;

No. 239, Misc. SPRYE *v.* BROWNELL, ATTORNEY GENERAL, ET AL.;

No. 248, Misc. PULLIAM *v.* U. S. COURT OF APPEALS FOR THE TENTH CIRCUIT; and

No. 254, Misc. MARSHALL *v.* UNITED STATES. Motions for leave to file petitions for writs of mandamus denied.

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No. 271, Misc. O'HALLORAN *v.* DAY, WARDEN. Motion for leave to file petition for writ of certiorari denied. Petitioner *pro se.* *Samuel Dash* and *Victor Wright* for respondent.

No. 301, Misc. GREEN *v.* CLANCY, U. S. DISTRICT JUDGE, ET AL. Motion for leave to file petition for writs of prohibition and mandamus denied. *Blanch Freedman* and *Gloria Agrin* for petitioner. *Jacob K. Javits*, Attorney General of New York, *James O. Moore, Jr.*, Solicitor General, and *Daniel M. Cohen* and *Irving L. Rollins*, Assistant Attorneys General, for Javits et al., respondents.

*Probable Jurisdiction Noted.*

No. 451. RAILWAY EMPLOYEES' DEPARTMENT, AMERICAN FEDERATION OF LABOR, ET AL. *v.* HANSON ET AL. Appeal from the Supreme Court of Nebraska. Probable jurisdiction noted. *Lester P. Schoene* for appellants. *Edson Smith* for Hanson et al., appellees. Reported below: 160 Neb. 669, 71 N. W. 2d 526.

*Certiorari Granted.* (See also Nos. 40, 296, 298 and 389, *supra.*)

No. 469. PETROWSKI ET AL. *v.* HAWKEYE-SECURITY INSURANCE Co. C. A. 7th Cir. Certiorari granted. *Richard P. Tinkham, Jr.* for petitioners. *Herbert C. Hirschboeck* and *Victor M. Harding* for respondent. Reported below: 226 F. 2d 126.

No. 60. BERRA *v.* UNITED STATES. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted, limited to question (2) presented by the petition for the writ, which reads as follows:

"(2) Whether in a prosecution under a felony indictment for tax evasion under Section 145 (b) of the 1939

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Internal Revenue Code, the trial court is required by Rule 31 of the Federal Rules of Criminal Procedure to give a requested misdemeanor instruction under Section 3616 (a) of the 1939 Internal Revenue Code, and thus allow the jury to determine whether defendant committed the greater or lesser offense."

*Stanley M. Rosenblum* and *Mark M. Hennelly* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Holland*, *Ellis N. Slack* and *Dickinson Thatcher* for the United States. Reported below: 221 F. 2d 590.

*Certiorari Denied.* (See also No. 438 and Misc. No. 271, *supra.*)

No. 297. UNION TRUST CO. ET AL. *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. *Certiorari denied.* *David G. Bress*, *Sheldon E. Bernstein*, *Alvin L. Newmyer* and *Jo V. Morgan, Jr.* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Burger*, *Paul A. Sweeney* and *Lester S. Jayson* for the United States. Reported below: 95 U. S. App. D. C. 189, 221 F. 2d 62.

No. 379. BAUSCH & LOMB OPTICAL CO. *v.* LYON. C. A. 2d Cir. *Certiorari denied.* *Edward H. Cumpston* and *G. A. Ellestad* for petitioner. *John W. Malley* and *C. Willard Hayes* for respondent. Reported below: 224 F. 2d 530.

No. 430. THOMAS *v.* UNITED STATES. C. A. 9th Cir. *Certiorari denied.* *George E. Danielson* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 227 F. 2d 667.

No. 446. TYMANN, ADMINISTRATRIX, *v.* WRIGHT, EXECUTOR, ET AL. Court of Appeals of New York. Cer-

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tiorari denied. *William B. Hoffman* for petitioner. Wright, Executor, respondent, *pro se*. Reported below: 308 N. Y. 517, 127 N. E. 2d 316.

No. 452. *MILLER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Charles E. Ford* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Joseph A. Barry* for the United States. Reported below: 224 F. 2d 561.

No. 454. *AMERICAN CRAYON CO. v. FEDERAL TRADE COMMISSION*. C. A. 6th Cir. Certiorari denied. *Thomas F. Butler, Jr.* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Barnes*, *Daniel M. Friedman*, *Earl W. Kintner* and *Robert B. Dawkins* for respondent. Reported below: 223 F. 2d 264.

No. 455. *AGRICULTURAL INSURANCE CO. ET AL. v. UNITED STATES*. Court of Claims. Certiorari denied. *Walter P. Hickey* and *L. deGrove Potter* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Burger*, *Paul A. Sweeney* and *Herman Marcuse* for the United States. Reported below: 132 Ct. Cl. 807, 132 F. Supp. 479.

No. 458. *PECKHAM 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: 96 U. S. App. D. C. 312, 226 F. 2d 34.

No. 459. *BROWN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Lee S. Jones* and *Helen R. Graft* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Holland* and *Joseph M. Howard* for the United States. Reported below: 224 F. 2d 845.

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No. 462. *KOHN v. LOUISIANA*. Supreme Court of Louisiana. Certiorari denied. *Eugene Stanley* for petitioner.

No. 465. *IRA S. BUSHEY & SONS, INC. ET AL. v. CARDILLO, DEPUTY COMMISSIONER, SECOND COMPENSATION DISTRICT, ET AL.* C. A. 2d Cir. Certiorari denied. *Bernard Katzen* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Burger* and *Samuel D. Slade* for the Deputy Commissioner, and *Paul Koch* for the Hartford Accident & Indemnity Co., respondents. *Johansen*, respondent, *pro se*. *Sidney A. Schwartz* for *Ira S. Bushey & Sons, Inc.* and the American Mutual Liability Insurance Co. Reported below: 225 F. 2d 137.

No. 466. *BRASIER v. UNITED STATES ET AL.* C. A. 8th Cir. Certiorari denied. *Herbert W. Baird* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger* and *Paul A. Sweeney* for the United States et al., and *Clarence S. Beck*, Attorney General of Nebraska, and *Robert V. Hoagland*, Assistant Attorney General, for *Decker et al.*, respondents. Reported below: 223 F. 2d 762.

No. 467. *KAYE ET AL. v. SMITHERMAN ET AL.* C. A. 10th Cir. Certiorari denied. *Howard T. Fleeson* and *Dale M. Stucky* for petitioners. *John F. Eberhardt* for respondents. Reported below: 225 F. 2d 583.

No. 468. *TYLER BANK & TRUST Co. v. CARDER ET AL.* C. A. 5th Cir. Certiorari denied. *W. Dewey Lawrence* for petitioner. *Chas. F. Potter* for respondents. Reported below: 224 F. 2d 687.

No. 473. *BENES v. CANARY, U. S. ATTORNEY.* C. A. 6th Cir. Certiorari denied. *William Patrick Clyne* for

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petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland and Joseph M. Howard* for respondent. Reported below: 224 F. 2d 470.

No. 474. REYNOLDS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Zach H. Douglas and Crampton Harris* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 225 F. 2d 123.

No. 476. NATIONAL LABOR RELATIONS BOARD *v.* GENERAL DRIVERS, WAREHOUSEMEN AND HELPERS, LOCAL 968, ET AL. C. A. 5th Cir. Certiorari denied. *Solicitor General Sobeloff, Theophil C. Kammholz, David P. Findling, Dominick L. Manoli and Samuel M. Singer* for petitioner. *Chris Dixie* for respondents. Reported below: 225 F. 2d 205.

No. 477. HAFFA *v.* IOWA. Supreme Court of Iowa. Certiorari denied. *William L. Beecher* for petitioner. *Dayton Countryman*, Attorney General of Iowa, *Raphael R. R. Dvorak*, Assistant Attorney General, and *Neill Garrett* for respondent. Reported below: 246 Iowa 1275, 71 N. W. 2d 35.

No. 479. SHIRLINGTON SUPERMARKET, INC. ET AL. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 4th Cir. Certiorari denied. *Joseph F. Castiello* for petitioners. *Solicitor General Sobeloff, Theophil C. Kammholz, David P. Findling, Dominick L. Manoli and Fannie M.Boyls* for respondent. Reported below: 224 F. 2d 649.

No. 483. EARY ET AL. *v.* WEST VIRGINIA TURNPIKE COMMISSION. Supreme Court of Appeals of West Virginia. Certiorari denied.

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No. 480. WOLFE ET AL., DOING BUSINESS AS DUTCH PAINT CO. ETC., v. NATIONAL LEAD CO. ET AL. C. A. 9th Cir. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *Joseph L. Alioto* and *Elwood S. Kendrick* for petitioners. *Robert E. Burns*, *Milton Handler* and *John B. Henrich* for the National Lead Co., and *Eugene D. Bennett* and *Francis R. Kirkham* for E. I. du Pont de Nemours & Co., respondents. Reported below: 225 F. 2d 427.

No. 487. ELLIOTT v. PACIFIC FAR EAST LINE, INC. C. A. 9th Cir. Certiorari denied. *David A. Fall* for petitioner. *Lasher B. Gallagher* for respondent. Reported below: 230 F. 2d 238.

No. 14, Misc. EATON v. BIBB ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 217 F. 2d 446.

No. 19, Misc. GREEAR v. SKEEN, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied. Petitioner *pro se*. *John G. Fox*, Attorney General of West Virginia, and *Fred H. Caplan*, Assistant Attorney General, for respondent.

No. 32, Misc. MOHLER v. MICHIGAN. Supreme Court of Michigan. Certiorari denied. Petitioner *pro se*. *Thomas M. Kavanagh*, Attorney General of Michigan, and *Edmund E. Shepherd*, Solicitor General, for respondent.

No. 140, Misc. SELBY v. MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 145, Misc. BAILEY v. SMYTH, SUPERINTENDENT, VIRGINIA PENITENTIARY. C. A. 4th Cir. Certiorari denied. *Samuel W. Tucker* and *William Davis Butts* for petitioner. Reported below: 220 F. 2d 954.

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No. 152, Misc. *WHITING v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 223 F. 2d 924.

No. 165, Misc. *SPEDITZ v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 169, Misc. *FLETCHER v. YOUNG ET UX*. C. A. 4th Cir. Certiorari denied. Reported below: 222 F. 2d 222.

No. 170, Misc. *WINSTON v. UNITED STATES*. C. A. 2d 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: 224 F. 2d 337.

No. 183, Misc. *BISSON v. HOWARD, POST COMMANDER, ET AL.* C. A. 5th Cir. Certiorari denied. *Stanley M. Rosenblum* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for respondents. Reported below: 224 F. 2d 586.

No. 185, Misc. *RINGER v. MARONEY, ACTING WARDEN, ET AL.* Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 210, Misc. *COLLINS v. WEBB, WARDEN*. Supreme Court of California. Certiorari denied.

No. 216, Misc. *PEDERSEN v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 217, Misc. *GOODE v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

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No. 219, Misc. *RUTH v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 220, Misc. *MITCHELL v. KENTUCKY*. Court of Appeals of Kentucky. Certiorari denied. Reported below: 280 S. W. 2d 189.

No. 221, Misc. *DI GIOVANNI v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *T. Emmett McKenzie* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Joseph A. Barry* for the United States. Reported below: 96 U. S. App. D. C. 65, 223 F. 2d 357.

No. 222, Misc. *WYERS ET AL. v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 223, Misc. *BISHOP v. MARONEY, ACTING WARDEN*. Supreme Court of Pennsylvania, Middle District. Certiorari denied. Reported below: 382 Pa. 324, 114 A. 2d 906.

No. 226, Misc. *LISTER v. McLEOD, WARDEN*. Criminal Court of Appeals of Oklahoma. Certiorari denied. Reported below: 285 P. 2d 1046.

No. 228, Misc. *SMITH v. NEW YORK*. Appellate Division of the Supreme Court of New York, Third Judicial Department. Certiorari denied. Reported below: 286 App. Div. 915, 142 N. Y. S. 2d 51.

No. 229, Misc. *WILLIAMS v. DELMORE, WARDEN*. Supreme Court of Washington. Certiorari denied.

No. 232, Misc. *BUCHANAN v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied.

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No. 234, Misc. *JOHNS v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. Reported below: 207 Md. 624, 113 A. 2d 891.

No. 235, Misc. *PETILLO v. INDIANA ET AL.* Supreme Court of Indiana. Certiorari denied. Reported below: 234 Ind. 385, 126 N. E. 2d 895.

No. 242, Misc. *RICCO v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Reported below: 308 N. Y. 1036, 127 N. E. 2d 869.

No. 244, Misc. *BAUMGART v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 245, Misc. *ERDMANN v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 246, Misc. *PERKINS ET UX. v. BACH*. C. A. 9th Cir. Certiorari denied. *Carl Hoppe* for petitioners. *Hudson B. Cox* for respondent. Reported below: 223 F. 2d 251.

No. 247, Misc. *SAXON v. UNITED STATES*. Court of Claims. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff*, *Assistant Attorney General Burger* and *Melvin Richter* for the United States. Reported below: 131 Ct. Cl. 408, 125 F. Supp. 953.

No. 249, Misc. *GOLDING v. WEEKS, SECRETARY OF COMMERCE*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Homer Brooks* and *Edmund Hill, Jr.* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Burger*, *Paul A. Sweeney* and *Herman Marcuse* for respondent. Reported below: 96 U. S. App. D. C. 192, 225 F. 2d 31.

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No. 250, Misc. NELSON *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 259, Misc. MASI *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: 223 F. 2d 132.

No. 268, Misc. BRAS *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Petitioner *pro se.* Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg for the United States. Reported below: 225 F. 2d 664.

*Rehearing Denied.*

No. 259. WIEMAN & WARD CO. *v.* CITY OF PITTSBURGH ET AL., *ante*, p. 840;

No. 312. UNITED STATES *v.* OHIO POWER CO., *ante*, p. 862;

No. 327. JONES *v.* MISSISSIPPI, *ante*, p. 869;

No. 338. HOLMBY PRODUCTIONS, INC. ET AL. *v.* VAUGHN ET AL., CONSTITUTING THE KANSAS STATE BOARD OF REVIEW, ET AL., *ante*, p. 870;

No. 344. ELCHIBEGOFF *v.* DULLES, SECRETARY OF STATE, ET AL., *ante*, p. 874;

No. 355. BARDIN *v.* UNITED STATES, *ante*, p. 883;

No. 64, Misc. SISK *v.* OVERLADE, WARDEN, *ante*, p. 876; and

No. 163, Misc. MORGAN *v.* SYLVESTER ET AL., *ante*, p. 867. Petitions for rehearing denied.

No. 217, Misc., October Term, 1954. MEDICH *v.* UNITED STATES, 348 U. S. 925. Motion for leave to file petition for rehearing denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this motion.

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No. 48, Misc. WETZEL *v.* MISSISSIPPI, *ante*, p. 870.  
Motion for leave to file petition for rehearing denied.

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*Case Dismissed Under Rule 60.*

No. 509. LAWLOR ET AL., TRADING AS INDEPENDENT POSTER EXCHANGE, *v.* NATIONAL SCREEN SERVICE CORPORATION ET AL. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *Francis T. Anderson* for petitioners. *Louis Nizer* for the National Screen Service Corporation, *Wm. A. Schnader, Bernard G. Segal* and *Edward W. Mullinix* for the Columbia Pictures Corporation et al., and *Louis J. Goffman* for the Warner Bros. Pictures Distributing Corporation, respondents.

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*Decisions Per Curiam.*

No. 111. GONZALES *v.* LANDON, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE, ET AL. Certiorari, 349 U. S. 943, to the United States Court of Appeals for the Ninth Circuit. Argued December 7-8, 1955. Decided December 12, 1955. *Per Curiam*: The Court is of the view that the standard of proof required in denaturalization cases (see *Schneiderman v. United States*, 320 U. S. 118; *Baumgartner v. United States*, 322 U. S. 665) is applicable to expatriation cases arising under § 401 (j) of the Nationality Act of 1940, 54 Stat. 1137, as amended, and has not been satisfied in this case. Accordingly the judgment below is reversed without reaching the constitutional questions that have been presented. *A. L. Wirin* argued the cause for petitioner. With him on the brief was *Fred Okrand*. *Oscar H. Davis* argued the cause for respondents. With him on the brief were

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*Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and J. F. Bishop.* Briefs of *amici curiae* were filed by *John W. Willis* for Mendoza-Martinez, and by *Osmond K. Fraenkel* and *Loren Miller* for the American Civil Liberties Union. Reported below: 215 F. 2d 955.

No. 444. BINGLER VACATION TOURS, INC. v. UNITED STATES ET AL. Appeal from the United States District Court for the District of New Jersey. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed. *Wilmer A. Hill* for appellant. *Solicitor General Sobeloff, Assistant Attorney General Barnes and Robert W. Ginnane* for the United States and the Interstate Commerce Commission, and *James F. X. O'Brien* and *Jack R. Turney, Jr.* for the Asbury Park-New York Transit Corporation et al., appellees. Reported below: 132 F. Supp. 793.

*Miscellaneous Orders.*

No. 14, Original. IN RE STATE OF LOUISIANA. The motion for leave to file and the petition to perpetuate testimony are granted. THE CHIEF JUSTICE took no part in the consideration or decision of this motion. *Fred S. LeBlanc*, Attorney General, *John L. Madden*, Assistant Attorney General, *Bailey Walsh*, Special Assistant Attorney General, *W. Scott Wilkinson*, *L. H. Perez*, *Frank J. Looney* and *Grove Stafford* for the State of Louisiana, petitioner. *Solicitor General Sobeloff* and *Assistant Attorney General Rankin* filed a brief for the United States in opposition to the petition.

No. 258, Misc. GOLDEN v. MCNEILL, PRISON SUPERINTENDENT, ET AL.;

No. 267, Misc. SEWARD v. DENNY; and

No. 278, Misc. GIBBS v. UNITED STATES. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 266, Misc. DAVIS *v.* SHERIFF OF FINNEY COUNTY, KANSAS. Petition for writ of injunction denied.

No. 269, Misc. ALLEN *v.* UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT. Application denied.

No. 281, Misc. WHITE *v.* UNITED STATES; and

No. 307, Misc. WALLER, SHERIFF, *v.* UNITED STATES EX REL. SHEFFIELD. Motions for leave to file petitions for writs of certiorari denied. Petitioners *pro se.* Fred S. LeBlanc, Attorney General of Louisiana, M. E. Culligan, Assistant Attorney General, and Hugh M. Wilkinson, Special Assistant Attorney General, for petitioner in No. 307, Misc. Reported below: No. 307, Misc., 224 F. 2d 280.

*Probable Jurisdiction Noted.*

No. 448. UNITED STATES *v.* MCKESSON & ROBBINS, INC. Appeal from the United States District Court for the Southern District of New York. Probable jurisdiction noted. *Solicitor General Sobeloff*, Assistant Attorney General Barnes and Daniel M. Friedman for the United States. John P. McGrath, Laurence C. Ehrhardt and Marland Gale for appellee.

*Certiorari Granted.*

No. 486. NATIONAL LABOR RELATIONS BOARD *v.* TRUITT MANUFACTURING Co. C. A. 4th Cir. Certiorari granted. *Solicitor General Sobeloff*, Theophil C. Kammholz, David P. Findling and Dominick L. Manoli for petitioner. Whiteford S. Blakeney for respondent. Reported below: 224 F. 2d 869.

No. 295, Misc. MESAROSH ET AL. *v.* UNITED STATES. C. A. 3d Cir. Certiorari granted. Frank J. Donner,

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*Arthur Kinoy* and *Marshall Perlin* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Tompkins*, *Charles F. Barber* and *Harold D. Koffsky* for the United States. Reported below: 223 F. 2d 449.

*Certiorari Denied.* (See also *Misc. Nos. 281 and 307, supra.*)

No. 481. *BLACK ET AL. v. UTAH.* Supreme Court of Utah. *Certiorari denied.* *Frank E. Flynn* for petitioners. Reported below: 3 Utah 2d 315, 283 P. 2d 887.

No. 482. *WHEC, INC. ET AL. v. FEDERAL BROADCASTING SYSTEM, INC.* United States Court of Appeals for the District of Columbia Circuit. *Certiorari denied.* *Thomas H. Wall* for *WHEC, Inc.*, and *Frank Roberson* and *Frank U. Fletcher* for the *Veterans Broadcasting Co., Inc.*, petitioners. *William A. Roberts* and *Edgar Turlington* for respondent. Reported below: 96 U. S. App. D. C. 260, 225 F. 2d 560.

No. 488. *ENKE v. BAUCUS.* Supreme Court of Montana. *Certiorari denied.* *James R. Browning* and *Lyman A. Garber* for petitioner. *Dean Acheson*, *Charles A. Horsky* and *James J. Bierbower* for respondent. Reported below: 129 Mont. —, 287 P. 2d 19.

Nos. 258 and 498. *DURST, ASSIGNEE, v. KALPAKOFF ET AL.* C. A. 9th Cir. Motion for leave to file respondent's brief in No. 258 granted. *Certiorari denied.* *Morris Lavine* for petitioner. *Philip F. Herrick* for *Chernabaeff*, respondent.

No. 495. *THROPP v. FARNUM ET AL.* United States Court of Appeals for the District of Columbia Circuit. Motion to strike respondents' brief denied. *Certiorari denied.* *Earl J. Lombard* for petitioner. *Arthur G.*

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*Lambert and John Holt Myers* for Farnum et al., respondents. Reported below: 96 U. S. App. D. C. 175, 223 F. 2d 640.

No. 35, Misc. *TEAL v. BANNAN, WARDEN*. Supreme Court of Michigan. Certiorari denied. Petitioner *pro se*. *Thomas M. Kavanagh*, Attorney General of Michigan, and *Edmund E. Shepherd*, Solicitor General, for respondent.

No. 44, Misc. *DERENIEWSKI v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied. Petitioner *pro se*. *Thomas M. Kavanagh*, Attorney General of Michigan, and *Edmund E. Shepherd*, Solicitor General, for respondent.

No. 91, Misc. *FALLEN ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Zach H. Douglas* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Joseph A. Barry* for the United States. Reported below: 220 F. 2d 946.

No. 111, Misc. *WILLIAMS v. MCLEOD, WARDEN*. Criminal Court of Appeals of Oklahoma. Certiorari denied. Reported below: 284 P. 2d 1034.

No. 240, Misc. *JACKSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 224 F. 2d 556.

No. 243, Misc. *GALLAGHER v. McCULLOUGH, SHERIFF, ET AL.* Supreme Court of Washington. Certiorari denied.

No. 257, Misc. *GORDON v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. *Roberson L. King* for petitioner. Reported below: 161 Tex. Cr. R. 594, 280 S. W. 2d 267.

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No. 263, Misc. *BYERS v. STEELE*. C. A. 8th Cir. Certiorari denied. Reported below: 225 F. 2d 481.

No. 265, Misc. *HEIMOWITZ v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Reported below: 309 N. Y. 679, 128 N. E. 2d 323.

No. 270, Misc. *MEDLEY v. STEINER, WARDEN*. Circuit Court of Anne Arundel County and Court of Appeals of Maryland. Certiorari denied. Reported below: 207 Md. 634, 115 A. 2d 287.

No. 272, Misc. *CICENIA v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied.

No. 274, Misc. *SMITH v. STEINER, WARDEN*. Court of Appeals of Maryland. Certiorari denied. Reported below: 207 Md. 628, 114 A. 2d 892.

No. 275, Misc. *NEWSTEAD v. MISSOURI*. Circuit Court of Cole County, Missouri. Certiorari denied.

No. 276, Misc. *CRABTREE v. BROWNELL ET AL.* C. A. 10th Cir. Certiorari denied.

No. 279, Misc. *GOLDSBY v. MISSISSIPPI*. Supreme Court of Mississippi. Certiorari denied. *Loring B. Moore* and *William R. Ming, Jr.* for petitioner. Reported below: — Miss. —.

No. 280, Misc. *EX PARTE DOOLEY*. Court of Criminal Appeals of Texas. Certiorari denied. Reported below: 162 Tex. Cr. R. —, 279 S. W. 2d 872.

No. 282, Misc. *CEPERO v. PAN AMERICAN AIRWAYS, INC.* C. A. 1st Cir. Certiorari denied.

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*Rehearing Denied.*

No. 256. CALLANAN ET AL. *v.* UNITED STATES, *ante*, p. 862;

No. 356. LEWIS ET UX. *v.* CARVER, TRUSTEE, *ante*, p. 883; and

No. 177, Misc. BOBO *v.* CALIFORNIA ET AL., *ante*, p. 888. Petitions for rehearing denied.

DECEMBER 16, 1955.

*Case Dismissed Under Rule 60.*

No. 68, Misc. SANTO ET AL. *v.* TEETS, WARDEN, ET AL. On petition for writ of certiorari to the Supreme Court of California. Dismissed on motion of petitioner pursuant to Rule 60 of the Rules of this Court. *Allan L. Sapiro* for petitioners.

JANUARY 5, 1956.

*Case Dismissed Under Rule 60.*

No. 372, Misc. WAGNER *v.* STRATTON, GOVERNOR OF ILLINOIS. Dismissed on motion of applicant pursuant to Rule 60 of the Rules of this Court.

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*Decisions Per Curiam.*

No. 437. BOSTON & PROVIDENCE RAILROAD CORPORATION STOCKHOLDERS *v.* NEW YORK, NEW HAVEN & HARTFORD RAILROAD Co. ET AL. Appeal from the United States District Court for the Eastern District of Virginia. *Per Curiam*: The motion of Boston & Providence Railroad Corporation Stockholders Committee for leave to intervene or, in the alternative, to file brief as *amicus curiae* is denied. The motions to affirm are granted and the judgment is affirmed. *Armistead B. Rood, Joseph B. Hyman,*

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*Cassius M. Clay* and *Sidney H. Willner* for appellants. *Solicitor General Sobeloff*, *Assistant Attorney General Barnes*, *Robert W. Ginnane* and *Isaac K. Hay* for the United States and the Interstate Commerce Commission, and *William T. Griffin* and *Herbert Burstein* for the New York, New Haven & Hartford Railroad Co., appellees. Reported below: 133 F. Supp. 488.

No. 490. UNITED STATES ET AL. *v.* WATSON BROS. TRANSPORTATION Co., INC. Appeal from the United States District Court for the District of Nebraska. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed. MR. JUSTICE REED, MR. JUSTICE DOUGLAS, and MR. JUSTICE BURTON would note probable jurisdiction. *Solicitor General Sobeloff*, *Assistant Attorney General Barnes*, *Daniel M. Friedman*, *William J. Lamont*, *Robert W. Ginnane* and *Leo H. Pou* for appellants. *Harold G. Hernly* and *Beverley S. Simms* for appellee. Reported below: 132 F. Supp. 905.

No. 501. HOLMAN *v.* MATTHEWS, COMMISSIONER OF BANKS OF WISCONSIN. Appeal from the Supreme Court of Wisconsin. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Frank P. Barker* and *Ray M. Stroud* for appellant. *Vernon W. Thomson*, Attorney General of Wisconsin, *Stewart G. Honeck*, Deputy Attorney General, and *Roy G. Tulane*, Assistant Attorney General, for appellee. *Urban A. Lavery* filed a brief for the Interstate Collectors Association, as *amicus curiae*, in support of appellant. Reported below: 270 Wis. 453, 71 N. W. 2d 368.

No. 516. FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF NEW HAVEN *v.* CONNELLY, TAX COMMISSIONER OF CONNECTICUT. Appeal from the Supreme Court of

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Errors of Connecticut. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Edward F. Becker, Charles M. Lyman and James Wm. Moore* for appellant. *John J. Bracken*, Attorney General of Connecticut, and *Louis Weinstein*, Assistant Attorney General, for appellee. Reported below: 142 Conn. 483, 115 A. 2d 455.

No. 231, Misc. *LARSEN v. CALIFORNIA*. Appeal from the Supreme Court of California. *Per Curiam*: The appeal in this case is dismissed. Reported below: 44 Cal. 2d 642, 283 P. 2d 1043.

No. 290, Misc. *SHOTKIN v. TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF FLORIDA ET AL.* Appeal from the Supreme Court of Florida. *Per Curiam*: The appeal in this case is dismissed. Reported below: 81 So. 2d 814.

No. 309, Misc. *FULLER ET AL. v. MULLINS*. Appeal from the Supreme Court of Texas. *Per Curiam*: The appeal in this case is dismissed. *I. H. Spears* for appellants.

No. 457. *CARTER v. UNITED STATES*. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The petition for writ of certiorari is granted. On consideration of the entire record and confession of error by the Solicitor General of the United States the judgment of the Court of Appeals is vacated and the case is remanded to the District Court. *John Y. Merrell and Daniel S. Ring* for petitioner. *Solicitor General Sobeloff* for the United States. Reported below: 224 F. 2d 563.

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*Miscellaneous Orders.*

No. 134. SQUIRE, COLLECTOR OF INTERNAL REVENUE, *v.* CAPOEMAN ET UX. Certiorari, 350 U. S. 816, to the United States Court of Appeals for the Ninth Circuit. Motion for leave to file brief of George H. Brasier, as *amicus curiae*, denied.

No. 474. REYNOLDS *v.* UNITED STATES, *ante*, p. 914. The application for a stay referred to the entire Court by MR. JUSTICE BLACK is denied. The petition for rehearing is also denied.

No. 133, Misc. EX PARTE LIPSCOMB;

No. 168, Misc. EX PARTE BANNING;

No. 179, Misc. SKINNER *v.* ILLINOIS;

No. 196, Misc. IN RE SMITH;

No. 299, Misc. COLEMON *v.* RAGEN, WARDEN;

No. 320, Misc. UNITED STATES EX REL. BERRY *v.* MARTIN, WARDEN;

No. 321, Misc. UNITED STATES EX REL. THOMAS *v.* PENNSYLVANIA ET AL.;

No. 327, Misc. SHEPHERD *v.* BROWNELL, ATTORNEY GENERAL;

No. 340, Misc. ELKINS *v.* SWOPE, WARDEN; and

No. 343, Misc. MCGUINN *v.* PEGELOW, SUPERINTENDENT, DISTRICT OF COLUMBIA REFORMATORY, ET AL. Motions for leave to file petitions for writs of habeas corpus denied.

No. 337, Misc. MARTIN *v.* UNITED STATES; and

No. 338, Misc. DAVIS *v.* UNITED STATES. Motions for leave to file petitions for writs of habeas corpus and certiorari denied.

No. 324, Misc. UTTAL *v.* O'DONNELL, DIRECTOR, HARLEM VALLEY STATE HOSPITAL. Application denied.

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No. 149, Misc. GRIFFIN *v.* U. S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS ET AL.;

No. 289, Misc. SMITH *v.* ROVER, U. S. ATTORNEY;

No. 335, Misc. MCDOWELL *v.* GRAVEN, U. S. DISTRICT JUDGE, ET AL.; and

No. 369, Misc. WELCH *v.* CRIMINAL DISTRICT COURT OF REEVES COUNTY, TEXAS. Motions for leave to file petitions for writs of mandamus denied.

No. 300, Misc. MAHURIN *v.* EIDSON, WARDEN; and

No. 334, Misc. LOPEZ *v.* UNITED STATES. Motions for leave to file petitions for writs of certiorari denied.

*Probable Jurisdiction Noted.*

No. 491. UNITED STATES *v.* INTERSTATE COMMERCE COMMISSION ET AL. Appeal from the United States District Court for the District of Columbia. Probable jurisdiction noted. *Solicitor General Sobeloff, Assistant Attorney General Barnes and Daniel M. Friedman* for the United States. *Robert W. Ginnane and Samuel R. Howell* for the Interstate Commerce Commission, *Charles P. Reynolds and James B. McDonough, Jr.* for the Seaboard Air Line Railroad Co., *Richard B. Gwathmey* for the Atlantic Coast Line Railroad Co., *A. J. Dixon and William B. Jones* for the Southern Railway Co., *John P. Fishwick* for the Norfolk & Western Railway Co., *Martin A. Meyer, Jr.* for the Virginian Railway Co., and *Hugh B. Cox and Windsor F. Cousins* for the Pennsylvania Railroad Co., appellees. Reported below: 132 F. Supp. 34.

No. 507. WALKER *v.* CITY OF HUTCHINSON ET AL. Appeal from the Supreme Court of Kansas. Probable jurisdiction noted. *A. Lewis Oswald and Herbert Monte Levy* for appellant. Reported below: 178 Kan. 263, 284 P. 2d 1073.

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*Certiorari Granted.* (See also No. 457, *supra*.)

No. 503. *JAY v. BOYD*, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 9th Cir. *Certiorari* granted. *Norman Leonard* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Joseph A. Barry* for respondent. Reported below: 222 F. 2d 820, 224 F. 2d 957.

No. 523. *COLLINS ET AL. v. AMERICAN BUSLINES, INC. ET AL.* Supreme Court of Arizona. *Certiorari* granted. *John P. Frank* for petitioners. *John R. Franks* for the Industrial Commission of Arizona, respondent. Reported below: 79 Ariz. 220, 286 P. 2d 214.

No. 529. *DESYLVA v. BALLENTINE*, GUARDIAN. C. A. 9th Cir. *Certiorari* granted. Motions for leave to file briefs of Music Publishers' Protective Association, Inc.; American Society of Composers, Authors and Publishers; Songwriters' Protective Association; and Motion Picture Association of America, Inc., as *amici curiae*, granted. *Pat A. McCormick* for petitioner. *Milton A. Rudin* for respondent. *Sidney Wm. Wattenberg* for the Music Publishers' Protective Association, Inc., *Herman Finkelstein* for the American Society of Composers, Authors and Publishers, *John Schulman* and *Solomon A. Klein* for the Songwriters' Protective Association, and *Sidney A. Schreiber* for the Motion Picture Association of America, Inc., movants. Reported below: 226 F. 2d 623.

*Certiorari Denied.* (See also Misc. Nos. 300, 334, 337 and 338, *supra*.)

No. 374. *WALKER v. TEXAS*. Court of Criminal Appeals of Texas. *Certiorari* denied. *W. J. Durham* and *U. Simpson Tate* for petitioner. *John Ben Shepperd*, Attorney General of Texas, and *Will D. Davis*, Assistant Attorney General, for respondent. Reported below: 162 Tex. Cr. R. —, 286 S. W. 2d 144.

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No. 456. LASKEY BROS. OF WEST VIRGINIA, INC. ET AL. v. WARNER BROS. PICTURES, INC. ET AL.; and

No. 512. PARAMOUNT FILM DISTRIBUTING CORP. ET AL. v. AUSTIN THEATRE, INC. ET AL. C. A. 2d Cir. Certiorari denied. *Bruno Schachner* and *Arnold Malkan* for petitioners in No. 456. *Bruce Bromley* for Paramount Film Distributing Corporation et al., *George A. Raftery* for RKO Keith-Orpheum Theatres, Inc. et al., and *Myles J. Lane* for Stanley Warner Management Corporation et al., petitioners in No. 512 and respondents in No. 456. Reported below: 224 F. 2d 824.

No. 478. NATIONAL ALUMINATE CORP. v. HALL LABORATORIES, INC. ET AL.; and

No. 508. HALL LABORATORIES, INC. ET AL. v. NATIONAL ALUMINATE CORP. C. A. 3d Cir. Certiorari denied. *John T. Chadwell*, *Arthur G. Connolly* and *Richard L. Johnston* for the National Aluminate Corporation. *Walter J. Blenko*, *Aaron Finger*, *James K. Everhart, Jr.* and *Eugene F. Buell* for Hall Laboratories, Inc. et al. Reported below: 224 F. 2d 303.

No. 497. ZIMMERMAN v. EMMONS. C. A. 9th Cir. Certiorari denied. *A. L. Wirin* and *Fred Okrand* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Burger*, *Melvin Richter*, *Marvin C. Taylor* and *Herman Marcuse* for respondent. Reported below: 225 F. 2d 97.

No. 502. DANIELS ET AL. v. THOMAS. C. A. 10th Cir. Certiorari denied. *Bentley M. McMullin* for petitioners. *William V. Hodges* for respondent. Reported below: 225 F. 2d 795.

No. 506. GULF, MOBILE & OHIO RAILROAD Co. v. ILLINOIS CENTRAL RAILROAD Co. C. A. 5th Cir. Certiorari

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denied. *Carl Fox, Y. D. Lott, Jr., E. L. All, Douglas Arant* and *B. A. Monaghan* for petitioner. *John W. Freels, Harold E. Spencer, D. K. McKamy, Joseph H. Wright* and *Chas. A. Helsell* for respondent. Reported below: 225 F. 2d 816.

No. 505. *MALOY v. CITY OF MULBERRY*. Supreme Court of Florida. Certiorari denied. Reported below: 80 So. 2d 609.

No. 514. *E-I-M COMPANY v. PHILADELPHIA GEAR WORKS, INC.* C. A. 5th Cir. Certiorari denied. *Walter J. Blenko* and *John H. F. Leonard* for petitioner. *Henry N. Paul, Jr., Douglas W. McGregor* and *Francis W. Sullivan* for respondent. Reported below: 223 F. 2d 36.

No. 515. *WEINBERG ET AL. v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Mitchell Jenkins* for petitioners, and *Max Rosenn* for Bird, petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 226 F. 2d 161.

No. 518. *KIEFER v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Claude L. Dawson* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger* and *Samuel D. Slade* for the United States. Reported below: — U. S. App. D. C. —, 228 F. 2d 448.

No. 519. *MEAGHER ET AL. v. EASTERN IRON & METAL CO., LTD. ET AL.* C. A. 9th Cir. Certiorari denied. *Lloyd W. Dinkelspiel* and *Bernard H. Levinson* for petitioners. *A. Joseph Sherwood* for the Eastern Iron & Metal Co., Ltd., respondent. Reported below: 225 F. 2d 841.

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No. 520. *LENTIN v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 7th Cir. Certiorari denied. *Henry H. Koven* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Lee A. Jackson and Joseph F. Goetten* for respondent. Reported below: 226 F. 2d 695.

No. 521. *BROWN LAND & ROYALTY CO. v. GREEN ET AL.* C. A. 5th Cir. Certiorari denied. *Robert G. Chandler* for petitioner. *Richard C. Cadwallader* for Green et al., respondents.

No. 522. *MCBRIDE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Bernard A. Golding and Isaac N. Groner* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 225 F. 2d 249.

No. 524. *TERRY v. SEEGMILLER*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Irving Wilner* for respondent.

No. 526. *RAWSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Howard P. Arnest* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Morton, Roger P. Marquis and Elizabeth Dudley* for the United States. Reported below: 225 F. 2d 855.

No. 527. *ESTATE OF MARKS ET AL. v. MACKINTOSH ET AL.* C. A. 5th Cir. Certiorari denied. *Harry B. Kelleher, Thomas F. Jordan, George M. Snellings, Jr., W. Dan Files, E. Leland Richardson, Wood H. Thompson and George Gunby* for petitioners. *Samuel J. Tennant, Jr.* for Mackintosh et al., respondents. Reported below: 225 F. 2d 211.

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No. 528. WALL *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Myer H. Gladstone* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 225 F. 2d 905.

No. 531. CRANOR, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY, *v.* GONZALES. C. A. 9th Cir. Certiorari denied. *Don Eastvold*, Attorney General of Washington, and *Cyrus A. Dimmick*, *Michael R. Alfieri* and *E. P. Donnelly*, Assistant Attorneys General, for petitioner. Reported below: 226 F. 2d 83.

No. 532. VON OPEL, RECEIVER, *v.* UEBERSEE FINANZ-KORPORATION, A. G., ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE CLARK took no part in the consideration or decision of this application. *Russell Hardy* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Townsend*, *James D. Hill*, *George B. Searls* and *Myron C. Baum* for Brownell, Attorney General, and *Edward J. Ennis* for Fritz von Opel, respondents. Reported below: 96 U. S. App. D. C. 230, 225 F. 2d 530.

No. 534. ROBERTS ET AL. *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *L. E. Gwinn* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 226 F. 2d 464.

No. 536. LADY NELSON, LTD. ET AL. *v.* CREOLE PETROLEUM CORP. ET AL. C. A. 2d Cir. Certiorari denied. *Eugene Underwood* for petitioners. *Ira A. Campbell* and *Raymond T. Greene* for respondents. Reported below: 224 F. 2d 591.

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No. 540. *WEISS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Sidney Morse* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger and Samuel D. Slade* for the United States. Reported below: 227 F. 2d 72.

No. 541. *BROCKMAN BUILDING CORP. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. *A. Calder Mackay and Stafford R. Grady* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Lee A. Jackson and A. F. Prescott* for respondent. Reported below: 231 F. 2d 145.

No. 542. *BAXTER v. UNITED STATES*. Court of Claims. Certiorari denied. *Edwin J. McDermott* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger, Samuel D. Slade and Herman Marcuse* for the United States. Reported below: 129 Ct. Cl. 254.

No. 546. *MARIO MERCADO E HIJOS v. PASARELL ET AL.* C. A. 1st Cir. Certiorari denied. *Pedro M. Porrata* for petitioner. *Jose Guillermo Vivas* for respondents. Reported below: 225 F. 2d 715.

No. 549. *WISMILLER v. UNITED STATES*. Court of Claims. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff* for the United States. Reported below: 133 Ct. Cl. —, 135 F. Supp. 438.

No. 472. *PRODUCTIVE INVENTIONS, INC. v. TRICO PRODUCTS CORP.* C. A. 2d Cir. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *Herbert A. Bergson and Daniel J. Freed* for petitioner. *Frank G. Raichle and Arnold Weiss* for respondent. Reported below: 224 F. 2d 678.

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No. 500. SOCIETE INTERNATIONALE POUR PARTICIPATIONS INDUSTRIELLES ET COMMERCIALES, S. A., *v.* BROWNELL, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE CLARK took no part in the consideration or decision of this application. *Roger J. Whiteford, John J. Wilson and Philip S. Peyser* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Townsend, Ralph S. Spritzer, James D. Hill, George B. Searls, Sidney B. Jacoby and Ernest S. Carsten* for respondents. Reported below: 96 U. S. App. D. C. 232, 225 F. 2d 532.

No. 513. UNITED STATES EX REL. MCCARTHY *v.* COOK, COMMANDING OFFICER, ET AL. C. A. 3d Cir. Certiorari denied. The motion to substitute Brucker, present Secretary of the Army, as a party respondent in the place of Stevens, resigned, is granted. *Thomas D. McBride and Hayden C. Covington* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Robert G. Maysack* for respondents. Reported below: 225 F. 2d 71.

No. 538. GLENN L. MARTIN Co. *v.* NORTHWEST AIRLINES, INC. ET AL. C. A. 6th Cir. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS would grant the petition for certiorari. MR. JUSTICE BURTON took no part in the consideration or decision of this application. *C. M. Horn, Thomas V. Koykka and Edward D. Crocker* for petitioner. *Francis D. Butler* for respondents. Reported below: 224 F. 2d 120.

No. 101, Misc. DEVORSE *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se.* *Latham Castle*, Attorney General of Illinois, for respondent.

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No. 16, Misc. TIPTON ET UX. *v.* CALIFORNIA. District Court of Appeal of California, Third Appellate District. Certiorari denied. Petitioners *pro se.* *Edmund G. Brown*, Attorney General of California, and *Doris H. Maier*, Deputy Attorney General, for respondent.

No. 45, Misc. HERRING *v.* ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM. Court of Criminal Appeals of Texas. Certiorari denied. Petitioner *pro se.* *John A. Wild*, Assistant Attorney General of Texas, for respondent.

No. 104, Misc. GRAEBER ET AL. *v.* WASHINGTON. Supreme Court of Washington. Certiorari denied. Reported below: 46 Wash. 2d 602, 283 P. 2d 974.

No. 106, Misc. SCHINDLER *v.* UNITED STATES. C. A. 9th 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: 221 F. 2d 743.

No. 115, Misc. ANDERSON *v.* EIDSON, WARDEN. Supreme Court of Missouri. Certiorari denied.

No. 136, Misc. BRINKLEY *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. *Preston Pope Reynolds* for petitioner. *John Ben Shepperd*, Attorney General of Texas, and *John A. Wild*, Assistant Attorney General, for respondent. Reported below: 161 Tex. Cr. R. 413, 277 S. W. 2d 704.

No. 144, Misc. CARRADO *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

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No. 157, Misc. *INTERSIMONE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Menahem Stim* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 222 F. 2d 888.

No. 181, Misc. *NEIGUT v. KEARNEY, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 221 F. 2d 803.

No. 211, Misc. *LIPSCOMB v. MADIGAN, WARDEN*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Robert G. Maysack* for respondent. Reported below: 224 F. 2d 410.

No. 213, Misc. *UNITED STATES EX REL. LILYROTH v. RAGEN, WARDEN*. C. A. 7th Cir. Certiorari denied. *Wesley G. Hall* for petitioner. Reported below: 222 F. 2d 654.

No. 227, Misc. *WOODY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 237, Misc. *MORGAN v. CITY OF NEW YORK*. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied. Petitioner *pro se*. *Peter Campbell Brown, Seymour B. Quel and John A. Murray* for respondent. Reported below: 285 App. Div. 1044, 141 N. Y. S. 2d 526.

No. 260, Misc. *FOSTON v. OHIO*. Supreme Court of Ohio. Certiorari denied. *William R. Ellis* for petitioner. Reported below: 162 Ohio St. 602, 124 N. E. 2d 724.

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No. 264, Misc. HENDREX *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied. Petitioner *pro se*. *Thomas M. Kavanagh*, Attorney General of Michigan, *Edmund E. Shepherd*, Solicitor General, and *Daniel J. O'Hara*, Assistant Attorney General, for respondent.

No. 285, Misc. O'BRIEN *v.* PENNSYLVANIA. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 287, Misc. O'BRIEN *v.* HURLEY. Supreme Judicial Court of Massachusetts. Certiorari denied. Reported below: 331 Mass. 172, 117 N. E. 2d 922.

No. 291, Misc. RIOLA *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied.

No. 292, Misc. SATCHELL *v.* RAGEN, WARDEN. Circuit Court of Will County, Illinois. Certiorari denied.

No. 296, Misc. SCASSERRA *v.* MARONEY, ACTING WARDEN. Supreme Court of Pennsylvania, Middle District. Certiorari denied.

No. 298, Misc. WIGGINS *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 302, Misc. MEEK *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 305, Misc. MAHURIN *v.* MISSOURI. Supreme Court of Missouri. Certiorari denied.

No. 306, Misc. HORTON *v.* ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM, ET AL. Court of Criminal Appeals of Texas. Certiorari denied.

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No. 308, Misc. RHEIM *v.* MURPHY, WARDEN. Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied. Reported below: 286 App. Div. 957, 143 N. Y. S. 2d 666.

No. 310, Misc. WRIGHT *v.* INDIANA. Circuit Court of St. Joseph County, Indiana. Certiorari denied.

No. 314, Misc. LAMBERT *v.* DELMORE, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied.

No. 316, Misc. BAERCHUS *v.* DAY, WARDEN. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 318, Misc. LAMB *v.* CALIFORNIA. District Court of Appeal of California, Second Appellate District. Certiorari denied. *Morris Lavine* for petitioner. *Edmund G. Brown*, Attorney General of California, *Frank J. Mackin*, Assistant Attorney General, and *Norman H. Sokolow*, Deputy Attorney General, for respondent. Reported below: 133 Cal. App. 2d 179, 283 P. 2d 727.

No. 319, Misc. UNITED STATES EX REL. HELLINGER *v.* DAY, WARDEN. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. Reported below: See 178 Pa. Super. 232, 116 A. 2d 76.

No. 322, Misc. CAVINESS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 226 F. 2d 216.

No. 325, Misc. HOLLOWAY *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

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No. 323, Misc. *TILGHMAN v. FLORIDA*. Supreme Court of Florida. Certiorari denied. Reported below: 82 So. 2d 136.

No. 326, Misc. *UNITED STATES EX REL. CUNDIFF v. RAGEN, WARDEN*. Circuit Court of Will County, Illinois. Certiorari denied.

No. 331, Misc. *ILLINOIS EX REL. PETRESS v. RAGEN, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 332, Misc. *JACKSON v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 333, Misc. *JOHNSON v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied. Reported below: 18 N. J. 422, 114 A. 2d 1.

No. 347, Misc. *DIAMOND v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 348, Misc. *MAHURIN v. EIDSON, WARDEN*. Supreme Court of Missouri. Certiorari denied.

No. 349, Misc. *WRIGHT v. PENNSYLVANIA ET AL.* Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 350, Misc. *HACKETT v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 354, Misc. *DIAMOND v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

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*Rehearing Denied.* (See also No. 474, ante, p. 929.)

No. 60. *BERRA v. UNITED STATES*, ante, p. 910;

No. 112. *REECE v. GEORGIA*, ante, p. 85;

No. 165. *LEADMAN v. GREYHOUND CORPORATION*, ante, p. 831;

No. 348. *RINES, ADMINISTRATOR, v. JUSTICES OF THE SUPERIOR COURT OF MASSACHUSETTS ET AL.*, ante, p. 877;

No. 385. *DUNN BROS., INC. v. STONE, CHAIRMAN, STATE TAX COMMISSION*, ante, p. 878;

No. 390. *SYRES ET AL. v. OIL WORKERS INTERNATIONAL UNION, LOCAL NO. 23, ET AL.*, ante, p. 892;

No. 400. *ATCHISON, TOPEKA & SANTA FE RAILWAY CO. ET AL. v. UNITED STATES ET AL.*, ante, p. 892;

No. 409. *WILSON, EXECUTOR, ET AL. v. SIMLER*, ante, p. 892;

No. 415. *OWENS ET AL. v. OKLAHOMA TURNPIKE AUTHORITY*, ante, p. 893;

No. 431. *MORRIS v. UNITED STATES*, ante, p. 901;

No. 436. *CAHILL v. NEW YORK, NEW HAVEN & HARTFORD RAILROAD CO.*, ante, p. 898;

No. 466. *BRASIER v. UNITED STATES ET AL.*, ante, p. 913; and

No. 249, Misc. *GOLDING v. WEEKS, SECRETARY OF COMMERCE*, ante, p. 918. Petitions for rehearing denied.

No. 257. *SOUTHERN PACIFIC CO. v. GILEO ET AL.*, ante, p. 818; and

No. 345. *STERLING v. LOCAL 438, LIBERTY ASSOCIATION OF STEAM & POWER PIPE FITTERS & HELPERS ASSOCIATION, ET AL.*, ante, p. 875. Motions for leave to file petitions for rehearing denied.

No. 20. *CORN PRODUCTS REFINING CO. v. COMMISSIONER OF INTERNAL REVENUE*, ante, p. 46. Rehearing denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this petition.

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No. 31, Misc. *BRAMBLE v. HEINZE, WARDEN, ET AL.*, *ante*, p. 899. Rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

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*Case Dismissed Under Rule 60.*

No. 242. *INTER-STATE NATIONAL BANK OF KANSAS CITY ET AL. v. LUTHER, TRUSTEE*. Certiorari, 350 U. S. 810, to the United States Court of Appeals for the Tenth Circuit. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *Frank H. Terrell* for petitioners. *John F. Eberhardt* for respondent. Reported below: 221 F. 2d 382.

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*Decisions Per Curiam.*

No. 504. *STATE FARM MUTUAL AUTOMOBILE INSURANCE Co. v. PALMER*. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. *Hoiness v. United States*, 335 U. S. 297; *United States v. Ellicott*, 223 U. S. 524. *Harold R. Scoville* for petitioner. *James R. Moore* for respondent. Reported below: 225 F. 2d 876.

No. 525. *BAUDHUIN v. WISCONSIN EX REL. MATTISON*. Appeal from the Supreme Court of Wisconsin. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Lawrence G. Wickert* and *Harold H. Fuhrman* for appellant. *Walter H. Bender* for appellee. Reported below: 270 Wis. 249, 70 N. W. 2d 674.

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No. 28, Misc. *HOUSE v. SWOPE, 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 is vacated and the case is remanded to the Court of Appeals for consideration in light of new information. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Robert G. Maysack* for respondent. Reported below: 219 F. 2d 538.

*Miscellaneous Orders.*

No. 460. *GREENWOOD v. UNITED STATES*. Certiorari, 350 U. S. 821, to the United States Court of Appeals for the Eighth Circuit. It is ordered that *William J. Burrell, Esquire*, of Kansas City, Missouri, be appointed to serve as counsel for the petitioner in this case.

No. 13, Original. *WISCONSIN v. TENNESSEE*. This case is set for hearing during the week of January 23 on the motion for leave to file the complaint. *Vernon W. Thomson, Attorney General, Stewart G. Honeck, Deputy Attorney General, and Roy G. Tulane and George F. Sieker, Assistant Attorneys General, for the State of Wisconsin, plaintiff. George F. McCanless, Attorney General, Allison B. Humphreys, Jr., Solicitor General, and Knox Bingham and James M. Glasgow, Assistant Attorneys General, for the State of Tennessee, defendant.*

No. 303, Misc. *MCGAHAN v. ALVIS, WARDEN*. Motion for leave to file petition for writ of certiorari and habeas corpus denied.

No. 315, Misc. *BOZELL v. LINDSAY ET AL.* Motion for leave to file petition for writ of injunction or mandamus denied.

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No. 304, Misc. TRAMAGLINO *v.* ATTORNEY GENERAL OF THE UNITED STATES ET AL.;

No. 358, Misc. ROBINSON *v.* UNITED STATES; and

No. 367, Misc. GRIMM *v.* WASHINGTON. Motions for leave to file petitions for writs of mandamus denied.

No. 317, Misc. EASON *v.* ELLIS, GENERAL MANAGER, STATE PENITENTIARY OF TEXAS;

No. 364, Misc. ALVIN *v.* BANNAN, WARDEN; and

No. 373, Misc. HILL *v.* UNITED STATES ET AL. Motions for leave to file petitions for writs of habeas corpus denied.

No. 339, Misc. HOWELL *v.* UNITED STATES. Motion for leave to file petition for writ of *coram nobis* denied.

No. 346, Misc. QUEEN *v.* U. S. DISTRICT COURT FOR THE WESTERN DISTRICT OF TENNESSEE; and

No. 361, Misc. IN RE DE MERIT. Applications denied.

*Probable Jurisdiction Noted.*

No. 485. UNITED STATES GYPSUM CO. *v.* NATIONAL GYPSUM CO. ET AL. Appeal from the United States District Court for the District of Columbia. Probable jurisdiction noted. MR. JUSTICE CLARK took no part in the consideration or decision of this question. *Bruce Bromley, Cranston Spray, Robert C. Keck* and *Hugh Lynch, Jr.* for appellant. *Elmer Finck, Samuel I. Rosenman, Seymour D. Lewis, Malcolm A. Hoffmann* and *Seymour Krieger* for the National Gypsum Co., *Herbert W. Hirsh, Norman A. Miller* and *Ganson Purcell* for the Certain-Teed Products Corporation, *Benjamin P. DeWitt* and *Sidney Pepper* for the Newark Plaster Co., and *Joseph S. Rippey* for the Ebsary Gypsum Co., Inc., appellees. Reported below: See 124 F. Supp. 573.

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*Certiorari Granted.* (See also No. 504 and Misc. No. 28, *supra.*)

No. 547. *YATES v. UNITED STATES.* C. A. 9th Cir. Certiorari granted. *Ben Margolis* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Tompkins* and *Harold D. Koffsky* for the United States. Reported below: 227 F. 2d 851.

*Certiorari Denied.* (See also No. 303, Misc., *supra.*)

No. 533. *WESTERN UNION TELEGRAPH CO. v. KAUFMAN.* C. A. 5th Cir. Certiorari denied. *John H. Waters* and *Ashton Phelps* for petitioner. Reported below: 224 F. 2d 723.

No. 535. *UNITED STATES v. LUTHER, TRUSTEE.* C. A. 10th Cir. Certiorari denied. *Solicitor General Sobeloff*, *Assistant Attorney General Burger* and *Melvin Richter* for the United States. *John F. Eberhardt* for respondent. Reported below: 225 F. 2d 499.

No. 539. *WEBER, DOING BUSINESS AS WEBER-MILLICAN & Co., v. SECURITIES AND EXCHANGE COMMISSION.* C. A. 2d Cir. Certiorari denied. *Aaron L. Danzig* for petitioner. *Solicitor General Sobeloff*, *William H. Timbers*, *Arden L. Andresen* and *Elizabeth B. A. Rogers* for respondent. Reported below: 222 F. 2d 822.

No. 544. *JACKSON, TRUSTEE IN BANKRUPTCY, v. FLOHR ET AL., DOING BUSINESS AS FLOHR & Co.* C. A. 9th Cir. Certiorari denied. *Ofell H. Johnson* for petitioner. *Francis E. Holman* for respondents. Reported below: 227 F. 2d 607.

No. 551. *WELLS FARGO BANK & UNION TRUST Co., EXECUTOR, v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Arthur H. Kent* and *Valentine Brookes* for peti-

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tioner. *Solicitor General Sobeloff, Assistant Attorney General Holland, Robert N. Anderson, Hilbert P. Zarky and Grant W. Wiprud* for the United States. Reported below: 225 F. 2d 298.

No. 552. *HABERMAN, EXECUTOR, v. EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Fritz K. Knust* for petitioner. *F. G. Coates* for respondent. Reported below: 224 F. 2d 401.

No. 554. *BLOCH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Frank E. Flynn* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg* for the United States. Reported below: 226 F. 2d 185.

No. 561. *NATIONAL AIRLINES, INC. v. CIVIL AERONAUTICS BOARD ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *John W. Cross and Clayton L. Burwell* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Barnes, Daniel M. Friedman, Franklin M. Stone, O. D. Ozment and Gerald F. Krassa* for the Civil Aeronautics Board, *E. Smythe Gambrell and W. Glen Harlan* for Eastern Air Lines, Inc., and *Stephen Ailes* for Colonial Airlines, Inc., respondents.

No. 571. *KEIPER, ADMINISTRATRIX, v. NORTHWESTERN PACIFIC RAILROAD Co.* District Court of Appeal of California, Third Appellate District. Certiorari denied. *Sidney Feinberg* for petitioner. *Arthur B. Dunne* for respondent. Reported below: 134 Cal. App. 2d 702, 286 P. 2d 47.

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No. 576. SIMONS, EXECUTOR, *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *George Trosk* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Holland* and *Lee A. Jackson* for the United States. Reported below: 227 F. 2d 168.

No. 577. HOWARD ET UX. *v.* WHEELER ET UX. Court of Appeals of Georgia. Certiorari denied. *Marvin G. Russell* for petitioners. *Carl A. Herbig* for respondents. Reported below: 92 Ga. App. 547, 88 S. E. 2d 699.

No. 138, Misc. HINES ET AL. *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *James J. Laughlin* and *Albert J. Ahern, Jr.* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 96 U. S. App. D. C. 162, 223 F. 2d 627.

No. 146, Misc. WADE ET AL. *v.* CONASAUGA RIVER LUMBER Co. C. A. 6th Cir. Certiorari denied. *Frank N. Bratton* for petitioners. *Aubrey F. Folts* and *W. Neil Thomas, Jr.* for respondent. Reported below: 221 F. 2d 312.

No. 160, Misc. CARTER *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Fred Somkin* and *Thomas M. David* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 96 U. S. App. D. C. 40, 223 F. 2d 332.

No. 172, Misc. BOWMAN *v.* ALVIS, WARDEN, ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 224 F. 2d 275.

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No. 225, Misc. MARCH *v.* NEW YORK. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 261, Misc. SALEMI *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. *Osmond K. Fraenkel* for petitioner. *Frank S. Hogan* and *Charles W. Manning* for respondent. Reported below: 309 N. Y. 208, 128 N. E. 2d 377.

No. 297, Misc. CAVANAUGH *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. *Charles R. Garry* for petitioner. Reported below: 44 Cal. 2d 252, 282 P. 2d 53.

No. 328, Misc. WILLIAMS *v.* GEORGIA. Supreme Court of Georgia. Certiorari denied. *Carter Goode* and *Eugene Gressman* for petitioner. *Eugene Cook*, Attorney General of Georgia, *Robert H. Hall*, *E. Freeman Leverett*, Assistant Attorneys General, and *Paul Webb* for respondent. Reported below: 211 Ga. 763, 88 S. E. 2d 376.

No. 330, Misc. THOMAS *v.* ARIZONA. Supreme Court of Arizona. Certiorari denied. Petitioner *pro se*. *Robert Morrison*, Attorney General of Arizona, *James H. Green, Jr.*, Special Assistant Attorney General, and *Earl Anderson* for respondent. Reported below: 79 Ariz. 158, 285 P. 2d 612.

No. 341, Misc. SPEARS *v.* TRANSCONTINENTAL BUS SYSTEM, INC. C. A. 9th Cir. Certiorari denied. *I. H. Spears, pro se*. Reported below: 226 F. 2d 94.

No. 345, Misc. ILLINOIS EX REL. SMITH *v.* RAGEN, WARDEN. Supreme Court of Illinois. Certiorari denied.

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No. 351, Misc. *MULLINS v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 353, Misc. *JACKSON v. NEW YORK STATE PAROLE BOARD ET AL.* Appellate Division of the Supreme Court of New York, Third Judicial Department. Certiorari denied. Reported below: 286 App. Div. 939, 143 N. Y. S. 2d 280.

No. 355, Misc. *CLUTE v. NEW YORK*. Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

No. 356, Misc. *FARNHAM v. BANNAN, WARDEN*. Supreme Court of Michigan. Certiorari denied.

No. 357, Misc. *HORN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 359, Misc. *GWYTHER v. TALBOTT, SECRETARY OF THE AIR FORCE, 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, Paul A. Sweeney and Herman Marcuse* for respondents.

No. 360, Misc. *BUKORSKY v. UFFELMAN, SUPERINTENDENT, ILLINOIS SECURITY HOSPITAL*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 362, Misc. *JORDAN v. NEW YORK*. County Court of Wyoming County, New York. Certiorari denied.

No. 395, Misc. *ESTEP v. WASHINGTON*. Supreme Court of Washington. Certiorari denied.

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*Case Dismissed Under Rule 60.*

No. 471, Misc. ROBERTS *v.* MICHIGAN. On petition for writ of certiorari to the Supreme Court of Michigan. Dismissed on motion of petitioner pursuant to Rule 60 of the Rules of this Court.

JANUARY 23, 1956.

*Decision Per Curiam.*

No. 100. LANSKY ET AL. *v.* SAVORETTI, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. On petition for writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. *United States v. Minker*, 350 U. S. 179. *David W. Walters* for petitioners. *Solicitor General Sobeloff* for respondent. Reported below: 220 F. 2d 906.

*Miscellaneous Orders.*

No. 387, Misc. HICE *v.* JOHNSTON, WARDEN. Motion for leave to file petition for writ of certiorari denied.

No. 393, Misc. CASTELLANOS *v.* UNITED STATES. Motion for leave to file petition for writ of certiorari denied.

No. 404, Misc. JORDAN *v.* PEGELOW, SUPERINTENDENT, DISTRICT OF COLUMBIA REFORMATORY. Motion for leave to file petition for writs of mandamus and prohibition denied.

*Certiorari Granted. (See also No. 100, supra.)*

No. 555. SUGDEN ET UX. *v.* UNITED STATES. C. A. 9th Cir. Certiorari granted. *Frank L. Snell* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 226 F. 2d 281.

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No. 553. UNITED STATES *v.* BERGH ET AL. Court of Claims. Certiorari granted. *Solicitor General Sobeloff, Assistant Attorney General Burger and Samuel D. Slade* for the United States. *J. Albert Woll and Herbert S. Thatcher* for respondents. Reported below: 132 Ct. Cl. 564, 132 F. Supp. 462.

No. 559. UNITED STATES *v.* WESTERN PACIFIC RAILROAD Co. ET AL. Court of Claims. Certiorari granted. *Solicitor General Sobeloff, Assistant Attorney General Burger, Melvin Richter and Morton Hollander* for the United States. *Lawrence Cake* for respondents. Reported below: 132 Ct. Cl. 115, 131 F. Supp. 919.

No. 560. UNITED STATES *v.* CHESAPEAKE & OHIO RAILWAY Co. C. A. 4th Cir. Certiorari granted. *Solicitor General Sobeloff, Assistant Attorney General Burger, Melvin Richter and Alan S. Rosenthal* for the United States. *Strother Hynes and Meade T. Spicer, Jr.* for respondent. Reported below: 224 F. 2d 443.

*Certiorari Denied.* (See also Misc. Nos. 387 and 393, *supra.*)

No. 322. VIVIAN *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Pearl M. Hart and Edmund Hatfield* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Carl H. Imlay* for the United States. Reported below: 224 F. 2d 53.

No. 563. NASH *v.* INTERSTATE COMMERCE COMMISSION ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Simon J. Nash, pro se. Solicitor General Sobeloff, Assistant Attorney General Burger, Melvin Richter and Lionel Kestenbaum* for respondents. Reported below: 96 U. S. App. D. C. 203, 225 F. 2d 42.

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No. 537. *SPRIGGS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Carolyn E. Agger* and *Eugene Gressman* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Holland*, *Joseph M. Howard* and *Dickinson Thatcher* for the United States. Reported below: 225 F. 2d 865.

No. 550. *ARENA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application. *Alfonso J. Zirpoli* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 226 F. 2d 227.

No. 377, Misc. *OWENS v. SWOPE ET AL.* Supreme Court of New Mexico. Certiorari denied. Reported below: 60 N. M. 71, 287 P. 2d 605.

No. 383, Misc. *MIDDLETON v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 394, Misc. *THOMPSON v. MISSOURI*. Supreme Court of Missouri. Certiorari denied.

No. 398, Misc. *MANARO v. RAGEN, WARDEN*. Circuit Court of Will County, Illinois. Certiorari denied.

No. 401, Misc. *RICHARDSON v. PENNSYLVANIA*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 406, Misc. *KIRK v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. Reported below: 208 Md. 659, 117 A. 2d 912.

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*Rehearing Denied.*

No. 10, Original. ARIZONA *v.* CALIFORNIA ET AL., *ante*, p. 114. Rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application.

No. 484. PAYNE ET AL. *v.* KOEHLER, DISTRICT DIRECTOR OF INTERNAL REVENUE, *ante*, p. 904. Motion for leave to file petition for rehearing denied.

No. 32. MICHEL *v.* LOUISIANA, *ante*, p. 91;

No. 36. PORET ET AL. *v.* LOUISIANA, *ante*, p. 91;

No. 379. BAUSCH & LOMB OPTICAL Co. *v.* LYON, *ante*, p. 911;

No. 393. LAZAROV ET AL. *v.* UNITED STATES, *ante*, p. 886;

No. 458. PECKHAM *v.* UNITED STATES, *ante*, p. 912;

No. 461. DRAWDY INVESTMENT Co. *v.* LEONARD ET UX., *ante*, p. 908; and

No. 282, Misc. CEPERO *v.* PAN AMERICAN AIRWAYS, INC., *ante*, p. 925. Petitions for rehearing denied.

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*Decisions Per Curiam.*

No. 13, Original. WISCONSIN *v.* TENNESSEE. On motion for leave to file complaint. Argued January 23, 1956. Decided January 30, 1956. *Per Curiam*: The motion for leave to file the complaint is denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this motion. *Vernon W. Thomson*, Attorney General, argued the cause for the State of Wisconsin, plaintiff. With him on the brief were *Stewart G. Honeck*, Deputy Attorney General, and *Roy G. Tulane* and *George F. Sieker*, Assistant Attorneys General. *Knox Bigham*, Assistant Attorney General, argued the cause for the State of Tennessee, defendant. With him on the brief

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were *George F. McCanless*, Attorney General, *Allison B. Humphreys, Jr.*, Solicitor General, and *James M. Glasgow*, Assistant Attorney General.

No. 105. THOMPSON *v.* COASTAL OIL Co. Certiorari, 350 U. S. 817, to the United States Court of Appeals for the Third Circuit. Argued January 24, 1956. Decided January 30, 1956. *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. *Charles Andrews Ellis* argued the cause for petitioner. With him on the brief was *Silas Blake Axtell*. *Michael E. Hanrahan* argued the cause and filed a brief for respondent. Reported below: 221 F. 2d 559.

No. 41. UNITED STATES *v.* VIRGINIA ELECTRIC & POWER Co. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. *Per Curiam*: The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded to the Court of Appeals for further consideration in the light of *United States v. Twin City Power Co.*, 350 U. S. 222. *Solicitor General Sobeloff* for the United States. *Ralph H. Ferrell, Jr.* and *Francis V. Lowden, Jr.* for respondent. Reported below: 218 F. 2d 524.

No. 209. UNITED STATES *v.* TWIN CITY POWER COMPANY OF GEORGIA ET AL. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. *United States v. Twin City Power Co.*, 350 U. S. 222. MR. JUSTICE FRANKFURTER, MR. JUSTICE BURTON, MR. JUSTICE MINTON, and MR. JUSTICE HARLAN dissent for the reasons stated in MR. JUSTICE BURTON'S dissent in *United States v. Twin City*

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\*This judgment vacated and case restored to docket for reargument, *post*, p. 985.

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*Power Co.*, 350 U. S., at 229. *Solicitor General Sobeloff* for the United States. *David W. Robinson* for respondents. Reported below: 221 F. 2d 299.

No. 494. *CROWDER ET AL. v. VIRGINIA EX REL. STATE CORPORATION COMMISSION*. Appeal from the Supreme Court of Appeals of Virginia. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Alexander H. Sands, Sr.* and *Frank A. S. Wright* for appellants. *J. Lindsay Almond, Jr.*, Attorney General of Virginia, and *C. F. Hicks*, Assistant Attorney General, for appellee. Reported below: 197 Va. 96, 87 S. E. 2d 745.

*Miscellaneous Orders.*

No. 244. *KONIGSBERG v. STATE BAR OF CALIFORNIA ET AL.* On petition for writ of certiorari to the Supreme Court of California. The motion for leave to file brief of National Lawyers Guild et al., as *amici curiae*, is denied.

No. 451. *RAILWAY EMPLOYES' DEPARTMENT, AMERICAN FEDERATION OF LABOR, ET AL. v. HANSON ET AL.* Appeal from the Supreme Court of Nebraska. (Probable jurisdiction noted, 350 U. S. 910.) The motions of the State of Texas, the Commonwealth of Virginia, and *M. E. Sandsberry, Jr.* et al. for leave to appear and present oral argument, as *amici curiae*, are denied.

No. 516, Misc. *COOPER v. UNITED STATES*. Application for bail denied. *George C. Dyer* and *Ross O'Donoghue* for petitioner. *Solicitor General Sobeloff* for the United States.

*Probable Jurisdiction Noted.*

No. 530. *UNITED AUTOMOBILE, AIRCRAFT AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA v. WISCONSIN EMPLOYMENT RELATIONS BOARD ET AL.* Appeal from

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the Supreme Court of Wisconsin. Probable jurisdiction noted. *Harold A. Cranefield* and *Max Raskin* for appellant. *Vernon W. Thomson*, Attorney General of Wisconsin, *Stewart G. Honeck*, Deputy Attorney General, and *Beatrice Lampert*, Assistant Attorney General, for the Wisconsin Employment Relations Board, and *John F. Lane* for the Kohler Co., appellees. *J. Albert Woll*, *Arthur J. Goldberg* and *David E. Feller* filed a brief for the American Federation of Labor and Congress of Industrial Organizations, as *amicus curiae*, urging that probable jurisdiction be noted. Reported below: 269 Wis. 578, 70 N. W. 2d 191.

*Certiorari Granted.* (See Nos. 41 and 209, *supra*.)

*Certiorari Denied.*

No. 570. RABIN, DOING BUSINESS AS JACK RABIN FARMS, *v.* LAKE WORTH DRAINAGE DISTRICT. Supreme Court of Florida. *Certiorari denied.* *William E. Miller* for petitioner. *Hal H. McCaghren* and *C. D. Blackwell* for respondent. Reported below: 82 So. 2d 353.

No. 572. TRADERS & GENERAL INSURANCE Co. *v.* CHAMP ET AL. C. A. 9th Cir. *Certiorari denied.* *William H. Abrams* for petitioner. *John W. Montgomery* for respondents. Reported below: 225 F. 2d 802, 226 F. 2d 829.

No. 574. WARD *v.* THOMAS, SECRETARY OF THE NAVY. United States Court of Appeals for the District of Columbia Circuit. *Certiorari denied.* *Marcus Borchardt* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Burger*, *Melvin Richter* and *Alan S. Rosenthal* for respondent. Reported below: 96 U. S. App. D. C. 302, 225 F. 2d 953.

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No. 567. ALBERS ET AL. v. THOMPSON, TRUSTEE, ET AL.; and

No. 568. MISSOURI PACIFIC RAILROAD COMPANY 5¼% SECURED SERIAL BONDHOLDERS COMMITTEE ET AL. v. THOMPSON, TRUSTEE, ET AL. C. A. 8th Cir. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of these applications. *Harry B. Sutter* and *Samuel H. Horne* for petitioners in No. 567. *William H. Biggs* for the Missouri Pacific Railroad Company 5¼% Secured Serial Bondholders Committee, and *Fredrick M. Myers* for Huston et al., petitioners in No. 568. *Russell L. Dearmont* and *Thos. T. Railey* for Thompson et al. *Clair B. Hughes* for the Manufacturers Trust Co. *DeLancey C. Smith* for the Protective Committee for Secured Serial 5¼% Gold Bonds of Missouri Pacific Railroad Co. et al. *David M. Potts* and *Abraham Wilson* for the Empire Trust Co. *Douglas B. Steimle* for the Bondholders Protective Committee for Missouri Pacific Railroad Company General Mortgage Bonds. *William P. Palmer* for the Bankers Trust Co. *Robert H. McRoberts* for the St. Louis Union Trust Co. *John M. MacGregor* for the Protective Committee for Holders of Preferred Stock of the Missouri Pacific Railroad Co. *Harold C. McCollom* for the Irving Trust Co. *Leonard D. Adkins* and *S. Mayner Wallace* for the Savings Banks Trust Co. *Hugh L. M. Cole* for the City Bank Farmers Trust Co. *Edward F. Colladay* and *Everett Paul Griffin* for Wright et al. *Walter H. Brown, Jr.* for the New York Trust Co. *Abraham K. Weber* for Rosenberger et al. *Burton K. Wheeler*, *Edward K. Wheeler* and *Eldon S. Olson* for the Missouri Pacific Railroad Co. *Percival E. Jackson* for Jackson et al. *Emmet McCaffery* for the Chemical Corn Exchange Bank. *John L. J. Hart* for the Alleghany Corporation. Reported below: 225 F. 2d 761.

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No. 582. *TIDEWATER ASSOCIATED OIL CO. v. WILLIAMS*. C. A. 9th Cir. Certiorari denied. *Edw. S. Franklin* for petitioner. *E. J. Friedman* for respondent. Reported below: 227 F. 2d 791.

No. 592. *LIGHT v. MURPHY, GUARDIAN*. C. A. 5th Cir. Certiorari denied. *Daniel Neal Heller* for petitioner. *Jacob Rassner* for respondent. Reported below: 224 F. 2d 944.

*Rehearing Denied.*

No. 120. *ZIENTEK v. READING COMPANY, ante*, p. 846. Motion for leave to file petition for rehearing denied.

No. 395. *GIANFALA ET AL. v. TEXAS COMPANY, ante*, p. 879. Rehearing denied.

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*Decisions Per Curiam.*

No. 558. *MAC INVESTMENT CO. v. UNITED STATES*. Appeal from the United States District Court for the Eastern District of Michigan. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed. *Rockwell T. Gust, Bruce Griswold and James T. Hoffmann* for appellant. *Solicitor General Sobeloff, Assistant Attorney General Barnes, Charles H. Weston and Baddia J. Rashid* for the United States. Reported below: 134 F. Supp. 74.

No. 578. *DOPCUS v. CITY OF WEST PALM BEACH ET AL.* Appeal from the Supreme Court of Florida. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Peter J. Cunningham* for appellant. *Egbert Beall, C. Robert Burns and Robie L. Mitchell* for appellees. Reported below: 82 So. 2d 756.

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No. 589. *V. P. SERODINO, INC. v. UNITED STATES ET AL.* Appeal from the United States District Court for the Southern District of Ohio. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS would note probable jurisdiction and set the case for argument. *John S. Burchmore* and *Robert N. Burchmore* for appellant. *Solicitor General Sobeloff*, *Assistant Attorney General Barnes*, *Charles H. Weston*, *Robert W. Ginnane* and *H. Neil Garson* for the United States and the Interstate Commerce Commission, *Donald Macleay* for the Inland Water Carriers Freight Association, *John H. Eisenhart, Jr.* for the Great Lakes Ship Owners Association, *Harry C. Ames, Jr.* for the American Barge Line Co. et al., *R. Granville Curry* and *Frederick M. Dolan* for the Union Barge Line Corporation, and *James H. McGlothlin* for the Baltimore & Ohio Railroad Co. et al., appellees.

No. 22, Misc. *BISHOP v. UNITED STATES.* On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. *Per Curiam*: The motion for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the District Court for a hearing on the sanity of the petitioner at the time of his trial. *Edward John Skeens* for petitioner. *Solicitor General Sobeloff* for the United States. Reported below: 96 U. S. App. D. C. 117, 223 F. 2d 582.

#### *Miscellaneous Orders.*

No. 345. *STERLING v. LOCAL 438, LIBERTY ASSOCIATION OF STEAM & POWER PIPE FITTERS & HELPERS ASSOCIATION, ET AL.* The motion for leave to file petition for writ of mandamus is denied. *Louis R. Milio* for petitioner.

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No. 451. RAILWAY EMPLOYEES' DEPARTMENT, AMERICAN FEDERATION OF LABOR, ET AL. *v.* HANSON ET AL. Appeal from the Supreme Court of Nebraska. (Probable jurisdiction noted, 350 U. S. 910.) The motions of the State of Utah and Chamber of Commerce of the United States for leave to appear and present oral argument, as *amici curiae*, are denied.

No. 298. UNION TRUST CO. ET AL. *v.* EASTERN AIR LINES, INC. On consideration of the petition for rehearing, the order of December 5, 1955, *ante*, p. 907, is reopened and is modified by directing that the case be remanded to the Court of Appeals to permit that court to pass upon the several issues left undecided by our reversal of its judgment.

No. 204, Misc. HILL *v.* UNITED STATES;

No. 388, Misc. NEWSTEAD *v.* MISSOURI;

No. 402, Misc. EX PARTE LEVY;

No. 403, Misc. EX PARTE EMANUEL;

No. 409, Misc. LENZ *v.* LOONEY, WARDEN, ET AL.;

No. 413, Misc. SAM *v.* DELMORE, WARDEN;

No. 423, Misc. BINKLEY *v.* ALVIS, WARDEN;

No. 476, Misc. CHAPMAN *v.* GALLAGHER, SHERIFF;

No. 477, Misc. CONNOR *v.* MAYO; and

No. 478, Misc. BENTON *v.* UNITED STATES. Motions for leave to file petitions for writs of habeas corpus denied. Petitioners *pro se*. Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg for the United States in No. 204, Misc.

No. 415, Misc. HARRISON *v.* SKEEN, WARDEN. Application for injunction and motion for leave to file petition for writ of mandamus denied.

No. 447, Misc. YACHT *v.* MURPHY, U. S. DISTRICT JUDGE. Petition for mandatory writ of injunction denied.

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No. 420, Misc. WASHINGTON *v.* UNITED STATES ET AL. Motion for leave to file petition for writ of mandamus denied.

No. 475, Misc. BRYANT *v.* MAILLER, CHAIRMAN, NEW YORK STATE PAROLE BOARD, ET AL. Application denied.

No. 484, Misc. GOODSON *v.* VIRGINIA. Motion for leave to file petition for declaratory judgment denied.

*Probable Jurisdiction Noted.*

No. 548. BUTLER *v.* MICHIGAN. Appeal from the Recorder's Court of the City of Detroit, Michigan. Probable jurisdiction noted. *Manuel Lee Robbins* and *William G. Comb* for appellant. *Thomas M. Kavanagh*, Attorney General of Michigan, *Edmund E. Shepherd*, Solicitor General, and *Daniel J. O'Hara*, Assistant Attorney General, for appellee. Briefs of *amici curiae* urging that probable jurisdiction be noted were filed by *Horace S. Manges* for the American Book Publishers Council, Inc., and *Osmond K. Fraenkel* for the Authors League of America, Inc.

*Certiorari Granted.* (See also No. 22, Misc., *supra.*)

No. 579. BANK OF AMERICA NATIONAL TRUST & SAVINGS ASSOCIATION *v.* PARNELL; and

No. 580. BANK OF AMERICA NATIONAL TRUST & SAVINGS ASSOCIATION *v.* FIRST NATIONAL BANK IN INDIANA, PENNSYLVANIA. C. A. 3d Cir. Certiorari granted. *Robert L. Kirkpatrick*, *John G. Buchanan* and *Erwin N. Griswold* for petitioner. *B. B. McGinnis* for respondent in No. 579. *Harvey A. Miller*, *Harvey A. Miller, Jr.* and *J. Lee Miller* for respondent in No. 580. Reported below: 226 F. 2d 297.

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No. 616. LEITER MINERALS, INC. *v.* UNITED STATES. C. A. 5th Cir. Certiorari granted. *Vance Plauche* and *Samuel W. Plauche, Jr.* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Morton*, *Roger P. Marquis* and *Fred W. Smith* for the United States. Reported below: 224 F. 2d 381.

No. 622. LA BUY *v.* HOWES LEATHER CO., INC. ET AL. C. A. 7th Cir. Certiorari granted. *Edward R. Johnston* and *James A. Sprowl* for petitioner. *Jack I. Levy* for the Howes Leather Co., Inc., and *David L. Dickson* for Montgomery Ward & Co., Inc., respondents. Reported below: 226 F. 2d 703.

No. 625. ROGERS *v.* THOMPSON, TRUSTEE. Supreme Court of Missouri. Certiorari granted. *Mark D. Eagleton* for petitioner. *Thomas T. Railey* for respondent. Reported below: 284 S. W. 2d 467.

No. 601. BROWNELL, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN, *v.* CHASE NATIONAL BANK OF NEW YORK, TRUSTEE, ET AL. Appellate Division of the Supreme Court of New York, First Department. Certiorari granted. MR. JUSTICE CLARK and MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *Solicitor General Sobeloff*, *Assistant Attorney General Townsend*, *James D. Hill* and *George B. Searls* for petitioner. *Thomas A. Ryan* for the Chase National Bank of New York, *Samuel Anatole Lourie* for Schaefer et al., and *Arthur J. O'Leary* and *Kenneth J. Mullane* for Schwarzburger et al., respondents. Reported below: 1 Misc. 2d 558.

No. 610. PUTNAM ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 8th Cir. Certiorari granted. *A. Lyman Beardsley* for petitioners. *Solicitor General Sobeloff* for respondent. Reported below: 224 F. 2d 947.

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No. 621. REED *v.* PENNSYLVANIA RAILROAD CO. C. A. 3d Cir. Certiorari granted. *Joseph S. Lord, III*, for petitioner. *Philip Price* for respondent. Reported below: 227 F. 2d 810.

No. 137, Misc. POLLARD *v.* UNITED STATES. C. A. 8th Cir. Certiorari granted. Petitioner *pro se*. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States.

*Certiorari Denied.*

No. 557. DAVIS *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Randolph E. Paul* and *Louis Eisenstein* for petitioner. *Solicitor General Sobeloff*, *Acting Assistant Attorney General Rice* and *Joseph M. Howard* for the United States. Reported below: 226 F. 2d 331.

No. 564. CANTON *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Hayner N. Larson* for petitioner. *Solicitor General Sobeloff*, *Acting Assistant Attorney General Rice* and *Dickinson Thatcher* for the United States. Reported below: 226 F. 2d 313.

No. 569. RISSER ET AL. *v.* CITY OF LITTLE ROCK, ARK., ET AL. Supreme Court of Arkansas. Certiorari denied. *Bernal Seamster* for petitioners. *Pat Mehaffy* and *O. D. Longstreth, Jr.* for respondents. Reported below: — Ark. —, 281 S. W. 2d 949.

No. 583. THOMPSON, EXECUTRIX, *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 8th Cir. Certiorari denied. *Clarence E. Dawson* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Holland*, *Ralph S. Spritzer*, *Robert N. Anderson* and *Carolyn R. Just* for respondent. Reported below: 225 F. 2d 621.

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No. 586. O'MALLEY ET AL. v. UNITED STATES. C. A. 1st Cir. Certiorari denied. *William Shaw McCallum* for O'Malley, petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 227 F. 2d 332.

No. 588. MOORE ET AL. v. CAPITAL TRANSIT CO. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Abraham Chaifetz* for petitioners. *George D. Horning, Jr.* for respondent. Reported below: 96 U. S. App. D. C. 335, 226 F. 2d 57.

No. 590. BIRD v. BIRD. Circuit Court of Washtenaw County, Michigan. Certiorari denied. *Douglas K. Reading* for petitioner.

No. 591. IACULLO v. UNITED STATES. C. A. 7th Cir. Certiorari denied. *Maurice J. Walsh* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 226 F. 2d 788.

No. 593. LOVELL MANUFACTURING CO. v. ETTEN ET AL.; and

No. 594. ETTEN ET AL. v. KAUFFMAN ET AL. C. A. 3d Cir. Certiorari denied. *Ralph Hammar* for petitioner in No. 593 and respondents in No. 594. *Charles F. Meroni* and *Isaac J. Silin* for petitioners in No. 594 and respondents in No. 593. Reported below: 225 F. 2d 844.

No. 597. DE MARIE v. UNITED STATES. C. A. 7th Cir. Certiorari denied. *Maurice J. Walsh* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 226 F. 2d 783.

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No. 595. SANDERS ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE ET AL. C. A. 10th Cir. Certiorari denied. *Herman J. Galloway, Dan Moody and John E. Marshall* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Holland and I. Henry Kutz* for respondents. Reported below: 225 F. 2d 629.

No. 599. LEE *v.* SWOPE, WARDEN. C. A. 9th Cir. Certiorari denied. *Charles Upton Shreve* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg* for respondent. Reported below: 225 F. 2d 674.

No. 600. GRAND INTERNATIONAL BROTHERHOOD OF LOCOMOTIVE ENGINEERS *v.* MOUNT. C. A. 6th Cir. Certiorari denied. *Clarence E. Weisell, Harold N. McLaughlin and Pierce Winningham, Jr.* for petitioner. *Russell Rice* for respondent. Reported below: 226 F. 2d 604.

No. 602. ASHLAND OIL & REFINING CO. *v.* BEAL. C. A. 5th Cir. Certiorari denied. *W. B. Browder, Jr.* for petitioner. *D. L. Case and A. W. Walker, Jr.* for respondent. Reported below: 224 F. 2d 731.

No. 605. PACIFIC AFFILIATE, INC. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. *George H. Koster* for petitioner. *Solicitor General Sobeloff, Acting Assistant Attorney General Rice, A. F. Prescott and Melva M. Graney* for respondent. Reported below: 224 F. 2d 578.

No. 607. RICHLAND IRRIGATION DISTRICT *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *J. Kennard Cheadle* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Morton and Roger P. Marquis* for the United States. Reported below: 222 F. 2d 112.

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No. 608. SCOTT PUBLISHING CO. ET AL. *v.* OWENS. Supreme Court of Washington. Certiorari denied. *C. W. Halverson* for petitioners. Reported below: 46 Wash. 2d 666, 284 P. 2d 296.

No. 609. KELLEY, GLOVER & VALE, INC., TRUSTEE, *v.* COFFING, TRUSTEE, ET AL. C. A. 7th Cir. Certiorari denied. *Jay E. Darlington* for petitioner. *Albert H. Gavit* for respondents. Reported below: 226 F. 2d 113.

No. 611. MALLONEE ET AL., SHAREHOLDERS' PROTECTIVE COMMITTEE, ET AL. *v.* FEDERAL HOME LOAN BANK OF SAN FRANCISCO ET AL. C. A. 9th Cir. Certiorari denied. *Wyckoff Westover* for Mallonee et al., *Charles K. Chapman* for the Long Beach Federal Savings & Loan Assn. et al., *F. Henry NeCasek* for the Home Investment Co., *Raymond Tremaine* for Wallis, and *Emmett E. Doherty* for Willhoit, petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Burger*, *Samuel D. Slade*, *Donald B. MacGuineas* and *Sylvester Hoffmann* for respondents. *J. E. Simpson*, *Charles S. Rhyne* and *Eugene F. Mullin, Jr.* filed a brief for Hall, as *amicus curiae*, urging the writ of certiorari be granted. Reported below: 225 F. 2d 349.

No. 618. CITY OF LOS ANGELES ET AL. *v.* NATIONAL SCHOOLS ET AL. District Court of Appeal of California, Second Appellate District. Certiorari denied. *Roger Arnebergh*, *Bourke Jones* and *James A. Doherty* for petitioners. *Henry F. Walker* for respondents. Reported below: 135 Cal. App. 2d 311, 287 P. 2d 151.

No. 615. GARRISON *v.* WARNER BROTHERS PICTURES, INC. C. A. 9th Cir. Certiorari denied. *Morris Lavine* for petitioner. *Eugene D. Williams* for respondent. Reported below: 226 F. 2d 354.

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No. 617. *L & M REALTY CORP. v. LEO, EXECUTRIX*. C. A. 4th Cir. Certiorari denied. *Norris E. Halpern* for petitioner. *Samuel Goldblatt* and *Paul M. Lipkin* for respondent. Reported below: 228 F. 2d 89.

No. 612. *CLAYPOOLE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *James M. Davis, Jr.* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Isabelle R. Capello* for the United States. Reported below: 227 F. 2d 752.

No. 619. *BROWNELL, ATTORNEY GENERAL, v. WONG KAY SUEY ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for petitioner. *Charles R. Richey* for respondents. Reported below: 97 U. S. App. D. C. —, 227 F. 2d 41.

No. 623. *TRAVELERS INSURANCE Co. v. PENNSYLVANIA RAILROAD Co.* C. A. 6th Cir. Certiorari denied. *Wayne E. Stichter* for petitioner. *Ross W. Shumaker* for respondent. Reported below: 226 F. 2d 520.

No. 628. *HOUSING AUTHORITY OF THE CITY OF LOS ANGELES v. CORDOVA ET AL.* Superior Court of Los Angeles County, California, Appellate Department. Certiorari denied. *James J. Arditto* for petitioner. *A. L. Wirin* and *Fred Okrand* for respondents. Reported below: See 130 Cal. App. 2d 883, 279 P. 2d 215.

No. 575. *ALGEMENE KUNSTZIJD E UNIE N. V. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. MR. JUSTICE CLARK took no part in the consideration or decision of this application. *George E. Cleary*, *Gaylord Davis* and *Silas G. Bernard* for petitioner. *Solicitor*

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*General Sobeloff, Assistant Attorney General Holland, Marvin E. Frankel, Harry Baum and Joseph F. Goetten* for the United States. Reported below: 226 F. 2d 115.

No. 604. REYNOLDS METALS CO. *v.* MULTNOMAH COUNTY ET AL. Supreme Court of Oregon. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *C. Allan Hart, Jr.* for petitioner. *Robert F. Maguire* for respondents. Reported below: 206 Ore. 602, 287 P. 2d 921.

No. 18, Misc. MITCHELL *v.* NEBRASKA. Supreme Court of Nebraska. Certiorari denied. Petitioner *pro se.* *Clarence S. Beck*, Attorney General of Nebraska, *Clarence A. H. Meyer*, Deputy Attorney General, and *Robert V. Hoagland*, Assistant Attorney General, for respondent. Reported below: 159 Neb. 638, 68 N. W. 2d 184.

No. 69, Misc. NORMAN *v.* NEW YORK. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied. Petitioner *pro se.* *Charles W. Manning* for respondent.

No. 156, Misc. FRANKLIN *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: 234 Ind. 418, 126 N. E. 2d 768.

No. 203, Misc. HOLLMAN *v.* CLARY, U. S. DISTRICT JUDGE, ET AL. C. A. 3d Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Sobeloff* for respondents.

No. 236, Misc. FRIERSON *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor*

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*General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg* for the United States. Reported below: 223 F. 2d 255.

No. 253, Misc. DOW, ADMINISTRATRIX, *v.* CARNEGIE-ILLINOIS STEEL CORP. C. A. 3d Cir. Certiorari denied. *Blanch Freedman* for petitioner. Reported below: 224 F. 2d 414.

No. 284, Misc. WHITE *v.* IOWA. Supreme Court of Iowa. Certiorari denied.

No. 344, Misc. PARKER *v.* ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM. Court of Criminal Appeals of Texas. Certiorari denied.

No. 374, Misc. HERMAN *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 227 F. 2d 332.

No. 376, Misc. McGLONE *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Joseph A. Barry* for the United States.

No. 379, Misc. LIPSCOMB *v.* UNITED STATES. C. A. 8th 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: 226 F. 2d 812.

No. 381, Misc. TABOR *v.* HARDWICK, WARDEN. C. A. 5th Cir. Certiorari denied. Reported below: 224 F. 2d 526.

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No. 382, Misc. *BARUCHAS v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 396, Misc. *MAHAR v. LAINSON, WARDEN*. Supreme Court of Iowa. Certiorari denied. Reported below: 247 Iowa 297, 72 N. W. 2d 516.

No. 399, Misc. *BUSH v. DELMORE, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. Supreme Court of Washington. Certiorari denied.

No. 407, Misc. *RICE v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 408, Misc. *PECK v. RAGEN, WARDEN, ET AL.* Supreme Court of Illinois. Certiorari denied.

No. 411, Misc. *CUOMO v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 412, Misc. *KEMMERER v. SHEPHERD, SOLICITOR GENERAL, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 414, Misc. *BERGERON v. SIGLER, WARDEN*. Supreme Court of Louisiana. Certiorari denied.

No. 416, Misc. *FRISCO v. ALVIS, WARDEN*. District Court of Appeals of Ohio, Second District, Franklin County. Certiorari denied.

No. 417, Misc. *FLEMING ET AL. v. MANNING, SUPERINTENDENT, SOUTH CAROLINA PENITENTIARY*. Supreme Court of South Carolina. Certiorari denied.

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No. 418, Misc. *KITCHIN v. MISSOURI ET AL.* Supreme Court of Missouri. Certiorari denied.

No. 419, Misc. *CALDWELL v. MICHIGAN.* C. A. 6th Cir. Certiorari denied.

No. 421, Misc. *ARMSTRONG v. NEW YORK.* Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

No. 422, Misc. *NOR WOODS v. TEETS, WARDEN.* District Court of Appeal of California, First District, and Supreme Court of California. Certiorari denied.

No. 424, Misc. *BRAASCH ET AL. v. UTAH.* C. A. 10th Cir. Certiorari denied. *A. W. Sandack* for Sullivan, petitioner. Reported below: 227 F. 2d 511.

No. 425, Misc. *RICHARDSON v. DELMORE, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY.* Supreme Court of Washington. Certiorari denied.

No. 427, Misc. *SIKES v. PENNSYLVANIA.* County Court of McKean County, Pennsylvania. Certiorari denied.

No. 429, Misc. *HALL v. SKEEN, WARDEN.* Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 430, Misc. *SPAMPINATO ET UX. v. M. BREGER & Co., INC.* C. A. 2d Cir. Certiorari denied. Reported below: 226 F. 2d 742.

No. 434, Misc. *AHEARN v. JACKSON, WARDEN.* Court of Appeals of New York. Certiorari denied. Reported below: 309 N. Y. 835, 130 N. E. 2d 622.

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No. 432, Misc. *HEARDS v. EIDSON, WARDEN*. Supreme Court of Missouri. Certiorari denied.

No. 435, Misc. *DURAN v. RAGEN, WARDEN, ET AL.* Criminal Court of Cook County, Illinois. Certiorari denied.

No. 436, Misc. *DUNNE v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 437, Misc. *JENKINS v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 438, Misc. *PERRIN v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 440, Misc. *SATCHELL v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 441, Misc. *IN RE POLLACK*. Court of Appeals of New York. Certiorari denied.

No. 442, Misc. *LEWIS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 227 F. 2d 524.

No. 449, Misc. *ILLINOIS EX REL. HAINES v. RAGEN, WARDEN*. Circuit Court of Will County, Illinois. Certiorari denied.

No. 454, Misc. *DARRIN v. CAPITAL TRANSIT CO. ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 453, Misc. *POE v. GLADDEN, WARDEN*. Supreme Court of Oregon. Certiorari denied. Reported below: 205 Ore. 538, 288 P. 2d 823.

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No. 479, Misc. *LITTLE v. OREGON*. Supreme Court of Oregon. Certiorari denied. Reported below: 205 Ore. 659, 288 P. 2d 446, 290 P. 2d 802.

No. 462, Misc. *CAHILL v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 464, Misc. *MORTON v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Reported below: 97 U. S. App. D. C. —, 229 F. 2d 793.

No. 467, Misc. *JAZOREK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Julia P. Cooper* for the United States. Reported below: 226 F. 2d 693.

No. 150, Misc. *THOMAS v. TEETS, WARDEN*. Supreme Court of California. Certiorari denied. *THE CHIEF JUSTICE* took no part in the consideration or decision of this application.

No. 472, Misc. *KLUBNIKIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *A. L. Wirin and Fred Okrand* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg* for the United States. Reported below: 227 F. 2d 87.

No. 473, Misc. *TRUSTY ET AL. v. UNITED STATES*. Court of Claims. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Burger and Melvin Richter* for the United States. Reported below: 132 Ct. Cl. 192, 132 F. Supp. 340.

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No. 450, Misc. MAHURIN *v.* MORRIS. Supreme Court of Missouri. Certiorari denied.

No. 481, Misc. SELL *v.* PENNSYLVANIA ET AL. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 482, Misc. WATSON *v.* DAY, WARDEN. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 483, Misc. CROWE *v.* ILLINOIS ET AL. Circuit Court of Will County, Illinois. Certiorari denied.

No. 469, Misc. DESIMONE *v.* MARONEY, ACTING WARDEN. Supreme Court of Pennsylvania, Western District. Certiorari denied.

*Rehearing Granted.* (See No. 298, *ante*, p. 962.)

*Rehearing Denied.*

No. 432, October Term, 1952. KENNEY *v.* WABASH RAILROAD Co., 344 U. S. 913. Motion for leave to file petition for rehearing denied. THE CHIEF JUSTICE and MR. JUSTICE HARLAN took no part in the consideration or decision of this motion.

No. 538. GLENN L. MARTIN Co. *v.* NORTHWEST AIRLINES, INC. ET AL., *ante*, p. 937. Rehearing denied. MR. JUSTICE BURTON took no part in the consideration or decision of this application.

No. 500. SOCIETE INTERNATIONALE POUR PARTICIPATIONS INDUSTRIELLES ET COMMERCIALES S. A. *v.* BROWNELL, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN, ET AL., *ante*, p. 937. Rehearing

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denied. MR. JUSTICE CLARK took no part in the consideration or decision of this application.

No. 33. LOCAL UNION NO. 25 OF THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS OF AMERICA ET AL. *v.* NEW YORK, NEW HAVEN & HARTFORD RAILROAD Co., *ante*, p. 155;

No. 501. HOLMAN *v.* MATTHEWS, COMMISSIONER OF BANKS OF WISCONSIN, *ante*, p. 927;

No. 502. DANIELS ET AL. *v.* THOMAS, *ante*, p. 932;

No. 506. GULF, MOBILE & OHIO RAILROAD Co. *v.* ILLINOIS CENTRAL RAILROAD Co., *ante*, p. 932;

No. 518. KIEFER *v.* UNITED STATES, *ante*, p. 933;

No. 524. TERRY *v.* SEEGMILLER, *ante*, p. 934;

No. 525. BAUDHUIN *v.* WISCONSIN EX REL. MATTISON, *ante*, p. 944;

No. 540. WEISS *v.* UNITED STATES, *ante*, p. 936;

No. 546. MARIO MERCADO E HIJOS *v.* PASARELL ET AL., *ante*, p. 936;

No. 554. BLOCH *v.* UNITED STATES, *ante*, p. 948;

No. 136, Misc. BRINKLEY *v.* TEXAS, *ante*, p. 938;

No. 237, Misc. MORGAN *v.* CITY OF NEW YORK, *ante*, p. 939;

No. 290, Misc. SHOTKIN *v.* TRUSTEES OF THE INTERNATIONAL IMPROVEMENT FUND OF FLORIDA ET AL., *ante*, p. 928;

No. 328, Misc. WILLIAMS *v.* GEORGIA, *ante*, p. 950;

No. 341, Misc. SPEARS *v.* TRANSCONTINENTAL BUS SYSTEM, INC., *ante*, p. 950;

No. 359, Misc. GWYTHYR *v.* TALBOTT, SECRETARY OF THE AIR FORCE, ET AL., *ante*, p. 951;

No. 367, Misc. GRIMM *v.* WASHINGTON, *ante*, p. 946; and

No. 369, Misc. WELCH *v.* CRIMINAL DISTRICT COURT OF REEVES COUNTY, TEXAS, *ante*, p. 930. Petitions for rehearing denied.

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*Cases Dismissed Under Rule 60.*

No. 1. SILESIA HOLDING CO. ET AL. *v.* UNION BANK OF SWITZERLAND ET AL.; and

No. 2. BROWNELL, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN, *v.* UNION BANK OF SWITZERLAND ET AL. On petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit. The petitions for writs of certiorari are dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *Ralph D. Ray* for the Silesian Holding Co., *William Gilligan* for the Silesian-American Corporation, and *Charles E. Scribner* for the Bondholders Protective Committee were on the stipulation for petitioners in No. 1. *Solicitor General Sobeloff* was on the stipulation for petitioner in No. 2. *Lawrence J. McKay* was on the stipulation for respondents. See 350 U. S. 858.

No. 198. AKTIESELSKABET DAMPSKIBSSELSKABET SVENBORG ET AL. *v.* UNITED STATES. On petition for writ of certiorari to the Court of Claims. Dismissed on motion of petitioners pursuant to Rule 60 of the Rules of this Court. *Stanley W. Schaefer* for petitioners. *Solicitor General Sobeloff*, *Acting Assistant Attorney General Leonard*, *Melvin Richter* and *William W. Ross* were on the brief for the United States in opposition to the petition. Reported below: 131 Ct. Cl. 399, 130 F. Supp. 363.

No. 556. DAMPSKIBSSELSKABET NORDEN AKTIESELSKAB ET AL. *v.* UNITED STATES. On petition for writ of certiorari to the Court of Claims. Dismissed on motion of petitioners pursuant to Rule 60 of the Rules of this Court. *Stanley W. Schaefer* for petitioners. *Solicitor General Sobeloff* for the United States. Reported below: 132 Ct. Cl. 752.

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No. 562. *AKTIESELSKABET DAMPSKIBSSELSKABET VESTERHAVET ET AL. v. UNITED STATES*. On petition for writ of certiorari to the Court of Claims. Dismissed on motion of petitioners pursuant to Rule 60 of the Rules of this Court. *John G. Laylin* for petitioners. *Solicitor General Sobeloff* for the United States. Reported below: 132 Ct. Cl. 752.

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*Decisions Per Curiam.*

No. 587. *BOARD OF TRUSTEES OF THE UNIVERSITY OF NORTH CAROLINA ET AL. v. FRASIER ET AL.* Appeal from the United States District Court for the Middle District of North Carolina. *Per Curiam*: The motion to affirm is granted and the judgment is affirmed. *William B. Rodman, Jr.*, Attorney General of North Carolina, and *T. W. Bruton, Claude L. Love, Harry W. McGalliard, John Hill Paylor, Peyton B. Abbott, Samuel Behrends, Jr.* and *Robert E. Giles*, Assistant Attorneys General, for appellants. *Conrad O. Pearson, Floyd B. McKissick, John H. Wheeler, Thurgood Marshall* and *Robert L. Carter* for appellees. Reported below: 134 F. Supp. 589.

No. 613. *PACIFIC GAS & ELECTRIC CO. v. STATE BOARD OF EQUALIZATION OF CALIFORNIA*. Appeal from the District Court of Appeal of California, First Appellate District. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Robert H. Gerdes* and *Richard H. Peterson* for appellant. *Edmund G. Brown*, Attorney General of California, *James E. Sabine* and *Irving H. Perluss*, Assistant Attorneys General, and *Ernest P. Goodman*, Deputy Attorney General, for appellee. Reported below: 134 Cal. App. 2d 149, 285 P. 2d 305.

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No. 627. FULLERTON ET VIR. *v.* CITY OF SCHENECTADY. Appeal from the Court of Appeals of New York. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Walter A. Fullerton* for appellants. *Charles W. Brown* for appellee. Reported below: 309 N. Y. 701, 855, 128 N. E. 2d 413, 130 N. E. 2d 909.

*Miscellaneous Orders.*

No. 373. COMMISSIONER OF INTERNAL REVENUE *v.* LOBUE. Certiorari, 350 U. S. 893, to the United States Court of Appeals for the Third Circuit. The motion for leave to file brief of Raymond G. Lochiel, as *amicus curiae*, is denied.

No. 714. POLLARD *v.* UNITED STATES. Certiorari, 350 U. S. 965, to the United States Court of Appeals for the Eighth Circuit. It is ordered that *Bennett Boskey, Esquire*, of Washington, D. C., a member of the Bar of this Court, be appointed to serve as counsel for the petitioner in this case.

*Certiorari Granted.*

No. 657. MASSACHUSETTS BONDING & INSURANCE CO. ET AL. *v.* UNITED STATES. C. A. 1st Cir. Certiorari granted. *Stanley H. Rudman* for petitioners. *Solicitor General Sobeloff* for the United States. Reported below: 227 F. 2d 385.

No. 596. JENCKS *v.* UNITED STATES. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted, limited to questions 1 to 5, inclusive, and question 7 presented by the petition for the writ. *John T. McTernan* and *Nathan Witt* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Tompkins* and *Harold D. Koffsky* for the United States. Reported below: 226 F. 2d 540, 553.

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No. 643. JOHNSTON ET AL. *v.* UNITED STATES. C. A. 3d Cir. Certiorari granted. *Hayden C. Covington* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg* for the United States. Reported below: 227 F. 2d 745.

No. 704. UNITED STATES *v.* PATTESON. C. A. 10th Cir. Certiorari granted. *Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg* for the United States. Reported below: 229 F. 2d 257.

*Certiorari Denied.*

No. 57. BRIDAL VEIL LUMBER CO. *v.* UNION PACIFIC RAILROAD CO. C. A. 9th Cir. Certiorari denied. *Robert A. Imlay* for petitioner. Reported below: 219 F. 2d 825.

No. 185. WAGNER IRON WORKS *v.* NATIONAL LABOR RELATIONS BOARD ET AL.; and

No. 381. INTERNATIONAL UNION, UNITED AUTOMOBILE, AIRCRAFT & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (CIO) *v.* WAGNER IRON WORKS. C. A. 7th Cir. Certiorari denied. *Morris Karon* for petitioner in No. 185. *Max Raskin* for petitioner in No. 381. *Solicitor General Sobeloff and Theophil C. Kammholz* filed memoranda for the National Labor Relations Board in both cases. Reported below: 220 F. 2d 126.

No. 343. UNITED ELECTRICAL, RADIO & MACHINE WORKERS OF AMERICA (UE), LOCAL 1113, *v.* NATIONAL LABOR RELATIONS BOARD. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *David Scribner and Arthur Kinoy* for petitioner. *Solicitor General Sobeloff, Theophil C. Kammholz, David P. Findling and Dominick L. Manoli* for respondent. Reported below: 96 U. S. App. D. C. 46, 223 F. 2d 338.

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No. 581. OHIO TRANSPORT, INC. *v.* PUBLIC UTILITIES COMMISSION OF OHIO. Supreme Court of Ohio. Certiorari denied. *Vernon L. Stouffer, Joe F. Asher and Edward J. Hayes* for petitioner. *C. William O'Neill*, Attorney General of Ohio, and *Ralph N. Mahaffey and Paul Tague, Jr.*, Assistant Attorneys General, for respondent. Reported below: 164 Ohio St. 98, 128 N. E. 2d 22.

No. 603. DUCCI *v.* COMMISSIONER OF PATENTS. United States Court of Customs and Patent Appeals. Certiorari denied. *John L. Seymour* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger, John R. Benney, Melvin Richter and Lester S. Jayson* for respondent. Reported below: 42 C. C. P. A. (Pat.) 1088, 225 F. 2d 683.

No. 630. FIELDS ET AL. *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Stuart B. Campbell* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 228 F. 2d 544.

No. 631. HOLT *v.* COMMISSIONER OF INTERNAL REVENUE ET AL. C. A. 2d Cir. Certiorari denied. *Carl O. Olson* for petitioner. *Solicitor General Sobeloff, Acting Assistant Attorney General Rice, A. F. Prescott and Davis W. Morton, Jr.* for the Commissioner of Internal Revenue, respondent. Reported below: 226 F. 2d 757.

No. 632. CASTLEMAN ET AL. *v.* HUGHES ET AL. C. A. 9th Cir. Certiorari denied. *Jack P. Blume* for November et al., petitioners. *Irwin D. Shapiro* for Castleman et al., and *Roy W. McDonald* for RKO Radio Pictures, Inc., respondents. Reported below: 227 F. 2d 533.

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No. 634. HIDALGO COUNTY WATER CONTROL & IMPROVEMENT DISTRICT No. 7 ET AL. *v.* HEDRICK ET AL. C. A. 5th Cir. Certiorari denied. *Sawnie B. Smith* for petitioners. *H. H. Rankin, Jr.* for respondents. Reported below: 226 F. 2d 1.

No. 648. LEEPER ET AL. *v.* CHARLOTTE PARK AND RECREATION COMMISSION ET AL. Supreme Court of North Carolina. Certiorari denied. *Robert L. Carter, Thurgood Marshall* and *Spottswood W. Robinson, III* for petitioners. *Frank Thomas Miller, Jr.* for Barringer, respondent. Reported below: 242 N. C. 311, 88 S. E. 2d 114.

No. 21, Misc. TURCICH, ADMINISTRATRIX, *v.* LIBERTY CORPORATION. C. A. 3d Cir. Certiorari denied. *Abraham E. Freedman, Charles Lakatos* and *Joseph Weiner* for petitioner. *John D. M. Hamilton* for respondent. Reported below: 217 F. 2d 495.

No. 313, Misc. UNITED STATES EX REL. TOUHY *v.* RAGEN, WARDEN. C. A. 7th Cir. Certiorari denied. *Robert B. Johnstone* and *Howard B. Bryant* for petitioner. Reported below: 224 F. 2d 611.

No. 273, Misc. LEE *v.* JACKSON, WARDEN. Court of Appeals of New York. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application. Reported below: 309 N. Y. 676, 128 N. E. 2d 322.

*Rehearing Denied.*

No. 39. MITCHELL, SECRETARY OF LABOR, *v.* KING PACKING Co., *ante*, p. 260. Rehearing denied.

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*Decision Per Curiam.*

No. 584. GENTLES ET AL. v. McCONNELL, INSURANCE COMMISSIONER OF CALIFORNIA, ET AL.; and

No. 585. PACIFIC MUTUAL LIFE INSURANCE CO. ET AL. v. McCONNELL, INSURANCE COMMISSIONER OF CALIFORNIA, ET AL. Appeals from the Supreme Court of California. *Per Curiam*: The motions to dismiss are granted and the appeals are dismissed. Treating the papers whereon the appeals were taken as petitions for writs of certiorari, certiorari is denied. THE CHIEF JUSTICE and MR. JUSTICE REED took no part in the consideration or decision of these cases. *Alfred McCormack, John Logan O'Donnell, Peyton Ford and Alan Y. Cole* for appellants in No. 584. *Joseph L. Lewinson, Henry W. Low and Frank E. Holman* for appellants in No. 585. *Guy Knupp and Peery Price* for McConnell, and *Homer I. Mitchell, Warren M. Christopher and Charles A. Horsky* for the Pacific Mutual Life Insurance Co., appellees. Reported below: 44 Cal. 2d 715, 285 P. 2d 636.

*Miscellaneous Orders.*

No. 9, Original. TEXAS v. NEW MEXICO ET AL. The request of the United States that it be permitted to defer until November 15, 1956, the submission of a statement of its views regarding its indispensability as a party to this suit is granted. *Solicitor General Sobeloff, Assistant Attorney General Rankin, Oscar H. Davis and George S. Swarth* for the United States.

No. 201. HYUN v. LANDON, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. Certiorari, 350 U. S. 816, to the United States Court of Appeals for the Ninth Circuit. The motion for leave to file brief of James C. Baker et al., as *amici curiae*, is denied.

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No. 366. *NAIM v. NAIM*. Appeal from the Supreme Court of Appeals of Virginia. The motion to recall the mandate and to set the case down for oral argument upon the merits, or, in the alternative, to recall and amend the mandate is denied. The decision of the Supreme Court of Appeals of Virginia of January 18, 1956, 197 Va. 734, 90 S. E. 2d 849, in response to our order of November 14, 1955, 350 U. S. 891, leaves the case devoid of a properly presented federal question. *David Carliner, Herbert Monte Levy, Will Maslow, Arthur Lazarus, Richard Schifter, Jack Wasserman and Edward Ennis* for appellant-movant.

No. 105. *THOMPSON v. COASTAL OIL Co.* Certiorari, 350 U. S. 817, to the United States Court of Appeals for the Third Circuit. The petition for rehearing is granted. The judgment entered January 30, 1956, 350 U. S. 956, 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. *Silas Blake Axtell and Charles Andrews Ellis* for petitioner. Reported below: 221 F. 2d 559.

No. 701. *REID, SUPERINTENDENT, DISTRICT OF COLUMBIA JAIL, v. COVERT*. Appeal from the United States District Court for the District of Columbia. Further consideration of the question of the jurisdiction of this Court in this case and of the motion to dismiss or affirm is postponed to the hearing of the case on the merits. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Richard J. Blanchard* for appellant. *Frederick Bernays Wiener* for appellee.

No. 437. *BOSTON & PROVIDENCE RAILROAD CORPORATION STOCKHOLDERS v. NEW YORK, NEW HAVEN & HARTFORD RAILROAD Co. ET AL.* The petition for rehearing, the

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motion to clarify the order of January 9, 350 U. S. 926, and the petition for reconsideration of the judgment as to costs are denied.

*Certiorari Granted.*

No. 241. NATIONAL LABOR RELATIONS BOARD *v.* LION OIL Co. C. A. 8th Cir. Certiorari granted. *Solicitor General Sobeloff, Theophil C. Kammholz, David P. Findling and Dominick L. Manoli* for petitioner. *Jeff Davis and Sam Pickard* for respondent. Reported below: 221 F. 2d 231.

No. 713. KINSELLA, WARDEN, *v.* KRUEGER. C. A. 4th Cir. Certiorari granted. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Richard J. Blanchard* for petitioner. *Frederick Bernays Wiener* for respondent. See 137 F. Supp. 806.

*Certiorari Denied.* (See also No. 624, ante, p. 413, and Nos. 584 and 585, supra.)

No. 254. SMITH, COLLECTOR OF INTERNAL REVENUE, *v.* CURTIS PUBLISHING Co. C. A. 3d Cir. Certiorari denied. *Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, A. F. Prescott and Fred E. Youngman* for petitioner. *Francis H. Scheetz* for respondent. Reported below: 220 F. 2d 748.

No. 337. BANKS *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Joseph A. Maun and John W. Graff* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Holland and Joseph M. Howard* for the United States. Reported below: 223 F. 2d 884.

No. 598. HOLCOMB ET AL. *v.* AETNA LIFE INSURANCE Co. C. A. 10th Cir. Certiorari denied. *Glenn O. Young and Warren E. Miller* for petitioners. *Robert J. Woolsey* for respondent. Reported below: 228 F. 2d 75.

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No. 606. PANHANDLE EASTERN PIPE LINE Co. v. MICHIGAN CONSOLIDATED GAS Co. C. A. 6th Cir. Certiorari denied. *William E. Miller* for petitioner. *Clifton G. Dyer* for respondent. Reported below: 226 F. 2d 60.

No. 620. DELAWARE & HUDSON Co. v. NEW YORK, NEW HAVEN & HARTFORD RAILROAD Co. ET AL. C. A. 2d Cir. Certiorari denied. *Frederick H. Wiggin* for petitioner. *William T. Griffin* and *Herbert Burstein* for the New York, New Haven & Hartford Railroad Co., and *Edward K. Hanlon* for the Connecticut Railway & Lighting Co., respondents. Reported below: 227 F. 2d 291.

No. 629. BLACKBURN v. FLORIDA. Supreme Court of Florida. Certiorari denied. *Crampton Harris*, *Pat Whitaker* and *Tom Whitaker* for petitioner. Reported below: 83 So. 2d 694.

No. 633. SEARS, ROEBUCK & Co. v. RY-LOCK Co., LTD. C. A. 9th Cir. Certiorari denied. *Frank E. Liverance, Jr.* for petitioner. Reported below: 227 F. 2d 615.

No. 637. MYERS v. HOLLISTER, DIRECTOR, INTERNATIONAL COOPERATION ADMINISTRATION, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Charles F. O'Neill* and *Francis C. Brooke* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Burger* and *Melvin Richter* for respondents. *Ralph B. Gregg* filed a brief for the American Legion, as *amicus curiae*, urging that the petition be granted. Reported below: 96 U. S. App. D. C. 388, 226 F. 2d 346.

No. 638. AVCO MANUFACTURING CORP. ET AL. v. HAZELTINE RESEARCH, INC. C. A. 7th Cir. Certiorari denied. *Floyd H. Crews*, *Charles M. Hogan* and *Morris Relson* for

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petitioners. *Laurence B. Dodds, Miles D. Pillars, Philip F. LaFollette, Leonard A. Watson and M. Hudson Rathburn* for respondent. Reported below: 227 F. 2d 137.

No. 640. *DEBUSK v. UNITED STATES*. Court of Claims. Certiorari denied. *Charles C. Crenshaw, Sr.* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger and Melvin Richter* for the United States. Reported below: 132 Ct. Cl. 790.

No. 642. *STUDENTS BOOK CO. v. WASHINGTON LAW BOOK CO.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Nathan L. Silberberg* for petitioner. *William E. Leahy and Wm. J. Hughes, Jr.* for respondent. Reported below: — U. S. App. D. C. —, 232 F. 2d 49.

No. 644. *SYLVANIA ELECTRIC PRODUCTS, INC. v. BARKER, EXECUTRIX*. C. A. 1st Cir. Certiorari denied. *Thomas H. Mahony* for petitioner. *Robert D. Neely* for respondent. Reported below: 228 F. 2d 842.

No. 645. *LAMBERT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Fred Botts* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 226 F. 2d 602.

No. 646. *TERRASI v. SOUTH ATLANTIC LINES, INC.* C. A. 2d Cir. Certiorari denied. *Harry D. Graham* for petitioner. *Louis J. Gusmano* for respondent. Reported below: 226 F. 2d 823.

No. 649. *SONGY ET AL. v. GODCHAUX SUGARS, INC.* Twenty-Ninth Judicial District Court of Louisiana, Parish of St. John the Baptist. Certiorari denied.

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*Eugene Cotton* and *Richard F. Watt* for petitioners. *M. Truman Woodward, Jr.* and *Richard C. Keenan* for respondent.

No. 650. *FREDERICKS v. AMERICAN EXPORT LINES, INC.* C. A. 2d Cir. Certiorari denied. *Chester A. Hahn* for petitioner. *Leo F. Hanan* and *Martin J. McHugh* for respondent. Reported below: 227 F. 2d 450.

No. 652. *UNITED STATES v. CHAMBERLAIN WHOLESALE GROCERY Co. ET AL.* C. A. 8th Cir. Certiorari denied. *Solicitor General Sobeloff*, *Assistant Attorney General Morton* and *Roger P. Marquis* for the United States. *Lyle J. Wirt* for the Chamberlain Wholesale Grocery Co. et al., *Melvin Telford Woods* for Neugebauer et al., and *M. Q. Sharpe* for Reis et al., respondents. Reported below: 226 F. 2d 492.

No. 655. *GREY ET AL. v. AMERICAN AIRLINES, INC.* C. A. 2d Cir. Certiorari denied. *Arthur M. Laufer* for petitioners. *William J. Junkerman* for respondent. Reported below: 227 F. 2d 282.

No. 656. *JONES (FORMERLY SCHELLENBERGER), ADMINISTRATRIX, v. SCHELLENBERGER.* C. A. 7th Cir. Certiorari denied. *Harold E. Marks*, *Herman Herson* and *Charles Dana Snewind* for petitioner. *William C. Wines* for respondent. Reported below: 225 F. 2d 784.

No. 669. *ATLANTIC COAST LINE RAILROAD Co. v. KING ET AL., MEMBERS OF FLORIDA RAILROAD & PUBLIC UTILITIES COMMISSION, ET AL.* Supreme Court of Florida. Certiorari denied. *Charles Cook Howell* for petitioner. *Lewis W. Petteway* for King et al., and *Earle B. Askew* for the City of St. Petersburg, Florida, respondents.

*Rehearing Granted.* (See No. 105, ante, p. 985.)

*Rehearing Denied.* (See No. 437, ante, p. 985.)

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*Decision Per Curiam.*

No. 201. HYUN *v.* LANDON, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. Certiorari, 350 U. S. 816, to the United States Court of Appeals for the Ninth Circuit. Argued March 5, 1956. Decided March 26, 1956. *Per Curiam*: The judgment is affirmed by an equally divided Court. MR. JUSTICE CLARK took no part in the consideration or decision of this case. *William B. Murrish* argued the cause for petitioner. With him on the brief was *John W. Porter*. *Beatrice Rosenberg* argued the cause for respondent. With her on the brief were *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Carl H. Imlay*. *A. L. Wirin* filed a brief for the American Civil Liberties Union, Southern California Branch, as *amicus curiae*, supporting petitioner. Reported below: 219 F. 2d 404.

*Miscellaneous Orders.*

No. 15, Original. UNITED STATES *v.* LOUISIANA. The motion for leave to file the complaint is granted and the defendant is allowed 30 days within which to answer. THE CHIEF JUSTICE took no part in the consideration or decision of this motion. *Attorney General Brownell*, *Solicitor General Sobeloff*, *Assistant Attorney General Rankin*, *Oscar H. Davis*, *John F. Davis* and *George S. Swarth* for the United States, plaintiff. *Fred S. LeBlanc*, *Attorney General*, *John L. Madden*, *Assistant Attorney General*, *Bailey Walsh*, *Special Assistant Attorney General*, *W. Scott Wilkinson*, *L. H. Perez* and *Grove Stafford* for the State of Louisiana, defendant.

No. 451. RAILWAY EMPLOYEES' DEPARTMENT, AMERICAN FEDERATION OF LABOR, ET AL. *v.* HANSON ET AL. Appeal from the Supreme Court of Nebraska. (Probable

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jurisdiction noted, 350 U. S. 910.) The motion of the State of Nebraska for leave to appear and present oral argument, as *amicus curiae*, is granted and 30 minutes is allowed for that purpose. *Lester P. Schoene* and *Milton Kramer* for appellants. *Clarence S. Beck*, Attorney General, and *Robert A. Nelson*, Assistant Attorney General, for the State of Nebraska, movant. Reported below: 160 Neb. 669, 71 N. W. 2d 526.

No. 451. RAILWAY EMPLOYEES' DEPARTMENT, AMERICAN FEDERATION OF LABOR, ET AL. *v.* HANSON ET AL. Appeal from the Supreme Court of Nebraska. (Probable jurisdiction noted, 350 U. S. 910.) The motion of the National Right to Work Committee for leave to appear and present oral argument, as *amicus curiae*, is denied.

No. 672. BALIAN ICE CREAM CO., INC. ET AL. *v.* ARDEN FARMS CO. ET AL. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. The motion for leave to file brief of *Dee C. Blythe* and *Lynell G. Skarda*, as *amici curiae*, is denied. The petition for writ of certiorari is denied. *Gordon F. Hampton* for petitioners. *Julian O. von Kalinowski* and *Leonard A. Diether* for respondents. Reported below: 231 F. 2d 356.

No. 293, Misc. *BILBAO v. UNITED STATES*;

No. 311, Misc. *SHERMAN v. UNITED STATES*; and

No. 506. *GREEN v. NEW YORK*. Motions for leave to file petitions for writs of certiorari denied.

No. 391, Misc. *CHERRY ET AL. v. REID, SUPERINTENDENT, DISTRICT OF COLUMBIA JAIL*;

No. 497, Misc. *MINTON v. CRIMINAL DISTRICT COURT REPORTER OF SAN JACINTO COUNTY, TEXAS*; and

No. 502, Misc. *BUKORSKY v. ILLINOIS ET AL.* Motions for leave to file petitions for writs of mandamus denied.

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No. 385, Misc. BEARD *v.* OHIO; and  
 No. 487, Misc. MOORE *v.* CALIFORNIA. Applications  
 denied.

No. 488, Misc. LEE *v.* RHODE ISLAND;  
 No. 504, Misc. BLAKE *v.* WARDEN, NEW YORK STATE  
 PENITENTIARY;  
 No. 507, Misc. HAMEL *v.* EIDSON, WARDEN;  
 No. 520, Misc. IN RE UTTAL;  
 No. 531, Misc. EX PARTE BANNING; and  
 No. 553, Misc. MACDONALD *v.* DUNNE, JUDGE, PRO-  
 BATE COURT OF COOK COUNTY, ILLINOIS. Motions for  
 leave to file petitions for writs of habeas corpus denied.

No. 602, Misc. BRINKLEY *v.* TEXAS. Motion for leave  
 to file petition for writ of error *coram nobis* denied.  
*Preston Pope Reynolds* for petitioner.

*Certiorari Granted.*

No. 626. SCALES *v.* UNITED STATES. C. A. 4th Cir.  
 Certiorari granted. *Telford Taylor* for petitioner. *Solic-  
 itor General Sobeloff*, Assistant Attorney General *Tomp-  
 kins*, Harold D. *Koffsky* and John H. *Davitt* for the  
 United States. Reported below: 227 F. 2d 581.

No. 661. LIGHTFOOT *v.* UNITED STATES. C. A. 7th Cir.  
 Certiorari granted. *John J. Abt* for petitioner. *Solic-  
 itor General Sobeloff*, Assistant Attorney General *Tomp-  
 kins* and Harold D. *Koffsky* for the United States.  
 Reported below: 228 F. 2d 861.

No. 664. PAOLI *v.* UNITED STATES. C. A. 2d Cir.  
 Certiorari granted. *Daniel H. Greenberg* for petitioner.  
*Solicitor General Sobeloff*, Assistant Attorney General  
*Olney*, *Beatrice Rosenberg* and *Robert G. Maysack* for  
 the United States. Reported below: 229 F. 2d 319.

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No. 676. ROWOLDT *v.* PERFETTO, ACTING OFFICER IN CHARGE, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 8th Cir. Certiorari granted. *David Rein* and *Joseph Forer* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for respondent. Reported below: 228 F. 2d 109.

No. 378, Misc. FIKES *v.* ALABAMA. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Alabama granted. *Peter A. Hall*, *Orzell Billingsley, Jr.* and *Jack Greenberg* for petitioner. *John Patterson*, Attorney General of Alabama, and *Robert Straub* and *Paul T. Gish, Jr.*, Assistant Attorneys General, for respondent. Reported below: 263 Ala. 89, 81 So. 2d 303.

*Certiorari Denied.* (See also No. 672 and Misc. Nos. 293, 311 and 506, *supra.*)

No. 543. RUBENSTEIN *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *Isaac Mellman* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Carl H. Imlay* for the United States. Reported below: 227 F. 2d 638.

No. 614. ZACHER *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Milton Yawitz* and *William J. Costello* for petitioner. *Solicitor General Sobeloff*, *Acting Assistant Attorney General Rice* and *Joseph M. Howard* for the United States. Reported below: 227 F. 2d 219.

No. 641. EVANS *v.* ST. LOUIS HOUSING AUTHORITY ET AL. C. A. 8th Cir. Certiorari denied. *Anne M. Evans*, *pro se.* Reported below: 226 F. 2d 750.

No. 647. STARR *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 7th Cir. Certiorari denied. *Jack H. Oppenheim* for petitioner. *Solicitor General Sobeloff*,

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*Acting Assistant Attorney General Rice and Robert N. Anderson* for respondent. Reported below: 226 F. 2d 721.

No. 653. *CLICK v. JACKSONVILLE TERMINAL Co.* Supreme Court of Florida. Certiorari denied. *Will O. Murrell* for petitioner. *Elliott Adams* for respondent. Reported below: 83 So. 2d 117.

No. 654. *DE VEGVAR v. GILLILLAND ET AL., CONSTITUTING THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Ernest Angell, Percy A. Shay and James E. Hughes* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger, Samuel D. Slade and B. Jenkins Middleton* for respondents. *Philip Levy, Samuel A. McCain, Milton Pollack and Robert T. Reynolds* filed a brief for Anninger et al., as *amici curiae*, in opposition to the petition. Reported below: 97 U. S. App. D. C. —, 228 F. 2d 640.

No. 659. *MOODY v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. *L. E. Gwinn* for petitioner. *Solicitor General Sobeloff and Acting Assistant Attorney General Rice* for the United States. Reported below: 229 F. 2d 740.

No. 660. *BLUNT v. EMPLOYERS MUTUAL LIABILITY INSURANCE Co.* C. A. 5th Cir. Certiorari denied. *Franklin Jones and C. A. Brian* for petitioner. *Hobert Price and Royal H. Brin, Jr.* for respondent. Reported below: 227 F. 2d 312.

No. 663. *CHRISTIANSON ET AL. v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. *Eugene Gressman and John W. Graff* for petitioners. *Solicitor General Sobeloff,*

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*Assistant Attorney General Olney, Beatrice Rosenberg and Joseph A. Barry* for the United States. Reported below: 226 F. 2d 646.

No. 665. CHESBRO ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. *Samuel B. Groner* and *Harold Fein* for petitioners. *Solicitor General Sobeloff, Acting Assistant Attorney General Rice, Harry Baum* and *S. Dee Hanson* for respondent. Reported below: 225 F. 2d 674.

No. 666. FREEMAN *v.* SUSSIN CORPORATION ET AL. C. A. 7th Cir. Certiorari denied. *Francis B. Stine* for petitioner. *Harry C. Kinne* for the Sussin Corporation, and *Benjamin F. Morrison* for Parkin, respondents. Reported below: 227 F. 2d 121.

No. 668. COLE ET AL. *v.* FAIRVIEW DEVELOPMENT, INC. ET AL. C. A. 9th Cir. Certiorari denied. *Bailey E. Bell* for petitioners. Reported below: 226 F. 2d 175.

No. 670. McVAY *v.* PENNSYLVANIA EX REL. McVAY. Supreme Court of Pennsylvania, Western District. Certiorari denied. *Thomas W. Pomeroy, Jr.* for petitioner. *Dane Critchfield* for respondent. Reported below: 383 Pa. 70, 118 A. 2d 144.

No. 671. DWYER ET AL., TRUSTEES, *v.* FRANKLIN. C. A. 7th Cir. Certiorari denied. *J. G. Shehee* for petitioners. *Jacob B. Courshon* for respondent. Reported below: 227 F. 2d 152.

No. 673. SQUIRREL BRAND CO. *v.* BARNARD NUT CO., INC. C. A. 5th Cir. Certiorari denied. *Cedric W. Porter* and *Francis C. Browne* for petitioner. *Ben Paul Noble* for respondent. Reported below: 224 F. 2d 840.

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No. 674. *ALEXANDER v. IRVING TRUST Co., EXECUTOR, ET AL.* C. A. 2d Cir. Certiorari denied. *Richard J. Mackey* for petitioner. *David Asch* for respondents. Reported below: 228 F. 2d 221.

No. 678. *HAMMETT v. TIMES-HERALD, INC.* C. A. 4th Cir. Certiorari denied. *William H. McGrath* for petitioner. *John Henry Lewin* and *Perry S. Patterson* for respondent. Reported below: 227 F. 2d 328.

No. 679. *PALMER ET UX. v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Petitioners *pro se.* *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 229 F. 2d 861.

No. 680. *VALDEZ v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. *Archibald Palmer* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 229 F. 2d 145.

No. 683. *MOFFETT, EXECUTRIX, v. COMMERCE TRUST Co.* Supreme Court of Missouri. Certiorari denied. *Martin J. O'Donnell* for petitioner. *Charles M. Blackmar* and *Philip J. Close* for respondent. Reported below: 283 S. W. 2d 591.

No. 685. *ALPHA BETA FOOD MARKETS, INC. ET AL. v. RETAIL CLERKS UNION LOCAL No. 770 ET AL.* Supreme Court of California. Certiorari denied. *Harold F. Collins* for petitioners. *George E. Bodle* and *Thurman Arnold* for respondents. Reported below: 45 Cal. 2d 764, 291 P. 2d 433.

No. 687. *ESTEP ET UX. v. DECKER, SHERIFF.* C. A. 5th Cir. Certiorari denied. *Louis W. Woosley* for petitioners. Reported below: 228 F. 2d 320.

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No. 700. HOSS ET AL. *v.* PURINTON. C. A. 9th Cir. Certiorari denied. *Bailey E. Bell* for petitioners. Reported below: 229 F. 2d 104.

No. 726. ORDER OF RAILROAD TELEGRAPHERS *v.* NEW ORLEANS, TEXAS & MEXICO RAILWAY Co. C. A. 8th Cir. Certiorari denied. *Milton Kramer* for petitioner. *Thos. T. Railey* for respondent. Reported below: 229 F. 2d 59.

No. 58, Misc. TAYLOR *v.* MOORE, WARDEN. Court of Criminal Appeals of Texas. Certiorari denied. Petitioner *pro se.* *John Ben Shepperd*, Attorney General of Texas, and *John A. Wild*, Assistant Attorney General, for respondent.

No. 63, Misc. SHAW *v.* FLORIDA. Supreme Court of Florida. Certiorari denied. *Zach H. Douglas* for petitioner. *Richard W. Ervin*, Attorney General of Florida, and *Reeves Bowen*, Assistant Attorney General, for respondent. Reported below: 79 So. 2d 304.

No. 89, Misc. SEPE *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se.* *Latham Castle*, Attorney General of Illinois, for respondent.

No. 329, Misc. LAWRENCE *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 352, Misc. LEBEAU *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 365, Misc. KESTER *v.* CALIFORNIA ET AL. Supreme Court of California. Certiorari denied.

No. 370, Misc. BRANCH *v.* CALIFORNIA. District Court of Appeal of California, First Appellate District. Certiorari denied. Reported below: 134 Cal. App. 2d 572, 286 P. 2d 39.

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No. 375, Misc. *FILI v. NEW YORK*. Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied. Reported below: 1 App. Div. 2d 799, 144 N. Y. S. 2d 738.

No. 389, Misc. *ECKFORD v. RANDOLPH, WARDEN*. Circuit Court of St. Clair County, Illinois. Certiorari denied.

No. 400, 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 respondents.

No. 410, Misc. *FORD v. RANDOLPH, WARDEN*. Circuit Court of Pulaski County, Illinois. Certiorari denied.

No. 443, Misc. *BREEDING v. WARDEN, MINNESOTA STATE PRISON*. Supreme Court of Minnesota. Certiorari denied.

No. 448, Misc. *MALMBERG 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: 225 F. 2d 958.

No. 451, Misc. *STELTER v. RAGEN, WARDEN, ET AL.* Supreme Court of Illinois. Certiorari denied.

No. 456, Misc. *LOWERY v. MCLEOD, WARDEN*. Criminal Court of Appeals of Oklahoma. Certiorari denied.

No. 457, Misc. *SPRY v. SKEEN, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

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No. 461, Misc. *NOTTAGE v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied. Reported below: 286 App. Div. 1023, 146 N. Y. S. 2d 481.

No. 463, Misc. *SHEARD v. MISSOURI*. Supreme Court of Missouri. Certiorari denied.

No. 465, Misc. *BONSOR v. COURT OF CRIMINAL APPEALS OF TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 470, Misc. *BOCOCK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg* for the United States. Reported below: 226 F. 2d 720.

No. 480, Misc. *MAY v. INDIANA*. Criminal Court of Marion County, Indiana. Certiorari denied.

No. 486, Misc. *UNITED STATES EX REL. EVANS v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 490, Misc. *LIVESAY v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 491, Misc. *EDWARDS v. MISSOURI*. Supreme Court of Missouri. Certiorari denied.

No. 493, Misc. *LANDERS v. NEW YORK ET AL.* Court of Appeals of New York. Certiorari denied. Reported below: 309 N. Y. 806, 130 N. E. 2d 608.

No. 495, Misc. *HENDERSON v. ILLINOIS*. Circuit Court of Will County, Illinois. Certiorari denied.

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No. 496, Misc. MITCHELL *v.* MISSOURI. Supreme Court of Missouri. Certiorari denied.

No. 498, Misc. CULLEN *v.* NEW YORK. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 499, Misc. MURRAY *v.* HEINZE, WARDEN. Supreme Court of California. Certiorari denied.

No. 500, Misc. GARCIA *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 503, Misc. CIANCI *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied.

No. 508, Misc. SPENCER *v.* BANNAN, WARDEN. Supreme Court of Michigan. Certiorari denied.

No. 512, Misc. DIDIER *v.* WASHINGTON ET AL. Supreme Court of Washington. Certiorari denied.

No. 514, Misc. PETRUCELLI *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied.

No. 519, Misc. AULL *v.* LOONEY, WARDEN. C. A. 10th Cir. Certiorari denied.

No. 521, Misc. FREY *v.* NEW YORK. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied. Reported below: 286 App. Div. 996, 144 N. Y. S. 2d 713.

No. 522, Misc. REDDINGTON *v.* UNITED STATES. C. A. 1st 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: 229 F. 2d 178.

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No. 527, Misc. *WATSON v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 530, Misc. *UNITED STATES EX REL. LEDBETTER v. NEW YORK*. County Court of Kings County, New York. Certiorari denied.

No. 532, Misc. *STONE v. NEW YORK*. Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied. Reported below: 286 App. Div. 989, 144 N. Y. S. 2d 742.

No. 536, Misc. *RICHARDSON v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 537, Misc. *KADIO v. PENNSYLVANIA*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 540, Misc. *LUZZI v. COURT OF QUARTER SESSIONS OF OYER AND TERMINER, BERKS COUNTY, PENNSYLVANIA*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 543, Misc. *SELTENRICH v. SIGLER, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 228 F. 2d 615.

No. 524, Misc. *RIDDLE v. McLEOD, WARDEN*. Criminal Court of Appeals of Oklahoma. Certiorari denied. Reported below: 292 P. 2d 1043.

No. 681. *SOUTHSIDE VIRGINIA TELECASTING CORP. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Leonard H. Marks and Paul*

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*Dobin* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Barnes*, *Daniel M. Friedman*, *Warren E. Baker* and *Richard A. Solomon* for the Federal Communications Commission, and *Paul A. Porter*, *Harry M. Plotkin* and *Reed Miller* for the Petersburg Television Corporation, respondents. Reported below: 97 U. S. App. D. C. —, 228 F. 2d 644.

No. 688. *EVANS v. BUENTE ET AL.* Supreme Court of Missouri. Certiorari denied. *Anne M. Evans, pro se.* Reported below: 284 S. W. 2d 543, 285 S. W. 2d 550.

No. 682. *COVINGTON MILLS ET AL. v. MITCHELL, SECRETARY OF LABOR, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *Llewellyn C. Thomas*, *W. Glen Harlan* and *Whiteford S. Blakeney* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Burger*, *Paul A. Sweeney*, *Edward H. Hickey*, *Stuart Rothman* and *Bessie Margolin* for the Secretary of Labor, *Arthur J. Goldberg*, *David E. Feller* and *Benjamin Wyle* for the Textile Workers Union of America, and *John W. Cragun* and *Warren F. Farr* for the National Association of Cotton Manufacturers et al., respondents. Reported below: 97 U. S. App. D. C. —, 229 F. 2d 506.

No. 397, Misc. *McNUTT v. DELMORE, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY.* Supreme Court of Washington. Certiorari denied. Reported below: 47 Wash. 2d 563, 288 P. 2d 848.

No. 489, Misc. *EX PARTE WINGFIELD.* Court of Criminal Appeals of Texas. Certiorari denied. Reported below: 162 Tex. Cr. R. —, 282 S. W. 2d 219.

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March 26, April 2, 1956.

*Rehearing Denied.*

No. 505. MALOY *v.* CITY OF MULBERRY, *ante*, p. 933; and

No. 379, Misc. LIPSCOMB *v.* UNITED STATES, *ante*, p. 971. Petitions for rehearing denied.

APRIL 2, 1956.

*Decisions Per Curiam.*

No. 66. RIVERBANK LABORATORIES *v.* HARDWOOD PRODUCTS CORP. Certiorari, 350 U. S. 817, to the United States Court of Appeals for the Seventh Circuit. Argued January 16, 1956. Decided April 2, 1956. *Per Curiam*: The Court is of the opinion that the District Court correctly found there was proper service upon the defendant in this case. Accordingly, the judgment of the Court of Appeals is reversed and the case is remanded to that Court for further proceedings.\* MR. JUSTICE HARLAN took no part in the consideration or decision of this case. *Maurice Rosenfield* argued the cause for petitioner. With him on the brief were *Philip B. Kurland* and *Jack H. Oppenheim*. *David A. Fox* argued the cause for respondent. With him on the brief were *Gerrit P. Groen* and *Roger Sherman Hoar*. Reported below: 220 F. 2d 465.

No. 316. RAYMOND BAG 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 substantial federal question. MR. JUSTICE DOUGLAS would note probable jurisdiction. *Wellmore B. Turner* and *Guy H. Wells* for appellant. *C. William O'Neill*, Attorney General of Ohio, and *Jack H. Bertsch* and *Larry H. Snyder*, Assistant Attorneys General, for appellee. Reported below: 163 Ohio St. 275, 126 N. E. 2d 321.

\*As amended by order entered April 9, 1956, *post*, p. 1012.

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*Miscellaneous Orders.*

No. 625. *ROGERS v. THOMPSON, TRUSTEE*. Certiorari, 350 U. S. 964, to the Supreme Court of Missouri. Missouri Pacific Railroad Company substituted for Thompson, Trustee, as the party respondent.

No. 445, Misc. *STEVENS v. MARTIN, WARDEN*. Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied. Motion for leave to file petition for writ of habeas corpus also denied. Reported below: 1 App. Div. 2d 799, 144 N. Y. S. 2d 738.

No. 557, Misc. *COLLINS v. HEINZE, WARDEN*. C. A. 9th Cir. Certiorari denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 12, Misc. *BINDRIM v. RAGEN, WARDEN*;

No. 426, Misc. *SCHRADER v. RAGEN, WARDEN*;

No. 433, Misc. *JOHNSON v. WARDEN, EASTERN STATE PENITENTIARY, PENNSYLVANIA*; and

No. 589, Misc. *DAVIS v. UNITED STATES*. Motions for leave to file petitions for writs of habeas corpus denied. Petitioners *pro se*. *Latham Castle*, Attorney General of Illinois, for respondent in No. 12, Misc.

No. 428, Misc. *BOYCE v. CALIFORNIA*. Application denied.

No. 431, Misc. *SHOTKIN v. BOARD OF EDUCATION OF FLORIDA*. Petition for allowance of appeal denied.

No. 511, Misc. *BELL v. UNITED STATES*. Motion for leave to file petition for writ of mandamus denied.

*Certiorari Granted.*

No. 690. *NATIONAL LABOR RELATIONS BOARD v. TEXTILE WORKERS UNION OF AMERICA, CIO, ET AL.* United States Court of Appeals for the District of Columbia

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April 2, 1956.

Circuit. Certiorari granted. *Solicitor General Sobeloff, Theophil C. Kammholz, David P. Findling, Dominick L. Manoli and Owsley Vose* for petitioner. *Arthur J. Goldberg, David E. Feller and Benjamin Wyle* for respondents. *Henry E. Seyfarth and Jerome Powell* filed a brief for the Personal Products Corporation, as *amicus curiae*, urging that the petition be granted. Reported below: 97 U. S. App. D. C. —, 227 F. 2d 409.

No. 702. *NILVA v. UNITED STATES*. C. A. 8th Cir. Certiorari granted. *Eugene Gressman and John W. Graff* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 227 F. 2d 74, 228 F. 2d 134.

*Certiorari Denied.* (See also Misc. Nos. 445 and 557, *supra*.)

No. 667. *TRACTOR TRAINING SERVICE ET AL. v. FEDERAL TRADE COMMISSION*. C. A. 9th Cir. Certiorari denied. *McDannell Brown* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Barnes, Daniel M. Friedman, Earl W. Kintner and Robert B. Dawkins* for respondent. Reported below: 227 F. 2d 420.

No. 684. *MICHIGAN WISCONSIN PIPE LINE CO. v. PHILLIPS PETROLEUM CO. ET AL.* C. A. 10th Cir. Certiorari denied. *Charles V. Shannon and Arthur R. Seder, Jr.* for petitioner. *Rayburn L. Foster, Harry D. Turner and Kenneth Heady* for the Phillips Petroleum Co., respondent. Reported below: 227 F. 2d 470.

No. 686. *TONTY v. PENNSYLVANIA*. Superior Court and the Supreme Court of Pennsylvania, Western District. Certiorari denied. *Charles J. Margiotti and Edward E. Petrillo* for petitioner. Reported below: 178 Pa. Super. Ct. 447, 115 A. 2d 883.

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No. 696. *SALE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Harry Gershenson* for petitioner. *Solicitor General Sobeloff, Acting Assistant Attorney General Rice* and *Harry Baum* for the United States. Reported below: 228 F. 2d 682.

No. 698. *UNITED STATES EX REL. MARINO v. HOLTON, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 7th Cir. Certiorari denied. *Irving Goodman, Emil M. Caliendo* and *Nathan B. Engelstein* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Isabelle R. Cappello* for respondent. Reported below: 227 F. 2d 886.

No. 705. *RIESER ET AL. v. BALTIMORE & OHIO RAILROAD CO.* C. A. 2d Cir. Certiorari denied. *Victor House, Spencer Pinkham, Louis Boehm, Nathan B. Kogan* and *Abraham K. Weber* for petitioners. *Albert R. Connelly, George M. Billings* and *John D. Calhoun* for respondent. Reported below: 228 F. 2d 563.

No. 709. *PLEASON v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 7th Cir. Certiorari denied. *Maurice J. Walsh* for petitioner. *Solicitor General Sobeloff, Acting Assistant Attorney General Rice, Hilbert P. Zarky* and *Joseph F. Goetten* for respondent. Reported below: 226 F. 2d 732.

No. 711. *BOARD OF EDUCATION OF HILLSBORO, OHIO, ET AL. v. CLEMONS ET AL.* C. A. 6th Cir. Certiorari denied. *Timothy S. Hogan* for petitioners. *Constance Baker Motley* and *Thurgood Marshall* for respondents. Reported below: 228 F. 2d 853.

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No. 717. EFCO MANUFACTURING, INC. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 1st Cir. Certiorari denied. *Benjamin H. Dorsey* for petitioner. *Solicitor General Sobeloff, Theophil C. Kammholz, David P. Findling, Dominick L. Manoli and Nancy M. Sherman* for respondent. Reported below: 227 F. 2d 675.

No. 756. KROMER ET AL. *v.* RIEGEL TEXTILE CORP. C. A. 7th Cir. Certiorari denied. *Abraham W. Brussell* for petitioners. *John F. Ryan* for respondent. Reported below: 227 F. 2d 741.

No. 689. PINELLAS BROADCASTING CO. *v.* FEDERAL COMMUNICATIONS COMMISSION ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Arthur H. Schroeder, Telford Taylor and Neville Miller* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Barnes, Daniel M. Friedman, Warren E. Baker, Richard A. Solomon and Daniel R. Ohlbaum* for the Federal Communications Commission, and *Philip J. Hennessey, Jr., Warren D. Quenstedt, Paul M. Segal and George S. Smith* for the Tribune Company, respondents. Reported below: — U. S. App. D. C. —, 230 F. 2d 204.

No. 677. JOHNSON *v.* IDAHO. Supreme Court of Idaho. Certiorari denied. *J. M. Lampert* for petitioner. *Graydon W. Smith, Attorney General of Idaho, and J. R. Smead, Assistant Attorney General,* for respondent. Reported below: 77 Idaho —, 287 P. 2d 425.

No. 567, Misc. LEA *v.* LOUISIANA. Supreme Court of Louisiana. Certiorari denied. *John P. Dowling* for petitioner. Reported below: 228 La. 724, 84 So. 2d 169.

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No. 392, Misc. *KRAMER v. ALVIS, WARDEN*. Supreme Court of Ohio. Certiorari denied. Petitioner *pro se*. *C. William O'Neill*, Attorney General of Ohio, and *Roger B. Turrell*, Assistant Attorney General, for respondent. Reported below: 163 Ohio St. 510, 127 N. E. 2d 367.

No. 452, Misc. *LEARY v. DAY, WARDEN*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 444, Misc. *LINDSEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Harry Boehme, Jr.* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 227 F. 2d 113.

No. 455, Misc. *HATFIELD v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 459, Misc. *SESSIONS v. MANNING, SUPERINTENDENT, SOUTH CAROLINA PENITENTIARY*. C. A. 4th Cir. Certiorari denied. Reported below: 227 F. 2d 324.

No. 485, Misc. *HILDERBRAND v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 505, Misc. *ILLINOIS EX REL. WINSTON v. RANDOLPH, WARDEN*. Supreme Court of Illinois. Certiorari denied.

No. 518, Misc. *ACKER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *J. D. Maddox* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Burger*, *Paul A. Sweeney* and *Morton Hollander* for the United States. Reported below: 226 F. 2d 575.

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No. 544, Misc. ORTEGA *v.* RAGEN, WARDEN. Circuit Court of Will County, Illinois. Certiorari denied.

No. 550, Misc. DI SILVESTRO *v.* UNITED STATES VETERANS ADMINISTRATION ET AL. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. Solicitor General Sobeloff for respondents. Reported below: 228 F. 2d 516.

No. 561, Misc. TILLMAN *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 562, Misc. MERCER *v.* NEW YORK ET AL. Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

No. 585, Misc. MAHURIN *v.* WARDEN, MISSOURI STATE PRISON, ET AL. Supreme Court of Missouri. Certiorari denied.

No. 587, Misc. GRIESHABER *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 604, Misc. MIKKA *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Reported below: 7 Ill. 2d 454, 131 N. E. 2d 79.

*Rehearing Denied.*

No. 21. UNITED STATES *v.* TWIN CITY POWER CO. ET AL., *ante*, p. 222;

No. 209. UNITED STATES *v.* TWIN CITY POWER COMPANY OF GEORGIA ET AL., *ante*, p. 956;

No. 589. V. P. SERODINO, INC. *v.* UNITED STATES ET AL., *ante*, p. 961;

No. 396, Misc. MAHAR *v.* LAINSON, WARDEN, *ante*, p. 972; and

No. 430, Misc. SPAMPINATO ET UX. *v.* M. BREGER & Co., INC., *ante*, p. 973. Petitions for rehearing denied.

April 9, 1956.

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APRIL 9, 1956.

*Decisions Per Curiam.*

NO. 699. UNITED STATES *v.* WHITE BEAR BREWING CO., INC. ET AL. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. *Per Curiam*: The petition for writ of certiorari is granted and the judgment is reversed. Dissenting opinion by MR. JUSTICE DOUGLAS in which MR. JUSTICE HARLAN concurs. *Solicitor General Sobeloff, Acting Assistant Attorney General Rice and Harry Baum* for the United States. *Kenneth F. Burgess, Edward P. Saltiel and William H. Avery, Jr.* for the White Bear Brewing Co. et al., respondents. Reported below: 227 F. 2d 359.

MR. JUSTICE DOUGLAS, with whom MR. JUSTICE HARLAN concurs, dissenting.

I dissent. The Court holds that a federal tax lien has priority over a statutory mechanic's lien, even though the mechanic's lien was specific, prior in time, perfected in the sense that everything possible under state law had been done to make it choate, and was being enforced before the federal tax lien arose. The mechanic's lien arose out of a contract to furnish labor and materials for the improvement of the real estate. The contract had been performed, the mechanic's lien recorded for a specific amount, and suit instituted to enforce the lien—all before the federal taxes were assessed and the tax liens recorded. Moreover, by the time the United States filed the present action to foreclose its tax liens, the mechanic's lien had been reduced to judgment, and the real estate sold at public auction and transferred by the purchaser to others. In *United States v. City of New Britain*, 347 U. S. 81, 84, we said that liens under state law were "perfected in the sense that there is nothing more to be done to have a choate lien—when the identity of the lienor, the property subject to the lien, and the amount of the lien are established." Accordingly, we held that the principle that

"the first in time is the first in right" (*id.*, at 85) should be applied. I would apply the same principle here.

None of our other cases stands in the way. *United States v. Security Trust & Savings Bank*, 340 U. S. 47, involved a general inchoate attachment lien which had been procured by the holder of an unsecured note. The attachment lien gave no right to proceed against the property unless the lienor obtained a judgment within three years. In *United States v. Acri*, 348 U. S. 211, the attachment lien was contingent upon the outcome of the suit for damages and was therefore "inchoate." *Id.*, at 214. The same was true of the lien of the garnisher in *United States v. Liverpool & London Ins. Co.*, 348 U. S. 215. In *United States v. Scovil*, 348 U. S. 218, the landlord's distress lien was "only a caveat of a more perfect lien to come." *Id.*, at 220. And in *United States v. Colotta*, 350 U. S. 808, the mechanic's lien which we subordinated to the federal tax lien had become definite in amount but no steps had been taken to file the statutory *lis pendens* notice nor to enforce the lien before the federal lien arose and was recorded.

Here the lien is not general and inchoate. It is specific and choate. The lienor had an immediate right to "enforce his lien" against the property. Ill. Rev. Stat., 1953, c. 82, § 9. This is clearly more than "merely a *lis pendens* notice that a right to perfect a lien exists." 340 U. S., at 50. Indeed, the mechanic's lienor had instituted suit to enforce the lien before the federal tax lien arose and had completed enforcement of the lien by the time the United States instituted the present action.

The Court apparently holds that under 26 U. S. C. § 3670 a lien that is specific and choate under state law, no matter how diligently enforced, can never prevail against a subsequent federal tax lien, short of reducing the lien to final judgment. That is new doctrine, not warranted by our decisions, and supportable only if the *New Britain* case were overruled.

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No. 675. ROTHWELL ET AL. *v.* LINZELL, DIRECTOR OF HIGHWAYS. Appeal from the Supreme Court of Ohio. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *John Caren, William S. Evatt and Robert L. Barton* for appellants. *C. William O'Neill*, Attorney General of Ohio, and *Hugh E. Kirkwood, Jr.*, Assistant Attorney General, for appellee. Reported below: 163 Ohio St. 517, 127 N. E. 2d 524.

*Miscellaneous Orders.*

No. 66. RIVERBANK LABORATORIES *v.* HARDWOOD PRODUCTS CORP. Certiorari, 350 U. S. 817, to the United States Court of Appeals for the Seventh Circuit. The order entered in this case on April 2, 1956, *ante*, p. 1003, is amended to provide for a remand of the case to the United States Court of Appeals for the Seventh Circuit.

No. 92. BLACK ET AL. *v.* CUTTER LABORATORIES. Certiorari, 350 U. S. 816, to the Supreme Court of California. The motion to continue this case to the next term is denied.

No. 451. RAILWAY EMPLOYEES' DEPARTMENT, AMERICAN FEDERATION OF LABOR, ET AL. *v.* HANSON ET AL. Appeal from the Supreme Court of Nebraska. (Probable jurisdiction noted, 350 U. S. 910.) The motion of the State of South Dakota for leave to appear and present oral argument, as *amicus curiae*, is denied.

No. 546, Misc. BALDWIN *v.* UNITED STATES. Motion for leave to file petition for writ of mandamus denied.

No. 624, Misc. DONNELL *v.* RAGEN, WARDEN. Motion for leave to file petition for writ of certiorari denied.

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No. 577, Misc. DUNN *v.* UNITED STATES;  
No. 598, Misc. GORDON *v.* UNITED STATES; and  
No. 638, Misc. WULSCH *v.* ILLINOIS ET AL. Motions  
for leave to file petitions for writs of habeas corpus denied.

*Certiorari Granted.* (See also No. 699, *ante*, p. 1010.)

No. 718. UNITED STATES *v.* PLESHA ET AL. C. A. 9th  
Cir. *Certiorari* granted. *Solicitor General Sobeloff, As-*  
*stant Attorney General Burger, Samuel D. Slade, Lester*  
*S. Jayson and David A. Turner* for the United States.  
*Philip C. Wilkins* for respondents. Reported below: 227  
F. 2d 624.

*Certiorari Denied.* (See also No. 624, *Misc., supra.*)

No. 639. MOE ET AL. *v.* EARLE, FORMER COLLECTOR OF  
INTERNAL REVENUE. C. A. 9th Cir. *Certiorari* denied.  
*William E. Dougherty* for petitioners. *Solicitor General*  
*Sobeloff, Acting Assistant Attorney General Rice and Lee*  
*A. Jackson* for respondent. Reported below: 226 F. 2d  
583.

No. 651. GREYHOUND CORPORATION *v.* MARTIN. C. A.  
6th Cir. *Certiorari* denied. *K. Harlan Dodson, Jr.* for  
petitioner. *Kenneth Harwell* for respondent. Reported  
below: 227 F. 2d 501.

No. 708. DUBE ET AL. *v.* CITY OF CHICAGO. Supreme  
Court of Illinois. *Certiorari* denied. *Thomas J. Downs*  
for petitioners. *John C. Melaniphy and Sydney R.*  
*Drebin* for respondent. Reported below: 7 Ill. 2d 313,  
131 N. E. 2d 9.

No. 712. FAUCETTA *v.* NEW YORK. Court of Appeals  
of New York. *Certiorari* denied. *Maurice Edelbaum* for  
petitioner.

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No. 715. *DESKIN v. PAZAN, DOING BUSINESS AS PAZAN MOTOR FREIGHT, ET AL.* Supreme Court of Michigan. Certiorari denied. *David Previant* and *Abraham L. Zwerdling* for petitioner. Reported below: 343 Mich. 587, 73 N. W. 2d 327.

No. 725. *MARATHON FOUNDRY & MACHINE Co. v. SCHWARTZ ET AL., TRUSTEES, ET AL.* C. A. 7th Cir. Certiorari denied. *Jacob Cohen* for petitioner. *Francis S. Clamitz* for Schwartz et al., and *Henry S. Blum* for Dreyfuss, respondents. Reported below: 228 F. 2d 594.

No. 740. *LUDVIGSEN v. COMMERCIAL STEVEDORING Co., INC. ET AL.* C. A. 2d Cir. Certiorari denied. *Abraham M. Fisch* for petitioner. *Thomas F. Keane* and *Albert P. Thill* for the Commercial Stevedoring Co., Inc., and *J. Ward O'Neill* and *David P. H. Watson* for A/S L. J. Mowinckels Rederi, respondents. Reported below: 228 F. 2d 707.

No. 405, Misc. *SMEREKA ET AL. v. MICHIGAN.* Supreme Court of Michigan. Certiorari denied.

No. 492, Misc. *MITCHELL v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 228 F. 2d 747.

No. 539, Misc. *HAINES v. CASTLE, ATTORNEY GENERAL OF ILLINOIS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 226 F. 2d 591.

No. 730. *HULETT v. BRINSON.* United States Court of Appeals for the District of Columbia Circuit. Certiorari

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denied. *Karl M. Dollak* for petitioner. *E. Willard Hyde* and *Mario S. Romero* for respondent. Reported below: 97 U. S. App. D. C. —, 229 F. 2d 22.

No. 703. *BRAMBLETT v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. THE CHIEF JUSTICE and MR. JUSTICE BURTON took no part in the consideration or decision of this application. *Edward Bennett Williams* and *Murdaugh Stuart Madden* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: — U. S. App. D. C. —, 231 F. 2d 489.

No. 710. *ALLENTOWN BROADCASTING CORP. v. FEDERAL COMMUNICATIONS COMMISSION*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE BLACK took no part in the consideration or decision of this application. *Donald C. Beelar* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Barnes*, *Daniel M. Friedman*, *Warren E. Baker*, *Richard A. Solomon* and *Daniel R. Ohlbaum* for respondent. Reported below: — U. S. App. D. C. —, 232 F. 2d 57.

No. 697. *GRANT ET AL. v. BENSON, SECRETARY OF AGRICULTURE, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Harry Polikoff* and *Lipman Redman* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Barnes*, *Charles H. Weston*, *Robert L. Farrington* and *Neil Brooks* for the Secretary of Agriculture, *Keith L. Seegmiller* and *Robert G. Blabey* for Carey, and *Frederic P. Lee* and *Edmund F. Cooke* for the Adams Producers Cooperative, Inc. et al., respondents. Reported below: 97 U. S. App. D. C. —, 229 F. 2d 765.

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No. 547, Misc. *MAS ET AL. v. OWENS-ILLINOIS GLASS Co.* C. A. 3d Cir. Certiorari denied. Petitioners *pro se*. *Ward J. Herbert* for respondent. Reported below: 222 F. 2d 889.

No. 551, Misc. *INGENITO v. NEW JERSEY.* Supreme Court of New Jersey. Certiorari denied. Reported below: 19 N. J. 620, 118 A. 2d 129.

No. 555, Misc. *MITCHELL v. NEBRASKA.* Supreme Court of Nebraska. Certiorari denied.

No. 559, Misc. *STROUP v. FOX, ATTORNEY GENERAL OF WEST VIRGINIA, ET AL.* Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 574, Misc. *ALLEN v. RAGEN, WARDEN.* Circuit Court of Will County, Illinois. Certiorari denied.

No. 592, Misc. *SMITH v. RAGEN, WARDEN.* Circuit Court of Will County, Illinois. Certiorari denied.

*Rehearing Denied.*

No. 42. *GIBSON v. LOCKHEED AIRCRAFT SERVICE, INC.,* *ante*, p. 356;

No. 598. *HOLCOMB ET AL. v. AETNA LIFE INSURANCE Co.,* *ante*, p. 986;

No. 454, Misc. *DARRIN v. CAPITAL TRANSIT CO. ET AL.,* *ante*, p. 974; and

No. 484, Misc. *GOODSON v. VIRGINIA,* *ante*, p. 963. Petitions for rehearing denied.