

DECISIONS PER CURIAM AND ORDERS FROM
APRIL 18 THROUGH JUNE 11, 1956.

APRIL 18, 1956.

Case Dismissed Under Rule 60.

NO. 775. UNITED ELECTRICAL, RADIO AND MACHINE WORKERS OF AMERICA (UE) ET AL. v. GOODMAN MANUFACTURING CO. ET AL. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *David Scribner* and *Basil R. Pollitt* for petitioners. *Solicitor General Sobeloff* for the National Labor Relations Board, respondent. Reported below: 227 F. 2d 465.

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Decisions Per Curiam.

NO. 511. SOUTH CAROLINA ELECTRIC & GAS CO. v. FLEMMING. Appeal from the United States Court of Appeals for the Fourth Circuit. *Per Curiam*: The appeal is dismissed. *Slaker v. O'Connor*, 278 U. S. 188. *W. C. McLain*, *Frank B. Gary* and *Arthur M. Williams* for appellant. *Robert L. Carter*, *Thurgood Marshall* and *Philip Wittenberg* for appellee. Briefs of *amici curiae* supporting appellant were filed by *T. C. Callison*, Attorney General, and *William A. Dallis*, Assistant Attorney General, for the State of South Carolina, and by City Attorneys for the City of Columbia, South Carolina. Reported below: 224 F. 2d 752.

NO. 707. NEW YORK, CHICAGO & ST. LOUIS RAILROAD CO. v. SKIBA, ADMINISTRATRIX. Appeal from the Court

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of Appeals of Cuyahoga County, Ohio. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. *Edwin Knachel* and *Donald E. Ryan* for appellant. *George J. McMonagle* and *Richard E. McMonagle* for appellee.

No. 751. *AMERE GAS UTILITIES CO. v. PUBLIC SERVICE COMMISSION OF WEST VIRGINIA*. Appeal from the Supreme Court of Appeals of West Virginia. *Per Curiam*: The appeal is dismissed for want of a substantial federal question. *Charles C. Wise, Jr.* and *Tilford A. Jones* for appellant.

No. 277, Misc. *JAKALSKI v. CARRICK, CLERK*. *Per Curiam*: The motions for leave to proceed *in forma pauperis* and for leave to file petition for writ of mandamus are granted. The petition for writ of mandamus is granted and the Clerk of the United States Court of Appeals for the Seventh Circuit is directed to docket petitioner's appeal. Petitioner *pro se*. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Gray Thoron*, *Beatrice Rosenberg* and *Julia P. Cooper* for respondent.

No. 371, Misc. *NOTO v. UNITED STATES*. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. *Per Curiam*: The motion for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is reversed and the case is remanded to the District Court for the entry of an order enlarging petitioner upon bail, pending trial, in the sum of \$10,000. *Charles J. McDonough* for petitioner. *Solicitor General Sobeloff* for the United States. Reported below: 226 F. 2d 953.

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No. 390, Misc. *PETERS v. NEW YORK*. Appeal from the Court of Appeals of New York. *Per Curiam*: The appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

Miscellaneous Orders.

No. 451. *RAILWAY EMPLOYES' DEPARTMENT, AMERICAN FEDERATION OF LABOR, ET AL. v. HANSON ET AL.* Appeal from the Supreme Court of Nebraska. The motion to continue this case to the next term is denied.

No. 545. *IN RE GROBAN ET AL.* Appeal from the Supreme Court of Ohio. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits. Rule 16 (4). The parties are requested to discuss in their briefs and oral arguments this Court's jurisdiction to consider any questions raised by the possible applicability of *In re Murchison*, 349 U. S. 133, and *In re Oliver*, 333 U. S. 257, to the proceedings involved in this case. *Ernest B. Graham* for appellants. *Malcom M. Prine* for Paul, Sheriff, appellee. Reported below: 164 Ohio St. 26, 128 N. E. 2d 106.

No. 692. *ALLEGHANY CORPORATION ET AL. v. BRESWICK & Co. ET AL.* Appeal from the United States District Court for the Southern District of New York. Probable jurisdiction noted. The motions of Adelaide Neuwirth and Joseph S. Gruss et al. for leave to join in the jurisdictional statement of the Alleghany Corporation are granted. The motions to advance are denied. *David Hartfield, Jr.*, *Edward K. Wheeler*, *Orison S. Marden*, *William L. Williams* and *Robert G. Seaks* for the Alleghany Corporation, *Harold H. Levin* for Gruss et al., and

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Alexander Kahan for Neuwirth et al., appellants. *George Brussel, Jr.* for Breswick & Co. et al., appellees.

No. 72. *COSTELLO v. UNITED STATES*, 350 U. S. 359. The motion for leave to file petition for enlargement of the scope of review in the order granting certiorari (350 U. S. 819) is denied. The petition for rehearing is also denied. MR. JUSTICE CLARK and MR. JUSTICE HARLAN took no part in the consideration or decision of these applications.

No. 744. *UNITED STATES v. INTERNATIONAL UNION UNITED AUTOMOBILE, AIRCRAFT & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW-CIO)*. Appeal from the United States District Court for the Eastern District of Michigan. Probable jurisdiction noted. The motion to advance is denied. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. *Harold A. Cranefield* and *Joseph L. Rauh, Jr.* for appellee. Reported below: 138 F. Supp. 53.

No. 608, Misc. *KAMPMAYER v. UNITED STATES*. Motion for leave to file petition for writ of certiorari denied. *Jack R. Miller* for petitioner. *Solicitor General Sobeloff*, *Acting Assistant Attorney General Rice* and *Joseph M. Howard* for the United States. Reported below: See 227 F. 2d 313.

No. 620, Misc. *DAVIS v. UNITED STATES*. Motion for leave to file petition for writ of certiorari denied. *A. Jerome Hoffmann* and *John W. Graff* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Isabelle Cappello* for the United States. Reported below: See 229 F. 2d 181.

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No. 626, Misc. GONZALEZ *v.* MCGEE ET AL.; and

No. 627, Misc. HALL *v.* UNITED STATES. Motions for leave to file petitions for writs of habeas corpus denied.

Probable Jurisdiction Noted. (See Nos. 692 and 744, *supra.*)

Certiorari Granted. (See also No. 371, Misc., *supra.*)

No. 743. BROWNELL, ATTORNEY GENERAL, *v.* TOM WE SHUNG. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Isabelle Cappello* for petitioner. *Jack Wasserman* for respondent. Reported below: 97 U. S. App. D. C. 25, 227 F. 2d 40.

No. 723. AMALGAMATED MEAT CUTTERS & BUTCHER WORKMEN OF NORTH AMERICA, AFL-CIO, *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. 6th Cir. Certiorari granted. *Harold I. Cammer* for petitioner. *Solicitor General Sobeloff, Theophil C. Kamholz, David P. Findling, Dominick L. Manoli and Robert G. Johnson* for the National Labor Relations Board, and *Cecil Sims* for the Lannom Manufacturing Co., respondents. Reported below: 226 F. 2d 194.

No. 741. WEBB *v.* ILLINOIS CENTRAL RAILROAD CO. C. A. 7th Cir. Certiorari granted. *Carl L. Yaeger* for petitioner. *Herbert J. Deany and Joseph H. Wright* for respondent. Reported below: 228 F. 2d 257.

No. 745. RAYONIER INCORPORATED *v.* UNITED STATES. C. A. 9th Cir. Certiorari granted. *Lowell P. Mickelwait and Chester Rohrlach* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger, Samuel D. Slade and Alan S. Rosenthal* for the United States. Reported below: 225 F. 2d 642.

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No. 747. *HERDMAN v. PENNSYLVANIA RAILROAD CO.* C. A. 6th Cir. Certiorari granted. *J. Paul McNamara* for petitioner. *Robert L. Barton* and *John Eckler* for respondent. Reported below: 228 F. 2d 902.

No. 749. *ARNHOLD ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari granted. *Donald McL. Davidson* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Burger*, *Samuel D. Slade* and *Alan S. Rosenthal* for the United States. Reported below: 225 F. 2d 649, 650.

No. 6, Misc. *BREITHAUPT v. ABRAM, WARDEN.* Supreme Court of New Mexico. Certiorari granted. *J. O. Seth* for petitioner. Reported below: 58 N. M. 385, 271 P. 2d 827.

Certiorari Denied. (See also Misc. Nos. 390, 608 and 620, *supra.*)

No. 662. *NATIONAL DRYER MANUFACTURING CORP. ET AL. v. NATIONAL DRYING MACHINERY Co.; and*

No. 729. *NATIONAL DRYING MACHINERY Co. v. NATIONAL DRYER MANUFACTURING CORP. ET AL.* C. A. 3d Cir. Certiorari denied. *Daniel Mungall, Jr.* and *James E. Gallagher, Jr.* for the National Dryer Mfg. Corp. et al. *Louis Necho* for the National Drying Machinery Co. Reported below: 228 F. 2d 349.

No. 716. *WINER v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. *Robert N. Gorman*, *Harry Kasfir*, *John C. Crawford, Jr.* and *James M. Meek* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Isabelle R. Cappello* for the United States. Reported below: 228 F. 2d 944.

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No. 706. COOPER ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Robert A. Scardino* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 227 F. 2d 814.

No. 724. TEXAS *v.* RECONSTRUCTION FINANCE CORP. ET AL. C. A. 5th Cir. Certiorari denied. *John Ben Shepperd*, Attorney General of Texas, and *W. V. Geppert* and *L. P. Lollar*, Assistant Attorneys General, for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger and Samuel D. Slade* for respondents. Reported below: 229 F. 2d 9.

No. 733. WESTERN MARYLAND RAILWAY CO. *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *William C. Purnell* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Rice, Harry Baum and Philip R. Miller* for the United States. Reported below: 227 F. 2d 576.

No. 734. TATINCLOUX ET AL. *v.* COMMISSIONER OF PATENTS. United States Court of Customs and Patent Appeals. Certiorari denied. *John L. Seymour* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Burger, John R. Benney and Melvin Richter* for respondent. Reported below: 43 C. C. P. A. (Pat.) 722, 228 F. 2d 238.

No. 735. DAVIS ET AL. *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Frederick A. Ballard and Joseph W. Wyatt* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Morton, Roger P. Marquis and S. Billingsley Hill* for the United States. Reported below: 228 F. 2d 280.

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No. 738. *BROOKS v. JACK'S COOKIE CO.* C. A. 4th Cir. Certiorari denied. *John K. Pickens* for petitioner. *William K. Van Allen* for respondent. Reported below: 227 F. 2d 935.

No. 742. *KANSAS CITY SOUTHERN RAILWAY CO. v. CAGLE.* C. A. 10th Cir. Certiorari denied. *Kelly Brown* and *John M. Wheeler* for petitioner. *William H. DeParcq* and *Pat Malloy* for respondent. Reported below: 229 F. 2d 12.

No. 746. *NICKOLA ET AL. v. UNITED STATES GOVERNMENT POST OFFICE DEPARTMENT ET AL.* C. A. 6th Cir. Certiorari denied. *Andrew J. Transue* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Burger* and *Samuel D. Slade* for respondents. Reported below: 229 F. 2d 737.

No. 753. *DULUTH STEAMSHIP CO. v. ALLIED CHEMICAL & DYE CORP.—SEMET SOLVAY DIVISION.* Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied. *John M. Aherne* for petitioner. *Harold J. Adams* for respondent. Reported below: 286 App. Div. 947, 143 N. Y. S. 2d 664.

No. 762. *DALLY ET UX. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 9th Cir. Certiorari denied. *Clifford Hoof* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Rice*, *Lee A. Jackson* and *L. W. Post* for respondent. Reported below: 227 F. 2d 724.

No. 767. *EASTER v. EISENHOWER, PRESIDENT OF THE UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* *Solicitor General Sobeloff*, *Assistant Attor-*

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ney General Burger and *Melvin Richter* filed a brief for the Attorney General of the United States, as *amicus curiae*, in opposition to the petition.

No. 695. CONSOLIDATED EDISON CO. OF NEW YORK, INC. *v.* UNITED STATES. Court of Claims. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *James K. Polk, Robert E. Coulson* and *Harold F. Noneman* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Rice* and *Hilbert P. Zarky* for the United States. *Ralph W. Brown* and *A. Chauncey Newlin* filed a brief for the New York Telephone Co., as *amicus curiae*, in support of the petition. Reported below: 133 Ct. Cl. 376, 135 F. Supp. 881.

No. 755. ALLENDALE COMPANY 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. *Stuart N. Scott, William J. Kridel, C. Roger Nelson* and *Franklin M. Schultz* 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, and *Arthur J. Goldberg, David E. Feller* and *Benjamin Wyle* for the Textile Workers Union of America, respondents.

No. 719. RICHFIELD OIL CORP. *v.* NATIONAL LABOR RELATIONS BOARD. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Gregory A. Harrison, Moses Lasky, Marion B. Plant, Alvin J. Rockwell* and *David Guntert* for petitioner. *Solicitor General Sobeloff, Theophil C. Kammholz, David*

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P. Findling and *Dominick L. Manoli* for respondent. Briefs of *amici curiae* in support of the petition were filed by *Milton C. Denbo* and *Thomas E. Shroyer* for the American Retail Federation, and by *Lambert H. Miller* and *Fred B. Haught* for the National Association of Manufacturers of the United States of America. Reported below: 97 U. S. App. D. C. 383, 231 F. 2d 717.

No. 727. *PRIEST v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. *Charles W. Tessmer* for petitioner. Reported below: 262 Tex. Cr. R. —, 286 S. W. 2d 164.

No. 368, Misc. *NELSON 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 petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Joseph A. Barry* for the United States. Reported below: 97 U. S. App. D. C. 6, 227 F. 2d 21.

No. 548, Misc. *RATCLIFF v. LARSON, JUDGE*. Supreme Court of Iowa. Certiorari denied.

No. 564, Misc. *BURNS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 229 F. 2d 87.

No. 582, Misc. *WILHELM v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. Reported below: 209 Md. 624, 120 A. 2d 195.

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No. 605, Misc. JONES ET AL. *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Grover N. McCormick* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Julia P. Cooper* for the United States. Reported below: 230 F. 2d 485.

No. 618, Misc. LEWIS *v.* PEPERSACK, WARDEN. Court of Appeals of Maryland. Certiorari denied. Reported below: 209 Md. 625, 120 A. 2d 194.

No. 116, Misc. WADE *v.* CUMMINGS, WARDEN. Supreme Court of Errors of Connecticut. Certiorari denied. Petitioner *pro se.* *Lorin W. Willis* for respondent.

No. 201, Misc. NAVARRETTE-NAVARRETTE *v.* LANDON, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 9th Cir. Certiorari denied. *Fred Okrand and A. L. Wirin* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Joseph A. Barry* for respondent. Reported below: 223 F. 2d 234.

No. 342, Misc. JONES *v.* MAYO, PRISON CUSTODIAN. Supreme Court of Florida. Certiorari denied. Petitioner *pro se.* *Richard W. Ervin*, Attorney General of Florida, and *Reeves Bowen*, Assistant Attorney General, for respondent.

No. 366, Misc. WELLS *v.* MADIGAN, WARDEN. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg* for respondent. Reported below: 224 F. 2d 577.

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No. 386, Misc. *WARNER v. CALIFORNIA*. District Court of Appeal of California, Second Appellate District. Certiorari denied. *William B. Murrish* for petitioner. Reported below: 134 Cal. App. 2d 829, 286 P. 2d 560.

No. 460, Misc. *BIGGS, ADMINISTRATRIX, v. SMITH*. C. A. 4th Cir. Certiorari denied. *William S. Sandifer* and *H. C. Bean* for petitioner. *L. W. Perrin, Jr.* and *Edward P. Perrin* for respondent. Reported below: 223 F. 2d 839.

No. 494, Misc. *ERICKSON, ADMINISTRATRIX, v. MEDINA*. C. A. 9th Cir. Certiorari denied. *David A. Fall* and *Silas Blake Axtell* for petitioner. *Ferdinand T. Fletcher* for respondent. Reported below: 226 F. 2d 475.

No. 510, Misc. *DAVIS v. UNITED STATES*. C. A. 8th 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 834.

No. 517, Misc. *O'HARA v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied.

No. 523, Misc. *ATKINS v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM*. C. A. 5th Cir. Certiorari denied. Reported below: 227 F. 2d 161.

No. 534, Misc. *DI PALERMO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Nathan Kestnbaum* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Isabelle R. Cappello* for the United States. Reported below: 228 F. 2d 901.

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No. 554, Misc. *PRUITT v. OKLAHOMA*. Criminal Court of Appeals of Oklahoma. Certiorari denied. Reported below: 290 P. 2d 424.

No. 556, Misc. *DAVIS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 229 F. 2d 178.

No. 560, Misc. *SPEARS v. SKEEN, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 566, Misc. *NEAL v. ILLINOIS ET AL.* Circuit Court of Randolph County, Illinois. Certiorari denied.

No. 568, Misc. *PAQUA v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 570, Misc. *YOUNG ET UX. v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 228 F. 2d 693.

No. 575, Misc. *BENTLEY v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 576, Misc. *IN RE OAKLEY*. Supreme Court of California. Certiorari denied.

No. 580, Misc. *TURNER v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 583, Misc. *PENNSYLVANIA EX REL. MOORE v. TEES, WARDEN*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

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No. 584, Misc. *MEEKS v. LAINSON, WARDEN*. Supreme Court of Iowa. Certiorari denied.

No. 586, Misc. *MARNIN v. NEW JERSEY ET AL.* Supreme Court of New Jersey. Certiorari denied.

No. 588, Misc. *PENNSYLVANIA EX REL. DION v. TEES, WARDEN*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 593, Misc. *RATCLIFF v. IOWA ET AL.* Supreme Court of Iowa. Certiorari denied.

No. 595, Misc. *MORGAN v. NULL 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. Hirschowitz*, *Philip Watson* and *Daniel M. Cohen*, Assistant Attorneys General, for Null, and *Peter Campbell Brown*, *Seymour B. Quel* and *John A. Murray* for Sharp et al., respondents. Reported below: 228 F. 2d 411.

No. 601, Misc. *MCDONALD v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied.

No. 625, Misc. *JOHNSON v. ILLINOIS*. Circuit Court of Will County, Illinois. Certiorari denied.

No. 628, Misc. *CRONIN v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 629, Misc. *RANDALL v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 630, Misc. *CARRINGTON v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 633, Misc. *SPEARS v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

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No. 637, Misc. *HICKOX v. RAGEN, WARDEN*. Circuit Court of Will County, Illinois. Certiorari denied.

No. 639, Misc. *BANKS v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Reported below: 7 Ill. 2d 119, 129 N. E. 2d 759.

No. 288, Misc. *STEINMETZ v. CALIFORNIA STATE BOARD OF EDUCATION ET AL.* Supreme Court of California. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion certiorari should be granted. THE CHIEF JUSTICE took no part in the consideration or decision of this application. *A. L. Wirin* and *Fred Okrand* for petitioner. *Edmund G. Brown*, Attorney General of California, and *Richard L. Mayers*, Deputy Attorney General, for respondents. Reported below: 44 Cal. 2d 816, 285 P. 2d 617.

Rehearing Denied. (See also No. 72, ante, p. 904.)

No. 343. *UNITED ELECTRICAL, RADIO & MACHINE WORKERS OF AMERICA (UE), LOCAL 1113, v. NATIONAL LABOR RELATIONS BOARD*, 350 U. S. 981;

No. 557. *DAVIS v. UNITED STATES*, 350 U. S. 965;

No. 581. *OHIO TRANSPORT, INC. v. PUBLIC UTILITIES COMMISSION OF OHIO*, 350 U. S. 982;

No. 624. *FLORIDA EX REL. HAWKINS v. BOARD OF CONTROL OF FLORIDA ET AL.*, 350 U. S. 413; and

No. 633. *SEARS, ROEBUCK & Co. v. RY-LOCK Co., LTD.*, 350 U. S. 987. Petitions for rehearing denied.

No. 609. *KELLEY, GLOVER & VALE, INC., TRUSTEE, v. COFFING, TRUSTEE, ET AL.*, 350 U. S. 968; and

No. 472, Misc. *KLUBNIKIN v. UNITED STATES*, 350 U. S. 975. Motions for leave to file petitions for rehearing denied.

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Decisions Per Curiam.

No. 555. SUGDEN ET UX. *v.* UNITED STATES. Certiorari, 350 U. S. 952, to the United States Court of Appeals for the Ninth Circuit. Argued April 25, 1956. Decided April 30, 1956. *Per Curiam*: The judgment is affirmed. MR. JUSTICE BLACK, MR. JUSTICE FRANKFURTER, and MR. JUSTICE DOUGLAS dissent. *Mark Wilmer* argued the cause for petitioners. With him on the brief was *Frank L. Snell*. *John F. Davis* argued the cause for the United States. With him on the brief were *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Carl H. Imlay*. Reported below: 226 F. 2d 281.

No. 757. ANTONIO ET UX. *v.* MASSACHUSETTS; and

No. 758. MASSACHUSETTS CHIROPRACTIC LAYMEN'S ASSOCIATION, INC., ET AL. *v.* FINGOLD, ATTORNEY GENERAL, ET AL. Appeals from the Supreme Judicial Court of Massachusetts. *Per Curiam*: The appeals are dismissed for want of a substantial federal question. *Samuel Silbiger* for appellants. Reported below: 333 Mass. 175, 179, 129 N. E. 2d 914, 130 N. E. 2d 101.

No. 731. LONG BEACH FEDERAL SAVINGS & LOAN ASSOCIATION ET AL. *v.* FEDERAL HOME LOAN BANK OF SAN FRANCISCO ET AL. Appeal from the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction.[*] *Charles K. Chapman* for the Long Beach Federal Savings & Loan Assn. et al., and *F. Henry NeCasek* for the Home Investment Co., appellants. *Solicitor General Sobeloff*, *Assistant Attorney*

*[As amended, *post*, p. 922.]

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General Burger, Samuel D. Slade and Donald B. MacGuineas for McAllister et al., and *Sylvester Hoffmann* for the Federal Home Loan Bank of San Francisco, appellees. *Edmund G. Brown*, Attorney General of California, and *Everett W. Mattoon*, Assistant Attorney General, filed a brief on behalf of the citizens of California, as *amici curiae*, in support of appellants. Reported below: 225 F. 2d 349.

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 prohibition is denied. *Louis R. Milio* for petitioner.

No. 748. *TANKPORT TERMINALS, INC. v. WILLS LINES, INC.* On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Certiorari denied. The motion for leave to file petition for writ of mandamus is also denied. Reported below: 227 F. 2d 509.

Certiorari Granted.

No. 760. *SORIANO v. UNITED STATES.* Court of Claims. Certiorari granted. *Prew Savoy* for petitioner. *Solicitor General Sobeloff*, Assistant Attorney General *Burger* and *Melvin Richter* for the United States. Reported below: 133 Ct. Cl. 971.

No. 752. *UNITED STATES FOR THE BENEFIT OF SHERMAN ET AL., TRUSTEES, v. CARTER ET AL., DOING BUSINESS AS CARTER CONSTRUCTION Co., ET AL.* C. A. 9th Cir. Certiorari granted. *Gardiner Johnson* and *Charles P. Scully* for petitioners. *John Walton Dinkelspiel* for the Hartford Accident & Indemnity Co., respondent. Reported below: 229 F. 2d 645.

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Certiorari Denied. (See also No. 748, *supra*.)

No. 754. *ARMSTRONG v. UNITED STATES*. C. A. 8th Cir. *Certiorari* denied. *Charles M. Trammell* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Rice* and *Joseph M. Howard* for the United States. Reported below: 228 F. 2d 764.

No. 759. *McMULLANS ET AL. v. KANSAS, OKLAHOMA & GULF RAILWAY Co., INC., ET AL.* C. A. 10th Cir. *Certiorari* denied. *C. A. Summers* for petitioners. *R. M. Mountcastle* for the Kansas, Oklahoma & Gulf Railway Co., Inc., and *Harold R. Shoemaker* and *Harold C. Heiss* for Local No. 488, Brotherhood of Locomotive Firemen & Enginemen, et al., respondents. Reported below: 229 F. 2d 50.

No. 764. *REGINELLI v. UNITED STATES*. Supreme Court of New Jersey. *Certiorari* denied. *Jack Wasserman* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 20 N. J. 266, 119 A. 2d 454.

No. 766. *MILWAUKEE ELECTRIC TOOL CORP. v. JOHANN*. Supreme Court of Wisconsin. *Certiorari* denied. *Suel O. Arnold* and *Robert Sheriffs Moss* for petitioner. *Edward S. Grodin* for respondent. Reported below: 270 Wis. 573, 72 N. W. 2d 401.

No. 778. *POTISHMAN ET AL. v. UNITED STATES*. C. A. 5th Cir. *Certiorari* denied. *Dan Moody*, *John Minor Wisdom* and *Saul Stone* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 230 F. 2d 271.

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No. 776. WAGNER, DOING BUSINESS AS WAGNER TRANSPORTATION Co., v. NATIONAL LABOR RELATIONS BOARD. C. A. 9th Cir. Certiorari denied. *Willis C. Moffatt* 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 200.

No. 787. McPEAK v. NORTH CAROLINA. Supreme Court of North Carolina. Certiorari denied. *W. H. Holdenness* for petitioner. *William B. Rodman, Jr., Attorney General of North Carolina, and Harry W. McGalliard, Assistant Attorney General,* for respondent. Reported below: 243 N. C. 243, 90 S. E. 2d 501.

No. 799. MURCHISON ET AL. v. DOTTENHEIM. C. A. 5th Cir. Certiorari denied. *Franklin E. Spafford* for petitioners. *Harold Barefoot Sanders, Jr.* for respondent. Reported below: 227 F. 2d 737.

No. 765. CITY AND COUNTY OF SAN FRANCISCO ET AL. v. TRANS WORLD AIRLINES, INC. C. A. 9th Cir. Certiorari denied. MR. JUSTICE REED took no part in the consideration or decision of this application. *Dion R. Holm, Thomas M. O'Connor and Frank J. Needles* for the City and County of San Francisco, petitioner. *Loyd Wright, Eugene M. Prince, Francis R. Kirkham and Noel Dyer* for respondent. Reported below: 228 F. 2d 473.

No. 750. BEHRENS v. UNITED STATES. C. A. 2d Cir. Certiorari denied. *Henry L. Kanter* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Rice and Robert N. Anderson* for the United States. Reported below: 230 F. 2d 504.

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No. 770. BEAUMONT BROADCASTING CORP. *v.* ENTERPRISE COMPANY ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *George S. Smith, Edwin S. Nail, Paul M. Segal and Philip J. Hennessey, Jr.* for petitioner. *Leonard H. Marks and Paul Dobin* for the Enterprise Company, respondent. Reported below: 97 U. S. App. D. C. 374, 231 F. 2d 708.

No. 658. NORTH AMERICAN AIRCOACH SYSTEMS, INC., ET AL. *v.* NORTH AMERICAN AVIATION, INC. C. A. 9th Cir. Certiorari denied. MR. JUSTICE REED took no part in the consideration or decision of this application. *Walter J. Derenberg and Hardy K. MacLay* for petitioners. *Charles Pickett, Edward L. Compton and Arch R. Tuthill* for respondent. Reported below: 231 F. 2d 205.

No. 571, Misc. RAMBERG *v.* WARDEN OF MARYLAND HOUSE OF CORRECTION. Court of Appeals of Maryland. Certiorari denied. Reported below: 209 Md. 631, 120 A. 2d 201.

No. 606, Misc. BELL *v.* IOWA. Supreme Court of Iowa. Certiorari denied. Reported below: 247 Iowa 505, 74 N. W. 2d 592.

No. 612, Misc. FRENCH *v.* ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM, ET AL. Court of Criminal Appeals of Texas. Certiorari denied.

No. 538, Misc. KINNIE, ALIAS WATTS, *v.* FLORIDA. Supreme Court of Florida. Certiorari denied. *Releford McGriff* for petitioner. *Richard W. Ervin*, Attorney General of Florida, and *Reeves Bowen*, Assistant Attorney General, for respondent. Reported below: 83 So. 2d 114.

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Rehearing Denied.

No. 611. MALLONEE ET AL., SHAREHOLDERS' PROTECTIVE COMMITTEE, ET AL., *v.* FEDERAL HOME LOAN BANK OF SAN FRANCISCO ET AL., 350 U. S. 968;

No. 69, Misc. NORMAN *v.* NEW YORK, 350 U. S. 970;

No. 329, Misc. LAWRENCE *v.* CALIFORNIA, 350 U. S. 997; and

No. 557, Misc. COLLINS *v.* HEINZE, WARDEN, 350 U. S. 1004. Petitions for rehearing denied.

MAY 2, 1956.

Dismissal Under Rule 60.

No. 858. FEDERAL TRADE COMMISSION *v.* NATIONAL LEAD CO. ET AL. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. The Anaconda Copper Mining Co. and the International Smelting & Refining Co. are dismissed as parties respondent herein per stipulation pursuant to Rule 60 of the Rules of this Court. *Solicitor General Sobeloff* for petitioner. *Harlan L. Hackbert* for the Anaconda Copper Mining Co. and the International Smelting & Refining Co., respondents.

MAY 7, 1956.

Decisions Per Curiam.

No. 721. SOUTHERN KANSAS GREYHOUND LINES, INC. *v.* UNITED STATES ET AL. Appeal from the United States District Court for the Western District of Missouri. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed. *Jack R. Turney, Jr.* for appellant. *Solicitor General Sobeloff*, *Assistant Attorney General Barnes* and *Robert W. Ginnane* for the United States and the Interstate Commerce Commission, and *J. Wm. Townsend* and *George F. Short* for Kansas Trails, Inc., appellees. Reported below: 134 F. Supp. 502.

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No. 732. BOARD OF THE BLACK RIVER REGULATING DISTRICT *v.* ADIRONDACK LEAGUE CLUB. Appeal from the Court of Appeals of New York. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed on the ground that the judgment rests on an adequate non-federal basis. Rule 16 (b) of the Rules of this Court. *Arthur E. Sutherland* for appellant. *Charles H. Tuttle* for appellee. *Paul E. Brown* filed a brief for the City of Watertown, New York, as *amicus curiae*, supporting appellant. Reported below: 309 N. Y. 798, 130 N. E. 2d 599.

No. 779. REISS *v.* NEW YORK. Appeal from the County Court of Nassau County, New York. *Per Curiam*: The appeal is dismissed. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS would note probable jurisdiction. *Osmond K. Fraenkel* for appellant.

Miscellaneous Orders.

The Clerk is authorized to transfer to the National Archives the manuscript records and miscellaneous papers filed in cases docketed in this Court up to the year 1832.

No. 731. LONG BEACH FEDERAL SAVINGS & LOAN ASSOCIATION ET AL. *v.* FEDERAL HOME LOAN BANK OF SAN FRANCISCO ET AL. Appeal from the United States Court of Appeals for the Ninth Circuit. The order entered in this case on April 30, 1956, *ante*, p. 916, is amended to read as follows: "The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction."

Certiorari Granted.

No. 728. AMALGAMATED MEAT CUTTERS & BUTCHER WORKMEN OF NORTH AMERICA, LOCAL No. 427, AFL, ET AL. *v.* FAIRLAWN MEATS, INC. Supreme Court of Ohio.

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Certiorari granted. The Solicitor General is invited to file a brief in this case on behalf of the National Labor Relations Board. *Joseph M. Jacobs, Mozart G. Ratner* and *Mortimer Riemer* for petitioners. *Stanley Denlinger* for respondent. Reported below: 164 Ohio St. 285, 130 N. E. 2d 237.

No. 785. SAN DIEGO BUILDING TRADES COUNCIL ET AL. *v.* GARMON ET AL. Supreme Court of California. Certiorari granted. The Solicitor General is invited to file a brief in this case on behalf of the National Labor Relations Board. *Charles P. Scully, Mathew Tobriner* and *John C. Stevenson* for petitioners. *J. Sterling Hutcheson* for respondents. Reported below: 45 Cal. 2d 657, 291 P. 2d 1.

Certiorari Denied.

No. 492. NATIONAL LABOR RELATIONS BOARD *v.* MONSANTO CHEMICAL CO. C. A. 9th Cir. Certiorari denied. *Solicitor General Sobeloff, Theophil C. Kammholz, David P. Findling, Dominick L. Manoli* and *Margaret M. Farmer* for petitioner. *Alfred J. Schweppe* and *Elton L. French* for respondent. Reported below: 225 F. 2d 16.

No. 722. COFFMAN *v.* OHIO. Supreme Court of Ohio. Certiorari denied. *Melvin Edward Schaengold* for petitioner. *C. Watson Hover* for respondent. Reported below: 164 Ohio St. 461, 132 N. E. 2d 107.

No. 769. WAYNE HUGH EASLEY TRUST ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. *Clyde C. Sherwood* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Rice* and *Harry Baum* for respondent. Reported below: 228 F. 2d 810.

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No. 768. *LIAKAS v. NEBRASKA*. Supreme Court of Nebraska. Certiorari denied. *Eugene D. O'Sullivan* for petitioner. Reported below: 161 Neb. 130, 72 N. W. 2d 677.

No. 777. *BOARD OF SUPERVISORS OF LOUISIANA STATE UNIVERSITY AND AGRICULTURAL AND MECHANICAL COLLEGE ET AL. v. TUREAUD*. C. A. 5th Cir. Certiorari denied. *Fred S. LeBlanc*, Attorney General of Louisiana, *W. C. Perrault*, First Assistant Attorney General, *J. Clyde Pearce*, Assistant Attorney General, *W. Scott Wilkinson*, *Leander H. Perez*, *L. W. Brooks*, *C. V. Porter*, *Grove Stafford*, *Oliver Stockwell*, *Wood H. Thompson*, *J. H. Tucker, Jr.*, *Fred Blanche*, *Arthur O'Quin* and *Victor A. Sachse* for petitioners. *Robert L. Carter* for respondent. Reported below: 228 F. 2d 895.

No. 780. *KLAPHOLZ ET UX. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Joseph N. Friedman* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Richard J. Blanchard* for the United States. Reported below: 230 F. 2d 494.

No. 781. *SARNER ET AL. v. MASON, COMMISSIONER OF FEDERAL HOUSING ADMINISTRATION, ET AL.* C. A. 3d Cir. Certiorari denied. *Walter D. Van Riper* for petitioners. *Solicitor General Sobeloff*, *Acting Assistant Attorney General Leonard*, *John R. Benney* and *Samuel D. Slade* for respondents. Reported below: 228 F. 2d 176.

No. 783. *HERMANSEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *William E. Ladin* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 228 F. 2d 495, 230 F. 2d 173.

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No. 784. *CORRADO v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Jack Wasserman* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 227 F. 2d 780.

No. 786. *WOODLOCK ET AL. v. CITY OF ABILENE*. Court of Civil Appeals of Texas, Eleventh Supreme Judicial District. Certiorari denied. *Dallas Scarborough* for petitioners. Reported below: 282 S. W. 2d 736.

No. 788. *SIGFRED v. PAN AMERICAN WORLD AIRWAYS, INC.* C. A. 5th Cir. Certiorari denied. *Laurence A. Schroeder* for petitioner. *David W. Dyer* and *Douglas D. Batchelor* for respondent. Reported below: 230 F. 2d 13.

No. 789. *PENNSYLVANIA RAILROAD CO. v. KELLY*. C. A. 3d Cir. Certiorari denied. *Philip Price* for petitioner. *B. Nathaniel Richter* for respondent. Reported below: 228 F. 2d 727.

No. 796. *BRASIER ET VIR v. UNITED STATES ET AL.* C. A. 10th Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Sobeloff*, *Assistant Attorney General Rice*, *Lee A. Jackson* and *Joseph F. Goetten* for respondents. Reported below: 229 F. 2d 176.

No. 803. *BYRD v. NAPOLEON AVENUE FERRY CO., INC.* C. A. 5th Cir. Certiorari denied. *Moses C. Scharff* for petitioner. *John W. Sims* for respondent. Reported below: 227 F. 2d 958.

No. 810. *THURNAU, ADMINISTRATRIX, v. ALCOA STEAMSHIP CO., INC.* C. A. 2d Cir. Certiorari denied. *Henry Fogler* for petitioner. *J. Ward O'Neill* and *David P. H. Watson* for respondent. Reported below: 229 F. 2d 73.

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No. 805. DULIEN STEEL PRODUCTS, INC. *v.* CONNELL. Supreme Court of Louisiana. Certiorari denied. *Irwin Geiger, Paul R. Harmel and Michael A. Schuchat* for petitioner. *Philip H. Mecom* for respondent. Reported below: 228 La. 1093, 85 So. 2d 3.

No. 825. PHILCO TELEVISION BROADCASTING CORP. ET AL. *v.* ETTORE. C. A. 3d Cir. Certiorari denied. *Oscar Brown* for petitioners. *Murray L. Schwartz* for respondent. Reported below: 229 F. 2d 481.

No. 839. BOARD OF COUNTY COMMISSIONERS OF WYANDOTTE COUNTY, KANSAS, *v.* WILLIAM J. HOWARD, INC. C. A. 10th Cir. Certiorari denied. *J. E. Schroeder and Harold H. Harding* for petitioner. *Eugene P. Kealy and Francis L. Brinkman* for respondent. Reported below: 230 F. 2d 561.

No. 782. ROYALTY ET AL. *v.* CHUCALES ET AL., DOING BUSINESS AS THE STATE BAR & GRILL. Supreme Court of Ohio. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion certiorari should be granted. *J. W. Brown* for petitioners. *Homer John Micklethwaite* for respondents. Reported below: 164 Ohio St. 214, 129 N. E. 2d 823.

No. 720. ATCHISON, TOPEKA & SANTA FE RAILWAY CO. ET AL. *v.* SUMMERFIELD, POSTMASTER GENERAL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *J. Carter Fort, Gregory S. Prince, Francis M. Shea, Philip F. Welsh and Laurence J. Latto* for petitioners. *M. L. Countryman, Jr.* for the Northern Pacific Railway Co., and *Stanfield B. Johnson and Robert J. McLean* for the Southern Pacific Co., petitioners. *Solicitor General Sobeloff, Acting Assistant Attorney General Leonard, Paul A. Sweeney, Edward H.*

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Hickey, Morton Hollander, Abe McGregor Goff and Eugene J. Brahm for respondent. Reported below: 97 U. S. App. D. C. 203, 229 F. 2d 777.

No. 763. *BROPHY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Allan K. Perry* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Rankin and William H. Veeder* for the United States. Reported below: 231 F. 2d 437.

No. 792. *UNION PRODUCING CO. v. FEDERAL POWER COMMISSION ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Thomas Fletcher, Ralph M. Carson, C. Huffman Lewis and Theodore Kiendl* for petitioner. *Solicitor General Sobeloff, Acting Assistant Attorney General Leonard, Melvin Richter, William W. Ross, Willard W. Gatchell, William J. Grove and Robert L. Russell* for respondents. Reported below: 97 U. S. App. D. C. 223, 230 F. 2d 36.

No. 496. *NATIONAL LAWYERS GUILD v. BROWNELL, ATTORNEY GENERAL*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion certiorari should be granted. *Osmond K. Fraenkel, Robert W. Kenny, Earl B. Dickerson and Joseph Forer* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Burger, Samuel D. Slade and Benjamin Forman* for respondent. Reported below: 96 U. S. App. D. C. 252, 225 F. 2d 552.

No. 552, Misc. *SIMMONS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg* for the United States. Reported below: 230 F. 2d 73.

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No. 664, Misc. *BROGAN v. MARTIN, WARDEN*. Supreme Court of Pennsylvania. Certiorari denied.

No. 674, Misc. *BRADEN v. MISSOURI*. Supreme Court of Missouri. Certiorari denied.

Rehearing Denied.

No. 201. *HYUN v. LANDON, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE*, 350 U. S. 990. Rehearing denied. MR. JUSTICE CLARK took no part in the consideration or decision of this application.

No. 505. *MALOY v. CITY OF MULBERRY*, 350 U. S. 933. The motion for leave to file a second petition for rehearing is denied.

No. 58. *ULLMANN v. UNITED STATES*, 350 U. S. 422;

No. 316. *RAYMOND BAG CO. v. BOWERS, TAX COMMISSIONER OF OHIO*, 350 U. S. 1003;

No. 523. *COLLINS ET AL. v. AMERICAN BUSLINES, INC., ET AL.*, 350 U. S. 528;

No. 672. *BALIAN ICE CREAM CO., INC., ET AL. v. ARDEN FARMS CO. ET AL.*, 350 U. S. 991;

No. 683. *MOFFETT, EXECUTRIX, v. COMMERCE TRUST Co.*, 350 U. S. 996;

No. 12, Misc. *BINDRIM v. RAGEN, WARDEN*, 350 U. S. 1004;

No. 400, Misc. *LEVY v. HAYWARD ET AL.*, 350 U. S. 998;

No. 431, Misc. *SHOTKIN v. BOARD OF EDUCATION OF FLORIDA*, 350 U. S. 1004;

No. 550, Misc. *DI SILVESTRO v. UNITED STATES VETERANS ADMINISTRATION ET AL.*, 350 U. S. 1009;

No. 602, Misc. *BRINKLEY v. TEXAS*, 350 U. S. 992; and

No. 624, Misc. *DONNELL v. RAGEN, WARDEN*, 350 U. S. 1012. Petitions for rehearing denied.

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No. 248. *MACKAY v. BOYD*, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE, ET AL., 350 U. S. 840. The motion for leave to file petition for rehearing is denied.

MAY 14, 1956.

Decisions Per Curiam.

No. 802. *UNION OIL CO. OF CALIFORNIA v. CALIFORNIA*. Appeal from the Appellate Department, Superior Court of California, Los Angeles County. *Per Curiam*: The motion for leave to file brief of Air Pollution Control Association, as *amicus curiae*, is denied. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Alexander Macdonald* and *A. Andrew Hawk* for appellant. *Roger Arnebergh* and *Philip E. Grey* for appellee. Reported below: 137 Cal. App. 2d 859, 291 P. 2d 587.

No. 599, Misc. *WHITLEY v. WARDEN OF MARYLAND HOUSE OF CORRECTION*. Appeal from and petition for writ of certiorari to the Court of Appeals of Maryland. *Per Curiam*: The appeal is dismissed and the petition for writ of certiorari is denied. Reported below: 209 Md. 629, 120 A. 2d 200.

Miscellaneous Orders.

No. 558, Misc. *SOLSONA v. LOONEY, WARDEN*;
No. 572, Misc. *ALVAREZ v. STEINER, WARDEN*;
No. 581, Misc. *ANDERSON v. CALIFORNIA*; and
No. 649, Misc. *JORDAN v. COMMISSIONERS OF NEW YORK STATE PAROLE BOARD ET AL.* Motions for leave to file petitions for writs of habeas corpus denied. Petitioners *pro se*. *C. Ferdinand Sybert*, Attorney General of Maryland, and *James H. Norris, Jr.*, Special Assistant Attorney General, for respondent in No. 572, Misc.

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No. 48. COMMUNIST PARTY OF THE UNITED STATES *v.* SUBVERSIVE ACTIVITIES CONTROL BOARD, *ante*, p. 115. The motion of the respondent to issue the mandate forthwith is granted. *John J. Abt* and *Joseph Forer* for petitioner. *Solicitor General Sobeloff* for respondent.

Probable Jurisdiction Noted.

No. 636. NELSON ET AL., SUCCESSOR TRUSTEES, ET AL. *v.* CITY OF NEW YORK. Appeal from the Court of Appeals of New York. Probable jurisdiction noted. *William P. Jones* for appellants. *Peter Campbell Brown, Harry E. O'Donnell, Benjamin Offner* and *Joseph Brandwen* for appellee. Reported below: 309 N. Y. 801, 130 N. E. 2d 602.

Certiorari Granted.

No. 821. PENNSYLVANIA RAILROAD CO. ET AL. *v.* RYCHLIK. C. A. 2d Cir. Certiorari granted. The Solicitor General is invited to file a brief, as *amicus curiae*. *John B. Prizer* and *Richard N. Clattenburg* for the Pennsylvania Railroad Co., and *Henry Kaiser, Eugene Gressman* and *Wayland K. Sullivan* for the Brotherhood of Railroad Trainmen, petitioners. *Meyer Fix* for respondent. Reported below: 229 F. 2d 171.

Certiorari Denied. (See also No. 599, Misc., supra.)

No. 772. NEVADA-PACIFIC DEVELOPMENT CORP. ET AL. *v.* GUSTIN. C. A. 9th Cir. Certiorari denied. *Ernest S. Brown* for petitioners. *Richard R. Hanna* for respondent. Reported below: 226 F. 2d 286.

No. 806. ROWTON ET AL. *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Hayden C. Covington* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 229 F. 2d 421.

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No. 797. *SHAFFER ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Wilson K. Barnes* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Barnes, Daniel M. Friedman, Robert L. Farrington, Neil Brooks and Donald A. Campbell* for the United States. Reported below: 229 F. 2d 124.

No. 798. *STONE ET AL. v. HUFFSTUTLER, REFEREE IN BANKRUPTCY*. C. A. 5th Cir. Certiorari denied. *Ward R. Burke* for petitioners. Reported below: 227 F. 2d 217.

No. 812. *SINCERBEAUX v. HANLON, COMMISSIONER OF PUBLIC SAFETY OF WHITE PLAINS, NEW YORK*. Court of Appeals of New York. Certiorari denied. *Charles D. Lewis and Frederick J. Ludwig* for petitioner. *William McKinley and Vincent Del Tufo* for respondent. Reported below: 306 N. Y. 986, 309 N. Y. 1034, 119 N. E. 2d 610, 131 N. E. 2d 739.

No. 814. *WILSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Henry Hammer and Henry H. Edens* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Joseph A. Barry* for the United States. Reported below: 230 F. 2d 521.

No. 892. *ADAMS v. LUCY ET AL.* C. A. 5th Cir. Certiorari denied. *Frontis H. Moore and Andrew J. Thomas* for petitioner. *Thurgood Marshall, Constance Baker Motley and Arthur D. Shores* for respondents. Reported below: 228 F. 2d 619.

No. 691. *UNITED STATES v. ANASTASIO, ALIAS ANASTASIA*. C. A. 3d Cir. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Isabelle*

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R. Cappello for the United States. *Samuel Paige* and *Norma Z. Paige* for respondent. Reported below: 226 F. 2d 912.

No. 811. *WHITSELL v. ALEXANDER ET AL.* C. A. 7th Cir. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *John J. Yowell* for petitioner. *Albert E. Jenner, Jr.* for Alexander et al., and *John T. Chadwell* and *Richard M. Keck* for the American Optical Co., respondents. Reported below: 229 F. 2d 47.

No. 466, Misc. *HOOKS v. HARDWICK, WARDEN.* C. A. 5th Cir. Certiorari denied. Reported below: 226 F. 2d 407.

No. 578, Misc. *KONETZKE v. ILLINOIS ET AL.* Supreme Court of Illinois. Certiorari denied.

No. 591, Misc. *FRIESEN v. INDUSTRIAL ACCIDENT COMMISSION OF CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied. Petitioner *pro se.* *Everett A. Corten* for the Industrial Accident Commission, respondent.

No. 603, Misc. *SKINNER v. RANDOLPH, WARDEN.* Circuit Court of Lee County, Illinois. Certiorari denied.

No. 614, Misc. *BOYKIN v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM, ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 807. *CARE v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. *Charles Hill Johns* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 231 F. 2d 22.

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No. 632, Misc. ROOSA, ALIAS JONES, *v.* NEW YORK. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 654, Misc. TROIANI *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 658, Misc. ILLINOIS EX REL. BANGHART *v.* RAGEN, WARDEN. Circuit Court of Will County, Illinois. Certiorari denied.

No. 813. JUSTHEIM ET AL. *v.* MCKAY, SECRETARY OF THE INTERIOR, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Clair M. Senior* and *Melville Ehrlich* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Morton* and *George S. Swarth* for the Secretary of the Interior, and *Louis W. Myers*, *William W. Clary*, *Warren M. Christopher*, *Hugh Fullerton* and *Albert Noble McCartney* for the Signal Oil & Gas Co. et al., respondents. Reported below: 97 U. S. App. D. C. 146, 229 F. 2d 29.

No. 815. BARNES, TRUSTEE, *v.* UNITED STATES. Court of Claims. Certiorari denied. *T. Justin Moore*, *George D. Gibson* and *John W. Riely* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Rice*, *Lee A. Jackson* and *Elizabeth B. Davis* for the United States. Reported below: 133 Ct. Cl. 546, 137 F. Supp. 716.

No. 823. RYAN CONSOLIDATED PETROLEUM CORP. *v.* PICKENS ET AL. Supreme Court of Texas. Certiorari denied. *A. W. Walker, Jr.* for petitioner. *J. B. Robertson* and *Dan Moody* for respondents. Reported below: 155 Tex. —, 285 S. W. 2d 201.

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No. 609, Misc. *BLAKENEY v. MISSISSIPPI*. Supreme Court of Mississippi. Certiorari denied. *William W. Pierce* for petitioner. Reported below: — Miss. —, 82 So. 2d 714.

Rehearing Denied.

No. 682. *COVINGTON MILLS ET AL. v. MITCHELL, SECRETARY OF LABOR, ET AL.*, 350 U. S. 1002. Rehearing denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application.

No. 10. *PENNSYLVANIA v. NELSON*, 350 U. S. 497;

No. 278. *MITCHELL, SECRETARY OF LABOR, v. BUDD ET AL.*, 350 U. S. 473;

No. 637. *MYERS v. HOLLISTER, DIRECTOR, INTERNATIONAL COOPERATION ADMINISTRATION, ET AL.*, 350 U. S. 987;

No 667. *TRACTOR TRAINING SERVICE ET AL. v. FEDERAL TRADE COMMISSION*, 350 U. S. 1005;

No. 697. *GRANT ET AL. v. BENSON, SECRETARY OF AGRICULTURE, ET AL.*, 350 U. S. 1015; and

No. 459, Misc. *SESSIONS v. MANNING, SUPERINTENDENT, SOUTH CAROLINA PENITENTIARY*, 350 U. S. 1008. Petitions for rehearing denied.

MAY 15, 1956.

Case Dismissed Under Rule 60.

No. 904. *BOROUGH OF FORT LEE ET AL. v. BOARD OF LIQUIDATION OF THE BOROUGH OF FORT LEE*. 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. *William V. Breslin* for petitioners. *James D. Carpenter* for respondent. Reported below: 230 F. 2d 200.

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MAY 18, 1956.

Case Dismissed Under Rule 60.

No. 818. TISHLER ET AL. *v.* ENGLANDER CO., INC. On petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Department. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *Victor Rabinowitz* for petitioners. *James P. Durante* for respondent.

MAY 21, 1956.

Decisions Per Curiam.

No. 693. KRAUS *v.* CITY OF CLEVELAND ET AL. Appeal from the Supreme Court of Ohio. *Per Curiam*: The motion for leave to file brief of the Christian Science Board of Directors, as *amicus curiae*, is denied. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Appellant *pro se.* *Joseph H. Crowley* for appellees. Reported below: 163 Ohio St. 559, 127 N. E. 2d 609.

No. 694. SAXONY CONSTRUCTION CO. *v.* BOARD OF SUPERVISORS OF MARPLE TOWNSHIP. Appeal from the Court of Quarter Sessions of Delaware County, Pennsylvania. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Bruce H. Greenfield* for appellant. *Joseph D. Calhoun* for appellee.

No. 207, Misc. CHICK *v.* TEXAS. Appeal from the Court of Criminal Appeals of Texas. *Per Curiam*: The appeal is dismissed and the motion for leave to file petition for writ of habeas corpus is denied. Petitioner *pro se.* *John A. Wild*, Assistant Attorney General of Texas, for respondent. Reported below: 161 Tex. Cr. R. 450, 278 S. W. 2d 140.

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Miscellaneous Orders.

No. 513, Misc. SHOTKIN *v.* BLACK ET AL. Petition for appeal denied.

No. 671, Misc. MEEKS *v.* LAINSON, WARDEN;

No. 677, Misc. CAMPIGLIA *v.* FAY, WARDEN;

No. 693, Misc. MACGREGOR *v.* FLORIDA ET AL.; and

No. 695, Misc. DEVORSE *v.* RAGEN, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied.

Certiorari Granted.

No. 827. ROVIARO *v.* UNITED STATES. C. A. 7th Cir. Certiorari granted. *Maurice J. Walsh* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 229 F. 2d 812.

No. 831. FERGUSON *v.* MOORE-McCORMACK LINES, INC. C. A. 2d Cir. Certiorari granted. *George J. Engelman* for petitioner. *Wilbur E. Dow, Jr.* and *Frederick Fish* for respondent. Reported below: 228 F. 2d 891.

No. 244. KONIGSBERG *v.* STATE BAR OF CALIFORNIA ET AL. Petition for writ of certiorari to the Supreme Court of California granted. In addition to the merits, counsel are invited to consider, in their briefs and upon oral argument, the following questions relating to the jurisdiction of this Court:

(1) Were petitioner's claims under the United States Constitution duly raised before the Supreme Court of California?

(2) Was the Supreme Court of California's denial of a petition for a writ of review merely a refusal by that court to exercise its discretionary jurisdiction or is it to

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be deemed a disposition, "in the nature of a review," *Salot v. State Bar*, 3 Cal. 2d 615, 617 [45 P. 2d 203], and as such a final judgment within the meaning of 28 U. S. C. § 1257?

(3) Assuming the latter, was the determination of the Supreme Court of California based upon a rejection of claims arising under the Fourteenth Amendment of the Constitution of the United States, and more particularly, upon an evaluation of the constitutional significance of the evidence summarized under "1" on page 5 through the top of page 8 of the brief filed by the respondents on December 8, 1955, in opposition to the petition for the writ of certiorari herein?

Edward Mosk and *Samuel Rosenwein* for petitioner. *Frank B. Belcher* for respondents.

Certiorari Denied.

No. 761. OLIN MATHIESON CHEMICAL CORP. *v.* WESTERN STATES CUTLERY & MANUFACTURING CO. ET AL. C. A. 10th Cir. Certiorari denied. *John H. Sutherland* and *Philip B. Polster* for petitioner. *Melvin C. Goss* for respondents. Reported below: 227 F. 2d 728.

No. 819. KNUDSEN CREAMERY CO. OF CALIFORNIA *v.* OOSTEN. Supreme Court of California. Certiorari denied. *Thomas G. Baggot* for petitioner. *Russell E. Parsons* for respondent. Reported below: 45 Cal. 2d 784, 291 P. 2d 17.

No. 820. ROBINSON, ADMINISTRATRIX, *v.* NORTHEASTERN STEAMSHIP CORP. C. A. 2d Cir. Certiorari denied. *Jacob Rassner* for petitioner. *Walter X. Connor* and *Matthew L. Danahar* for respondent. Reported below: 228 F. 2d 679.

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No. 817. *DIXON v. PENNSYLVANIA*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. *Morton Witkin* for petitioner. *James N. Lafferty* for respondent. Reported below: 383 Pa. 474, 119 A. 2d 261.

No. 822. *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. *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.

No. 828. *FANNIN, ADMINISTRATRIX, v. JONES, U. S. DISTRICT JUDGE.* C. A. 6th Cir. Certiorari denied. *Elmer I. Schwartz* for petitioner. *Howard F. Burns* for respondent. Reported below: 229 F. 2d 368.

No. 829. *BERKIHISER v. JONES, U. S. DISTRICT JUDGE.* C. A. 6th Cir. Certiorari denied. *Elmer I. Schwartz* for petitioner. *George H. P. Lacey* for respondent. Reported below: 229 F. 2d 959.

No. 830. *BOYNTON v. PEDRICK, ADMINISTRATRIX.* C. A. 2d Cir. Certiorari denied. *Horace M. Gray* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Rice*, *Hilbert P. Zarky* and *Grant W. Wiprud* for respondent. Reported below: 228 F. 2d 745.

No. 834. *FLOYD v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. *I. Harvey Levinson* and *Frank J. McAdams, Jr.* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Richard J. Blanchard* for the United States. Reported below: 228 F. 2d 913.

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No. 833. JONES, TRUSTEE, *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *Harry Gillig, Jr.* for petitioner. *Solicitor General Sobeloff, Samuel D. Slade* and *William W. Ross* for the United States. Reported below: 229 F. 2d 84.

No. 841. WHITE ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 6th Cir. Certiorari denied. *Thomas V. Koykka* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Rice, Lee A. Jackson* and *Marvin W. Weinstein* for respondent. Reported below: 227 F. 2d 779.

No. 846. CITY CHEVROLET CO. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 4th Cir. Certiorari denied. *Frederic D. Dassori* and *Dee R. Bramwell* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Rice, A. F. Prescott* and *C. Guy Tadlock* for respondent. Reported below: 228 F. 2d 894.

No. 847. AMSHOFF ET AL. *v.* UNITED STATES ET AL. C. A. 7th Cir. Certiorari denied. *H. Templeton Brown* and *Robert L. Stern* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Barnes, Daniel M. Friedman, Robert L. Farrington, Neil Brooks* and *Donald A. Campbell* for the United States and the Secretary of Agriculture, respondents. Reported below: 228 F. 2d 261.

No. 848. UNITED STATES *v.* UNITED STATES VANADIUM CORP. ET AL.; and

No. 849. ELECTRO METALLURGICAL SALES CORP. *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *Solicitor General Sobeloff, Assistant Attorney General Barnes* and *Daniel M. Friedman* for the United States. *Morrison Shafroth* and *John F. Shafroth* for petitioner in No. 849 and respondents in No. 848. Reported below: 230 F. 2d 646.

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No. 862. *COMMERCIAL TRAVELERS MUTUAL ACCIDENT ASSOCIATION OF AMERICA v. SCHUTT, ADMINISTRATOR, ET AL.* C. A. 2d Cir. Certiorari denied. *Moses G. Hubbard* for petitioner. *Thomas S. Kernan* for respondents. Reported below: 229 F. 2d 158.

No. 866. *HERNANDEZ ET AL. v. ETHYL CORPORATION ET AL.* Court of Appeal of Louisiana, First Circuit. Certiorari denied. *DeVan D. Daggett* for petitioners. *John H. Tucker, Jr., Charles Vernon Porter and Laurence W. Brooks* for the Ethyl Corporation, respondent. Reported below: 83 So. 2d 150.

No. 880. *BUCH EXPRESS, INC. v. UNITED STATES.* Court of Claims. Certiorari denied. *Samuel W. Earnshaw* for petitioner. *Solicitor General Sobeloff, Paul A. Sweeney and Morton Hollander* for the United States. Reported below: 132 Ct. Cl. 772, 132 F. Supp. 473.

No. 600, Misc. *CASTRO ET AL. v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. *Conrad J. Lynn* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Tompkins and Harold D. Koffsky* for the United States. Reported below: 228 F. 2d 807.

No. 615, Misc. *ROBERTS v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM, ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 622, Misc. *IN RE HOWARD.* Supreme Court of California. Certiorari denied.

No. 623, Misc. *ODDO v. NEW YORK.* Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied. Reported below: 1 App. Div. 2d 660, 147 N. Y. S. 2d 683.

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No. 635, Misc. *ENGLING v. KANSAS*. Supreme Court of Kansas. Certiorari denied. Reported below: 178 Kan. 564, 290 P. 2d 1009.

No. 641, Misc. *DENTO v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied.

No. 647, Misc. *PENNENGA v. NEW YORK*. Appellate Division of the Supreme Court of New York, Third Judicial Department. Certiorari denied.

No. 652, Misc. *McCOLLUM v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 660, Misc. *BALES v. LAINSON, WARDEN*. Supreme Court of Iowa. Certiorari denied.

No. 661, Misc. *KENNEDY v. GOUGH, WARDEN*. Supreme Court of Rhode Island. Certiorari denied.

No. 663, Misc. *RODRIGUEZ v. COSMOS FOOTWEAR CORP.* Appellate Division of the Supreme Court of New York, Third Judicial Department. Certiorari denied.

No. 667, Misc. *TURNER v. NORTH CAROLINA*. Supreme Court of North Carolina. Certiorari denied.

No. 668, Misc. *JOHNSON v. OHIO ET AL.* Franklin County Court of Appeals of Ohio. Certiorari denied.

No. 673, Misc. *HANSON v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 679, Misc. *MORSE v. DELMORE, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. Supreme Court of Washington. Certiorari denied.

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No. 686, Misc. *MUSSER v. MYERS, ACTING WARDEN*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 688, Misc. *CUOMO v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 690, Misc. *KRUPNICK v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 707, Misc. *KEAGLE v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Reported below: 7 Ill. 2d 408, 131 N. E. 2d 74.

No. 11, Misc. *REICHELDERFER v. DAY, WARDEN*. Superior Court of Pennsylvania. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. Reported below: 176 Pa. Super. 215, 107 A. 2d 578.

No. 579, Misc. *RECK v. ILLINOIS*. Petition for writ of certiorari to the Supreme Court of Illinois denied without prejudice to an application for a writ of habeas corpus in an appropriate United States District Court. *Edmund Hatfield* for petitioner. *Latham Castle*, Attorney General of Illinois, *John L. Davidson, Jr.*, First Assistant Attorney General, and *Fred G. Leach* and *Edwin A. Strugala*, Assistant Attorneys General, for respondent. Reported below: 7 Ill. 2d 261, 130 N. E. 2d 200.

No. 613, Misc. *UNITED STATES EX REL. CLARK v. HEINZE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application.

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No. 832. *STEIN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *John Abt* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Tompkins* and *Harold D. Koffsky* for the United States. Reported below: 231 F. 2d 109.

No. 824. *WILCOXSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Pearce C. Rodey* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Isabelle Cappello* for the United States. Reported below: 231 F. 2d 384.

No. 899. *ELWARD ET AL. v. FRIEDMAN ET AL.* C. A. 7th Cir. Certiorari denied. *Edward S. Macie* for petitioners. *Henry F. Tenney* and *Philip B. Kurland* for *Friedman et al.*, respondents. Reported below: 230 F. 2d 364.

No. 565, Misc. *CLINTON v. GREYHOUND CORPORATION*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Thomas J. Hanify* for respondent.

Rehearing Denied.

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.*, 350 U. S. 984. Rehearing denied. THE CHIEF JUSTICE and MR. JUSTICE REED took no part in the consideration or decision of this application.

No. 38. *ARMSTRONG v. ARMSTRONG ET AL.*, 350 U. S. 568; and

No. 547, Misc. *MAS ET AL. v. OWENS-ILLINOIS GLASS Co.*, 350 U. S. 1016. Petitions for rehearing denied.

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Decisions Per Curiam.

No. 794. SOUTH CAROLINA EX REL. SOUTH CAROLINA PUBLIC SERVICE COMMISSION *v.* UNITED STATES ET AL. Appeal from the United States District Court for the Eastern District of South Carolina. *Per Curiam*: The motions to affirm are granted and the judgment is affirmed. *T. C. Callison*, Attorney General of South Carolina, and *Irvine F. Belser* for appellant. *Solicitor General Sobeloff*, *Assistant Attorney General Barnes*, *Robert W. Ginnane* and *Leo H. Pou* for the United States and the Interstate Commerce Commission, *James B. McDonough, Jr.*, *Richard B. Gwathmey*, *James A. Bistline* and *Charles P. Reynolds* for the Seaboard Air Line Railroad Co. et al., appellees. Reported below: 136 F. Supp. 897.

No. 650, Misc. NAUMO *v.* NEW YORK. Appeal from the Appellate Division of the Supreme Court of New York, First Judicial Department. *Per Curiam*: The appeal is dismissed.

No. 23. SLOCHOWER *v.* BOARD OF HIGHER EDUCATION OF NEW YORK CITY. On petition for rehearing. *Per Curiam*: The petition for rehearing is denied. The petition calls our attention to the following comment in our opinion: "It appears that neither the Subcommittee nor Slochower was aware that his claim of privilege would *ipso facto* result in his discharge, and would bar him permanently from holding any position either in the city colleges or in the city government." 350 U. S. 551, 554, lines 13-18. This observation was based on the printed record then before us. The Board now presents for the

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first time additional portions of the official transcript of the proceedings before the United States Senate Internal Security Subcommittee which cast doubt on its accuracy. Since the comment was in no wise controlling of our decision, we believe its deletion from the opinion would serve the interests of accuracy. It is so ordered.[*]

Peter Campbell Brown and *Seymour B. Quel* for appellee-petitioner. Joinders of *amici curiae* in the petition for rehearing were filed for the States of Florida, by *Richard W. Ervin*, Attorney General, *Ralph E. Odum*, Assistant Attorney General, and *John J. Blair*, Special Assistant Attorney General; Maine, by *Frank F. Harding*, Attorney General, *James G. Frost*, Deputy Attorney General, and *Roger A. Putnam*, Assistant Attorney General; New Mexico, by *Richard H. Robinson*, Attorney General; Texas, by *John Ben Shepperd*, Attorney General, and *Philip Sanders*, Assistant Attorney General; Utah, by *E. R. Callister*, Attorney General; Washington, by *Don Eastvold*, Attorney General, and *Andy G. Engbretsen* and *E. P. Donnelly*, Assistant Attorneys General; and the Territory of Hawaii, by *Edward N. Sylva*, Attorney General. Joinders of *amici curiae*, adopting the joinder filed for the State of Texas in support of the petition for rehearing, were filed for the States of Georgia, by *Eugene Cook*, Attorney General, and *Robert H. Hall* and *E. Freeman Leverett*, Assistant Attorneys General; Kentucky, by *Jo M. Ferguson*, Attorney General, and *M. B. Holifield*, Assistant Attorney General; Maine, by *Mr. Harding*, *Mr. Frost* and *Mr. Putnam*; New Mexico, by *Mr. Robinson*; South Carolina, by *T. C. Callison*, Attorney General; and Utah, by *Mr. Callister*.

*[NOTE: The opinion is reported as so amended in the bound volume of 350 U. S.]

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Miscellaneous Orders.

No. 15, Original. UNITED STATES *v.* LOUISIANA. The State of Louisiana is given until June 4, 1956, to reply to the motion of the United States for an injunction. In the meantime, the parties are invited to express their views as to maintenance of the status quo pending final disposition of the cause here. THE CHIEF JUSTICE took no part in the consideration or decision of this question. *Attorney General Brownell, Solicitor General Sobeloff, Assistant Attorney General Rankin, Oscar H. Davis and John F. Davis* for the United States.

No. 51. FEDERAL POWER COMMISSION *v.* SIERRA PACIFIC POWER Co.; and

No. 53. PACIFIC GAS & ELECTRIC Co. *v.* SIERRA PACIFIC POWER Co. The respondent's motion to amend the opinion in this case [350 U. S. 348] is denied without prejudice to the future determination of any issues that may arise as to the right of Sierra to restitution of the excess payments made pursuant to the Commission's invalid order. THE CHIEF JUSTICE, MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS would grant the motion. *Solicitor General Sobeloff and Willard W. Gatchell* for petitioner in No. 51. *F. T. Searls, Robert E. May and John C. Morrissey* for petitioner in No. 53. *William C. Chanler* for respondent.

No. 808. WICKS ET AL. *v.* BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES ET AL. C. A. 9th Cir. Certiorari denied. The motion for leave to file petition for writ of mandamus is also denied. *Carl M. Gould* for petitioners. *Lester P. Schoene, Milton Kramer, Clarence Mulholland, Edward J. Hickey, Jr., Irl D. Brett and James L. Crawford* for the Brotherhood of Maintenance of Way Employees et al., respondents. Reported below: 231 F. 2d 130.

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No. 657, Misc. *ARCIERI v. ALVIS, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied. Motion for leave to file petition for writ of habeas corpus also denied.

No. 720, Misc. *PRICE ET AL. v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Motion for a stay denied. Certiorari also denied. *Henry Lincoln Johnson* and *Curtis P. Mitchell* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States.

No. 643, Misc. *BARNES v. MENDEZ*; and

No. 735, Misc. *SHANE v. RAGEN, WARDEN.* Motions for leave to file petitions for writs of certiorari denied.

No. 655, Misc. *HILLIARD v. WILKINSON, WARDEN*;

No. 689, Misc. *IN RE REGENT OF CALIFORNIA*;

No. 699, Misc. *ROBINSON v. BANNAN, WARDEN*;

No. 723, Misc. *IN RE MEDLIN*;

No. 725, Misc. *CAIN v. MAYO, PRISON CUSTODIAN*;

No. 727, Misc. *IN RE PARKER*;

No. 731, Misc. *PRITCHARD v. WARDEN, MARYLAND HOUSE OF CORRECTION*;

No. 742, Misc. *CARROLL v. PEPERSACK, WARDEN*;

No. 744, Misc. *VAN NEWKIRK v. McNEILL, SUPERINTENDENT, MATTEAWAN STATE HOSPITAL*;

No. 749, Misc. *CARR v. ROBBINS, WARDEN*; and

No. 755, Misc. *HOCKADAY v. UNITED STATES.* Motions for leave to file petitions for writs of habeas corpus denied.

No. 754, Misc. *IN RE HILL.* Motions for leave to file petitions for writs of habeas corpus and mandamus denied.

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No. 672, Misc. ORLEANS PARISH SCHOOL BOARD ET AL. v. BUSH ET AL. Motion for leave to file petition for writ of mandamus denied. *Gerard A. Rault* and *W. Scott Wilkinson* for petitioners. *Thurgood Marshall*, *Robert L. Carter* and *A. P. Tureaud* for respondents.

No. 692, Misc. BOOKER ET AL. v. TENNESSEE BOARD OF EDUCATION ET AL. Motion for leave to file petition for writ of mandamus denied. *Z. Alexander Looby*, *Robert L. Carter*, *Thurgood Marshall* and *Jack Greenberg* for petitioners. *George F. McCanless*, Attorney General of Tennessee, *Allison B. Humphreys, Jr.*, Solicitor General, and *Nat Tipton*, Advocate General, for respondents.

No. 681, Misc. LAWLOR ET AL. v. UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT ET AL. Motion for leave to file petition for writ of mandamus denied. *Francis T. Anderson* for petitioners. *Wm. A. Schnader*, *Bernard G. Segal* and *Edward W. Mullinix* for Columbia Pictures Corporation et al., and *Louis J. Goffman* for Warner Bros. Pictures Distributing Corporation, respondents.

Probable Jurisdiction Noted.

No. 793. LESLIE MILLER, INC. v. ARKANSAS. Appeal from the Supreme Court of Arkansas. Probable jurisdiction noted. *Leffel Gentry* for appellant. *Tom Gentry*, Attorney General of Arkansas, *Thorp Thomas*, Assistant Attorney General, and *William J. Smith* for appellee. *Solicitor General Sobeloff*, *Acting Assistant Attorney General Leonard*, *Paul A. Sweeney* and *Lionel Kestenbaum* filed a memorandum for the United States, as *amicius curiae*, urging that probable jurisdiction be noted. Reported below: 225 Ark. 285, 281 S. W. 2d 946.

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Certiorari Granted.

No. 826. LEEDOM ET AL., MEMBERS OF THE NATIONAL LABOR RELATIONS BOARD, *v.* INTERNATIONAL UNION OF MINE, MILL AND SMELTER WORKERS. United States Court of Appeals for the District of Columbia Circuit. *Certiorari* granted. *Solicitor General Sobeloff, Theophil C. Kammholz, David P. Findling, Dominick L. Manoli and Norton J. Come* for petitioners. *Nathan Witt, Joseph Forer and David Rein* for respondent. Reported below: 96 U. S. App. D. C. 416, 226 F. 2d 780.

No. 845. JAFFKE *v.* DUNHAM, TRUSTEE. C. A. 7th Cir. *Certiorari* granted. *Chauncey P. Carter, Jr. and Herbert J. Miller, Jr.* for petitioner. *G. W. Horsley* for respondent. Reported below: 229 F. 2d 232.

No. 853. SENKO *v.* LACROSSE DREDGING CORP. Appellate Court of Illinois, Fourth District. *Certiorari* granted. *Stanley M. Rosenblum and George J. Moran* for petitioner. *Henry Driemeyer and Stuart B. Bradley* for respondent. Reported below: 7 Ill. App. 2d 307, 129 N. E. 2d 454.

Certiorari Denied. (See also No. 808 and Misc. Nos. 643, 657, 720 and 735, *supra.*)

No. 517. HUDSON ET AL. *v.* ATLANTIC COAST LINE RAILROAD Co. ET AL. Supreme Court of North Carolina. *Certiorari* denied. *Thornton H. Brooks and R. S. McClelland* for petitioners. *M. V. Barnhill, Jr.* for the Atlantic Coast Line Railroad Co., and *Milton Kramer and Lester P. Schoene* for the International Association of Machinists et al., respondents. Reported below: 242 N. C. 650, 89 S. E. 2d 441.

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No. 573. CHICAGO & NORTH WESTERN RAILWAY CO. *v.* DEPARTMENT OF REVENUE OF ILLINOIS. Supreme Court of Illinois. Certiorari denied. *Nelson Trottman* and *Lowell Hastings* for petitioner. *Latham Castle*, Attorney General of Illinois, and *William C. Wines*, Assistant Attorney General, for respondent. Reported below: 6 Ill. 2d 278, 128 N. E. 2d 722.

No. 835. VASQUEZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *John D. Cofer* for petitioner. *Solicitor General Sobeloff*, Assistant Attorney General *Olney*, *Beatrice Rosenberg* and *Joseph A. Barry* for the United States. Reported below: 229 F. 2d 288.

No. 836. AETNA FREIGHT LINES, INC., *v.* CLAYTON. C. A. 2d Cir. Certiorari denied. *Edward D. Flaherty* for petitioner. *Richard Lipsitz* for respondent. Reported below: 228 F. 2d 384.

No. 840. DAVIS ET AL. *v.* BUCK-JACKSON CORPORATION ET AL. C. A. 4th Cir. Certiorari denied. *J. Preston Swecker* for petitioners. *John H. Lewis, Jr.* for respondents. Reported below: 230 F. 2d 655.

No. 842. NICHOLS *v.* UNITED STATES STEEL CORP. C. A. 6th Cir. Certiorari denied. *Jacob Levin* for petitioner. *James C. Davis*, *Laurence E. Oliphant, Jr.* and *John J. Adams* for respondent. Reported below: 229 F. 2d 396.

No. 843. BETHLEHEM STEEL CO. *v.* CARDILLO, DEPUTY COMMISSIONER, SECOND COMPENSATION DISTRICT. C. A. 2d Cir. Certiorari denied. *Albert R. Connelly* for petitioner. *Solicitor General Sobeloff* and *Paul A. Sweeney* for respondent. Reported below: 229 F. 2d 735.

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No. 844. *WILLIAMS ET AL. v. PACIFIC ROYALTY Co.* C. A. 10th Cir. Certiorari denied. *Bruce Bromley, Angus G. Wynne* and *John D. Calhoun* for petitioners. *J. D. Atwood, Ross L. Malone, Charles S. Rhyne* and *Eugene F. Mullin, Jr.* for respondent. Reported below: 227 F. 2d 49.

No. 850. *AURIANNE ET AL. v. BOARD OF LEVEE COMMISSIONERS, ORLEANS LEVEE DISTRICT.* Supreme Court of Louisiana. Certiorari denied. *Oliver S. Delery* for petitioners. Reported below: 229 La. 83, 85 So. 2d 42.

No. 855. *NEW YORK, NEW HAVEN & HARTFORD RAILROAD Co. v. CERESTE.* C. A. 2d Cir. Certiorari denied. *Robert M. Peet* for petitioner. *Jacob D. Fuchsberg* for respondent. Reported below: 231 F. 2d 50.

No. 856. *DAUGHERTY ET AL. v. VIRGINIA.* Supreme Court of Appeals of Virginia. Certiorari denied. *Charles H. Tuttle* and *Francis X. Ward* for petitioners. *J. Lindsay Almond, Jr.*, Attorney General of Virginia, and *C. F. Hicks*, Assistant Attorney General, for respondent.

No. 857. *LIDGERWOOD MANUFACTURING Co. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 2d Cir. Certiorari denied. *Fred R. Tansill* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Rice* and *Hilbert P. Zarky* for respondent. Reported below: 229 F. 2d 241.

No. 860. *IN RE MILLER.* Supreme Court of Illinois. Certiorari denied. *Theodore W. Miller, pro se.* *Charles Leviton, amicus curiae*, for the Board of Managers and the Committee on Grievances of the Chicago Bar Association, in opposition. Reported below: 7 Ill. 2d 443, 131 N. E. 2d 91.

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No. 864. *MORGAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Jacob Rassner* for petitioner. *Solicitor General Sobeloff*, *Paul A. Sweeney* and *Lester S. Jayson* for the United States. Reported below: 229 F. 2d 291.

No. 867. *LOUISIANA & ARKANSAS RAILWAY Co. v. MOORE*. C. A. 5th Cir. Certiorari denied. *T. W. Holloman* and *Joseph R. Brown* for petitioner. Reported below: 229 F. 2d 1.

No. 870. *CONFORTI v. NEW YORK*. County Court of Putnam County, New York. Certiorari denied. *Wolfgang Edward Cribari* for petitioner.

No. 871. *ANGELET ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Anthony A. Calandra* and *Abraham Solomon* for petitioners. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Isabelle R. Cappello* for the United States. Reported below: 231 F. 2d 190.

No. 879. *PACIFIC INTERMOUNTAIN EXPRESS Co. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 8th Cir. Certiorari denied. *Harry L. Browne* for petitioner. *Solicitor General Sobeloff*, *Theophil C. Kammholz*, *David P. Findling* and *Dominick L. Manoli* for respondent. Reported below: 228 F. 2d 170.

No. 881. *ROGERS v. CONNECTICUT*. Supreme Court of Errors of Connecticut. Certiorari denied. *Thomas R. Robinson* for petitioner. *Abraham S. Ullman* and *Arthur T. Gorman* for respondent. Reported below: 143 Conn. 167, 120 A. 2d 409.

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No. 900. *GOODIN v. CLINCHFIELD RAILROAD CO. ET AL.* C. A. 6th Cir. Certiorari denied. *John D. Goodin* for petitioner. *Herbert S. Thatcher* for the Blue Ridge Lodge No. 816, Brotherhood of Railroad Trainmen, et al., respondents. Reported below: 229 F. 2d 578.

No. 914. *BARNETT v. TERMINAL RAILROAD ASSOCIATION OF ST. LOUIS.* C. A. 8th Cir. Certiorari denied. *Raymond Forder Buckley* for petitioner. *Richard Wayne Ely* and *John L. Davidson, Jr.* for respondent. Reported below: 228 F. 2d 756.

No. 795. *PURSSELLEY v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Quintin Whelan* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 229 F. 2d 745.

No. 851. *HADZIMA v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Harold P. Lasher* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 229 F. 2d 745.

No. 854. *LOTT v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Frank W. Oliver* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 230 F. 2d 915.

No. 380, Misc. *UCKELE v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Julia P. Cooper* for the United States.

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No. 868. SCHERING CORPORATION *v.* BROWNELL, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN. C. A. 3d Cir. Certiorari denied. MR. JUSTICE CLARK took no part in the consideration or decision of this application. *John Milton, Raoul Berger* and *Irving H. Jurow* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Townsend, James D. Hill* and *George B. Searls* for respondent. Reported below: 228 F.2d 624.

No. 384, Misc. McCORKLE *v.* MARTIN, WARDEN. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. Petitioner *pro se.* *James N. Lafferty* and *Victor H. Blanc* for respondent.

No. 458, Misc. JACKSON *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* *Solicitor General Sobeloff, Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States.

No. 526, Misc. MILLS *v.* KEARNEY, WARDEN. C. A. 5th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Sobeloff* for respondent. Reported below: 228 F.2d 101.

No. 563, Misc. GOODMAN *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied.

No. 597, Misc. GONZALEZ *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States.

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No. 616, Misc. *PARSONS v. INDIANA*. C. A. 7th Cir. Certiorari denied.

No. 617, Misc. *NORWOOD v. PARENTEAU ET AL.* C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Daniel K. Loucks* for respondents. Reported below: 228 F. 2d 148.

No. 619, Misc. *SANDERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 230 F. 2d 127.

No. 621, Misc. *HOLLAND v. CAPITAL TRANSIT Co.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 636, Misc. *HALL v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 640, Misc. *AGUILAR v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. *David Shapiro* for petitioner. *Solicitor General Sobeloff* for the United States. Reported below: 226 F. 2d 414.

No. 642, Misc. *ALVAREZ v. NEW YORK*. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 644, Misc. *VEAL v. RAGEN, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 645, Misc. *ROCKWELL v. NEW YORK*, Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

No. 662, Misc. *KOLLEN v. IOWA*. Supreme Court of Iowa. Certiorari denied.

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No. 665, Misc. JOHNSON *v.* SKEEN, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 675, Misc. PENNSYLVANIA EX REL. YOUNG *v.* MYERS, ACTING WARDEN. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 684, Misc. HEIRMAN *v.* FIDELITY & CASUALTY CO. OF NEW YORK ET AL. C. A. 8th Cir. Certiorari denied.

No. 687, Misc. LEMASTERS *v.* SKEEN, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 691, Misc. HALL *v.* MISSOURI. Supreme Court of Missouri. Certiorari denied.

No. 694, Misc. BARRICK *v.* WISCONSIN. Supreme Court of Wisconsin. Certiorari denied.

No. 698, Misc. NOLAN *v.* MISSOURI ET AL. Supreme Court of Missouri. Certiorari denied.

No. 700, Misc. STRASSMAN *v.* NEW YORK. Onondaga County Court of New York. Certiorari denied.

No. 701, Misc. WILLIAMS *v.* DELMORE, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied.

No. 704, Misc. NEWSTEAD *v.* MISSOURI. Supreme Court of Missouri. Certiorari denied.

No. 705, Misc. NEWSTEAD *v.* UNITED STATES. Court of Claims. Certiorari denied.

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No. 708, Misc. *KENDALL v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Reported below: 7 Ill. 2d 570, 131 N. E. 2d 519.

No. 709, Misc. *WOOD 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. 710, Misc. *JOHNSON v. MISSOURI*. Supreme Court of Missouri. Certiorari denied.

No. 711, Misc. *NEW YORK EX REL. KING v. MCNEILL, DIRECTOR, MATTEAWAN STATE HOSPITAL*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 712, Misc. *SIEG v. RAGEN, WARDEN*. Circuit Court of Will County, Illinois. Certiorari denied.

No. 717, Misc. *IN RE THOMPSON*. Wyoming County Court of Warsaw, New York. Certiorari denied.

No. 718, Misc. *JOHN v. TEETS, WARDEN*. Supreme Court of California. Certiorari denied.

No. 719, Misc. *GARRETT v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM, ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 734, Misc. *WEAVER v. MASSACHUSETTS*. Supreme Judicial Court of Massachusetts. Certiorari denied. *John A. McNiff* for petitioner. Reported below: — Mass. —, 133 N. E. 2d 226.

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No. 634, Misc. *GOODCHILD v. WISCONSIN*. Supreme Court of Wisconsin. Certiorari denied. Reported below: 272 Wis. 181, 74 N. W. 2d 624.

No. 651, Misc. *GIORDANO v. OHIO ET AL.* Supreme Court of Ohio. Certiorari denied. Reported below: 164 Ohio St. 509, 132 N. E. 2d 211.

No. 669, Misc. *TENNESSEE EX REL. JOHNSON v. LLEWELLYN, WARDEN*. Supreme Court of Tennessee. Certiorari denied. *Hugh C. Simpson* for petitioner. *George F. McCanless*, Attorney General of Tennessee, and *Nat Tipton* for respondent. Reported below: 199 Tenn. —, 286 S. W. 2d 590.

No. 678, Misc. *HENDERSON v. THOMPSON, PRESIDING JUDGE, BOONE COUNTY CIRCUIT COURT*. Supreme Court of Indiana. Certiorari denied. Reported below: — Ind. —, 131 N. E. 2d 326.

No. 685, Misc. *ECKERT v. OKLAHOMA*. Criminal Court of Appeals of Oklahoma. Certiorari denied. Reported below: 295 P. 2d 814.

Rehearing Denied. (See also No. 23, ante, p. 944.)

No. 312. *UNITED STATES v. OHIO POWER CO.*, 350 U. S. 862. The motion for leave to file a second petition for rehearing is denied.

No. 95. *GRIFFIN ET AL. v. ILLINOIS*, ante, p. 12;

No. 679. *PALMER ET UX. v. UNITED STATES*, 350 U. S. 996;

No. 699. *UNITED STATES v. WHITE BEAR BREWING CO., INC., ET AL.*, 350 U. S. 1010; and

No. 564, Misc. *BURNS v. UNITED STATES*, ante, p. 910. Petitions for rehearing denied.

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Case Dismissed Under Rule 60.

No. 913. WARNER MANUFACTURING CORP. *v.* SHANE ET AL., TRADING AS B. & F. DOOR MFG. CO. 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. *George H. Rosenstein* for petitioner. *David S. Malis* was on the stipulation for respondents. With him on a brief in opposition to the petition were *Howard Wallner* and *Robert H. Malis*. Reported below: 229 F. 2d 207.

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Decisions Per Curiam.

No. 565. INTERNATIONAL UNION, UNITED AUTOMOBILE, AIRCRAFT AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA, C. I. O., ET AL. *v.* ANDERSON, DISTRICT JUDGE, ET AL. Appeal from the Supreme Court of Minnesota. *Per Curiam*: The judgment is affirmed. *United Automobile, Aircraft and Agricultural Implement Workers of America v. Wisconsin Employment Relations Board*, ante, p. 266, decided this day. THE CHIEF JUSTICE, MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS dissent. *Harold A. Cranefield* and *Kurt L. Hanslowe* for appellants. *Leland W. Scott* for McQuay, Inc., appellee. Reported below: 245 Minn. 274, 72 N. W. 2d 81.

No. 859. SEARS, TRUSTEE, ET AL. *v.* COUNTY OF CALAVERAS, CALIFORNIA, ET AL. Appeal from the Supreme Court of California. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *Charles O. Bruce* for appellants. *Edmund G. Brown*, Attorney General, *E. G. Benard*, *Irving H. Perluss*, Assistant Attorneys General,

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and *Edward P. Hollingshead*, Deputy Attorney General, for the State of California, appellee. Reported below: 45 Cal. 2d 518, 289 P. 2d 425.

No. 869. *MONTGOMERY v. WEST BASIN MUNICIPAL WATER DISTRICT ET AL.* Appeal from the Supreme Court of California. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. *A. Andrew Hawk* for appellant. *James H. Howard, Charles C. Cooper, Jr. and John M. Davenport* for the Metropolitan Water District of Southern California, appellee.

No. 885. *CALHOUN v. SUPERIOR COURT OF CALIFORNIA FOR THE COUNTY OF SAN DIEGO ET AL.* Appeal from the Supreme Court of California. *Per Curiam*: The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. THE CHIEF JUSTICE took no part in the consideration or decision of this case. *John W. Preston* and *Charles H. Carr* for appellant. *Edmund G. Brown*, Attorney General of California, and *Clarence A. Linn*, Assistant Attorney General, for appellees. Reported below: 46 Cal. 2d 18, 291 P. 2d 474.

No. 724, Misc. *PRIESTER v. FAY, WARDEN, ET AL.* Appeal from and petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department. *Per Curiam*: The appeal is dismissed and the petition for writ of certiorari is denied.

No. 774, Misc. *BOYDEN v. HERITAGE, WARDEN, ET AL.* Appeal from the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The appeal is dismissed.

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Miscellaneous Orders.

No. 501, Misc. *SHELTON v. WRIGHT*, U. S. DISTRICT JUDGE. Motion for leave to file petition for writ of mandamus denied. Petitioner *pro se*. *Solicitor General Sobeloff* for respondent.

No. 760, Misc. *SMITH v. CLEMMER*, DIRECTOR, DEPARTMENT OF CORRECTIONS, DISTRICT OF COLUMBIA, ET AL.; and

No. 781, Misc. *EX PARTE DURKIN*. Motions for leave to file petitions for writs of habeas corpus denied.

Certiorari Granted.

No. 858. *FEDERAL TRADE COMMISSION v. NATIONAL LEAD CO. ET AL.* C. A. 7th Cir. Certiorari granted. *Solicitor General Sobeloff*, *Assistant Attorney General Barnes*, *Charles H. Weston*, *Earl W. Kintner* and *Robert B. Dawkins* for petitioner. *John B. Henrich, Jr.* for the *National Lead Co.*, *Robert A. Sturges* for the *Sherwin-Williams Co.*, *Richard Serviss* for the *Eagle-Picher Co.* et al., respondents; and *Thomas J. McDowell* and *Nathan S. Blumberg* were of counsel. Reported below: 227 F. 2d 825.

No. 863. *LIBSON SHOPS, INC. v. KOEHLER*, DISTRICT DIRECTOR OF INTERNAL REVENUE. C. A. 8th Cir. Certiorari granted. *Henry C. Lowenhaupt* and *Abraham Lowenhaupt* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Rice*, *Hilbert P. Zarky* and *Harry Baum* for respondent. Reported below: 229 F. 2d 220.

No. 893. *THEARD v. UNITED STATES*. C. A. 5th Cir. Certiorari granted. Petitioner *pro se*. *Solicitor General Sobeloff* and *Melvin Richter* for the United States. Reported below: 228 F. 2d 617.

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No. 656, Misc. PRINCE *v.* UNITED STATES. C. A. 5th Cir. Certiorari granted. Petitioner *pro se*. Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg for the United States. Reported below: 230 F. 2d 568.

Certiorari Denied. (See also No. 724, Misc., *supra*.)

No. 499. FORT DIX APARTMENTS CORP. ET AL. *v.* BOROUGH OF WRIGHTSTOWN ET AL. C. A. 3d Cir. Certiorari denied. Josiah E. DuBois, Jr. and Madison S. DuBois for the Fort Dix Apartments Corporation, and Alexander Feinberg for Sheridanville, Inc., petitioners. Albert McCay for the Borough of Wrightstown et al., and Martin L. Haines for the Township of Springfield et al., respondents. Solicitor General Sobeloff, Assistant Attorney General Holland, Ellis N. Slack, Hilbert P. Zarky, Erwin A. Goldstein and Lyle M. Turner filed a memorandum for the United States, as *amicus curiae*, in support of the petition. Reported below: 225 F. 2d 473.

No. 635. ASSOCIATED MUSICIANS OF GREATER NEW YORK, LOCAL 802, AMERICAN FEDERATION OF MUSICIANS, AFL, ET AL. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 2d Cir. Certiorari denied. David I. Ashe for petitioners. Solicitor General Sobeloff, Theophil C. Kammholz, David P. Findling, Dominick L. Manoli and Samuel M. Singer for respondent. Reported below: 226 F. 2d 900.

No. 791. NATIONAL LABOR RELATIONS BOARD *v.* BUSINESS MACHINE AND OFFICE APPLIANCE MECHANICS CONFERENCE BOARD, LOCAL 459, INTERNATIONAL UNION OF ELECTRICAL, RADIO & MACHINE WORKERS, CIO. C. A. 2d Cir. Certiorari denied. Solicitor General Sobeloff, Theophil C. Kammholz, David P. Findling, Dominick L. Manoli and Norton J. Come for petitioner. Benjamin C. Sigal for respondent. Reported below: 228 F. 2d 553.

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No. 771. *TALIAFERRO v. PRETTNER ET AL.* District Court of Appeal of California, First Appellate District. Certiorari denied. Reported below: 135 Cal. App. 2d 157, 286 P. 2d 977.

No. 773. *JOLLY v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. *L. E. Gwinn* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Rice and Joseph M. Howard* for the United States. Reported below: 229 F. 2d 180.

No. 837. *HAWAIIAN PINEAPPLE CO., LTD., v. ADEN ET AL.*; and

No. 838. *INTERNATIONAL LONGSHOREMEN'S & WAREHOUSEMEN'S UNION ET AL. v. HAWAIIAN PINEAPPLE CO., LTD.* C. A. 9th Cir. Certiorari denied. *Donald C. Walker* for the Hawaiian Pineapple Co., Ltd. *Norman Leonard* for petitioners in No. 838. Reported below: 226 F. 2d 875.

No. 872. *UNITED STATES EX REL. DURANTE v. HOLTON, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE.* C. A. 7th Cir. Certiorari denied. *Salvatore E. Oddo and Joseph Mioduski* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Isabelle Cappello* for respondent. Reported below: 228 F. 2d 827.

No. 874. *OPTICAL WORKERS' UNION LOCAL 24859 ET AL. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 5th Cir. Certiorari denied. *J. Albert Woll, Thomas E. Harris and L. N. D. Wells* for petitioners. *Solicitor General Sobeloff, Theophil C. Kammholz, David P. Findling and Dominick L. Manoli* for respondent. Reported below: 227 F. 2d 687, 229 F. 2d 170.

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No. 876. DALEY ET AL. *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. *Reuben Goodman* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 231 F. 2d 123.

No. 877. NATIONAL LEAD CO. ET AL. *v.* FEDERAL TRADE COMMISSION. C. A. 7th Cir. Certiorari denied. *John B. Henrich, Jr.* for the National Lead Co., *Robert A. Sturges* for the Sherwin-Williams Co., *Richard Serviss* for the Eagle-Picher Co. et al., petitioners; and *Thomas J. McDowell and Nathan S. Blumberg* were also of counsel. *Solicitor General Sobeloff, Assistant Attorney General Barnes, Charles H. Weston, Earl W. Kintner and Robert B. Dawkins* for respondent. Reported below: 227 F. 2d 825.

No. 882. LAYCOCK *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Norman L. Easley* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Morton, Roger P. Marquis and Harold S. Harrison* for the United States. Reported below: 230 F. 2d 848.

No. 883. IN RE NORDA ESSENTIAL OIL & CHEMICAL CO., INC., *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Robert Ash* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Rice, Hilbert P. Zarky and Meyer Rothwacks* for the United States. Reported below: 230 F. 2d 764.

No. 884. ISBRANDTSEN CO., INC., *v.* NORTUNA SHIPPING Co. C. A. 2d Cir. Certiorari denied. *Woodson D. Scott* for petitioner. Reported below: 231 F. 2d 528.

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No. 887. EVARTS ET AL. *v.* JONES ET AL. C. A. 9th Cir. Certiorari denied. Petitioners *pro se.* *George R. Johnson* for respondents. Reported below: 228 F. 2d 105.

No. 890. LOUISIANA LAND & EXPLORATION Co. *v.* STATE MINERAL BOARD. C. A. 5th Cir. Certiorari denied. *Roberts C. Milling* and *Eugene D. Saunders* for petitioner. Reported below: 229 F. 2d 5.

No. 891. FISHER, EXECUTRIX, *v.* PIERCE. C. A. 7th Cir. Certiorari denied. *William C. Wines* for petitioner. *Walter J. Cummings, Jr.* for respondent. Reported below: 228 F. 2d 603.

No. 894. EDWARD E. MORGAN Co., INC., ET AL. *v.* UNITED STATES FOR THE USE OF PELPHREY. C. A. 5th Cir. Certiorari denied. *William Harold Cox* for petitioners. *Robert F. Ritchie* for respondent. Reported below: 230 F. 2d 896.

No. 895. IN RE McBRIDE. Supreme Court of Ohio. Certiorari denied. *John J. Chester* for petitioner. Reported below: 164 Ohio St. 419, 132 N. E. 2d 113.

No. 903. LEWIS *v.* BOKSER ET UX. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. *Roland J. Christy* for petitioner. Reported below: 383 Pa. 507, 119 A. 2d 67.

No. 905. SHAFITZ *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *G. Leslie Field* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 230 F. 2d 606.

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No. 916. *DAIRY PRODUCTS CO. v. SLEETH, HEALTH OFFICER OF MONONGALIA COUNTY, WEST VIRGINIA*. C. A. 4th Cir. Certiorari denied. *Glenn Hunter* and *Charles McCamic* for petitioner. *John G. Fox*, Attorney General of West Virginia, and *Albert M. Morgan* for respondent. Reported below: 228 F. 2d 165.

No. 941. *AMERICAN STEAMSHIP OWNERS MUTUAL PROTECTION & INDEMNITY ASSOCIATION, INC., v. TRINIDAD CORPORATION*. C. A. 2d Cir. Certiorari denied. *Ira A. Campbell* and *Elmer C. Maddy* for petitioner. *Leonard J. Matteson* for respondent. Reported below: 229 F. 2d 57.

No. 774. *LANDEROS v. NEW JERSEY*. Petition for writ of certiorari to the Supreme Court of New Jersey denied without prejudice to an application for a writ of habeas corpus in an appropriate United States District Court. *Morton Stavis* for petitioner. *Hyman Isaac* for respondent. Reported below: 20 N. J. 76, 118 A. 2d 524.

No. 809. *SAWYER v. BARCZAK, SHERIFF*. C. A. 7th Cir. The motion to strike respondent's brief is denied. Certiorari also denied. *Alfons B. Landa*, *Delmar W. Holloman*, *Warren E. Magee*, *Carl R. Becker* and *Arthur J. Cerra* for petitioner. *Vernon W. Thomson*, Attorney General of Wisconsin, *William A. Platz*, Assistant Attorney General, and *William J. McCauley* for respondent. Reported below: 229 F. 2d 805.

No. 896. *McHUGH v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion certiorari should be granted. *Reuben Goodman* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Barnes* and *Daniel M. Friedman* for the United States. Reported below: 230 F. 2d 252.

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No. 889. *BRIGGS ET AL. v. BRESWICK & CO. ET AL.* C. A. 2d Cir. Certiorari denied. *Thomas F. Daly* for Briggs et al., and *James F. Dwyer* for Murchison et al., petitioners. *George Brussel, Jr.* for respondents.

No. 13, Misc. *TENSLEY v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied. Petitioner *pro se. Latham Castle*, Attorney General of Illinois, for respondent. Reported below: 3 Ill. 2d 615, 122 N. E. 2d 155.

No. 286, Misc. *TOMPKINS v. EIDSON, WARDEN.* Supreme Court of Missouri. Certiorari denied. Petitioner *pro se. John M. Dalton*, Attorney General of Missouri, and *Samuel M. Watson*, Assistant Attorney General, for respondent.

No. 446, Misc. *SCRANTON v. HEINZE, WARDEN.* Supreme Court of California. Certiorari denied. *Edmund G. Brown*, Attorney General of California, and *Doris H. Maier*, Deputy Attorney General, for respondent.

No. 542, Misc. *SIPLE 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. 569, Misc. *McMORROW v. ALVIS, WARDEN.* Court of Appeals of Ohio. Certiorari denied. Petitioner *pro se. C. William O'Neill*, Attorney General of Ohio, and *John W. Shoemaker*, Assistant Attorney General, for respondent.

No. 590, Misc. *HENDERSON v. MICHIGAN.* Supreme Court of Michigan. Certiorari denied. *Ernest Goodman* for petitioner. *Thomas M. Kavanagh*, Attorney General of Michigan, *Edmund E. Shepherd*, Solicitor

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General, and *Daniel J. O'Hara*, Assistant Attorney General, for respondent. *G. Leslie Field* filed a brief for the American Civil Liberties Union, Metropolitan Detroit Branch, as *amicus curiae*, urging that the petition be granted. Reported below: 343 Mich. 465, 72 N. W. 2d 177.

No. 596, Misc. *SALMOND v. ISBRANDTSEN Co., INC., ET AL.* Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied. *Gilbert Rosenthal* for petitioner. *Vernon Sims Jones* and *James B. Magnor* for the Isbrandtsen Co., Inc., and *Frank A. Bull* for the Bethlehem Steel Co., respondents. Reported below: 286 App. Div. 1015, 144 N. Y. S. 2d 578.

No. 610, Misc. *JOHNSON, ALIAS MARCIAL, v. NEW YORK.* Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied. Petitioner *pro se.* *Edward S. Silver* and *William I. Siegel* for respondent.

No. 659, Misc. *ILLINOIS EX REL. STEVENS v. RAGEN, WARDEN.* Circuit Court of Will County, Illinois. Certiorari denied.

No. 666, Misc. *RAY v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Sobeloff*, *Acting Assistant Attorney General Leonard* and *Paul A. Sweeney* for the United States. Reported below: 228 F. 2d 574.

No. 703, Misc. *McKINNEY v. CALIFORNIA.* Superior Court of California for Los Angeles County, Appellate Department. Certiorari denied. Petitioner *pro se.* *Roger Arnebergh* and *Philip E. Grey* for respondent.

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No. 680, Misc. *YARBROUGH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *James J. Laughlin* and *Albert J. Ahern, Jr.* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Rice* and *Joseph M. Howard* for the United States. Reported below: 230 F. 2d 56.

No. 714, Misc. *LAMBERTSON v. NEW YORK ET AL.* Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

No. 715, Misc. *PENNSYLVANIA EX REL. PAYLOR v. JOHNSTON, WARDEN*. Superior Court of Pennsylvania. Certiorari denied. Reported below: 180 Pa. Super. 228, 119 A. 2d 562.

No. 716, Misc. *CARROLL v. NEW YORK*. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 721, Misc. *LAZAROWITZ ET AL. v. VITALE ET AL.* Court of Appeals of New York. Certiorari denied.

No. 726, Misc. *BINDER v. UNITED STATES*. C. A. 6th 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: 231 F. 2d 314.

No. 729, Misc. *NEW YORK EX REL. DELLAQUILA v. MARTIN, WARDEN*. Court of Appeals of New York. Certiorari denied.

No. 736, Misc. *WHITMORE v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

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No. 730, Misc. GRAEBER *v.* WASHINGTON ET AL. Supreme Court of Washington. Certiorari denied.

No. 732, Misc. SIMEONE *v.* TEETS, WARDEN. Supreme Court of California. Certiorari denied.

No. 737, Misc. JOHNSON *v.* ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM, ET AL. Court of Criminal Appeals of Texas. Certiorari denied.

No. 738, Misc. PULLEY *v.* NORTH CAROLINA. Supreme Court of North Carolina. Certiorari denied.

No. 743, Misc. ROGERS *v.* MARTIN, WARDEN. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 750, Misc. MARSHALL *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 752, Misc. TURNER *v.* UNITED STATES ET AL. C. A. 6th Cir. Certiorari denied. *John S. Wrinkle* for petitioner. *Solicitor General Sobeloff* for the United States et al., respondents. Reported below: 229 F. 2d 944.

No. 757, Misc. MORRIS *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied.

No. 758, Misc. HORN *v.* PASCOE ET AL. C. A. 6th Cir. Certiorari denied.

No. 759, Misc. MANARO *v.* ROSENBERG ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 231 F. 2d 305.

No. 762, Misc. CAPANO *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied.

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No. 764, Misc. PRATT *v.* DEPARTMENT OF THE ARMY ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 765, Misc. HILL *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied.

No. 766, Misc. SEVERA *v.* SALVATION ARMY, INC. C. A. 3d Cir. Certiorari denied.

No. 768, Misc. IN RE APPLICATION OF MORGAN. Supreme Court of California. Certiorari denied.

No. 773, Misc. BYRD *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 775, Misc. KURTZ *v.* McNEILL, SUPERINTENDENT, MATTEAWAN STATE HOSPITAL. C. A. 2d Cir. Certiorari denied.

No. 776, Misc. JONES, ALIAS LUCAS, *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 778, Misc. KELLEY *v.* ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM, ET AL. Court of Criminal Appeals of Texas. Certiorari denied.

No. 783, Misc. DINWIDDIE ET AL. *v.* BROWN ET AL. C. A. 5th Cir. Certiorari denied. *I. H. Spears* for petitioners. Reported below: 230 F. 2d 465.

No. 790, Misc. UNITED STATES EX REL. CORDTS *v.* RAGEN, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 794, Misc. YOST *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 229 F. 2d 75.

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No. 713, Misc. *WELLS v. KING, SUPERINTENDENT, CALIFORNIA MEDICAL FACILITY*. Supreme Court of California. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application. *Charles R. Garry* and *Aubrey Grossman* for petitioner.

No. 937. *CONTINENTAL CAN Co., INC., v. MAGIDA ET AL.* C. A. 2d Cir. Certiorari denied. *Mark F. Hughes* for petitioner. *Morris J. Levy* for Magida, respondent. Reported below: 231 F. 2d 843.

No. 745, Misc. *MORNEAU v. UNITED STATES BOARD OF PAROLE*. C. A. 8th Cir. Certiorari denied. Reported below: 231 F. 2d 829.

No. 751, Misc. *McNALLY v. TEETS, WARDEN*. Supreme Court of California. Certiorari denied. Reported below: 46 Cal. 2d 307, 293 P. 2d 777.

No. 793, Misc. *CARITATIVO v. CALIFORNIA*. Supreme Court of California. Certiorari denied. *George T. Davis* for petitioner. Reported below: 46 Cal. 2d 68, 292 P. 2d 513.

No. 790. *NATIONAL LABOR RELATIONS BOARD v. SALES DRIVERS, HELPERS & BUILDING CONSTRUCTION DRIVERS, LOCAL UNION 859, INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN & HELPERS OF AMERICA, AFL*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Solicitor General Sobeloff, Theophil C. Kammholz, David P. Findling, Dominick L. Manoli* and *Norton J. Come* for petitioner. *Herbert S. Thatcher* and *David Previant* for respondent. Reported below: 97 U. S. App. D. C. 173, 229 F. 2d 514.

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No. 873. *LEE v. AETNA CASUALTY & SURETY CO. ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Albert Brick, Patricia Warren* and *Samuel Intrater* for petitioner. *Albert F. Beasley* for the Aetna Casualty & Surety Co. et al., and *W. Cameron Burton* for Miller, respondents. Reported below: 97 U. S. App. D. C. 213, 229 F. 2d 787.

No. 875. *SUN OIL CO. v. ESSO STANDARD OIL CO.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Edward B. Beale* for petitioner. *Francis C. Browne, Thomas L. Mead, Jr., William E. Schuyler, Jr., Andrew B. Beveridge, Cyril D. Pearson* and *Francis X. Clair* for respondent. Reported below: 97 U. S. App. D. C. 154, 229 F. 2d 37.

No. 888. *GULF OIL CORP. ET AL. v. FEDERAL POWER COMMISSION ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Archie D. Gray, Merle E. Minks* and *Jesse P. Luton, Jr.* for petitioners. *Solicitor General Sobeloff, Melvin Richter, William W. Ross, Willard W. Gatchell, William J. Grove* and *Robert L. Russell* for respondents. Reported below: 97 U. S. App. D. C. 227, 230 F. 2d 40.

No. 901. *SCHER v. WEEKS, SECRETARY OF COMMERCE.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Josiah Lyman* for petitioner. *Solicitor General Sobeloff, Samuel D. Slade* and *B. Jenkins Middleton* for respondent. Reported below: 97 U. S. App. D. C. 335, 231 F. 2d 494.

No. 594, Misc. *IN RE FLASPHALER.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Homer Brooks* for petitioner. *Solici-*

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tor General Sobeloff, Assistant Attorney General Burger, Paul A. Sweeney and William W. Ross filed a brief for the Judges of the United States District Court for the District of Columbia, opposing the petition. Reported below: 97 U. S. App. D. C. 82, 228 F. 2d 53.

No. 909. UNITED STATES *v.* BOND. Court of Claims. Certiorari denied. *Solicitor General Sobeloff, Paul A. Sweeney and Herman Marcuse* for the United States. *Augustin M. Prentiss* for respondent. Reported below: 133 Ct. Cl. 204, 135 F. Supp. 433.

No. 653, Misc. LABONTE *v.* NEW YORK, NEW HAVEN & HARTFORD RAILROAD Co. Supreme Judicial Court of Massachusetts. Certiorari denied. *Samuel Perman* for petitioner. *Noel W. Deering* for respondent. Reported below: 333 Mass. 420, 131 N. E. 2d 203.

No. 682, Misc. COOK *v.* MISSISSIPPI. Supreme Court of Mississippi. Certiorari denied. Reported below: — Miss. —, 83 So. 2d 632.

No. 683, Misc. REDD *v.* MISSISSIPPI. Supreme Court of Mississippi. Certiorari denied. Reported below: — Miss. —, 84 So. 2d 425.

No. 722, Misc. LEBRON ET AL. *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Ben Paul Noble* for petitioners. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Richard J. Blanchard* for the United States. Reported below: 97 U. S. App. D. C. 133, 229 F. 2d 16.

No. 739, Misc. WILLIAMS *v.* PEPERSACK, WARDEN. Court of Appeals of Maryland. Certiorari denied. Reported below: 209 Md. 641, 120 A. 2d 919.

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No. 733, Misc. MAUPIN *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. Solicitor General Sobeloff, Assistant Attorney General Olney and Beatrice Rosenberg for the United States. Reported below: 232 F. 2d 838.

No. 756, Misc. ATTERSON *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 232 F. 2d 837.

No. 763, Misc. RICHTER *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied. Reported below: 21 N. J. 421, 122 A. 2d 502.

No. 784, Misc. BURDIX *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 231 F. 2d 893.

No. 787, Misc. SORBER *v.* WIGGINS, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY, ET AL. Supreme Court of Mississippi. Certiorari denied. *R. D. Everitt* for petitioner. Reported below: — Miss. —, 85 So. 2d 479.

No. 791, Misc. HOUSTON *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. *Preston Pope Reynolds* for petitioner. Reported below: — Tex. Cr. R. —, 287 S. W. 2d 643.

Rehearing Denied.

No. 227. UNITED MINE WORKERS OF AMERICA ET AL. *v.* ARKANSAS OAK FLOORING Co., *ante*, p. 62. Rehearing denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application.

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Decisions Per Curiam.

No. 861. *SWORD LINE, INC., v. UNITED STATES*. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. *Per Curiam*: Certiorari is granted, limited to the question whether admiralty had jurisdiction over the controversy stated in the libel, and the judgment is affirmed. The libel, though dependent on a statute, alleges unjust enrichment from a maritime contract. *Archawski v. Hanioti*, 350 U. S. 532. *Affirmed*. *Theodore J. Breitwieser* for petitioner. *Solicitor General Sobeloff* for the United States. Reported below: 228 F. 2d 344, 230 F. 2d 75.

No. 915. *TROCK v. UNITED STATES*. 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. *Hoffman v. United States*, 341 U. S. 479. *Harry Krauss* and *Albert Schlefer* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 232 F. 2d 839.

No. 697, Misc. *MONGE v. SMYTH, COLLECTOR OF INTERNAL REVENUE*. Appeal from and petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. *Per Curiam*: The appeal is dismissed for want of jurisdiction. The petition for writ of certiorari is denied. *Wareham C. Seaman* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Rice* and *Hilbert P. Zarky* for respondent. Reported below: 229 F. 2d 361.

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No. 780, Misc. *GROSS v. CALIFORNIA*. Appeal from and petition for writ of certiorari to the Supreme Court of California. *Per Curiam*: The appeal is dismissed. The petition for writ of certiorari is denied.

Orders Appointing Clerk and Deputy Clerk.

IT IS ORDERED that John T. Fey be appointed Clerk of this Court to succeed Harold B. Willey effective at the close of business June 30, 1956, and that he take the oath of office and give bond as required by statute and the order of this Court entered November 22, 1948.

IT IS ORDERED that Crombie J. D. Garrett be appointed a Deputy Clerk of this Court effective at the close of business June 30, 1956.

Miscellaneous Orders.

No. 10, Original. *ARIZONA v. CALIFORNIA ET AL.* It is ordered by this Court that the compensation of George I. Haight as Special Master for services rendered by him in his lifetime pursuant to the order entered in this cause on June 1, 1954, be and the same is hereby fixed in the sum of \$35,000; and that said sum shall be paid by the parties to Kathleen Haight, Executrix of the Estate of George I. Haight, deceased, in the following proportions: Arizona 25%, California 25%, United States 25%, Nevada 20%, New Mexico 2½%, Utah 2½%. THE CHIEF JUSTICE took no part in the consideration or decision of this question.

No. —, Original. *ARKANSAS v. TEXAS ET AL.* It appearing that the controversy between the parties has been settled and that the State of Arkansas wishes to withdraw its Motion for Leave to File Complaint, the

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request is granted and the proceeding is dismissed as moot. *Tom Gentry*, Attorney General, and *E. J. Ball* for the State of Arkansas, complainant. *John Ben Shepperd*, Attorney General, and *William H. Holloway* and *Marietta McGregor Creel*, Assistant Attorneys General, for the State of Texas et al., defendants.

No. 15, Original. UNITED STATES v. LOUISIANA.

Upon consideration of the motion of the United States for an injunction or other interlocutory relief in cases involving the controversy pending before this Court in the case of *United States of America v. State of Louisiana*,

IT IS ORDERED that the Attorney General of the State of Louisiana and others named and others acting with them are enjoined from further prosecuting or taking any proceedings in a certain cause now pending in the Fourteenth Judicial District Court in and for the Parish of Calcasieu, State of Louisiana, entitled *State of Louisiana v. Anderson-Prichard Oil Corporation et al.*, Number 38780 on the docket of said court, and from prosecuting any other case or cases involving the controversy before this Court until further order of the Court, and

IT IS FURTHER ORDERED that the State of Louisiana and the United States of America are enjoined from leasing or beginning the drilling of new wells in the disputed tidelands area pending further order of this Court unless by agreement of the parties filed here.

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* and *John F. Davis* for the United States, plaintiff. *Jack P. F. Gremillion*, Attorney General, *Edward M. Carmouche*, *John L. Madden*, Special Assistant Attorneys General, *W. Scott Wilkinson* and *Bailey Walsh* for the State of Louisiana, defendant.

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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, 350 U. S. 815.) The motion to schedule this case for argument in December is denied. MR. JUSTICE CLARK and MR. JUSTICE HARLAN took no part in the consideration or decision of this motion. *Solicitor General Sobeloff* and *Assistant Attorney General Barnes* for the United States. *John Lord O'Brian, Hugh B. Cox* and *Charles A. Horsky* for the E. I. du Pont de Nemours & Co., appellee; and *Robert L. Stern* and *Henry M. Hogan* for the General Motors Corporation, appellee-movant. Reported below: 126 F. Supp. 235.

No. 241. NATIONAL LABOR RELATIONS BOARD *v.* LION OIL Co. Certiorari, 350 U. S. 986, to the United States Court of Appeals for the Eighth Circuit. The joint motion to join Monsanto Chemical Co. as a party respondent is granted. *Solicitor General Sobeloff* for petitioner. *Jeff Davis* for the Lion Oil Co. and Monsanto Chemical Co., respondents. Reported below: 221 F. 2d 231.

No. 451. RAILWAY EMPLOYEES' DEPARTMENT, AMERICAN FEDERATION OF LABOR, ET AL. *v.* HANSON ET AL., *ante*, p. 225. The motion to stay the mandate is denied. *Lester P. Schoene* and *Milton Kramer* for appellants. *Edson Smith* for Hanson et al., appellees-movants.

No. 5, Misc. MERKIE *v.* RAGEN, WARDEN. Motion for leave to file petition for writ of habeas corpus denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, for respondent.

No. 929. GINSBURG *v.* GREGG ET AL. C. A. 3d Cir. Certiorari denied. The alternative motion for leave to file petition for writ of mandamus is also denied. *Paul Ginsburg* for petitioner. Reported below: 228 F. 2d 881.

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No. 470. UNITED STATES *v.* SHOTWELL MANUFACTURING Co. ET AL.; and

No. 471. SHOTWELL MANUFACTURING Co. ET AL. *v.* UNITED STATES. On petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit. The motion of the Solicitor General to defer consideration of the petitions for writs of certiorari is granted. *Solicitor General Sobeloff* for the United States, movant. *Harold A. Smith* and *Howard Ellis* for petitioners in No. 471 and respondents in No. 470. Reported below: 225 F. 2d 394.

No. 19. MASTRO PLASTICS CORP. ET AL. *v.* NATIONAL LABOR RELATIONS BOARD, 350 U. S. 270. Petition for rehearing denied. The motion for correction of the opinion is also denied.

No. 312. UNITED STATES *v.* OHIO POWER Co. The order of December 5, 1955, 350 U. S. 919, denying the petition for rehearing, is vacated and the petition for rehearing is continued.

No. 740, Misc. HORN *v.* MELLOTT, U. S. DISTRICT JUDGE. Motion for leave to file petition for writ of mandamus denied.

No. 788, Misc. CLARK *v.* UNITED STATES. Application denied.

Probable Jurisdiction Noted.

No. 800. UNITED STATES *v.* HOWARD, TRADING AS STOKES FISH Co. Appeal from the United States District Court for the Southern District of Florida. Probable jurisdiction noted. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Joseph A. Barry* for the United States. *Clarence L. Thacker* for appellee.

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Certiorari Granted. (See also Nos. 861 and 915, *supra*.)

No. 923. UNITED STATES *v.* ALLEN-BRADLEY Co. Court of Claims. *Certiorari* granted. *Solicitor General Sobeloff*, *Assistant Attorney General Rice* and *Hilbert P. Zarky* for the United States. *Harvey W. Peters* for respondent. Reported below: 134 Ct. Cl. 800.

No. 907. CEBALLOS (Y ARBOLEDA) *v.* SHAUGHNESSY, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 2d Cir. *Certiorari* granted. *Blanch Freedman* and *Gloria Agrin* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for respondent. Reported below: 229 F. 2d 592.

No. 922. GUNACA *v.* NATIONAL LABOR RELATIONS BOARD EX REL. KOHLER COMPANY. C. A. 7th Cir. *Certiorari* granted. The *Solicitor General* is invited to file a brief expressing the views of the National Labor Relations Board. *Joseph L. Rauh, Jr.*, *John Silard* and *Harold A. Cranefield* for petitioner. *John C. Gall, Wm. F. Howe*, *Jerome Powell* and *Lyman C. Conger* for respondent. Reported below: 230 F. 2d 542.

No. 917. UNITED STATES *v.* SCHNEER'S ATLANTA, INC. C. A. 5th Cir. *Certiorari* granted. *Solicitor General Sobeloff* and *Samuel D. Slade* for the United States. *M. Hardeman Blackshear, Jr.* for respondent. Reported below: 229 F. 2d 612.

No. 988. NATIONAL LEAD Co. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. *Certiorari* granted. *Lawrence S. Lesser* for petitioner. *Solicitor General Sobeloff* for respondent. Reported below: 230 F. 2d 161.

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Certiorari Denied. (See also No. 929 and Misc. Nos. 697 and 780, *supra*.)

No. 510. *BROWN ET AL. v. PIZER ET AL.* District Court of Appeal of California, Second Appellate District. *Certiorari denied.* *Ben Margolis* for petitioners. *Robert R. Rissman, Fred Okrand and Arthur J. Goldberg* for respondents. Reported below: 133 Cal. App. 2d 367, 283 P. 2d 1055.

No. 912. *STOUT ET AL. v. UNITED STATES.* C. A. 2d Cir. *Certiorari denied.* *Paul Reed Taylor* for petitioners. *Solicitor General Sobeloff, Paul A. Sweeney and Morton Hollander* for the United States. Reported below: 229 F. 2d 918.

No. 918. *MULLINS v. CLINCHFIELD COAL CORP.* C. A. 4th Cir. *Certiorari denied.* Petitioner *pro se.* *Wm. A. Stuart* for respondent. Reported below: 227 F. 2d 881.

No. 920. *MARSHALL v. MAGINNIS ET AL.* C. A. 5th Cir. *Certiorari denied.* Reported below: 229 F. 2d 347.

No. 921. *LEE, ADMINISTRATOR, v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 5th Cir. *Certiorari denied.* *Richard Steel* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Rice, Hilbert P. Zarky and Carolyn R. Just* for respondent. Reported below: 227 F. 2d 181.

No. 924. *HUDSON & MANHATTAN RAILROAD CO. v. HARDING ET AL.* C. A. 2d Cir. *Certiorari denied.* *Julius Hallheimer and Otis Mark Waters* for petitioner. *Solicitor General Sobeloff, Thomas G. Meeker and David Ferber* for the Securities & Exchange Commission, *Edward M. Garlock and David Vorhaus* for *Harding et al.*, and *William W. Golub and Myron S. Isaacs* for *Stichman*, respondents. Reported below: 229 F. 2d 616.

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No. 926. OTTEN *v.* STATEN ISLAND RAPID TRANSIT RAILWAY CO. ET AL. C. A. 2d Cir. Certiorari denied. *Leone Pecoraro* for petitioner. *Edwin H. Burgess* and *Sydney R. Prince, Jr.* for the Staten Island Rapid Transit Railway Co., and *Milton Kramer* and *Lester P. Schoene* for the International Brotherhood of Electrical Workers, respondents. Reported below: 229 F. 2d 919.

No. 931. BALTIMORE & OHIO RAILROAD CO. *v.* CONNELL, U. S. DISTRICT JUDGE. C. A. 6th Cir. Certiorari denied. *E. H. Burgess* and *Kenneth H. Ekin* for petitioner. *George Henry Lavan* for respondent. Reported below: 230 F. 2d 948.

No. 933. ALVADO ET AL. *v.* GENERAL MOTORS CORP. C. A. 2d Cir. Certiorari denied. *Sheldon E. Bernstein* for petitioners. *Henry M. Hogan* for respondent. Reported below: 229 F. 2d 408.

No. 934. AMERICAN EASTERN CORP. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *J. Franklin Fort*, *John Cunningham* and *Israel Convisser* for petitioner. *Solicitor General Sobeloff* for the United States. Reported below: 231 F. 2d 664.

No. 942. LENZ *v.* COBO, MAYOR OF DETROIT. Supreme Court of Michigan. Certiorari denied. *Craig Thompson* for petitioner. *G. Edwin Slater* for respondent. Reported below: 343 Mich. 599, 73 N. W. 2d 285.

No. 943. CAYWOOD *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *John P. Frank* and *Edwin Beauchamp* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 232 F. 2d 220.

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No. 945. BURNETT ET AL. *v.* GRAVES ET AL. C. A. 5th Cir. Certiorari denied. *Joseph T. Enright* for petitioners. *Charles L. Black* for respondents. Reported below: 230 F. 2d 49.

No. 946. HARDY *v.* BANKERS LIFE & CASUALTY CO. ET AL. C. A. 7th Cir. Certiorari denied. *Irving Breakstone* and *John O'C. Fitzgerald* for petitioner. *Charles F. Short, Jr.* for respondents. Reported below: 232 F. 2d 205.

No. 962. ROSEBUD COUNTY, MONTANA, *v.* BENTLEY ET AL. C. A. 9th Cir. Certiorari denied. *Lyman Brewster* for petitioner. *Sterling M. Wood* for respondents. Reported below: 230 F. 2d 1.

No. 965. CARTER, ALIAS PONTO, ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *W. O. Cooper, Jr.* for petitioners. *Solicitor General Sobeloff* for the United States. Reported below: 231 F. 2d 232.

No. 967. PENNSYLVANIA GREYHOUND LINES, INC., *v.* ROWE ET AL. C. A. 2d Cir. Certiorari denied. *Livingston Platt* and *Clarence E. Mellen* for petitioner. *Seymour J. Wilner* for respondents. Reported below: 231 F. 2d 922.

No. 984. TEXAS & PACIFIC RAILWAY Co. *v.* BUCKLES ET AL. C. A. 5th Cir. Certiorari denied. *Charles D. Egan* for petitioner. *L. L. Lockard* for Stanley, respondent. Reported below: 232 F. 2d 257.

No. 2, Misc. GIARRATANO *v.* RANDOLPH, WARDEN. Circuit Court of Randolph County, Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, for respondent.

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No. 994. GIRARD LODGE No. 100 ET AL. *v.* GRAND LODGE, BROTHERHOOD OF RAILWAY & STEAMSHIP CLERKS, ET AL. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. *George Morris Fay, Lawrence J. Richette and John P. Burke* for petitioners. *Allen S. Olmsted, 2nd, and Walter Biddle Saul* for respondent. Reported below: 384 Pa. 248, 120 A. 2d 523.

No. 4, Misc. HOPKINS *v.* RAGEN, WARDEN. Circuit Court of Will County, Illinois. Certiorari denied. Petitioner *pro se.* *Latham Castle*, Attorney General of Illinois, for respondent.

No. 75, Misc. SIMPSON *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se.* *Latham Castle*, Attorney General of Illinois, for respondent.

No. 174, Misc. CROCKARD *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. 218, Misc. DUPONT *v.* RAGEN, WARDEN. Circuit Court of Will County, Illinois. Certiorari denied. Petitioner *pro se.* *Latham Castle*, Attorney General of Illinois, for respondent.

No. 439, Misc. STANTON *v.* CASTLE, ATTORNEY GENERAL. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se.* *Latham Castle*, Attorney General of Illinois, for respondent.

No. 509, Misc. ROCK *v.* WEBB, WARDEN. Supreme Court of California. Certiorari denied. Petitioner *pro se.* *Edmund G. Brown*, Attorney General of California, *Clarence A. Linn*, Assistant Attorney General, and *Arlo E. Smith*, Deputy Attorney General, for respondent.

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No. 515, Misc. WILLIAMS *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. 549, Misc. WILLIAMS *v.* UNITED STATES ET AL. C. A. 4th Cir. Certiorari denied. *R. Arthur Jett* and *Harry H. Kanter* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Burger* and *Melvin Richter* for respondents. Reported below: 228 F. 2d 129.

No. 573, Misc. HARTFIELD *v.* RAGEN, WARDEN. Criminal Court of Cook County, Illinois. Certiorari denied. Petitioner *pro se.* *Latham Castle*, Attorney General of Illinois, for respondent.

No. 670, Misc. TAYLOR *v.* UNITED STATES. C. A. 8th 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: 229 F. 2d 826.

No. 676, Misc. DAVIS *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: 230 F. 2d 869.

No. 696, Misc. BROWN ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Petitioners *pro se.* *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 228 F. 2d 286.

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No. 728, Misc. *SANSONE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *David du Vivier* for petitioner. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and Julia P. Cooper* for the United States. Reported below: 231 F. 2d 887.

No. 769, Misc. *STOKES v. NORTH CAROLINA*. Supreme Court of North Carolina. Certiorari denied.

No. 770, Misc. *RICHARDSON v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 789, Misc. *DAVIS v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 792, Misc. *STELLOH v. WISCONSIN*. Supreme Court of Wisconsin. Certiorari denied.

No. 796, Misc. *LEGG v. UNITED BENEFIT LIFE INSURANCE Co.* Supreme Court of California. Certiorari denied.

No. 797, Misc. *TUNE v. NEW JERSEY*. C. A. 3d Cir. Certiorari denied. *Edward J. Gilhooly and Charles Danzig* for petitioner. Reported below: 230 F. 2d 883.

No. 799, Misc. *CORBIN v. GEORGIA*. Supreme Court of Georgia. Certiorari denied. *Paul James Maxwell* for petitioner. Reported below: 212 Ga. 231, 91 S. E. 2d 764.

No. 741, Misc. *CLOSE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Sobeloff, Assistant Attorney General Olney, Beatrice Rosenberg and J. F. Bishop* for the United States. Reported below: 232 F. 2d 889.

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No. 739. *FRENCH v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. *Charles E. Heidingsfelder, Jr.* for petitioner. *John Ben Shepperd*, Attorney General of Texas, and *John A. Wild*, Assistant Attorney General, for respondent. Reported below: 162 Tex. Cr. R. —, 284 S. W. 2d 359.

No. 898. *SMITH-JOHNSON STEAMSHIP CORP. v. UNITED STATES*. Court of Claims. Certiorari denied. *Arthur M. Becker* and *George Bronz* for petitioner. *Solicitor General Sobeloff*, *Paul A. Sweeney*, *Leavenworth Colby* and *Herman Marcuse* for the United States. Reported below: — Ct. Cl. —, 139 F. Supp. 298.

No. 906. *AMERICAN FLINT GLASS WORKERS' UNION OF NORTH AMERICA, AFL-CIO, ET AL. v. NATIONAL LABOR RELATIONS BOARD*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Joseph A. Robie* and *Edward J. Hickey, Jr.* for petitioners. *Solicitor General Sobeloff*, *Theophil C. Kammholz*, *David P. Findling*, *Dominick L. Manoli* and *Fannie M. Boyls* for respondent. Reported below: 97 U. S. App. D. C. 244, 230 F. 2d 212.

No. 928. *OFFUTT v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Warren E. Magee* and *Charlotte Maskey* for petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 98 U. S. App. D. C. —, 232 F. 2d 69.

No. 952. *SKLAROFF ET UX. v. SKEADAS ET UX*. Supreme Court of Rhode Island. Certiorari denied. *Frederick Bernays Wiener* and *Irving Brodsky* for petitioners. *Nicholas J. Chase* for respondents. Reported below: — R. I. —, 122 A. 2d 444.

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No. 950. GICHNER IRON WORKS, INC., *v.* HANNA ET VIR. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Richard W. Galiher* and *William E. Stewart, Jr.* for petitioner. *Paul R. Connolly* for respondents. Reported below: 97 U. S. App. D. C. 310, 231 F. 2d 469.

No. 607, Misc. WOOLRIDGE *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* and *Beatrice Rosenberg* for the United States. Reported below: 97 U. S. App. D. C. 67, 228 F. 2d 38.

No. 631, Misc. ASKINS *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *George E. C. Hayes* for petitioner. Reported below: 97 U. S. App. D. C. 407, 231 F. 2d 741.

No. 702, Misc. TILLOTSON *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 petitioner. *Solicitor General Sobeloff*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 97 U. S. App. D. C. 402, 231 F. 2d 736.

No. 772, Misc. BRAMBLE *v.* HEINZE, WARDEN, ET AL. Petition for writ of certiorari to the Supreme Court of California denied without prejudice to an application for a writ of habeas corpus in an appropriate United States District Court. THE CHIEF JUSTICE took no part in the consideration or decision of this application.

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Rehearing Denied. (See also Nos. 19 and 312, *ante*, p. 980.)

No. 222. PREFERRED INSURANCE CO. ET AL. *v.* UNITED STATES, 350 U. S. 837. The motion for leave to file a petition for rehearing is denied.

No. 383. GENERAL BOX CO. *v.* UNITED STATES, *ante*, p. 159;

No. 496. NATIONAL LAWYERS GUILD *v.* BROWNELL, ATTORNEY GENERAL, *ante*, p. 927;

No. 761. OLIN MATHIESON CHEMICAL CORP. *v.* WESTERN STATES CUTLERY & MANUFACTURING CO. ET AL., *ante*, p. 937;

No. 772. NEVADA-PACIFIC DEVELOPMENT CORP. ET AL. *v.* GUSTIN, *ante*, p. 930;

No. 802. UNION OIL CO. OF CALIFORNIA *v.* CALIFORNIA, *ante*, p. 929;

No. 830. BOYNTON *v.* PEDRICK, ADMINISTRATRIX, *ante*, p. 938; and

No. 834. FLOYD *v.* UNITED STATES, *ante*, p. 938. Petitions for rehearing denied.

STATEMENT SHOWING THE NUMBER OF CASES FILED, DISPOSED OF, AND REMAINING
ON DOCKETS, AT CONCLUSION OF OCTOBER TERMS—1953, 1954, AND 1955

Terms-----	ORIGINAL			APPELLATE			MISCELLANEOUS			TOTALS		
	1953	1954	1955	1953	1954	1955	1953	1954	1955	1953	1954	1955
Number of cases on dockets-----	11	11	15	815	843	1,020	637	712	821	1,463	1,566	1,856
Number disposed of during terms---	0	0	4	694	721	865	609	640	768	1,303	1,361	1,637
Number remaining on dockets---	11	11	11	121	122	155	28	72	53	160	205	219

	TERMS				TERMS		
	1953	1954	1955		1953	1954	1955
Distribution of cases disposed of during terms:				Distribution of cases remaining on dockets:			
Original cases-----	0	0	4	Original cases-----	11	11	11
Appellate cases on merits-----	172	189	222	Appellate cases on merits-----	52	67	79
Petitions for certiorari-----	522	532	643	Petitions for certiorari-----	69	55	76
Miscellaneous docket applications-----	609	640	768	Miscellaneous docket applications-----	28	72	53

JUNE 12, 1956.

