

ORDERS FROM END OF OCTOBER TERM, 1956,
THROUGH MARCH 3, 1958.

CASE DISMISSED IN VACATION.

NO. 49. TAYLOR ET AL. *v.* UNITED STATES. Certiorari, 352 U. S. 963, to the United States Court of Appeals for the Sixth Circuit. September 9, 1957. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *Gordon Browning* for petitioners. *Solicitor General Rankin* for the United States. Reported below: 236 F. 2d 649.

OCTOBER 8, 1957.

Certiorari Granted.

NO. 231. BENANTI *v.* UNITED STATES. C. A. 2d Cir. Certiorari granted. *George J. Todaro* and *Jacob Kossman* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 244 F. 2d 389.

OCTOBER 10, 1957.

Dismissal Under Rule 60.

NO. 329. UNITED STATES *v.* WASHINGTON. On petition for writ of certiorari to the Court of Claims. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *Solicitor General Rankin* was on the stipulation for the United States. With him on the petition were *Acting Assistant Attorney General Leonard*, *Paul A. Sweeney* and *William W. Ross*. *Samuel Green* for respondent. Reported below: 137 Ct. Cl. 344, 147 F. Supp. 284.

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Miscellaneous Orders.

No. 36, October Term, 1956. ALLEGHANY CORPORATION ET AL. *v.* BRESWICK & Co. ET AL.; and

No. 82, October Term, 1956. BAKER, WEEKS & Co. ET AL. *v.* BRESWICK & Co. ET AL., 353 U. S. 151. The motion of appellees Breswick & Co., Myron Neisloss and Randolph Phillips to retax costs is denied. *George Brus-sel, Jr.* for Breswick & Co. et al., and *Randolph Phillips, pro se*, movants-appellees. *Whitney North Seymour, David Hartfield, Jr.* and *Edward K. Wheeler* filed a memorandum in opposition for the Alleghany Corporation, appellant in No. 36.

No. 32. UNITED STATES EX REL. LEE KUM HOY ET AL. *v.* SHAUGHNESSY, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. Certiorari, 352 U. S. 966, to the United States Court of Appeals for the Second Circuit. The motion to substitute John L. Murff as the party respondent in the place and stead of Edward J. Shaughnessy, retired, is granted. *Edward J. Ennis* for movants-petitioners.

No. 33. WILSON ET AL. *v.* LOEW'S INCORPORATED ET AL. Certiorari, 352 U. S. 980, to the District Court of Appeal of California, Second Appellate District. The motion for leave to file brief of American Civil Liberties Union, as *amicus curiae*, is granted. *Edward J. Ennis* for movant. *Irving M. Walker* for respondents, in opposition.

No. 72. NOWAK *v.* UNITED STATES; and

No. 76. MAISENBERG *v.* UNITED STATES. Certiorari, 353 U. S. 922, to the United States Court of Appeals for the Sixth Circuit. The motions of petitioners for leave to proceed *in forma pauperis* are granted. *Ernest Goodman* for movants-petitioners.

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No. 122. IVANHOE IRRIGATION DISTRICT ET AL. *v.* MC-CRACKEN ET AL.;

No. 123. MADERA IRRIGATION DISTRICT ET AL. *v.* STEINER ET AL.;

No. 124. MADERA IRRIGATION DISTRICT *v.* ALBONICO ET UX.; and

No. 125. SANTA BARBARA COUNTY WATER AGENCY *v.* BALAAM ET AL. Appeals from the Supreme Court of California. Further consideration of the question of jurisdiction is postponed to the hearing of the cases on the merits. *Edmund G. Brown*, Attorney General, and *B. Abbott Goldberg* and *Adolphus Moskovitz*, Deputy Attorneys General, for the State of California et al., *Denver C. Peckinpah* for the Madera Irrigation District, and *Francis Price, Sr.* for the Santa Barbara County Water Agency, appellants. *Harry W. Horton*, *Reginald L. Knox, Jr.*, *W. R. Bailey*, *Denslow B. Green*, *Sherman Anderson*, *Herman Phleger* and *Alvin J. Rockwell* for appellees. *Solicitor General Rankin*, *Assistant Attorney General Morton*, *David R. Warner* and *Roger P. Marquis* filed a memorandum for the United States, as *amicus curiae*, in support of jurisdiction. *Edson Abel* filed a memorandum for the California Farm Bureau Federation, as *amicus curiae*, supporting the motion to dismiss the appeal in No. 122. Reported below: 47 Cal. 2d 597, 681, 695, 699, 306 P. 2d 824, 875, 886, 894.

No. 165. LERNER *v.* CASEY ET AL., CONSTITUTING THE NEW YORK CITY TRANSIT AUTHORITY. Appeal from the Court of Appeals of New York. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits. *Leonard B. Boudin* and *Victor Rabinowitz* for appellant. *Daniel T. Scannell* and *Helen R. Cassidy* for appellees. Reported below: 2 N. Y. 2d 355, 141 N. E. 2d 533.

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NO. 54. MENDOZA-MARTINEZ *v.* MACKAY, COMMISSIONER OF IMMIGRATION AND NATURALIZATION SERVICE, ET AL. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. The motion to grant petition for writ of certiorari and to advance argument is denied. *John W. Willis* for movant-petitioner. Reported below: 238 F. 2d 239.

NO. 73. FEDERAL MARITIME BOARD *v.* ISBRANDTSEN COMPANY, INC., ET AL.; and

NO. 74. JAPAN-ATLANTIC AND GULF FREIGHT CONFERENCE ET AL. *v.* UNITED STATES ET AL. Certiorari, 353 U. S. 908, to the United States Court of Appeals for the District of Columbia Circuit. The motion for leave to file brief of Pacific American Steamship Association et al., as *amici curiae*, is granted. *John R. Mahoney, Elmer C. Maddy, Alan B. Aldwell, Walter Carroll* and *Allen E. Charles* for movants. *John J. O'Connor* and *John J. O'Connor, Jr.* filed a reply for the Isbrandtsen Company, Inc., respondent, in opposition to the motion.

NO. 189. KNAPP *v.* SCHWEITZER, JUDGE, COURT OF GENERAL SESSIONS, ET AL. Appeal from the Court of Appeals of New York. The motion to dismiss is granted and the appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is granted limited to question 2 presented by the jurisdictional statement which reads as follows:

“2. SELF INCRIMINATION.

“Whether an employer in an industry affecting commerce, called before a Grand Jury of the State as a witness in the course of an investigation concerning the state penal offenses of bribery, extortion and conspiracy connected with labor union operations, is privileged, by the

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Fifth Amendment to the United States Constitution, to decline to answer questions of such character that affirmative answers thereto would establish the *corpus* of the federal crime of unauthorized payment of moneys to an official of the labor union representing his employees, Taft-Hartley Act, Sec. 302 (29 U. S. C. 186; 61 Stat. 157); and whether his ensuing punishment for contempt by a State Court is not barred by the Supremacy Clause, Art. VI, Cl. 2 of the United States Constitution and also by the 'Privileges and Immunities' Clause of the Fourteenth Amendment."

Bernard H. Fitzpatrick for appellant. *Frank S. Hogan* and *Charles W. Manning* for appellees. Reported below: 2 N. Y. 2d 913, 975, 141 N. E. 2d 825, 142 N. E. 2d 649.

No. 180. ERICKSEN *v.* BRISTOW ET AL., JUSTICES OF THE SUPREME COURT OF ILLINOIS. Petition for writ of certiorari to the Supreme Court of Illinois and the alternative motion for leave to file petition for a writ of mandamus or a common law writ of certiorari or such other writ as may be appropriate are denied. Reported below: See 10 Ill. 2d 357, 140 N. E. 2d 825.

No. 201. MACNEIL BROS. CO. ET AL. *v.* JUSTICES OF THE SUPERIOR COURT ET AL. Motion for leave to supplement "Reasons for Granting Writ" denied. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. *Angus MacNeil* for petitioners. Reported below: 242 F. 2d 273.

No. 4, Misc. ROSE *v.* BELL, SHERIFF. Motion for leave to file petition for writ of habeas corpus denied. *Joseph Kadans* and *F. J. Healy* for petitioner. *W. W. Barron*, Attorney General of West Virginia, and *Fred H. Caplan*, Assistant Attorney General, for respondent.

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No. 218. *MASSEY-HARRIS-FERGUSON LIMITED v. BOYD*, U. S. DISTRICT JUDGE. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit and the alternative motion for leave to file a petition for writ of mandamus or other appropriate writ denied. *John F. Sonnett* and *Cooper Turner, Jr.* for petitioner. *Lowell W. Taylor* for respondent. Reported below: 242 F. 2d 800.

No. 240. *WENTZ ET AL. v. UNITED STATES*. Application for bail referred to the entire Court by MR. JUSTICE DOUGLAS denied. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. *Joseph T. Enright* for petitioners. *Solicitor General Rankin, Assistant Attorney General Olney, John F. Davis* and *Beatrice Rosenberg* for the United States. Reported below: 244 F. 2d 172.

No. 16, Misc. *FOOKS v. UNITED STATES*. Motion to supplement granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. *C. Frank Reifsnyder* for petitioner. *Solicitor General Rankin, Assistant Attorney General Olney, Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 100 U. S. App. D. C. 348, 246 F. 2d 629.

No. 24, Misc. *GULLAHORN ET AL. v. UNITED STATES*. Motion of Robert Clyde Sanders to withdraw from the petition for writ of certiorari granted. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit and for other relief denied. Petitioners *pro se*. *Solicitor General Rankin, Assistant Attorney General Olney, Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 245 F. 2d 958.

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- No. 38, Misc. HARRISON *v.* SETTLE, WARDEN ;
 No. 48, Misc. PEARSON *v.* GRAY, WARDEN ;
 No. 49, Misc. SMITH *v.* ILLINOIS ;
 No. 50, Misc. BEAVER *v.* SMYTH, SUPERINTENDENT,
 VIRGINIA STATE PENITENTIARY ;
 No. 54, Misc. HARPER *v.* MURPHY, WARDEN ;
 No. 56, Misc. GOSSO *v.* GLADDEN, WARDEN ;
 No. 58, Misc. PLATER *v.* STEINER, WARDEN ;
 No. 61, Misc. HILL *v.* SETTLE, WARDEN ;
 No. 88, Misc. WINSTON *v.* LOONEY, WARDEN ;
 No. 89, Misc. LEMPIA *v.* HEINZE, WARDEN, ET AL. ;
 No. 91, Misc. TISCIO *v.* MARTIN, WARDEN, ET AL. ;
 No. 122, Misc. ROBINSON *v.* BROWNELL, ATTORNEY
 GENERAL ;
 No. 123, Misc. YOST *v.* RAGEN, WARDEN ;
 No. 124, Misc. LUCIANO *v.* WILKINSON, WARDEN ;
 No. 130, Misc. MULLREED *v.* MICHIGAN ET AL. ;
 No. 136, Misc. LISTER *v.* MCLEOD, WARDEN ; and
 No. 153, Misc. PLEDGER *v.* LOWRY, MEDICAL DIREC-
 TOR, U. S. PUBLIC HEALTH SERVICE HOSPITAL. Motions
 for leave to file petitions for writs of habeas corpus
 denied.

Certiorari Granted. (See also No. 131, ante, p. 7 ;
 No. 116, ante, p. 8 ; No. 229, ante, p. 9 ; No. 161, ante,
 p. 14 ; No. 168, ante, p. 15 ; Misc. No. 6, ante, p. 17,
 and No. 189, supra.)

No. 322. ROMERO *v.* INTERNATIONAL TERMINAL OPER-
 ATING Co. ET AL. C. A. 2d Cir. *Certiorari* granted.
Silas B. Axtell and *Charles A. Ellis* for petitioner. *John*
P. Smith for the International Terminal Operating Co.,
John L. Quinlan for *Compania Trasatlantica et al.*, and
Sidney A. Schwartz for the *Quin Lumber Co., Inc.*,
 respondents. Reported below: 244 F. 2d 409.

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No. 127. LOCAL 1976, UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA, A. F. L., ET AL. v. NATIONAL LABOR RELATIONS BOARD. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit;

No. 273. NATIONAL LABOR RELATIONS BOARD v. GENERAL DRIVERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS UNION, LOCAL No. 886, AFL-CIO. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit; and

No. 324. LOCAL 850, INTERNATIONAL ASSOCIATION OF MACHINISTS, AFL-CIO, v. NATIONAL LABOR RELATIONS BOARD. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. The petitions for writs of certiorari in these cases are severally granted and the cases are consolidated for argument. *John C. Stevenson* for petitioners in No. 127. *Plato E. Papps* and *Louis P. Poulton* for petitioner in No. 324. *Solicitor General Rankin*, *Jerome D. Fenton*, *Stephen Leonard*, *Dominick L. Manoli* and *Norton J. Come* for the National Labor Relations Board. *Herbert S. Thatcher*, *David Previant* and *L. N. D. Wells, Jr.* for respondent in No. 273. Reported below: No. 127, 241 F. 2d 147; Nos. 273 and 324, 101 U. S. App. D. C. 80, 247 F. 2d 71.

No. 146. UNITED STATES v. McNINCH, DOING BUSINESS AS HOME COMFORT CO., ET AL. C. A. 4th Cir. Certiorari granted. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Melvin Richter* and *William W. Ross* for the United States. *Edward W. Mullins* for McNinch et al., and *A. C. Epps* and *Charles W. Laughlin* for Cato Bros., Inc., et al., respondents. Reported below: 242 F. 2d 359.

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No. 133. *SINKLER v. MISSOURI PACIFIC RAILROAD CO.* Court of Civil Appeals of Texas, Ninth Supreme Judicial District. Certiorari granted. *Robert H. Kelley* and *J. Edwin Smith* for petitioner. *Walter F. Woodul* for respondent. Reported below: 295 S. W. 2d 508.

No. 143. *KLIG v. BROWNELL, ATTORNEY GENERAL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Jack Wasserman* and *David Carliner* for petitioner. *Solicitor General Rankin, Assistant Attorney General Olney* and *Beatrice Rosenberg* for respondent. Reported below: 100 U. S. App. D. C. 294, 244 F. 2d 742.

No. 234. *NATIONAL LABOR RELATIONS BOARD v. DUVAL JEWELRY CO. OF MIAMI, INC., ET AL.* C. A. 5th Cir. Certiorari granted. *Solicitor General Rankin, Jerome D. Fenton, Stephen Leonard, Dominick L. Manoli* and *Norton J. Come* for petitioner. Reported below: 243 F. 2d 427.

No. 275. *MANZANILLO v. UNITED STATES.* Court of Claims. Certiorari granted. *John Ward Cutler* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Leonard, Melvin Richter* and *William W. Ross* for the United States. Reported below: 137 Ct. Cl. 927.

No. 287. *DESSALERNOS v. SAVORETTI, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE.* C. A. 5th Cir. Certiorari granted. *David W. Walters* for petitioner. *Solicitor General Rankin, Assistant Attorney General Olney* and *Beatrice Rosenberg* for respondent. Reported below: 244 F. 2d 178.

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No. 200. *KOVACS v. BREWER*. Supreme Court of North Carolina. Certiorari granted. *Harris B. Steinberg* for petitioner. Reported below: 245 N. C. 630, 97 S. E. 2d 96.

No. 303. *ALASKA INDUSTRIAL BOARD ET AL. v. CHUGACH ELECTRIC ASSOCIATION, INC., ET AL.* C. A. 9th Cir. Certiorari granted. *J. Gerald Williams*, Attorney General of Alaska, for the Alaska Industrial Board, and *John H. Dimond* for Jenkins, petitioners. Reported below: 245 F. 2d 855.

No. 311. *COMMISSIONER OF INTERNAL REVENUE v. STERN, TRANSFEREE*. C. A. 6th Cir. Certiorari granted. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Robert N. Anderson* and *A. F. Prescott* for petitioner. *Walter E. Barton* for respondent. Reported below: 242 F. 2d 322.

No. 331. *JONES v. UNITED STATES*. C. A. 5th Cir. Certiorari granted. *Wesley R. Asinof* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 245 F. 2d 32.

No. 251. *PANAMA CANAL Co. v. GRACE LINE, INC., ET AL.*; and

No. 252. *GRACE LINE, INC., ET AL. v. PANAMA CANAL Co.* C. A. 2d Cir. Certiorari granted. *Solicitor General Rankin* for the Panama Canal Co. With him on the petition in No. 251 were *Assistant Attorney General Doub*, *Paul A. Sweeney* and *Herman Marcuse*. *C. Dickerman Williams* for petitioners in No. 252 and respondents in No. 251. *James M. Estabrook* filed a brief for *Aktieselskabet Dampskibsselskabet Svenborg et al.*, as *amici curiae*, in support of petitioners in No. 252. Reported below: 243 F. 2d 844.

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No. 276. RAINWATER ET AL., DOING BUSINESS AS R. S. RAINWATER & SONS, ET AL. *v.* UNITED STATES. C. A. 8th Cir. Certiorari granted. *Leon B. Catlett* for petitioners. *Solicitor General Rankin* for the United States. Reported below: 244 F. 2d 27.

No. 289. NATIONAL LABOR RELATIONS BOARD *v.* AVONDALE MILLS. C. A. 5th Cir. Certiorari granted. *Solicitor General Rankin, Jerome D. Fenton, Stephen Leonard, Dominick L. Manoli and Frederick U. Reel* for petitioner. Reported below: 242 F. 2d 669.

No. 306. THE COLONY, INC., *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 6th Cir. Certiorari granted. MR. JUSTICE WHITTAKER took no part in the consideration or decision of this application. *Bernard H. Barnett* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Robert N. Anderson and Grant W. Wiprud* for respondent. Reported below: 244 F. 2d 75.

No. 5, Misc. TRIPLETT *v.* IOWA. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Iowa granted. *Herbert S. French* for petitioner. *Norman A. Erbe, Attorney General of Iowa, Raphael R. R. Dvorak, First Assistant Attorney General, and Don C. Swanson, Assistant Attorney General,* for respondent. Reported below: 248 Iowa 339, 79 N. W. 2d 391.

No. 22, Misc. GIORDENELLO *v.* UNITED STATES. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted. *William F. Walsh* for petitioner. *Solicitor General Rankin, Assistant Attorney General Olney and Beatrice Rosenberg* for the United States. Reported below: 241 F. 2d 575.

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No. 348. SOCIETE INTERNATIONALE POUR PARTICIPATIONS INDUSTRIELLES ET COMMERCIALES, S. A., v. BROWNELL, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN, ET AL. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted. Counsel are invited to discuss, among other things, the power of the District Court to dismiss, and the propriety of its dismissal of, petitioner's complaint, under Rule 37 (b)(2) of F. R. C. P., for *failure* to obey its order, for production of documents, issued under Rule 34 of F. R. C. P., in the absence of evidence and of finding that petitioner "refuses to obey" such order. MR. JUSTICE CLARK took no part in the consideration or decision of this application. *Roger J. Whiteford* and *John J. Wilson* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Townsend*, *George B. Searls*, *Sidney B. Jacoby* and *Ernest S. Carsten* for respondents. Reported below: 100 U. S. App. D. C. 148, 243 F. 2d 254.

No. 10, Misc. JOSEPH ET AL. v. INDIANA. Motion for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Supreme Court of Indiana granted limited to the question of admissibility of the confession. Petitioners *pro se*. *Edwin K. Steers*, Attorney General of Indiana, and *Robert M. O'Mahoney*, Deputy Attorney General, for respondent. Reported below: 236 Ind. 529, 141 N. E. 2d 109.

No. 40, Misc. EUBANKS v. LOUISIANA. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Louisiana granted. *Leopold Stahl* for petitioner. *Jack P. F. Gremillion*, Attorney General of Louisiana, *M. E. Culligan*, Assistant Attorney General, and *Leon D. Hubert, Jr.* for respondent. Reported below: 232 La. 289, 94 So. 2d 262.

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Certiorari Denied. (See also No. 134, ante, p. 11; No. 316, ante, p. 12; Misc. No. 80, ante, p. 16; Misc. No. 25, ante, p. 17; Nos. 180, 201, 218, 240 and Misc. Nos. 16 and 24, supra.)

No. 115. TENNESSEE BURLEY TOBACCO GROWERS' ASSOCIATION ET AL. *v.* RANGE ET AL. Court of Appeals of Tennessee, Eastern Division. *Certiorari* denied. *Norman M. Littell* and *Frederick Bernays Wiener* for petitioners. *F. H. Parvin* for respondents. By invitation of the Court to express his views, 353 U. S. 981, *Solicitor General Rankin* filed memoranda for the United States, as *amicus curiae*, in opposition to the petition. Reported below: — Tenn. App. —, 298 S. W. 2d 545.

No. 120. DESSER, RAU & HOFFMAN ET AL. *v.* GOGGIN, TRUSTEE IN BANKRUPTCY. C. A. 9th Cir. *Certiorari* denied. *Jack L. Rau* and *Theodore E. Rein* for petitioners. *Robert H. Shutan* for respondent. Reported below: 240 F. 2d 84.

No. 129. DAYTON *v.* GILLILLAND ET AL., CONSTITUTING THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES, ET AL. United States Court of Appeals for the District of Columbia Circuit. *Certiorari* denied. *Paul Ackerman* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Samuel D. Slade* and *B. Jenkins Middleton* for respondents. *Philip Levy*, *Robert T. Reynolds* and *Paul M. Rhodes* filed a brief for Price et al., as *amici curiae*, in opposition. Reported below: 100 U. S. App. D. C. 75, 242 F. 2d 227.

No. 132. BANDEEN *v.* HOWARD ET AL., CONSTITUTING THE STATE BOARD OF HEALTH OF KENTUCKY, ET AL. Court of Appeals of Kentucky. *Certiorari* denied. *Blakey Helm* for petitioner. *William A. Lamkin, Jr.* for respondents. Reported below: 299 S. W. 2d 249.

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No. 135. *KIDD v. MERCK & Co., INC.* C. A. 6th Cir. Certiorari denied. *Ben F. McAuley* for petitioner. *Philip Wallis* for respondent. Reported below: 242 F. 2d 592.

No. 136. BOARD OF ASSESSORS OF THE TOWN OF RIVERHEAD, NEW YORK, ET AL. *v.* GRUMMAN AIRCRAFT ENGINEERING CORP. Court of Appeals of New York. Certiorari denied. *Reginald C. Smith* and *Charles A. Ellis* for petitioners. *John P. Ohl* for respondent. Reported below: 2 N. Y. 2d 500, 1012, 141 N. E. 2d 794, 143 N. E. 2d 352.

No. 137. INTERNATIONAL UNION, UNITED AUTOMOBILE, AIRCRAFT AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (AFL-CIO) ET AL. *v.* BENTON HARBOR MALLEABLE INDUSTRIES. C. A. 6th Cir. Certiorari denied. *Harold A. Cranefield*, *Kurt L. Hanslowe* and *Redmond H. Roche, Jr.* for petitioners. *Victor L. Lewis* and *Chester J. Byrns* for respondent. Reported below: 242 F. 2d 536.

No. 138. MINERAL HOLDING TRUST OF ST. PAUL, MINNESOTA, ET AL. *v.* ALUMINUM COMPANY OF AMERICA ET AL. Supreme Court of Texas. Certiorari denied. *John E. Daubney* for petitioners. *C. E. Bryson* and *David T. Searls* for the Aluminum Company of America et al., and *C. C. Carsner* for Stovall et al., respondents. Reported below: 157 Tex. —, 299 S. W. 2d 279.

No. 140. ESTATE OF PIPE *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. *Russell D. Morrill* for petitioner. *Solicitor General Rankin*, *Acting Assistant Attorney General Stull*, *Harry Baum* and *Marvin W. Weinstein* for respondent. Reported below: 241 F. 2d 210.

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No. 145. *WAINER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Maurice J. Walsh* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Harry Baum and Carolyn R. Just* for the United States. Reported below: 240 F. 2d 595.

No. 147. *WILSHIRE HOLDING CORP. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. *Murray M. Chotiner and Russell E. Parsons* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Lee A. Jackson and Joseph F. Goetten* for respondent. Reported below: 244 F. 2d 904.

No. 150. *CHICAGO, BURLINGTON & QUINCY RAILROAD Co. v. NORTHWESTERN AUTO PARTS Co.*;

No. 151. *CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC RAILROAD Co. v. NORTHWESTERN AUTO PARTS Co.*;

No. 152. *GREAT NORTHERN RAILWAY Co. v. NORTHWESTERN AUTO PARTS Co.*; and

No. 153. *MINNEAPOLIS & ST. LOUIS RAILWAY Co. v. NORTHWESTERN AUTO PARTS Co.* C. A. 8th Cir. Certiorari denied. *William J. Quinn* for petitioners. *Harry S. Stearns, Jr.* for petitioner in No. 150. Reported below: 240 F. 2d 743.

No. 155. *AMERICAN EMERY WHEEL WORKS v. MASON*. C. A. 1st Cir. Certiorari denied. *Francis V. Reynolds and Richard P. McMahon* for petitioner. Reported below: 241 F. 2d 906.

No. 156. *STOPPER v. MANHATTAN LIFE INSURANCE Co. OF NEW YORK*. C. A. 3d Cir. Certiorari denied. *John M. McNally, Jr.* for petitioner. *Owen B. Rhoads and Robert M. Landis* for respondent. Reported below: 241 F. 2d 465.

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No. 154. *COLLINS v. KENTUCKY*. Court of Appeals of Kentucky. Certiorari denied. *Gerald Robin Griffin* for petitioner. Reported below: 297 S. W. 2d 54.

No. 160. *MAY v. ELLIS TRUCKING CO., INC.* C. A. 6th Cir. Certiorari denied. *Clarence E. Clifton* for petitioner. *L. E. Gwinn* for respondent. Reported below: 243 F. 2d 526.

No. 162. *PHILLIPS PETROLEUM CO. v. BUSTER ET AL.* C. A. 10th Cir. Certiorari denied. *Rayburn L. Foster, Harry D. Turner, R. M. Williams, Cecil C. Hamilton* and *Reford Bond* for petitioner. *V. P. Crowe* for respondents. Reported below: 241 F. 2d 178.

No. 163. *RUSSO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Boris Kostelanetz* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice* and *Joseph M. Howard* for the United States. Reported below: 241 F. 2d 285.

No. 164. *HOPPE v. UNITED STATES*. Court of Claims. Certiorari denied. *John P. Witsil* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Melvin Richter* for the United States. Reported below: 136 Ct. Cl. 559.

No. 166. *C. S. JOHNSON CO. v. STROMBERG, DOING BUSINESS AS CALIFORNIA BATCHING EQUIPMENT CO., ET AL.* C. A. 9th Cir. Certiorari denied. *William A. Denny* for petitioner. Reported below: 242 F. 2d 793.

No. 170. *ROBEY v. SUN RECORD CO., INC.* C. A. 5th Cir. Certiorari denied. *Harry Dow* for petitioner. *Grover N. McCormick* for respondent. Reported below: 242 F. 2d 684.

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No. 159. COMPANIA ITHACA DE VAPORES, S. A., *v.* UNITED STATES. Court of Claims. Certiorari denied. *Daniel L. Stonebridge* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Samuel D. Slade* for the United States. Reported below: 137 Ct. Cl. 860, 149 F. Supp. 257.

No. 167. HARRIS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Arthur B. Cunningham* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Joseph M. Howard* for the United States. Reported below: 243 F. 2d 74.

No. 171. BRYSON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Richard Gladstein*, *George R. Andersen* and *Norman Leonard* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Tompkins*, *Philip R. Monahan* and *Carl G. Coben* for the United States. Reported below: 238 F. 2d 657; 243 F. 2d 837.

No. 172. TEXAS COMPANY *v.* UNITED STATES ET AL. C. A. 4th Cir. Certiorari denied. *Joseph M. Brush* and *Francis N. Crenshaw* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Samuel D. Slade* and *William W. Ross* for the United States, and *Marvin Schwartz* for Eckert et al., respondents. Reported below: 241 F. 2d 819.

No. 174. COSGROVE *v.* NEW YORK, CHICAGO & ST. LOUIS RAILROAD Co. Supreme Court of Illinois. Certiorari denied. *Zeno Middleton* for petitioner. *Henry Driemeyer* and *Robert L. Broderick* for respondent.

No. 175. BOSTON PRINTING PRESSMEN'S UNION No. 67 *v.* POTTER PRESS. C. A. 1st Cir. Certiorari denied. *Herbert S. Thatcher* for petitioner. *Harold Rosenwald* for respondent. Reported below: 241 F. 2d 787.

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No. 173. DUFF ET AL. *v.* BULLARD, ADMINISTRATOR, ET AL. Court of Appeals of Kentucky. Certiorari denied. *Joe Hobson* and *Weldon Shouse* for petitioners. *Leo T. Wolford* and *Eugene B. Cochran* for respondents. Reported below: 299 S. W. 2d 99.

No. 176. SUNRISE LUMBER & TRIM CORP. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 2d Cir. Certiorari denied. *Alexander Eltman* for petitioner. *Solicitor General Rankin*, *Jerome D. Fenton*, *Stephen Leonard* and *Dominick L. Manoli* for respondent. Reported below: 241 F. 2d 620.

No. 179. EISTRAT *v.* BRUSH INDUSTRIAL LUMBER CO. ET AL. Supreme Court of California. Certiorari denied. Petitioner *pro se.* *Wendell W. Schooling* for respondents. Reported below: See 147 Cal. App. 2d 628, 305 P. 2d 715.

No. 182. LIEBERMAN-KOREN CORP. ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Kapner*, petitioner, *pro se.* *Solicitor General Rankin*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 243 F. 2d 567.

No. 183. ARGENTO *v.* HORN ET AL. C. A. 6th Cir. Certiorari denied. *Henry C. Lavine* for petitioner. *Solicitor General Rankin* for Horn et al., and *Robert J. Bulkley* for Zugaro, respondents. Reported below: 241 F. 2d 258.

No. 185. BROWN *v.* PANHANDLE & SANTA FE RAILWAY Co. Court of Civil Appeals of Texas, Seventh Supreme Judicial District. Certiorari denied. *Robert Lee Guthrie*, *Searcy L. Johnson* and *Warren E. Miller* for petitioner. *Preston Shirley* and *Charles L. Cobb* for respondent. Reported below: 294 S. W. 2d 223.

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No. 187. PAN AMERICAN PETROLEUM CORP. *v.* SEATON, SECRETARY OF THE INTERIOR. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *W. W. Heard* and *Neil F. Stull* for petitioner. *Solicitor General Rankin, John F. Davis, Roger P. Marquis* and *George S. Swarth* for respondent. Reported below: 100 U. S. App. D. C. 50, 242 F. 2d 23.

No. 188. PAN AMERICAN CASUALTY CO. *v.* REED ET UX. C. A. 5th Cir. Certiorari denied. *Charles S. Murphy* and *Camille F. Gravel, Jr.* for petitioner. Reported below: 240 F. 2d 336.

No. 190. METROPOLITAN BAG & PAPER DISTRIBUTORS ASSOCIATION, INC., ET AL. *v.* FEDERAL TRADE COMMISSION. C. A. 2d Cir. Certiorari denied. *Nathan Frankel* and *Reuben Barshay* for petitioners. *Solicitor General Rankin, Assistant Attorney General Hansen, Daniel M. Friedman, W. Louise Florencourt, Earl W. Kintner* and *James E. Corkey* for respondent. Reported below: 240 F. 2d 341.

No. 191. FRANK *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *Robert M. Taylor* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Joseph M. Howard* and *Lawrence K. Bailey* for the United States. Reported below: 245 F. 2d 284.

No. 192. GREEN *v.* BAUGHMAN ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin, Assistant Attorney General Doub* and *Paul A. Sweeney* for respondents. Reported below: 100 U. S. App. D. C. 187, 243 F. 2d 610.

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No. 193. *DAVIS v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. *John R. Snively* for petitioner. Reported below: 10 Ill. 2d 430, 140 N. E. 2d 675.

No. 194. *KOSTNER v. CHICAGO LAND CLEARANCE COMMISSION*. Supreme Court of Illinois. Certiorari denied. *William D. Saltiel* for petitioner. *William H. Dillon* for respondent. Reported below: 10 Ill. 2d 501, 140 N. E. 2d 695.

No. 195. *NICHOLS ET AL. v. ALKER ET AL.* C. A. 2d Cir. Certiorari denied. *Harold G. Aron* for petitioners. *David K. Kadane* for the Long Island Lighting Co. et al., *Charles C. Lockwood* for Vanneck, and *Percival E. Jackson, pro se*, respondents. *Peter H. Kaminer* of counsel for respondents. Reported below: 244 F. 2d 499.

No. 196. *HARLEM PAPER PRODUCTS CORP. ET AL. v. FEDERAL TRADE COMMISSION*. C. A. 2d Cir. Certiorari denied. *Albert L. Solodar* for petitioners. *Solicitor General Rankin, Assistant Attorney General Hansen, Daniel M. Friedman, W. Louise Florencourt, Earl W. Kintner* and *James E. Corkey* for respondent. Reported below: 240 F. 2d 341.

No. 198. *CITY OF EL PASO v. EL PASO COUNTY WATER IMPROVEMENT DISTRICT NO. 1 ET AL.* C. A. 5th Cir. Certiorari denied. *Travis White* for petitioner. *Solicitor General Rankin* for the United States, and *Eugene T. Edwards* for the El Paso County Water Improvement District No. 1 et al., respondents. Reported below: 243 F. 2d 927.

No. 199. *MISSISSIPPI VALLEY BARGE LINE Co. v. ESSO SHIPPING Co.* C. A. 5th Cir. Certiorari denied. *Selim B. Lemle* for petitioner. *Raymond T. Greene* for respondent. Reported below: 240 F. 2d 606.

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No. 202. DISTRICT 50, UNITED MINE WORKERS OF AMERICA, *v.* TUNGSTEN MINING CORP. C. A. 4th Cir. Certiorari denied. *Crampton Harris, Charles P. Green, Yelverton Cowherd and Alfred D. Treherne* for petitioner. *Whiteford S. Blakeney* for respondent. Reported below: 242 F. 2d 84.

No. 203. PATTESON *v.* DEVINE. C. A. 6th Cir. Certiorari denied. *Bailey Brown and George J. Schweizer, Jr.* for petitioner. *Robert M. Murray and James T. Haynes* for respondent. Reported below: 242 F. 2d 828.

No. 204. HALL ET AL. *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Clyde J. Cover* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, John N. Stull, Robert N. Anderson and Marvin W. Weinstein* for the United States. Reported below: 242 F. 2d 412.

No. 205. BORGMEIER *v.* FLEMING ET AL. C. A. 7th Cir. Certiorari denied. *Edmund J. Johnson* for petitioner. *Ray M. Stroud* for respondents. Reported below: 241 F. 2d 865.

No. 206. NATIONAL LABOR RELATIONS BOARD *v.* SOUTHERN SILK MILLS, INC. C. A. 6th Cir. Certiorari denied. *Solicitor General Rankin, Jerome D. Fenton, Stephen Leonard and Dominick L. Manoli* for petitioner. *R. W. Kemmer* for respondent. Reported below: 242 F. 2d 697.

No. 207. L. C. FULLER, JR. LUMBER CO., INC., *v.* ANGLIN ET AL. C. A. 6th Cir. Certiorari denied. *Thomas Miller Manier* for petitioner. *John J. Hooker* for respondents. Reported below: 244 F. 2d 72.

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No. 208. COLUMBUS & SOUTHERN OHIO ELECTRIC CO. v. COMMISSIONER OF INTERNAL REVENUE. C. A. 6th Cir. Certiorari denied. *Joseph S. Platt* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, John N. Stull, A. F. Prescott and Melva M. Graney* for respondent. Reported below: 244 F. 2d 79.

No. 209. MOORE-McCORMACK LINES, INC., v. THE ESSO CAMDEN. C. A. 2d Cir. Certiorari denied. *Adrian J. O'Kane* for petitioner. *Raymond T. Greene and Ira A. Campbell* for respondent. Reported below: 244 F. 2d 198.

No. 211. LANNOM MANUFACTURING CO., INC., v. NATIONAL LABOR RELATIONS BOARD ET AL. C. A. 6th Cir. Certiorari denied. *Judson Harwood* for petitioner. *Solicitor General Rankin, Jerome D. Fenton, Stephen Leonard and Dominick L. Manoli* for the National Labor Relations Board, and *Harold I. Cammer* for the Amalgamated Meat Cutters & Butcher Workmen of North America, AFL-CIO, respondents. Reported below: 243 F. 2d 304.

No. 212. ANDERSON ET AL. v. UNITED STATES. Court of Claims. Certiorari denied. *Herbert S. Thatcher and Donald M. Murtha* for petitioners. *Solicitor General Rankin, Assistant Attorney General Doub and Samuel D. Slade* for the United States. Reported below: 138 Ct. Cl. 192, 150 F. Supp. 881.

No. 213. WEBSTER MOTOR CAR CO. v. PACKARD MOTOR CAR CO. ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *William J. Hughes, Jr.* for petitioner. *Harold L. Smith, Jerome G. Shapiro and Robert W. Barker* for respondents. Reported below: 100 U. S. App. D. C. 161, 243 F. 2d 418.

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No. 210. REED *v.* FEDERAL TRADE COMMISSION. C. A. 7th Cir. Certiorari denied. *David A. Canel* for petitioner. *Solicitor General Rankin* for respondent. Reported below: 243 F. 2d 308.

No. 214. SCHWING MOTOR CO., INC., *v.* HUDSON SALES CORP. ET AL. C. A. 4th Cir. Certiorari denied. *Wilson K. Barnes* for petitioner. *William L. Marbury* for the Hudson Sales Corp. et al., and *John S. Stanley* and *Roger A. Clapp* for Bankert Hudson, Inc., et al., respondents. Reported below: 239 F. 2d 176.

No. 215. COLGATE-PALMOLIVE CO. *v.* CARTER PRODUCTS, INC., ET AL. C. A. 4th Cir. Certiorari denied. *Mathias F. Correa* for petitioner. *George B. Finnegan, Jr.*, *William D. Denson* and *Morris Kirschstein* for respondents. Reported below: 243 F. 2d 163.

No. 216. NUODEX PRODUCTS CO., INC., *v.* W. H. ELLIOTT & SONS CO., INC., ET AL. C. A. 1st Cir. Certiorari denied. *George B. Rowell* and *Gordon M. Tiffany* for petitioner. *Stanley M. Brown* for W. H. Elliott & Sons Co., Inc., and *Robert W. Upton* for E. & F. King & Co., Inc., respondents. Reported below: 243 F. 2d 116.

No. 217. ZACK ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 6th Cir. Certiorari denied. *Charles L. Levin* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *John N. Stull* and *Harry Baum* for respondent. Reported below: 245 F. 2d 235.

No. 223. CANADIAN PACIFIC STEAMSHIPS, LTD., ET AL. *v.* McAFOS ET AL. C. A. 2d Cir. Certiorari denied. *Livingston Platt* for petitioners. *Gustave G. Rosenberg* and *Benjamin Adler* for respondents. Reported below: 243 F. 2d 270.

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No. 220. UNITED STATES ET AL. *v.* MERRY BROTHERS BRICK & TILE CO. ET AL. C. A. 5th Cir. Certiorari denied. *Attorney General Brownell, Acting Assistant Attorney General Stull and Harry Baum* for petitioners. *William M. Fulcher* for the Merry Brothers Brick & Tile Co., *Charles D. Turner* for the Reliance Clay Products Co., *William S. Pritchard and Winston B. McCall* for the Estate of Stephenson et al., *William A. Sutherland* for the Tupelo Brick & Tile Co. et al., *Harry C. Weeks, Benjamin L. Bird and Joseph B. Brennan* for the Acme Brick Co., *Franklin Spafford* for Kirby et al., *Charles J. Bloch and Mr. Brennan* for the Cherokee Brick & Tile Co., *Furman Smith* for the Chattahoochee Brick Co., *Allen Post* for the Atlanta Brick & Tile Co., *Wallace Miller, Jr.* for the Burns Brick Co., and *Howard P. Travis* for the Texas Vitrified Pipe Co., respondents. Reported below: 242 F. 2d 708.

No. 221. HARMAR DRIVE-IN THEATRE, INC., ET AL. *v.* WARNER BROS. PICTURES, INC., ET AL. C. A. 2d Cir. Certiorari denied. *Arnold Malkan* for petitioners. *Bruce Bromley, Louis Phillips and John Logan O'Donnell* for respondents. Reported below: 239 F. 2d 555; 241 F. 2d 937.

No. 224. GENERAL ELECTRIC CO. *v.* MASTERS MAIL ORDER CO. OF WASHINGTON, D. C., INC. C. A. 2d Cir. Certiorari denied. *Edgar E. Barton and Haliburton Fales 2nd* for petitioner. *Norman Diamond and Joseph F. Ruggieri* for respondent. Reported below: 244 F. 2d 681.

No. 228. FAYETTE NO. 4, INC., ET AL. *v.* LEXINGTON TOBACCO BOARD OF TRADE ET AL. Court of Appeals of Kentucky. Certiorari denied. *Weldon Shouse* for petitioners. *Clinton M. Harbison* for respondents. Reported below: 299 S. W. 2d 640.

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No. 222. CITIZENS BANK & TRUST CO., ADMINISTRATOR, *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Camden R. McAtee* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub and Paul A. Sweeney* for the United States. Reported below: 100 U. S. App. D. C. 1, 240 F. 2d 863.

No. 226. NEW MEXICO EX REL. GRINNELL COMPANY ET AL. *v.* MACPHERSON, DISTRICT COURT JUDGE. Supreme Court of New Mexico. Certiorari denied. *Pearce C. Rodey* for petitioners. *James R. Modrall and James E. Sperling* for respondent. Reported below: 62 N. M. 308, 309 P. 2d 981.

No. 230. TAMARKIN *v.* SELECTIVE SERVICE SYSTEM, LOCAL DRAFT BOARD #47, MIAMI, FLORIDA, ET AL. C. A. 5th Cir. Certiorari denied. *Leonard Edward Abel* for petitioner. *Solicitor General Rankin, Assistant Attorney General Olney and Beatrice Rosenberg* for respondents. Reported below: 243 F. 2d 108.

No. 232. BROWN & ROOT, INC., ET AL., DOING BUSINESS AS LOUISIANA BRIDGE CO., *v.* ARCHER ET AL. C. A. 5th Cir. Certiorari denied. *Ben H. Powell, Jr., Howard W. Lenfant and Jerre S. Williams* for petitioners. *Horace R. Alexius, Jr.* for respondents. Reported below: 241 F. 2d 663.

No. 233. PUTNAM TOOL CO. ET AL. *v.* UNITED STATES. Court of Claims. Certiorari denied. *Charles D. Hamel, Lee I. Park, K. Martin Worthy and Fuller Holloway* for petitioners. *Solicitor General Rankin, Assistant Attorney General Doub and Melvin Richter* for the United States. Reported below: 137 Ct. Cl. 183, 147 F. Supp. 746.

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No. 235. DONOVAN CONSTRUCTION CO. ET AL., DOING BUSINESS AS DONOVAN-JAMES COMPANY, *v.* UNITED STATES. Court of Claims. Certiorari denied. *Philip Adams* for petitioners. *Solicitor General Rankin, Assistant Attorney General Doub* and *Samuel D. Slade* for the United States. Reported below: 138 Ct. Cl. 97, 149 F. Supp. 898.

No. 236. ARP ET AL. *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *Norman B. Gray* for petitioners. *Solicitor General Rankin, Assistant Attorney General Morton* and *Roger P. Marquis* for the United States. Reported below: 244 F. 2d 571.

No. 237. DALY *v.* UNITED STATES ET AL. C. A. 7th Cir. Certiorari denied. *Robert A. Kahn* for petitioner. *Solicitor General Rankin* for the United States and the Federal Communications Commission, respondents.

No. 239. CHAS. KURZ & Co., INC., *v.* SOUTH CAROLINA STATE HIGHWAY DEPARTMENT. C. A. 4th Cir. Certiorari denied. *Charles W. Waring* for petitioner. Reported below: 242 F. 2d 799.

No. 243. MAJESIC *v.* UNITED STATES. Court of Claims. Certiorari denied. *Claude L. Dawson* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Melvin Richter* for the United States. Reported below: 137 Ct. Cl. 188, 147 F. Supp. 737.

No. 244. HACKENDORF, DOING BUSINESS AS SUN BEARING SUPPLY, *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *R. F. Roberts* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, John N. Stull, Robert N. Anderson* and *Fred E. Youngman* for the United States. Reported below: 243 F. 2d 760.

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No. 245. KNIPP ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 4th Cir. Certiorari denied. *Carolyn E. Agger* and *Julius M. Greisman* for petitioners. *Solicitor General Rankin*, *Acting Assistant Attorney General Stull* and *Robert N. Anderson* for respondent. Reported below: 244 F. 2d 436.

No. 246. INTER-STATE TRUCK LINE, INC., *v.* EMILY SHOPS, INC. Court of Appeals of New York. Certiorari denied. *John M. Aherne* for petitioner. *Charles T. Weintraub* for respondent. Reported below: 2 N. Y. 2d 405, 141 N. E. 2d 560.

No. 248. FURNISH *v.* BOARD OF MEDICAL EXAMINERS OF CALIFORNIA ET AL. District Court of Appeal of California, Second Appellate District. Certiorari denied. *Murray M. Chotiner* and *Russell E. Parsons* for petitioner. *Edmund G. Brown*, Attorney General of California, and *Howard Seymour Goldin* and *James L. Mamakos*, Deputy Attorneys General, for respondents. Reported below: 149 Cal. App. 2d 326, 308 P. 2d 924, 309 P. 2d 493.

No. 253. MILLER ET AL. *v.* JENNINGS ET AL. C. A. 5th Cir. Certiorari denied. *J. A. Rauhut* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Morton* and *Roger P. Marquis* for the United States et al., and *Eugene T. Edwards* for the El Paso County Water Improvement District No. 1 et al., respondents. *Will Wilson*, Attorney General, *James N. Ludlum*, First Assistant Attorney General, and *Houghton Brownlee, Jr.* and *James W. Wilson*, Assistant Attorneys General, filed a brief for the State of Texas, as *amicus curiae*, urging that the writ of certiorari be granted. Reported below: 243 F. 2d 157.

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No. 249. DUTTON ET AL. *v.* CITIES SERVICE DEFENSE CORP. C. A. 8th Cir. Certiorari denied. *Cooper Jacobway* for petitioners. *Henry C. Walker, Jr.* and *Frank E. Chowning* for respondent. Reported below: 240 F. 2d 113.

No. 256. MILEY *v.* JOHN HANCOCK MUTUAL LIFE INSURANCE CO. ET AL. C. A. 1st Cir. Certiorari denied. *Leo T. Kissam* for petitioner. *Daniel J. Lyne* for the John Hancock Mutual Life Insurance Co. et al., *John L. Hall* for the Monarch Life Insurance Co. et al., *Charles B. Rugg* for the State Mutual Life Assurance Co. et al., and *Lothrop Withington* for the Columbian National Life Insurance Co. et al., respondents. Reported below: 242 F. 2d 758.

No. 257. STEELE *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Ben F. Foster* for petitioner. *Solicitor General Rankin* and *Assistant Attorney General Rice* for the United States. Reported below: 243 F. 2d 712.

No. 259. WESTERN UNION TELEGRAPH CO. *v.* SPARKS. C. A. 6th Cir. Certiorari denied. *Wm. Marshall Bullitt* and *John H. Waters* for petitioner. *Robert P. Hobson* and *John P. Sandidge* for respondent. Reported below: 244 F. 2d 956.

No. 260. HUDSON ET AL. *v.* WYLIE, TRUSTEE IN BANKRUPTCY. C. A. 9th Cir. Certiorari denied. *W. Blair Gibbens* for petitioners. *Thomas S. Tobin* for respondent. Reported below: 242 F. 2d 435.

No. 262. GWINETT *v.* ASTRA STEAMSHIP CORP. C. A. 2d Cir. Certiorari denied. *Harry D. Graham* and *Charles A. Ellis* for petitioner. *J. Ward O'Neill* for respondent. Reported below: 243 F. 2d 8.

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No. 264. MONTGOMERY WARD & Co., INC., *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 2d Cir. Certiorari denied. *David L. Dickson* for petitioner. *Solicitor General Rankin, Jerome D. Fenton, Stephen Leonard* and *Dominick L. Manoli* for respondent. Reported below: 242 F. 2d 497.

No. 265. PEDONE, EXECUTRIX, ET AL. *v.* UNITED STATES. Court of Claims. Certiorari denied. *Jerome N. Curtis* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, A. F. Prescott* and *Carolyn R. Just* for the United States. Reported below: 138 Ct. Cl. 233, 151 F. Supp. 288.

No. 266. HUMBLE OIL & REFINING Co. *v.* ATWOOD ET AL. C. A. 5th Cir. Certiorari denied. *Felix A. Raymer* and *Nelson Jones* for petitioner. *David C. Bland, Jr.* for respondents. Reported below: 243 F. 2d 885.

No. 267. RENAIRE CORPORATION (PENNSYLVANIA) ET AL. *v.* FEDERAL TRADE COMMISSION. C. A. 3d Cir. Certiorari denied. *Edwin P. Rome* for petitioners. *Solicitor General Rankin, Acting Assistant Attorney General Bicks, Daniel M. Friedman, Earl W. Kintner* and *James E. Corkey* for respondent.

No. 268. COOPER, SURVIVING TRUSTEE, ET AL. *v.* NEW JERSEY, BY THE STATE HIGHWAY COMMISSIONER, ET AL. Supreme Court of New Jersey. Certiorari denied. *William V. Breslin* for Cooper et al., and *John Milton* for Cummins, petitioners. *John B. O'Neill* of counsel for petitioners. *John Wallace Leyden, Jr.* and *Gerald E. Monaghan* for the Borough of Fort Lee, New Jersey, respondent. Reported below: 24 N. J. 261, 131 A. 2d 756.

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No. 269. GUNN ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 10th Cir. Certiorari denied. *Louis Eisenstein* and *James D. Fellers* for petitioners. *Solicitor General Rankin, Acting Assistant Attorney General Stull, Lee A. Jackson* and *A. F. Prescott* for respondent. Reported below: 244 F. 2d 408.

No. 271. UNITED MFG. & SERVICE CO. (NOW UNILECTRIC, INC.) *v.* HOLWIN CORPORATION. C. A. 7th Cir. Certiorari denied. *Ira Milton Jones* for petitioner. *James R. McKnight* for respondent. Reported below: 243 F. 2d 393.

No. 272. HOBART *v.* O'BRIEN ET AL. C. A. 1st Cir. Certiorari denied. *Ford E. Young, Jr.* and *Josiah Lyman* for petitioner. *Irvin M. Davis* for O'Brien, respondent. Reported below: 243 F. 2d 735.

No. 277. LATENDRESSE *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 7th Cir. Certiorari denied. *William H. Krieg* and *C. Severin Buschmann, Jr.* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Stull, Lee A. Jackson* and *S. Dee Hanson* for respondent. Reported below: 243 F. 2d 577.

No. 279. DE WAGENKNECHT ET AL. *v.* STINNES ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Ralph G. Albrecht, John Geyer Tausig, Gerald J. McMahan* and *Henry F. Butler* for petitioners. *Solicitor General Rankin, Assistant Attorney General Townsend, George B. Searls* and *Irwin A. Seibel* for Attorney General Brownell, and *John W. Pehle* for Stinnes, respondents. Reported below: 100 U. S. App. D. C. 156, 243 F. 2d 413.

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No. 280. *STRICKLAND v. NORTH CAROLINA*. Supreme Court of North Carolina. Certiorari denied. Petitioner *pro se*. *George B. Patton*, Attorney General of North Carolina, and *Harry W. McGalliard*, Assistant Attorney General, for respondent. Reported below: 246 N. C. 120, 97 S. E. 2d 450.

No. 281. *MEREDITH v. JOHN DEERE PLOW Co.* C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Raymond A. Smith* for respondent. Reported below: 244 F. 2d 9.

No. 282. *APUZZO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Robert S. Buttles* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 245 F. 2d 416.

No. 284. *SCHAEFER v. GUNZBURG ET AL.* C. A. 9th Cir. Certiorari denied. *Harold J. Sherman* for petitioner. *Guy Knupp* for respondents. Reported below: 246 F. 2d 11.

No. 285. *WRIGHT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Frank S. Twitty* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 243 F. 2d 569.

No. 286. *PROOF COMPANY v. NATIONAL LABOR RELATIONS BOARD*. C. A. 7th Cir. Certiorari denied. *Martin W. Bell* and *Henry B. Keiser* for petitioner. *Solicitor General Rankin*, *Jerome D. Fenton*, *Stephen Leonard*, *Dominick L. Manoli* and *William W. Watson* for respondent. Reported below: 242 F. 2d 560.

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No. 288. DALEY ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *James R. Murphy* and *Clayton L. Burwell* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Lee A. Jackson* for the United States. Reported below: 243 F. 2d 466.

No. 291. HELMIG *v.* ROCKWELL MANUFACTURING CO. ET AL. Supreme Court of Pennsylvania, Western District. Certiorari denied. *Paul Ginsburg* for petitioner. *A. W. Henderson* for the Rockwell Manufacturing Co., and *Carl E. Glock* for the Bethlehem Steel Co., respondents. Reported below: 389 Pa. 21, 131 A. 2d 622.

No. 292. KAHLA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Bernard A. Golding* for petitioner. Reported below: 243 F. 2d 128.

No. 293. NATIONAL DRYING MACHINE CO. *v.* ACKOFF ET AL. C. A. 3d Cir. Certiorari denied. *Louis Necho* for petitioner. *Nochem S. Winnet* for respondents. Reported below: 245 F. 2d 192.

No. 294. GARNER ET AL. *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *C. P. J. Mooney* and *R. G. Draper* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 244 F. 2d 575.

No. 300. REDDICK *v.* MARYLAND EX REL. SYBERT, ATTORNEY GENERAL. Court of Appeals of Maryland. Certiorari denied. *Morgan L. Amaimo* for petitioner. *C. Ferdinand Sybert*, Attorney General of Maryland, and *James H. Norris, Jr.* and *Norman P. Ramsey*, Assistant Attorneys General, for respondent. Reported below: 213 Md. 18, 130 A. 2d 762.

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No. 296. HEISELMOYER *v.* PENNSYLVANIA RAILROAD Co. C. A. 3d Cir. Certiorari denied. *B. Nathaniel Richter* for petitioner. *H. Francis DeLone* for respondent. Reported below: 243 F. 2d 773.

No. 297. MILLER *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Hansen*, *Charles H. Weston*, *Robert L. Farrington* and *Neil Brooks* for the United States. Reported below: 242 F. 2d 392.

No. 301. UNITED STATES *v.* DRAGON CEMENT Co., INC. C. A. 1st Cir. Certiorari denied. *Attorney General Brownell*, *Acting Assistant Attorney General Stull* and *Harry Baum* for the United States. *Herbert E. Locke* and *Edward C. Thayer* for respondent. Reported below: 244 F. 2d 513.

No. 302. LABORDE *v.* ANSOLABEHERE. Supreme Court of Nevada. Certiorari denied. *Eli Grubic* for petitioner. *Stanley A. Weigel* for respondent. Reported below: 73 Nev. 93, 310 P. 2d 842.

No. 304. HOEFER *v.* PARKER. Court of Appeals of New York. Certiorari denied. *Richard H. Wels* for petitioner. *Ralph Montgomery Arkush* for respondent. Reported below: 2 N. Y. 2d 612, 142 N. E. 2d 194.

No. 305. LOCAL 140 SECURITY FUND *v.* HACK, TRUSTEE IN BANKRUPTCY, ET AL. C. A. 2d Cir. Certiorari denied. *Victor Rabinowitz* and *Leonard B. Boudin* for petitioner. *Harold L. Lipton* for Hack, and *Peter Campbell Brown* and *Stanley Buchsbaum* for the City of New York, respondents. Reported below: 242 F. 2d 375.

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No. 308. *KELLEY, GLOVER & VALE, INC., TRUSTEE, v. COFFING, TRUSTEE, ET AL.* C. A. 7th Cir. Certiorari denied. *Jay E. Darlington* for petitioner. *Albert H. Gavit* for Coffing, respondent. Reported below: 243 F. 2d 566.

No. 310. *ALABAMA MILLS, INC., ET AL. v. MITCHELL, SECRETARY OF LABOR, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Llewellyn C. Thomas* and *Whiteford S. Blakeney* for petitioners. *Solicitor General Rankin, Assistant Attorney General Doub, Paul A. Sweeney, 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. Reported below: 100 U. S. App. D. C. 257, 244 F. 2d 21.

No. 313. *BINION v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Jacob Kossman* for petitioner. *Solicitor General Rankin* and *Assistant Attorney General Rice* for the United States. Reported below: 245 F. 2d 466.

No. 314. *ROTONDO v. ISTHMIAN STEAMSHIP Co., INC.* C. A. 2d Cir. Certiorari denied. *Thomas O'Rourke Gallagher* for petitioner. *Paul A. Crouch* for respondent. Reported below: 243 F. 2d 581.

No. 315. *KASPER v. BRITTAİN ET AL.* C. A. 6th Cir. Certiorari denied. *J. Benjamin Simmons* and *Herbert S. Ward* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Samuel D. Slade* for respondents. Reported below: 245 F. 2d 92, 97.

No. 317. *ESSO STANDARD OIL Co. v. SECATORE'S, INC.* C. A. 1st Cir. Certiorari denied. *Robert W. Meserve* for petitioner. *Joseph Auerbach* for respondent. Reported below: 246 F. 2d 17.

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No. 318. LYSFJORD ET AL., DOING BUSINESS AS AABETA COMPANY, *v.* FLINTKOTE COMPANY. C. A. 9th Cir. Certiorari denied. *Alfred C. Ackerson* for petitioners. *Harold A. Black* for respondent. Reported below: 246 F. 2d 368.

No. 320. JAFFKE *v.* DUNHAM, TRUSTEE IN BANKRUPTCY. C. A. 7th Cir. Certiorari denied. *William M. Giffin* for petitioner. *G. William Horsley* for respondent. Reported below: 243 F. 2d 460.

No. 326. DOBBS *v.* LYKES BROS. STEAMSHIP Co., INC. C. A. 5th Cir. Certiorari denied. *Raymond H. Kierr* and *Samuel C. Gainsburgh* for petitioner. *Andrew R. Martinez* for respondent. Reported below: 243 F. 2d 55.

No. 327. WILSON *v.* OIL TRANSPORT Co., INC. C. A. 5th Cir. Certiorari denied. *Raymond H. Kierr* and *Samuel C. Gainsburgh* for petitioner. *Eberhard P. Deutsch* and *Brunswick G. Deutsch* for respondent. Reported below: 242 F. 2d 727.

No. 328. GOODMAN, ADMINISTRATRIX, *v.* GRANGER, COLLECTOR OF INTERNAL REVENUE. C. A. 3d Cir. Certiorari denied. *Louis Caplan* and *Charles E. Kenworthy* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Stull, Robert N. Anderson* and *L. W. Post* for respondent. Reported below: 243 F. 2d 264.

No. 330. ARKANSAS-MISSOURI POWER CORP. *v.* PASCAL, ADMINISTRATRIX, ET AL. C. A. 8th Cir. Certiorari denied. *P. A. Lasley* and *T. S. Lovett, Jr.* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Stull, Robert N. Anderson* and *Marvin Weinstein* for respondents. Reported below: 243 F. 2d 584.

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No. 333. STRATHMORE SHIPPING Co., INC., *v.* COASTAL OIL Co. C. A. 2d Cir. Certiorari denied. *John R. Sheneman* for petitioner. *Eugene Underwood* and *Hervey C. Allen* for respondent. Reported below: 243 F. 2d 97.

No. 335. SOLAR CORPORATION, NOW GAMBLE-SKOGMO, INC., *v.* BORG-WARNER CORPORATION. C. A. 7th Cir. Certiorari denied. *Andrew E. Carlsen* and *Edward C. Grelle* for petitioner. *Casper W. Ooms* for respondent. Reported below: 244 F. 2d 940.

No. 338. U. S. CHEMICAL CORP. ET AL. *v.* PLASTIC GLASS CORP. C. A. 3d Cir. Certiorari denied. *W. Brown Morton* for petitioners. Reported below: 243 F. 2d 892.

No. 341. DI PALERMO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *George J. Todaro* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 245 F. 2d 875.

No. 349. LENNON *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Joseph M. Howard* for the United States. Reported below: 246 F. 2d 24.

No. 351. PARKER *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Loring B. Moore* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 244 F. 2d 943.

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No. 334. PENN *v.* GRANT, TRUSTEE IN BANKRUPTCY. C. A. 9th Cir. Certiorari denied. *Jerome A. Reiner* for petitioner. Reported below: 244 F. 2d 309.

No. 353. SEAGRAM-DISTILLERS CORP. *v.* NEW CUT RATE LIQUORS, INC., ET AL. C. A. 7th Cir. Certiorari denied. *Frank D. Mayer, Louis A. Kohn* and *Robert L. Stern* for petitioner. *S. G. Lippman* for respondents. Reported below: 245 F. 2d 453.

No. 357. ROSENBERG BROS. & CO., INC., *v.* COMMODITY CREDIT CORP. C. A. 9th Cir. Certiorari denied. *Lloyd W. Dinkelspiel* and *Melville Ehrlich* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Melvin Richter* for respondent. Reported below: 243 F. 2d 504.

No. 359. MARTIN ET AL. *v.* S. BIRCH & SONS ET AL. C. A. 9th Cir. Certiorari denied. *Bailey E. Bell* for petitioners. *Edward V. Davis* for respondents. Reported below: 244 F. 2d 556.

No. 366. ILLINOIS CENTRAL RAILROAD CO. *v.* BOWMAN, CONSERVATOR. Supreme Court of Illinois. Certiorari denied. *Floyd E. Thompson, Joseph H. Wright, Herbert J. Deany* and *Robert S. Kirby* for petitioner. *James A. Dooley* for respondent. Reported below: 11 Ill. 2d 186, 142 N. E. 2d 104.

No. 369. BROKER *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Jesse Climenko* for petitioner. *Solicitor General Rankin, Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 246 F. 2d 328.

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No. 241. ALLEN ET AL. v. WILLIAMSON, TRUSTEE, ET AL.;

No. 274. WILLIAMSON, TRUSTEE, v. COMMISSIONER OF INTERNAL REVENUE ET AL.;

No. 325. VANSTON BONDHOLDERS PROTECTIVE COMMITTEE v. COLUMBIA GAS SYSTEM, INC., ET AL.;

No. 336. COMMITTEE FOR HOLDERS OF KENTUCKY FUEL GAS CORP. 6½% DEBENTURES v. COLUMBIA GAS SYSTEM, INC., ET AL.; and

No. 342. KERN v. WILLIAMSON, TRUSTEE, ET AL. C. A. 6th Cir. Certiorari denied. MR. JUSTICE CLARK took no part in the consideration or decision of these applications. *Robert S. Spilman, Jr.* for Allen et al., petitioners in No. 241. *Selden S. McNeer* for petitioner in No. 274. *George W. Jaques* and *E. Fontaine Broun* for petitioner in No. 325. *Harold J. Gallagher, Walter H. Brown, Jr.* and *John L. Smith* for petitioner in No. 336. *Carlos L. Israels, Leo T. Wolford, George Rosier* and *Victor Brudney* for petitioner in No. 342. *Solicitor General Rankin, Thomas G. Meeker, David Ferber* and *Aaron Levy* for the Securities and Exchange Commission, respondent in Nos. 241, 325, 336 and 342. *Mr. Rankin, Assistant Attorney General Rice, A. F. Prescott* and *Fred E. Youngman* for the Commissioner of Internal Revenue, respondent in No. 274. *Edward S. Pinney* and *Richard deY. Manning* for the Columbia Gas System, Inc., respondent in Nos. 241, 325, 336 and 342. Reported below: 241 F. 2d 374.

No. 242. BLACKWELL v. UNITED STATES. C. A. 8th Cir. Certiorari denied. MR. JUSTICE WHITTAKER took no part in the consideration or decision of this application. *Charles M. Metzner* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice* and *Joseph M. Howard* for the United States. Reported below: 244 F. 2d 423.

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No. 169. FLORIDA EX REL. HAWKINS *v.* BOARD OF CONTROL ET AL. Petition for writ of certiorari to the Supreme Court of Florida denied without prejudice to the petitioner's seeking relief in an appropriate United States District Court. *Robert L. Carter* and *Thurgood Marshall* for petitioner. *Richard W. Ervin*, Attorney General of Florida, *Ralph E. Odum* and *John J. Blair*, Assistant Attorneys General, and *Wilson W. Wright*, Special Assistant Attorney General, for respondents. Reported below: 93 So. 2d 354.

No. 312. UNITED STATES *v.* WILKINSON. C. A. 2d Cir. Certiorari denied. MR. JUSTICE WHITTAKER took no part in the consideration or decision of this application. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Samuel D. Slade* and *Morton Hollander* for the United States. *Benjamin E. Kantrowitz* for respondent. Reported below: 242 F. 2d 735.

No. 360. MAY SEED & NURSERY Co. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 8th Cir. Certiorari denied. MR. JUSTICE WHITTAKER took no part in the consideration or decision of this application. *Paul Fred Ahlers* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Lee A. Jackson* and *Harry Marselli* for respondent. Reported below: 242 F. 2d 151.

No. 261. RIKER ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application. *Howard B. Crittenden, Jr.* for petitioners. *Solicitor General Rankin*, *Acting Assistant Attorney General Stull* and *A. F. Prescott* for respondent. Reported below: 244 F. 2d 220.

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No. 250. SAVOIE, ADMINISTRATRIX, *v.* TEXAS COMPANY. C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Elwood R. Clay* for petitioner. *John May* and *Ernest A. Carrere, Jr.* for respondent. Reported below: 240 F. 2d 674; 242 F. 2d 667.

No. 309. SULLIVAN *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied. MR. JUSTICE BRENNAN took no part in the consideration or decision of this application. *William T. Coleman, Jr.* and *Raymond Pace Alexander* for petitioner. *Stanley E. Rutkowski* for respondent. Reported below: 24 N. J. 18, 130 A. 2d 610.

No. 323. GRASS CREEK OIL & GAS CO. ET AL. *v.* MUSSELSHELL COUNTY, MONTANA, ET AL. Supreme Court of Montana. Certiorari denied. *G. J. Jeffries* and *H. Cleveland Hall* for petitioners. *Myles J. Thomas* for Freibert et al., respondents. Reported below: — Mont. —, 307 P. 2d 241.

No. 337. JORGENSEN *v.* UNITED STATES. Court of Claims. Certiorari denied. *Henry I. Fillman* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *L. W. Post* and *David W. Morton* for the United States. Reported below: 138 Ct. Cl. 196, 152 F. Supp. 73.

No. 339. MORONEY *v.* MCKIBBEN ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Carl L. Shipley* and *Samuel Resnicoff* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Samuel D. Slade* for respondents. Reported below: 100 U. S. App. D. C. 257, 244 F. 2d 21.

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No. 319. *MILLS v. CALIFORNIA*. District Court of Appeal of California, Second Appellate District. Certiorari denied. Reported below: 148 Cal. App. 2d 392, 306 P. 2d 1005.

No. 344. *ALKER v. HUMPHREY, SECRETARY OF THE TREASURY*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *John A. Ryan* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Leonard, Samuel D. Slade* and *Morton Hollander* for respondent. Reported below: 101 U. S. App. D. C. 31, 247 F. 2d 22.

No. 345. *SWORD LINE, INC., v. UNITED STATES*. Court of Claims. Certiorari denied. *Theodore J. Breitwieser* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Leonard* and *Paul A. Sweeney* for the United States. Reported below: 138 Ct. Cl. 874.

No. 347. *BERESLAVSKY v. UNITED STATES*. Court of Claims. Certiorari denied. *W. Brown Morton, Sr.* and *W. Brown Morton, Jr.* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Melvin Richter* for the United States. Reported below: 138 Ct. Cl. 434, 150 F. Supp. 797.

No. 354. *HICKINBOTHAM v. CORDER ET AL.* Supreme Court of Arkansas. Certiorari denied. *Kenneth Coffelt* for petitioner. *Eugene R. Warren* for respondents. Reported below: 227 Ark. 713, 301 S. W. 2d 30.

No. 358. *SNOWDEN v. CALIFORNIA*. District Court of Appeal of California, Second Appellate District. Certiorari denied. *Tobias G. Klinger* for petitioner. Reported below: 149 Cal. App. 2d 552, 308 P. 2d 815.

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No. 227. *OEHMICHEN v. BROWNELL, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE CLARK took no part in the consideration or decision of this application. *John W. Pehle* for petitioner. *Solicitor General Rankin, Assistant Attorney General Townsend, George B. Searls and Irwin A. Seibel* for respondent. Reported below: 100 U. S. App. D. C. 214, 243 F. 2d 637.

No. 298. *KAUFMAN ET AL. v. BROWNELL, ATTORNEY GENERAL, ET AL.;* and

No. 299. *ATTENHOFER ET AL. v. BROWNELL, ATTORNEY GENERAL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. MR. JUSTICE CLARK took no part in the consideration or decision of these applications. *Robert E. Sher, Isadore G. Alk, James H. Heller, Irving Moskovitz and Peter N. Schiller* for petitioners in No. 298. *Edmund L. Jones and C. Frank Reifsnnyder* for petitioners in No. 299. *Solicitor General Rankin, Assistant Attorney General Townsend, George B. Searls, Sidney B. Jacoby and Ernest S. Carsten* for respondents. Reported below: 101 U. S. App. D. C. 147, 247 F. 2d 553.

No. 3, Misc. *JONES v. MISSOURI.* Supreme Court of Missouri. Certiorari denied. Petitioner *pro se.* *John M. Dalton*, Attorney General of Missouri, and *Richard W. Dahms*, Assistant Attorney General, for respondent.

No. 14, Misc. *LOWE ET AL. v. JACOBS.* C. A. 5th Cir. Certiorari denied. *Richard E. McDaniel* for petitioners. *Major T. Bell* for respondent. Reported below: 243 F. 2d 432.

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No. 7, Misc. LEE *v.* RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied. Petitioner *pro se.* John J. O'Connell, Attorney General of Washington, and Michael R. Alfieri, Assistant Attorney General, for respondent.

No. 15, Misc. PENNSYLVANIA EX REL. THOMPSON *v.* DAY, WARDEN. Supreme Court of Pennsylvania, Western District. Certiorari denied. Louis C. Glasso for petitioner.

No. 18, Misc. FREEMAN *v.* TINSLEY, WARDEN. Supreme Court of Colorado. Certiorari denied. Petitioner *pro se.* Duke W. Dunbar, Attorney General of Colorado, Frank E. Hickey, Deputy Attorney General, and John W. Patterson and John B. Barnard, Jr., Assistant Attorneys General, for respondent. Reported below: 135 Colo. 62, 308 P. 2d 220.

No. 19, Misc. GEORGE, GUARDIAN, ET AL. *v.* UNITED STATES. Court of Claims. Certiorari denied. Petitioners *pro se.* Solicitor General Rankin, Acting Assistant Attorney General Leonard and Samuel D. Slade for the United States. Reported below: 137 Ct. Cl. 923.

No. 20, Misc. BILLIE ET AL., GENERAL COUNCIL, MICCOSUKEE SEMINOLE NATION, *v.* SEMINOLE INDIANS OF FLORIDA. Court of Claims. Certiorari denied. Morton H. Silver for petitioners. Guy Martin for respondent. Solicitor General Rankin, Assistant Attorney General Morton and Roger P. Marquis filed a memorandum for the United States. Reported below: 137 Ct. Cl. 161, 146 F. Supp. 459.

No. 23, Misc. LOWERY *v.* CAVELL, WARDEN. Court of Common Pleas, Westmoreland County, Pennsylvania. Certiorari denied.

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No. 26, Misc. *WORLEY, ADMINISTRATRIX, ET AL. v. NATIONAL SPECIALTY Co., INC., ET AL.* C. A. 6th Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Rankin* for the United States, and *Charles C. Trabue, Jr.* for Dunn, respondents. Reported below: 243 F. 2d 165.

No. 27, Misc. *BOYES ET AL. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Rankin, Assistant Attorney General Olney, Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States.

No. 28, Misc. *CITO v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin* for the United States. Reported below: 245 F. 2d 958.

No. 29, Misc. *BANDO ET AL. v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. *Daniel H. Greenberg* for petitioners. *Solicitor General Rankin, Assistant Attorney General Olney, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 244 F. 2d 833.

No. 30, Misc. *PATRICK v. NASH, WARDEN.* Supreme Court of Missouri. Certiorari denied.

No. 31, Misc. *HANSEN v. BURKE, WARDEN.* Supreme Court of Wisconsin. Certiorari denied.

No. 32, Misc. *MCBRIDE v. NEW JERSEY.* Supreme Court of New Jersey. Certiorari denied.

No. 34, Misc. *McGEE v. NEW YORK.* Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied.

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No. 35, Misc. MAISENHELDER *v.* BANMILLER, WARDEN. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 36, Misc. YOUNG *v.* UNITED STATES TREASURY DEPARTMENT. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Olney, Beatrice Rosenberg and Felicia Dubrovsky* for the United States.

No. 37, Misc. ZIELINSKI *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Reported below: 10 Ill. 2d 473, 140 N. E. 2d 722.

No. 42, Misc. HARRIS *v.* ILLINOIS ET AL. C. A. 7th Cir. Certiorari denied.

No. 43, Misc. CLARK *v.* BANNAN, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 44, Misc. HARTFIELD *v.* RAGEN, WARDEN. Supreme Court of Illinois. Certiorari denied. Reported below: 11 Ill. 2d 300, 142 N. E. 2d 696.

No. 45, Misc. CRAVENS *v.* KLINGER, SUPERINTENDENT, CALIFORNIA MEN'S COLONY. Supreme Court of California. Certiorari denied.

No. 46, Misc. CHESSER *v.* NASH, WARDEN. Supreme Court of Missouri. Certiorari denied.

No. 51, Misc. COPELAND *v.* RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied.

No. 53, Misc. ROLIE *v.* ILLINOIS. Circuit Court of Randolph County, Illinois. Certiorari denied.

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No. 55, Misc. LINGHAM-PRITCHARD *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 3d Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin, Assistant Attorney General Rice, John N. Stull and Harry Baum* for respondent. Reported below: 242 F. 2d 750.

No. 57, Misc. WATSON *v.* TEETS, WARDEN. Supreme Court of California. Certiorari denied. Reported below: See 46 Cal. 2d 818, 299 P. 2d 243.

No. 59, Misc. GAYLORD *v.* CLEMMER, DIRECTOR, DEPARTMENT OF CORRECTIONS, ET AL. C. A. 4th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin* for respondents. Reported below: 242 F. 2d 872.

No. 63, Misc. GARBE, TRUSTEE IN BANKRUPTCY, *v.* HUMISTON, KEELING & Co. C. A. 7th Cir. Certiorari denied. Petitioner *pro se.* *Philip A. Rose* for respondent. Reported below: 242 F. 2d 923.

No. 64, Misc. STEVENS *v.* RAGEN, WARDEN. C. A. 7th Cir. Certiorari denied. Reported below: 244 F. 2d 420.

No. 67, Misc. TIPTON *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. *James F. Thacher* for petitioner. Reported below: 48 Cal. 2d 389, 309 P. 2d 813.

No. 69, Misc. WILLIAMS *v.* RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied.

No. 72, Misc. JONES *v.* RICHMOND, WARDEN. C. A. 2d Cir. Certiorari denied. Reported below: 245 F. 2d 234.

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No. 73, Misc. CEPHAS *v.* TUCKER, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 79, Misc. ROUSSEAU *v.* DISTRICT COURT OF APPEAL OF CALIFORNIA, FIRST APPELLATE DISTRICT, ET AL. Petition for writ of certiorari to the District Court of Appeal of California, First Appellate District, denied.

No. 81, Misc. BROWNLOW *v.* FLORIDA ET AL. Supreme Court of Florida. Certiorari denied.

No. 83, Misc. MCCOY *v.* TUCKER, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 85, Misc. STRICKLAND ET AL. *v.* PERRY. C. A. 5th Cir. Certiorari denied. *J. B. Hodges* for petitioners. *J. Velma Keen* for respondent. Reported below: 244 F. 2d 24.

No. 87, Misc. SABO, ADMINISTRATOR, *v.* READING COMPANY ET AL. C. A. 3d Cir. Certiorari denied. Petitioner *pro se*. *Richard P. Brown, Jr.* for the Reading Company, and *T. E. Byrne, Jr.* for the Bethayres Concrete Products Co., Inc., respondents. Reported below: 244 F. 2d 692.

No. 90, Misc. MORGAN *v.* NEW YORK. County Court of Queens County, New York. Certiorari denied.

No. 92, Misc. KOWALSKI *v.* RAGEN, WARDEN. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 94, Misc. GOINS *v.* LOUISIANA. Supreme Court of Louisiana. Certiorari denied. Reported below: 232 La. 238, 94 So. 2d 244.

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No. 96, Misc. WETZEL *v.* HARPOLE, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY, ET AL. C. A. 5th Cir. Certiorari denied. *Albert Sidney Johnston, Jr.* for petitioner. Reported below: 244 F. 2d 695.

No. 97, Misc. JONES *v.* NEW YORK. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 99, Misc. HARRISON *v.* NASH, WARDEN. Supreme Court of Missouri. Certiorari denied.

No. 101, Misc. SULLIVAN ET AL. *v.* UTAH. Supreme Court of Utah. Certiorari denied. Reported below: 6 Utah 2d 110, 307 P. 2d 213.

No. 102, Misc. THOMPSON *v.* RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied.

No. 103, Misc. JOHNSON *v.* SCHNECKLOTH, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied.

No. 104, Misc. LANCASTER *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 105, Misc. SWEET *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 106, Misc. ARNOLD *v.* TUCKER, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 109, Misc. CIEHALA *v.* NEW YORK. County Court of Richmond County, New York. Certiorari denied.

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No. 110, Misc. *LITTERIO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Olney and Beatrice Rosenberg* for the United States. Reported below: 244 F. 2d 956.

No. 112, Misc. *PEGUESE v. NEW YORK*. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied. Reported below: 3 App. Div. 2d 826, 161 N. Y. S. 2d 828.

No. 121, Misc. *MULLINS v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM, ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 126, Misc. *UNITED STATES EX REL. BURKE v. DENNO, WARDEN*. C. A. 2d Cir. Certiorari denied. *Maurice Edelbaum* for petitioner. *Frank S. Hogan* for respondent. Reported below: 243 F. 2d 835.

No. 131, Misc. *MOORE v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 142, Misc. *BECK v. ILLINOIS*. Circuit Court of Will County, Illinois. Certiorari denied.

No. 149, Misc. *STEWART v. TUCKER, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 177, Misc. *THOMPSON v. PENNSYLVANIA*. Supreme Court of Pennsylvania, Western District. Certiorari denied. *Joseph H. Ridge* for petitioner. Reported below: 389 Pa. 382, 133 A. 2d 207.

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No. 151, Misc. *CARPENTER v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied. Reported below: 348 Mich. 408, 83 N. W. 2d 326.

No. 1, Misc. *DICK v. MOORE, WARDEN*. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied without prejudice to the petitioner's seeking relief in an appropriate United States District Court. Petitioner *pro se*. *Will Wilson*, Attorney General of Texas, and *L. W. Gray*, Assistant Attorney General, for respondent.

No. 75, Misc. *QUATRO v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied. MR. JUSTICE BRENNAN took no part in the consideration or decision of this application.

No. 133, Misc. *TOWNSEND v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion the petition should be granted. *Loring B. Moore* and *William R. Ming, Jr.* for petitioner. Reported below: 11 Ill. 2d 30, 141 N. E. 2d 729.

No. 12, Misc. *WILLIAMS v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. *Thos. H. Dent* for petitioner. *Will Wilson*, Attorney General of Texas, and *H. Grady Chandler* and *George P. Blackburn*, Assistant Attorneys General, for respondent. Reported below: 164 Tex. Cr. R. —, 298 S. W. 2d 590.

No. 47, Misc. *JOHNSON v. UNITED STATES*. Court of Claims. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Samuel D. Slade* for the United States. Reported below: 138 Ct. Cl. 81, 149 F. Supp. 648.

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No. 17, Misc. TENNESSEE EX REL. MELTON *v.* BOMAR, WARDEN. Supreme Court of Tennessee. Certiorari denied. *Louis B. Fine* for petitioner. *Allison B. Humphreys, Jr., Milton P. Rice, James M. Glasgow* and *Henry C. Foutch*, Assistant Attorneys General of Tennessee, for respondent. Reported below: 200 Tenn. —, 300 S. W. 2d 875.

No. 52, Misc. MACKENNA *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. Reported below: 164 Tex. Cr. R. —, 301 S. W. 2d 657.

No. 70, Misc. HOLLINGSWORTH *v.* IOWA. Supreme Court of Iowa. Certiorari denied. *Herbert S. French* for petitioner. Reported below: 248 Iowa 763, 81 N. W. 2d 27.

No. 71, Misc. BARRY *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. *W. J. Durham* for petitioner. Reported below: 164 Tex. Cr. R. —, 305 S. W. 2d 580.

No. 143, Misc. SNYDER *v.* PEPERSACK, WARDEN. Court of Appeals of Maryland. Certiorari denied. Reported below: 214 Md. 606, 133 A. 2d 924.

No. 160, Misc. BAILEY *v.* ARKANSAS. Supreme Court of Arkansas. Certiorari denied. Reported below: 227 Ark. 889, 302 S. W. 2d 796.

Rehearing Denied.

No. 835, October Term, 1956. ADAMS NEWARK THEATER CO. ET AL. *v.* CITY OF NEWARK ET AL., 354 U. S. 931. Rehearing denied. MR. JUSTICE BRENNAN took no part in the consideration or decision of this application.

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No. 61, October Term, 1956. *ALBERTS v. CALIFORNIA*, 354 U. S. 476;

No. 468, October Term, 1956. *CARR v. BEVERLY HILLS CORP. ET AL.*, 354 U. S. 917;

No. 582, October Term, 1956. *ROTH v. UNITED STATES*, 354 U. S. 476;

No. 837, October Term, 1956. *LOCAL UNION No. 698, RETAIL CLERKS' UNION (A. F. of L.) v. ANDERSON ET AL., DOING BUSINESS AS WEST POINT MARKET*, 354 U. S. 937;

No. 938, October Term, 1956. *MOCCIO v. UNITED STATES*, 354 U. S. 913;

No. 972, October Term, 1956. *MCBRIDE v. TOLEDO TERMINAL RAILROAD Co.*, 354 U. S. 517;

No. 1083, October Term, 1956. *DANIELS, DOING BUSINESS AS HARRY C. DANIELS & Co., v. UNITED STATES ET AL.*, 354 U. S. 939;

No. 682, Misc., October Term, 1956. *SHERMAN v. UNITED STATES*, 354 U. S. 911; and

No. 729, Misc., October Term, 1956. *ALEXANDER v. UNITED STATES*, 354 U. S. 940. Petitions for rehearing denied.

No. 175, October Term, 1956. *SWEETZ v. NEW HAMPSHIRE, BY WYMAN, ATTORNEY GENERAL*, 354 U. S. 234; and

No. 802, Misc., October Term, 1956. *STONEKING v. UNITED STATES*, 354 U. S. 941. Petitions for rehearing denied. MR. JUSTICE WHITTAKER took no part in the consideration or decision of these applications.

No. 520, October Term, 1956. *SIGNAL-STAT CORPORATION v. LOCAL 475, UNITED ELECTRICAL, RADIO & MACHINE WORKERS OF AMERICA (UE)*, 354 U. S. 911. Rehearing denied. MR. JUSTICE BLACK took no part in the consideration or decision of this application.

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Miscellaneous Orders.

No. 158. *ASHDOWN v. UTAH*. Certiorari, 353 U. S. 981, to the Supreme Court of Utah. It is ordered that *J. Vernon Erickson, Esquire*, of Richfield, Utah, be appointed to serve as counsel for the petitioner in this case. Reported below: 5 Utah 2d 59, 296 P. 2d 726.

No. 170, Misc. *O'CON v. BANNAN, WARDEN*; and

No. 176, Misc. *MULVANEY v. GOODMAN, PRINCIPAL KEEPER, NEW JERSEY STATE PRISON*. Motions for leave to file petitions for writs of habeas corpus denied.

Certiorari Granted. (See also No. 142, ante, p. 18, and No. 350, ante, p. 20.)

No. 186. *BAIRD, ADMINISTRATRIX, v. NEW YORK CENTRAL RAILROAD Co.* C. A. 2d Cir. Certiorari granted. *William Paul Allen* for petitioner. *Gerald H. Hendley* for respondent. Reported below: 242 F. 2d 383.

No. 382. *FIRST UNITARIAN CHURCH OF LOS ANGELES v. COUNTY OF LOS ANGELES ET AL.* Supreme Court of California. Certiorari granted. THE CHIEF JUSTICE took no part in the consideration or decision of this application. *A. L. Wirin, Fred Okrand* and *Robert L. Brock* for petitioner. *Harold W. Kennedy* for respondents. Reported below: 48 Cal. 2d 419, 311 P. 2d 508.

No. 129, Misc. *CARITATIVO v. CALIFORNIA ET AL.* Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of California granted. *George T. Davis* for petitioner. *Edmund G. Brown*, Attorney General of California, *Clarence A. Linn*, Assistant Attorney General, and *Arlo E. Smith*, Deputy Attorney General, for respondents.

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No. 385. PEOPLE'S CHURCH OF SAN FERNANDO VALLEY, INC., *v.* COUNTY OF LOS ANGELES ET AL. Supreme Court of California. Certiorari granted. THE CHIEF JUSTICE took no part in the consideration or decision of this application. *A. L. Wirin* and *Fred Okrand* for petitioner. *Harold W. Kennedy* for respondents. *Charles E. Beardsley* filed a brief for the Orange Grove Monthly Meeting of Friends of Pasadena, as *amicus curiae*, in support of the petition for writ of certiorari. Reported below: 48 Cal. 2d 899, 311 P. 2d 540.

No. 181, Misc. RUPP *v.* TEETS, WARDEN. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of California granted. *A. J. Zirpoli* for petitioner. *Edmund G. Brown*, Attorney General of California, *Clarence A. Linn*, Assistant Attorney General, and *Arlo E. Smith*, Deputy Attorney General, for respondent.

Certiorari Denied. (See also No. 355, ante, p. 21.)

No. 346. ANONYMOUS *v.* ANONYMOUS. Court of Appeals of New York. Certiorari denied. *Dora Aberlin* for petitioner. *Peter Campbell Brown*, *Seymour B. Quel* and *Anthony Curreri* for the City of New York, urging that the petition for writ of certiorari be denied. Reported below: 3 N. Y. 2d 750, 143 N. E. 2d 524.

No. 352. HAAS *v.* ANDERSON, SECRETARY OF THE TREASURY, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Irving R. M. Panzer* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Samuel D. Slade* and *B. Jenkins Middleton* for respondents. Reported below: 100 U. S. App. D. C. 401, 246 F. 2d 682.

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No. 340. *KESHNER v. WICK*; and

No. 403. *WICK v. KESHNER*. C. A. 8th Cir. Certiorari denied. *Wilder Lucas* and *Ralph T. Finley* for Keshner. *Schaefer O'Neill* for Wick. Reported below: 244 F. 2d 146.

No. 361. *SCHOOL BOARD OF NEWPORT NEWS, VIRGINIA, ET AL. v. ATKINS ET AL.* C. A. 4th Cir. Certiorari denied. *J. Lindsay Almond, Jr.*, then Attorney General, *Kenneth C. Patty*, now Attorney General, and *Henry T. Wickham*, Special Assistant to the Attorney General, for the Commonwealth of Virginia, *T. Justin Moore, Archibald G. Robertson, John W. Riely* and *T. Justin Moore, Jr.* for the Newport News School Authorities, and *W. R. C. Cocks* for the Norfolk School Authorities, petitioners. Reported below: 246 F. 2d 325.

No. 367. *CHICAGO, ROCK ISLAND & PACIFIC RAILROAD Co. v. WILLIAMS ET AL.* C. A. 8th Cir. Certiorari denied. MR. JUSTICE WHITTAKER took no part in the consideration or decision of this application. *Alden B. Howland* and *Bennett A. Webster, Jr.* for petitioner. *John Leroy Peterson* for Williams, and *James H. Anderson* for the Union Pacific Railroad Co., respondents. Reported below: 245 F. 2d 397.

No. 370. *JAMIESON ET AL. v. WOODWARD & LOTHROP ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Smith W. Brookhart, Ralph E. Becker, Benjamin H. Dorsey* and *Irving G. McCann* for petitioners. *Richard W. Galiher* and *William E. Stewart, Jr.* for Helena Rubinstein, Inc., respondent. Reported below: 101 U. S. App. D. C. 32, 247 F. 2d 23.

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No. 368. IDEAL MERCANTILE CORP. *v.* GALLANT FABRICS, INC., ET AL. C. A. 2d Cir. Certiorari denied. *Max Schwartz* for petitioner. *Michael Berman* for respondents. Reported below: 244 F. 2d 828.

No. 374. WM. H. WISE CO., INC., ET AL. *v.* FEDERAL TRADE COMMISSION. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Thomas B. Scott* and *Lawrence J. Simmons* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Hansen*, *Daniel M. Friedman*, *W. Louise Florencourt*, *Earl W. Kintner* and *James E. Corkey* for respondent. Reported below: 101 U. S. App. D. C. 15, 246 F. 2d 702.

No. 375. 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 Rankin*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 101 U. S. App. D. C. 97, 247 F. 2d 88.

No. 376. O'DONNELL ET AL. *v.* CHICAGO LAND CLEARANCE COMMISSION. Supreme Court of Illinois. Certiorari denied. *John S. Boyle* for petitioners. *William H. Dillon* for respondent. Reported below: 11 Ill. 2d 111, 142 N. E. 2d 60.

No. 377. LANZA ET AL. *v.* NEW YORK STATE JOINT LEGISLATIVE COMMITTEE ON GOVERNMENT OPERATIONS ET AL. Court of Appeals of New York. Certiorari denied. *Emanuel Redfield* and *Edward H. Levine* for petitioners. *Arnold Bauman* for respondents. Reported below: 3 N. Y. 2d 92, 877, 143 N. E. 2d 772.

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No. 373. *ABERLIN v. ZISMAN ET UX.* C. A. 1st Cir. Certiorari denied. *Dora Aberlin* for petitioner. Reported below: 244 F. 2d 620.

No. 379. *CARROLL v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. *John P. McGrath* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Harry Baum* and *Meyer Rothwacks* for the United States. Reported below: 246 F. 2d 762.

No. 383. *CENTER ET AL. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Ben Kohler, Jr.* for petitioners. *Solicitor General Rankin, Assistant Attorney General Doub, Melvin Richter* and *Joseph Langbart* for the United States. Reported below: 244 F. 2d 207.

No. 384. *LINES v. CALIFORNIA, DEPARTMENT OF EMPLOYMENT.* C. A. 9th Cir. Certiorari denied. *Max H. Margolis* for petitioner. *Edmund G. Brown, Attorney General of California, James E. Sabine* and *Irving H. Perluss, Assistant Attorneys General, and Eugene B. Jacobs, Deputy Attorney General,* for respondent. *Charles P. Scully* filed a brief for the California State Federation of Labor, A. F. L., as *amicus curiae*, in support of the petition for a writ of certiorari. Reported below: 242 F. 2d 201.

No. 21, Misc. *WILLIAMS v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 95, Misc. *STRIKER v. OHIO.* Supreme Court of Ohio. Certiorari denied. *Leo F. Lightner* for petitioner. *Newell A. Clapp* for respondent. Reported below: 166 Ohio St. 360, 142 N. E. 2d 231.

October 21, 1957.

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No. 98, Misc. *BARTLETT v. WEIMER ET AL.* C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *William Saxbe*, Attorney General of Ohio, and *James F. De Leone* and *Thomas L. Startzman*, Assistant Attorneys General, for Patterson et al., *Ross W. Shumaker* for Weimer et al., and Obenour, *pro se*, respondents. Reported below: 244 F. 2d 955.

No. 100, Misc. *BROADUS v. LOWRY.* C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for respondent. Reported below: 245 F. 2d 304.

No. 107, Misc. *WILLIAMS v. GEORGIA.* Supreme Court of Georgia. Certiorari denied.

No. 111, Misc. *DOMINGUEZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Eugene Stanley* for petitioner. *Solicitor General Rankin* and *Assistant Attorney General Rice* for the United States. Reported below: 245 F. 2d 284.

No. 115, Misc. *CURLEY v. NEW YORK.* Supreme Court of New York, Wyoming County. Certiorari denied.

No. 118, Misc. *WATKINS v. MURPHY, WARDEN.* Court of Appeals of New York. Certiorari denied. Reported below: 3 N. Y. 2d 163, 143 N. E. 2d 910.

No. 120, Misc. *BLOCH v. FOXGAL, INC., ET AL.* Supreme Court of Arizona. Certiorari denied. Petitioner *pro se*. *John P. Frank* for Foxgal, Inc., respondent.

No. 134, Misc. *PONCE v. HEINZE, WARDEN, ET AL.* Supreme Court of California. Certiorari denied.

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No. 157, Misc. ANGELET ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Rankin, Assistant Attorney General Olney and Beatrice Rosenberg* for the United States. Reported below: 245 F. 2d 876.

No. 174, Misc. PECKHAM *v.* DEPARTMENT OF PUBLIC SAFETY OF ILLINOIS ET AL. Supreme Court of Illinois. Certiorari denied.

No. 175, Misc. TANNER *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 192, Misc. MORGAN *v.* NEW YORK. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

OCTOBER 22, 1957.

Miscellaneous Order.

No. 11, Original. UNITED STATES *v.* LOUISIANA. It is ordered that the time of the United States for filing an amended or supplemental complaint pursuant to the Court's order of June 24, 1957, 354 U. S. 515, is hereby extended to November 21, 1957. THE CHIEF JUSTICE and MR. JUSTICE CLARK took no part in the consideration or decision of this case.

Dismissal Under Rule 60.

No. 17. RASMUSSEN *v.* BROWNELL, ATTORNEY GENERAL. Certiorari, 353 U. S. 907, to the United States Court of Appeals for the District of Columbia Circuit. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *Jack Wasserman* for petitioner, and *Solicitor General Rankin* for respondent, were on the stipulation. Reported below: 98 U. S. App. D. C. 300, 235 F. 2d 527.

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Miscellaneous Orders.

An order of THE CHIEF JUSTICE designating and assigning MR. JUSTICE REED (retired) to perform judicial duties in the United States Court of Claims from November 1, 1957, to November 30, 1957, pursuant to 28 U. S. C. § 294 (a), is ordered entered on the minutes of this Court pursuant to 28 U. S. C. § 295.

No. 74, Misc. WILLIAMS, GOVERNOR OF MICHIGAN, ET AL. *v.* SIMONS, CHIEF JUDGE, U. S. COURT OF APPEALS FOR THE SIXTH CIRCUIT, ET AL. On motion for leave to file a petition for a writ of mandamus and/or prohibition. It is ordered that the respondents show cause on or before Tuesday, November 12, 1957, why a writ of mandamus and/or prohibition should not issue. *G. Mennen Williams*, Governor of Michigan, *Thomas M. Kavanagh*, Attorney General, *Edmund E. Shepherd*, then Solicitor General, and *Samuel J. Torina*, now Solicitor General, for petitioners.

No. 112, October Term, 1952. SOBELL *v.* UNITED STATES. The motion to vacate the orders denying petitions for writ of certiorari, 344 U. S. 838, and rehearing, 344 U. S. 889, and the request for oral hearing on motion are denied. *Frank J. Donner*, *Arthur Kinoy*, *Marshall Perlin* and *Benjamin Dreyfus* for petitioner. *Solicitor General Rankin* for the United States. Reported below: 195 F. 2d 583.

No. 91. NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE *v.* ALABAMA EX REL. PATTERSON, ATTORNEY GENERAL. The motion for leave to file brief of American Jewish Congress et al., as *amici curiae*, is denied.

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October 28, 1957.

No. 93. *McKINNEY v. MISSOURI - KANSAS - TEXAS RAILROAD Co. ET AL.* Certiorari, 353 U. S. 948, to the United States Court of Appeals for the Tenth Circuit. The motion to remove this case from the summary calendar is granted and a total of one hour and a half allowed for oral argument. *Solicitor General Rankin* for petitioner. *Sam Elson* was on the motion for the Brotherhood of Railway Clerks, respondent. Reported below: 240 F. 2d 8.

Certiorari Granted. (See also No. 295, ante, p. 23.)

No. 395. *UNITED STATES v. BESS*; and

No. 410. *BESS v. UNITED STATES.* C. A. 3d Cir. Certiorari granted. *Solicitor General Rankin, Acting Assistant Attorney General Stull* and *A. F. Prescott* for the United States. *Morris J. Oppenheim* for petitioner in No. 410. Reported below: 243 F. 2d 675.

No. 396. *BROWNELL, ATTORNEY GENERAL, v. QUAN ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Solicitor General Rankin, Assistant Attorney General Olney* and *Beatrice Rosenberg* for petitioner. Reported below: 101 U. S. App. D. C. 229, 248 F. 2d 89.

Certiorari Denied. (See also No. 402, ante, p. 22.)

No. 371. *UNITED TOWING CO. ET AL. v. PHILLIPS, TRUSTEE.* C. A. 5th Cir. Certiorari denied. *Claude T. Allen* for petitioners. Respondent *pro se*. Reported below: 242 F. 2d 627.

No. 386. *WOODFORD v. UNITED STATES.* Court of Claims. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Doub* and *Samuel D. Slade* for the United States. Reported below: — Ct. Cl. —, 151 F. Supp. 925.

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No. 362. SMALLWOOD ET AL. *v.* HODSON ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Arthur J. Hilland* and *Paul M. Niebell* for petitioners. *Thomas M. Raysor* for respondents. Reported below: 101 U. S. App. D. C. 354, 249 F. 2d 110.

No. 388. MEYER *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Lee A. Jackson* for respondent. Reported below: 243 F. 2d 262.

No. 389. ROMM ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 4th Cir. Certiorari denied. *Warren W. Grimes* and *Horace J. Donnelly, Jr.* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *I. Henry Kutz* for respondent. Reported below: 245 F. 2d 730.

No. 390. RIVERA *v.* MITCHELL, SECRETARY OF LABOR, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *William C. Koplovitz* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Melvin Richter* for respondents. Reported below: 100 U. S. App. D. C. 335, 244 F. 2d 783.

No. 391. BADHWAR ET AL., DOING BUSINESS AS MULKRAJ BROTHERS & BADHWAR, *v.* COLORADO FUEL & IRON CORP. C. A. 2d Cir. Certiorari denied. *James F. Dunn* and *Morton Zuckerman* for petitioners. *Francis S. Bensel* for respondent. Reported below: 245 F. 2d 903.

No. 400. SINCLAIR PIPE LINE Co. *v.* ARCHER COUNTY, TEXAS. C. A. 5th Cir. Certiorari denied. *Howard Barker* for petitioner. Reported below: 245 F. 2d 79.

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October 28, 1957.

No. 392. *McDONALD v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Bryant H. Croft* and *Earl P. Staten* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Stull* and *Joseph M. Howard* for the United States. Reported below: 246 F. 2d 727.

No. 393. *GOMEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Louis A. Sabatino* for petitioner. *Solicitor General Rankin, Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 245 F. 2d 344.

No. 394. *DAVID v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Myer H. Gladstone* for petitioner. *Solicitor General Rankin, Assistant Attorney General Olney, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 246 F. 2d 895.

No. 398. *CLAY ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Denmark Groover, Jr.* for petitioners. *Solicitor General Rankin, Assistant Attorney General Olney, Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 246 F. 2d 298.

No. 401. *GIL v. DEL GUERCIO, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 9th Cir. Certiorari denied. *Harry Wolpin* for petitioner. *Solicitor General Rankin, Assistant Attorney General Olney* and *Beatrice Rosenberg* for respondent. Reported below: 246 F. 2d 553.

No. 404. *BROWNSTEIN v. ALUMINUM RESERVE CORP. ET AL.* C. A. 2d Cir. Certiorari denied. *Nathan B. Fogelson* for petitioner. *Samuel J. Nachwalter* for respondents. Reported below: 245 F. 2d 82.

October 28, 1957.

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No. 406. *BETTER MONKEY GRIP CO. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 5th Cir. Certiorari denied. *William L. Keller* for petitioner. *Solicitor General Rankin, Jerome D. Fenton, Stephen Leonard and Dominick L. Manoli* for respondent. Reported below: 243 F. 2d 836.

No. 407. *STALLMAN v. CASEY BEARING CO., INC.* C. A. 9th Cir. Certiorari denied. *George B. White and Albert D. Elledge* for petitioner. *Foorman L. Mueller and James M. Naylor* for respondent. Reported below: 244 F. 2d 905.

No. 408. *KREAM v. PUBLIC SERVICE COORDINATED TRANSPORT*. Supreme Court of New Jersey. Certiorari denied. *Aaron Gordon, John A. Hartpence and John W. Ockford* for petitioner. *Henry J. Sorenson* for respondent. Reported below: 24 N. J. 432, 132 A. 2d 512.

No. 381. *DUGGAN, TRUSTEE IN REORGANIZATION, v. GREEN, SUBSTITUTE TRUSTEE UNDER TRUST NO. 140*. C. A. 8th Cir. Certiorari denied. MR. JUSTICE WHITTAKER took no part in the consideration or decision of this application. *George O. Durham and Eugene M. Munger* for petitioner. *Jacob M. Lashly* for respondent. Reported below: 240 F. 2d 751, 243 F. 2d 109.

No. 86, Misc. *BAKER v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Olney and Beatrice Rosenberg* for the United States.

No. 235, Misc. *SHAVER v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. *Jarrard Secret* for petitioner. Reported below: 165 Tex. Cr. R. —, 306 S. W. 2d 128.

355 U. S. October 28, November 7, 12, 1957.

No. 119, Misc. *RANDAZZO v. CALIFORNIA*. Petition for writ of certiorari to the Supreme Court of California and/or the alternative District Court of Appeal of California, Second Appellate District, denied. *Morris Lavine* for petitioner. Reported below: 48 Cal. 2d 484, 310 P. 2d 413; 143 Cal. App. 2d 59, 299 P. 2d 307.

Rehearing Denied.

No. 155, October Term, 1956. *KLEINMAN v. KOBLER, DOING BUSINESS AS KOBLER SHAVING Co.*, 352 U. S. 830; and

No. 788, October Term, 1956. *GINSBURG v. BLACK ET AL.*, 353 U. S. 911. Motions for leave to file second petitions for rehearing denied.

NOVEMBER 7, 1957.

Dismissal Under Rule 60.

No. 68. *MACKEY v. SEARS, ROEBUCK & Co.* 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. *Edward I. Rothschild* was on the stipulation for petitioner. With him on the petition was *John Paul Stevens*. *Walter J. Rockler* for respondent. Reported below: 237 F. 2d 869.

NOVEMBER 12, 1957.

Miscellaneous Orders.

No. 380. *ARGONAUT NAVIGATION Co., LTD., v. KOTSI-FAKIS ET AL.* Motion to strike portions of petition and record denied. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. *Hugh S. Meredith* for petitioner. *Jacob L. Morewitz*, *pro se*, movant-respondent.

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No. 231, Misc. GILLIAM *v.* MICHIGAN; and
No. 248, Misc. JAMES *v.* UNITED STATES. Motions
for leave to file petitions for writs of habeas corpus
denied.

No. 228, Misc. BROOKS *v.* UNITED STATES. Motion
for leave to file petition for writ of mandamus denied.

Probable Jurisdiction Noted.

No. 415. COUNTY OF MARIN ET AL. *v.* UNITED STATES
ET AL. Appeal from the United States District Court for
the Northern District of California. Probable jurisdic-
tion noted. *Spurgeon Avakian* for appellants. *Solicitor
General Rankin, Assistant Attorney General Hansen and
Robert W. Ginnane* for the United States and the Inter-
state Commerce Commission, and *Allan P. Matthew* for
the Golden Gate Transit Lines et al., appellees. Reported
below: 150 F. Supp. 619.

No. 455. UNITED STATES *v.* CORES. Appeal from the
United States District Court for the District of Con-
necticut. Probable jurisdiction noted. *Solicitor Gen-
eral Rankin, Assistant Attorney General Olney and
Beatrice Rosenberg* for the United States.

Certiorari Granted. (See also No. 372, ante, p. 35; Misc.
No. 108, ante, p. 36; and No. 453, ante, p. 39.)

No. 137, Misc. DANDRIDGE *v.* UNITED STATES. Mo-
tion for leave to proceed *in forma pauperis* and petition
for writ of certiorari to the United States Court of Appeals
for the District of Columbia Circuit granted. *Bernard
Dunau* for petitioner. *Solicitor General Rankin, Assist-
ant Attorney General Olney, Beatrice Rosenberg and
Felicia Dubrovsky* for the United States. Reported
below: 101 U. S. App. D. C. 114, 247 F. 2d 105.

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No. 435. FEDERAL TRADE COMMISSION *v.* NATIONAL CASUALTY Co. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted; and

No. 436. FEDERAL TRADE COMMISSION *v.* AMERICAN HOSPITAL & LIFE INSURANCE Co. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted. *Solicitor General Rankin, Earl W. Kintner, James E. Corkey and Alvin L. Berman* for the Federal Trade Commission. *John F. Langs* for respondent in No. 435. *J. D. Wheeler* for respondent in No. 436. Reported below: No. 435, 245 F. 2d 883; No. 436, 243 F. 2d 719.

No. 456. GRIMES *v.* RAYMOND CONCRETE PILE Co. ET AL. C. A. 1st Cir. Certiorari granted. *George J. Engelman* for petitioner. *Frank L. Kozol* for respondents. Reported below: 245 F. 2d 437.

Certiorari Denied. (See also No. 380, *supra.*)

No. 411. SIDEBOTHAM *v.* ROBISON, ADMINISTRATOR, ET AL. C. A. 9th Cir. Certiorari denied. *Manuel Ruiz, Jr.* for petitioner. *Delger Trowbridge* for respondents. Reported below: 243 F. 2d 16.

No. 413. DONOHUE ET AL. *v.* VILLAGE OF FOX POINT. Supreme Court of Wisconsin. Certiorari denied. *Sydney M. Eisenberg* for petitioners. *Maxwell H. Herriott* for respondent. Reported below: 275 Wis. 182, 81 N. W. 2d 521.

No. 418. JOHNSON *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Daniel H. Greenberg* for petitioner. *Solicitor General Rankin, Assistant Attorney General Olney and Beatrice Rosenberg* for the United States. Reported below: 247 F. 2d 5.

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No. 414. WEINSTEIN, ADMINISTRATRIX, ET AL. v. UNITED STATES. C. A. 3d Cir. Certiorari denied. *Milford J. Meyer* for petitioners. *Solicitor General Rankin, Assistant Attorney General Doub, Paul A. Sweeney and Herman Marcuse* for the United States. Reported below: 244 F. 2d 68.

No. 417. EPSTEIN v. UNITED STATES. C. A. 6th Cir. Certiorari denied. *Abe Fortas, Louis Eisenstein, William Gerber and Hal Gerber* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice and Joseph F. Goetten* for the United States. Reported below: 246 F. 2d 563.

No. 420. SAWYER ET AL. v. UNITED STATES. Court of Claims. Certiorari denied. *Keith L. Seegmiller and Irving Wilner* for petitioners. *Solicitor General Rankin, Assistant Attorney General Doub and Samuel D. Slade* for the United States. Reported below: 138 Ct. Cl. 152.

No. 421. TEXAS & PACIFIC RAILWAY Co. v. WATKINS, NATURAL TUTRIX. C. A. 5th Cir. Certiorari denied. *Ashton Phelps* for petitioner. *Thompson L. Clarke* for respondent. Reported below: 243 F. 2d 171.

No. 422. ENNIS v. FLORIDA. Supreme Court of Florida. Certiorari denied. Reported below: 95 So. 2d 20.

No. 425. CITY OF DALLAS, TEXAS, v. TUBBS MANUFACTURING CO., INC., ET AL. C. A. 5th Cir. Certiorari denied. *H. P. Kucera and Ted P. MacMaster* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Harry Baum and Fred E. Youngman* for the United States, respondent. Reported below: 246 F. 2d 141.

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No. 424. *BOURGEOIS v. MERCANTILE NATIONAL BANK OF MIAMI BEACH, FLORIDA*. Supreme Court of Florida. Certiorari denied. *Jacob Rassner* for petitioner. *Lewis Horwitz* and *L. J. Cushman* for respondent. Reported below: 95 So. 2d 918.

No. 427. *NORTH CENTRAL PUBLIC SERVICE CO. ET AL. v. NORTHERN NATURAL GAS CO. ET AL.* C. A. 8th Cir. Certiorari denied. *Raymond A. Smith* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Melvin Richter*, *Willard W. Gatchell* and *Howard E. Wahrenbrock* for the Federal Power Commission, respondent. Reported below: 245 F. 2d 447.

No. 428. *LITMAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Jacob Kossman* for petitioner. *Solicitor General Rankin*, *Acting Assistant Attorney General Stull* and *Joseph M. Howard* for the United States. Reported below: 246 F. 2d 206.

No. 429. *BENTON COUNTY, OREGON, ET AL. v. LAFFERTY ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Paul R. Connolly* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Morton*, *Roger P. Marquis* and *Harold S. Harrison* for the Secretary of the Treasury et al., *A. W. Lafferty, pro se*, and *James P. Kem*, *Byron N. Scott*, *Monte Appel* and *Donald C. Walker* for Merrick et al., respondents. Reported below: 101 U. S. App. D. C. 222, 248 F. 2d 82.

No. 431. *W. T. GRANT Co. v. JOSEPH, COMPTROLLER OF THE CITY OF NEW YORK*. Court of Appeals of New York. Certiorari denied. *Sol Charles Levine* for petitioner. *Peter Campbell Brown*, *Stanley Buchsbaum* and *Leroy Mandle* for respondent. Reported below: 2 N. Y. 2d 196, 992, 140 N. E. 2d 244, 143 N. E. 2d 342.

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No. 433. *NANI v. BROWNELL*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *William H. Collins* and *Samuel Paige* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for respondent. Reported below: 101 U. S. App. D. C. 112, 247 F. 2d 103.

No. 434. *WILSON v. CIVIL AERONAUTICS BOARD*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *F. Harold Bennett*, *George F. Archer* and *Lloyd Fletcher* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Hansen*, *Charles H. Weston*, *Franklin M. Stone*, *O. D. Ozment* and *Robert L. Toomey* for respondent. Reported below: 100 U. S. App. D. C. 325, 244 F. 2d 773.

No. 439. *CHIN BICK WAH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Alvin Landis* and *Robert B. McMillan* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 245 F. 2d 274.

No. 443. *STATE BOARD OF NATUROPATHIC EXAMINERS ET AL. v. WILSON, ATTORNEY GENERAL, ET AL.* Supreme Court of Texas. Certiorari denied. *Benedict F. Fitzgerald, Jr.* and *John B. Olverson* for petitioners. *Will Wilson*, Attorney General of Texas, *James N. Ludlum*, First Assistant Attorney General, and *C. K. Richards* and *John Reeves*, Assistant Attorneys General, for respondents.

No. 444. *MARTIN-LEBRETON INSURANCE AGENCY v. MANUFACTURERS CASUALTY INSURANCE CO.* C. A. 5th Cir. Certiorari denied. *Frank S. Normann* for petitioner. Reported below: 242 F. 2d 951.

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No. 446. MISSISSIPPI VALLEY BARGE LINE CO. v. T. L. JAMES & Co., INC., ET AL. C. A. 5th Cir. Certiorari denied. *Selim B. Lemle* and *Charles Kohlmeyer, Jr.* for petitioner. *John W. Sims* for respondents. Reported below: 244 F. 2d 263.

No. 454. GREEN ET AL. v. UNITED STATES. C. A. 7th Cir. Certiorari denied. *Edward Bennett Williams*, *Fred P. Schuman*, *Schaefer O'Neill* and *William P. Roberts* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Olney*, *Beatrice Rosenberg* and *Carl H. Imlay* for the United States. Reported below: 246 F. 2d 155.

No. 457. FIRST IOWA HYDRO ELECTRIC COOPERATIVE ET AL. v. IOWA-ILLINOIS GAS & ELECTRIC CO. ET AL. C. A. 8th Cir. Certiorari denied. *J. Roger Wollenberg* for petitioners. *James J. Lamb* for the Iowa-Illinois Gas & Electric Co., *Harris M. Coggeshall* for the Iowa Power & Light Co., *Maxwell A. O'Brien* for the Iowa Southern Utilities Co., *Clement F. Springer* and *E. Marshall Thomas* for the Interstate Power Co., *Robert H. Walker* for the Union Electric Power Co., *V. Craven Shuttleworth*, *Tyrrell M. Ingersoll* and *Harry E. Wilmarth* for the Iowa Electric Light & Power Co. et al., and *Byron Spencer*, *Joseph J. Kelly, Jr.* and *Earl Smith* for the Kansas City Power & Light Co., respondents. Reported below: 245 F. 2d 613.

No. 458. SCOTT PAPER CO. v. McALLISTER LIGHTERAGE LINE, INC., ET AL. C. A. 2d Cir. Certiorari denied. *Edmund F. Lamb* for petitioner. *Christopher E. Heckman* for McAllister Lighterage Line, Inc., and *Thomas F. Mount* for the Insurance Company of North America, respondents. Reported below: 244 F. 2d 867.

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No. 447. *BLASKI ET AL. v. DAVIDSON*, U. S. DISTRICT JUDGE, ET AL. C. A. 5th Cir. Certiorari denied. *Lloyd C. Root, Daniel V. O'Keeffe* and *John O'C. FitzGerald* for petitioners. *Maurice E. Purnell* for Howell et al., respondents. Reported below: 245 F. 2d 737.

No. 461. *MCALLISTER LIGHTERAGE LINE, INC., v. INSURANCE COMPANY OF NORTH AMERICA ET AL.* C. A. 2d Cir. Certiorari denied. *Christopher E. Heckman* for petitioner. *Thomas F. Mount, George M. Brodhead* and *J. Welles Henderson, Jr.* for the Insurance Company of North America, respondent. Reported below: 244 F. 2d 867.

No. 423. *GREAT NORTHERN RAILWAY Co. v. HYDE ET AL.* C. A. 8th Cir. Certiorari denied. MR. JUSTICE WHITTAKER took no part in the consideration or decision of this application. *Edwin C. Matthias* and *Anthony Kane* for petitioner. *Harry H. Peterson* for respondents. Reported below: 245 F. 2d 537.

No. 426. *NAKASHIMA, EXECUTOR, v. BROWNELL, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN.* C. A. 9th Cir. Certiorari denied. MR. JUSTICE CLARK took no part in the consideration or decision of this application. *L. Nelson Hayhurst* for petitioner. *Solicitor General Rankin, Assistant Attorney General Townsend* and *George B. Searls* for respondent. Reported below: 243 F. 2d 787.

No. 66, Misc. *MONTGOMERY v. CALIFORNIA.* Supreme Court of California. Certiorari denied. Petitioner *pro se.* *Edmund G. Brown*, Attorney General of California, *Frank J. Mackin*, Assistant Attorney General, and *Norman H. Sokolow*, Deputy Attorney General, for respondent.

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Nos. 440 and 441. *SOBELL v. UNITED STATES*. C. A. 2d Cir. Motion for leave to file brief of Dr. Harold C. Urey et al., as *amici curiae*, granted. Certiorari denied. *Frank J. Donner, Arthur Kinoy, Marshall Perlin and Benjamin Dreyfus* for petitioner. *Solicitor General Rankin, Assistant Attorney General Tompkins, Philip R. Monahan and Carl G. Coben* for the United States. *Daniel G. Marshall* filed a brief for Urey et al., as *amici curiae*, urging that a writ of certiorari be granted. Reported below: 244 F. 2d 520.

No. 445. *McCORKLE, PRINCIPAL KEEPER, NEW JERSEY STATE PRISON, v. DEVITA*. C. A. 3d Cir. Certiorari denied. MR. JUSTICE BRENNAN took no part in the consideration or decision of this application. *Grover C. Richman, Attorney General of New Jersey, Charles V. Webb, Jr. and C. William Caruso* for petitioner. *Harold Alper and Isadore Glauberman* for respondent. Reported below: 248 F. 2d 1.

No. 68, Misc. *MACKROW v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle, Attorney General of Illinois*, for respondent.

No. 78, Misc. *CHERPAKOV v. UNITED STATES*; and No. 125, Misc. *DARNEILLE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Gordon G. Dale* for petitioner in No. 78, Misc. Petitioner *pro se* in No. 125, Misc. *Solicitor General Rankin, Assistant Attorney General Olney, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 244 F. 2d 132.

No. 93, Misc. *GERSHON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 243 F. 2d 527.

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No. 114, Misc. LEE *v.* GOUGH, WARDEN. Supreme Court of Rhode Island. Certiorari denied.

No. 145, Misc. RUSSO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 245 F. 2d 781.

No. 154, Misc. LATHMAN *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied.

No. 155, Misc. NEW YORK EX REL. JIMENEZ *v.* MURPHY, WARDEN. Supreme Court of New York, Cayuga County. Certiorari denied.

No. 158, Misc. HICKMAN *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. Solicitor General Rankin, Assistant Attorney General Olney, Beatrice Rosenberg and Felicia Dubrovsky for the United States. Reported below: 246 F. 2d 178.

No. 163, Misc. DeVIVO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Bernard Tompkins for petitioner. Solicitor General Rankin, Assistant Attorney General Olney, Beatrice Rosenberg and Carl H. Imlay for the United States. Reported below: 246 F. 2d 773.

No. 166, Misc. BLANC *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. Solicitor General Rankin, Assistant Attorney General Doub and Melvin Richter for the United States. Reported below: 244 F. 2d 708.

No. 188, Misc. DICANIO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. Solicitor General Rankin, Assistant Attorney General Olney and Beatrice Rosenberg for the United States. Reported below: 245 F. 2d 713.

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No. 189, Misc. HOLLIS *v.* ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM, ET AL. Court of Criminal Appeals of Texas. Certiorari denied.

No. 193, Misc. DUNCAN ET AL. *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *James J. Laughlin* and *Albert J. Ahern, Jr.* for petitioners. *Solicitor General Rankin, Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 101 U. S. App. D. C. 304, 248 F. 2d 626.

No. 217, Misc. WYERS *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

Rehearing Denied.

No. 257. STEELE *v.* UNITED STATES, *ante*, p. 828. Rehearing denied.

No. 929, October Term, 1955. GINSBURG *v.* GREGG ET AL., 351 U. S. 979; and

No. 246, October Term, 1956. MONROE ET AL. *v.* UNITED STATES, 352 U. S. 873. Motions for leave to file second petitions for rehearing denied.

NOVEMBER 18, 1957.

Miscellaneous Orders.

No. 549. GIORDENELLO *v.* UNITED STATES. Certiorari, 355 U. S. 811, to the United States Court of Appeals for the Fifth Circuit. It is ordered that *William F. Walsh, Esquire*, of Houston, Texas, a member of the Bar of this Court be, and he is hereby, appointed to serve as counsel for petitioner in this case. Reported below: 241 F. 2d 575.

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No. 11, Original. UNITED STATES *v.* LOUISIANA ET AL. The defendant States are directed to answer to the amended complaint within 45 days from this date. THE CHIEF JUSTICE and MR. JUSTICE CLARK took no part in the consideration or decision of this matter. *Solicitor General Rankin* filed the amended complaint for the United States. *Jack P. F. Gremillion*, Attorney General, for the State of Louisiana, *John Patterson*, Attorney General, *William G. O'Rear* and *Gordon Madison*, Assistant Attorneys General, and *E. K. Hanby*, Special Assistant Attorney General, for the State of Alabama, *Richard W. Ervin*, Attorney General, for the State of Florida, *Joe T. Patterson*, Attorney General, for the State of Mississippi, and *Will Wilson*, Attorney General, for the State of Texas, defendants.

No. 567. MISSISSIPPI RIVER FUEL CORP. *v.* FEDERAL POWER COMMISSION. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. The motion of United Gas Pipe Line Company to correct and amend the title and caption is granted and the United Gas Pipe Line Company is designated as a party respondent. *Thomas Fletcher* and *C. Huffman Lewis* for movant-respondent. Reported below: 102 U. S. App. D. C. 238, 252 F. 2d 619.

Certiorari Granted. (See *Misc. No. 268*, ante, p. 60; *No. 442*, ante, p. 62; and *No. 477*, ante, p. 64.)

Certiorari Denied. (See also *Misc. No. 275*, ante, p. 59.)

No. 460. PASTER *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 8th Cir. *Certiorari* denied. *David Previant* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Harry Baum* and *Carolyn R. Just* for respondent. Reported below: 245 F. 2d 381.

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No. 452. BROTHERHOOD OF RAILROAD TRAINMEN ET AL. *v.* NEW YORK CENTRAL RAILROAD Co. C. A. 6th Cir. Certiorari denied. *Joseph A. Robie* and *Edward J. Hickey, Jr.* for petitioners. *Harold Heiss* for the Brotherhood of Locomotive Firemen & Enginemen, and *Wayland K. Sullivan* for the Brotherhood of Railroad Trainmen, petitioners. *Milo J. Warner* and *Wesley A. Wilkinson* for respondent. Reported below: 246 F. 2d 114.

No. 471. STEVENSON ET AL. *v.* REED ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *F. R. Cook, Jr.* for petitioners. *Barrington D. Parker* and *James M. Leak* for respondents. Reported below: 101 U. S. App. D. C. 97, 247 F. 2d 88.

No. 472. UNITED STATES *v.* FEHLHABER CORPORATION. Court of Claims. Certiorari denied. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Paul A. Sweeney* and *Morton Hollander* for the United States. *John W. Gaskins* for respondent. Reported below: 138 Ct. Cl. 571, 151 F. Supp. 817.

No. 475. SCHULTZ, ADMINISTRATRIX, *v.* HOME OIL Co. Supreme Court of New Jersey. Certiorari denied. *Jacob Rassner* for petitioner. *Philip M. Lustbader* and *George H. Harbaugh* for respondent. Reported below: 24 N. J. 547, 133 A. 2d 395.

No. 478. FEDERAL DEPOSIT INSURANCE CORP. *v.* CONTINENTAL ILLINOIS NATIONAL BANK & TRUST Co. OF CHICAGO. C. A. 7th Cir. Certiorari denied. *Royal L. Coburn*, *John H. Bishop* and *Orrin G. Judd* for petitioner. *Frank D. Mayer*, *Louis A. Kohn* and *Robert L. Stern* for respondent. Reported below: 245 F. 2d 567.

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No. 474. *YOUNG v. HUGHES*, DISTRICT JUDGE. Supreme Court of Oklahoma. Certiorari denied. *John G. Hervey* and *Glenn O. Young* for petitioner.

No. 476. *VON OPEL v. BROWNELL*, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE CLARK took no part in the consideration or decision of this application. *Edward J. Ennis* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Townsend*, *George B. Searls* and *Myron C. Baum* for respondent. Reported below: 100 U. S. App. D. C. 341, 244 F. 2d 789.

No. 128, Misc. *BOIDAKOWSKI v. GOODMAN*, WARDEN, ET AL. Supreme Court of New Jersey. Certiorari denied.

No. 144, Misc. *HORNE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Walter A. Harris* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 246 F. 2d 83.

No. 156, Misc. *HILL, ADMINISTRATRIX, v. MISSISSIPPI VALLEY BARGE LINE Co.* C. A. 3d Cir. Certiorari denied. *Louis C. Glasso* for petitioner. Reported below: 244 F. 2d 310.

No. 173, Misc. *LONG v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Olney* and *Beatrice Rosenberg* for the United States. Reported below: 245 F. 2d 871.

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No. 180, Misc. LEGG *v.* MUTUAL BENEFIT HEALTH & ACCIDENT ASSOCIATION OF OMAHA. Supreme Court of California. Certiorari denied.

No. 184, Misc. HSUAN WEI *v.* ROBINSON, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. Solicitor General Rankin, Assistant Attorney General Olney, Beatrice Rosenberg and Carl H. Imlay for respondent. Reported below: 246 F. 2d 739.

No. 269, Misc. PORET ET AL. *v.* SIGLER, WARDEN. Supreme Court of Louisiana. Certiorari denied. *G. W. Gill* and *Gerard H. Schreiber* for petitioners.

No. 270, Misc. PORET ET AL. *v.* LOUISIANA. Supreme Court of Louisiana. Certiorari denied. *G. W. Gill* and *Gerard H. Schreiber* for petitioners.

Rehearing Denied.

No. 147. WILSHIRE HOLDING CORP. *v.* COMMISSIONER OF INTERNAL REVENUE, *ante*, p. 815;

No. 171. BRYSON *v.* UNITED STATES, *ante*, p. 817;

No. 248. FURNISH *v.* BOARD OF MEDICAL EXAMINERS OF CALIFORNIA ET AL., *ante*, p. 827;

No. 272. HOBART *v.* O'BRIEN ET AL., *ante*, p. 830;

No. 19, Misc. GEORGE, GUARDIAN, ET AL. *v.* UNITED STATES, *ante*, p. 843; and

No. 80, Misc. LEWIS *v.* FLORIDA, *ante*, p. 16. Petitions for rehearing denied.

No. 342. KERN *v.* WILLIAMSON, TRUSTEE, ET AL., *ante*, p. 838. Rehearing denied. MR. JUSTICE CLARK took no part in the consideration or decision of this application.

November 18, 25, 1957.

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Dismissal Under Rule 60.

No. 513. HUGH BREEDING, INC., *v.* CHICAGO, ROCK ISLAND & PACIFIC RAILROAD Co. On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *Peyton Ford* and *Gus Rinehart* for petitioner. *John A. Johnson* and *Robert E. Shelton* for respondent. Reported below: 247 F. 2d 217.

NOVEMBER 25, 1957.

Miscellaneous Orders.

An order of THE CHIEF JUSTICE designating and assigning MR. JUSTICE MINTON (retired) to perform judicial duties in the United States Court of Claims beginning December 2, 1957, and ending December 31, 1957, and for such further time as may be required to complete unfinished business, pursuant to 28 U. S. C. § 294 (a), is ordered entered on the minutes of this Court, pursuant to 28 U. S. C. § 295.

No. 12, Original. VIRGINIA *v.* MARYLAND. This case is set for oral argument on Monday, December 9th, next, on the motion for leave to file the bill of complaint and answer. Two hours allowed for argument.

No. 30. RATHBUN *v.* UNITED STATES. Certiorari, 352 U. S. 965, to the United States Court of Appeals for the Tenth Circuit. The motion for leave to withdraw the appearance of *E. F. Conly*, as counsel for the petitioner, is granted. Reported below: 236 F. 2d 514.

Probable Jurisdiction Noted.

No. 483. SPEISER *v.* RANDALL, ASSESSOR OF CONTRA COSTA COUNTY, CALIFORNIA; and

No. 484. PRINCE *v.* CITY AND COUNTY OF SAN FRANCISCO. Appeals from the Supreme Court of California.

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Probable jurisdiction noted. THE CHIEF JUSTICE took no part in the consideration or decision of these applications. *Franklin H. Williams* for appellants. *Dion R. Holm* for appellees. Reported below: No. 483, 48 Cal. 2d 903, 311 P. 2d 546; No. 484, 48 Cal. 2d 472, 311 P. 2d 544.

Certiorari Granted. (See also No. 451, ante, p. 80.)

No. 481. *KENT ET AL. v. DULLES, SECRETARY OF STATE.* United States Court of Appeals for the District of Columbia Circuit. *Certiorari granted.* *Leonard B. Boudin, Victor Rabinowitz* and *David Rein* for petitioners. *Daniel G. Marshall* for Briehl, petitioner. *Solicitor General Rankin* for respondent. Reported below: 101 U. S. App. D. C. 278, 239, 248 F. 2d 600, 561.

No. 492. *FLORA v. UNITED STATES.* C. A. 10th Cir. *Certiorari granted.* *A. G. McClintock* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice* and *A. F. Prescott* for the United States. Reported below: 246 F. 2d 929.

Certiorari Denied. (See also Misc. No. 147, ante, p. 82.)

No. 448. *MASSACHUSETTS COMPANY ET AL. v. FLORIDA, BY ERVIN, ATTORNEY GENERAL, ET AL.* Supreme Court of Florida. *Certiorari denied.* *J. McHenry Jones* for petitioners. *Richard W. Ervin, Attorney General of Florida, Ralph M. McLane, Assistant Attorney General, and H. Rex Owen, Special Assistant Attorney General,* for respondents. Reported below: 95 So. 2d 902.

No. 479. *MERCHANTS NATIONAL BANK & TRUST CO. OF INDIANAPOLIS v. UNITED STATES ET AL.* C. A. 7th Cir. *Certiorari denied.* *Ralph B. Gregg* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Harry Baum* and *Carolyn R. Just* for respondents. Reported below: 246 F. 2d 410.

November 25, 1957.

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No. 480. *MOORE ET AL. v. BROWN, EXECUTRIX*. C. A. 3d Cir. Certiorari denied. *Milton W. Lamproplos* for petitioners. *Melvin M. Belli* for respondent. Reported below: 247 F. 2d 711.

No. 486. *YOKNAPATAWPHA DRAINAGE DISTRICT No. 2, LAFAYETTE COUNTY, MISSISSIPPI, v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Phil Stone* for petitioner. *Solicitor General Rankin, Assistant Attorney General Morton, Roger P. Marquis* and *Elizabeth Dudley* for the United States. Reported below: 242 F. 2d 925.

No. 487. *NORTH COUNTIES HYDRO-ELECTRIC Co. v. UNITED STATES*. Court of Claims. Certiorari denied. *John W. Day* and *Howard J. Trienans* for petitioner. *Solicitor General Rankin, Assistant Attorney General Morton* and *Roger P. Marquis* for the United States. Reported below: 138 Ct. Cl. 380, 151 F. Supp. 322.

No. 488. *FRANTUM ET UX. v. DEPARTMENT OF PUBLIC WELFARE OF BALTIMORE CITY*. Court of Appeals of Maryland. Certiorari denied. *Moses Davis* for petitioners. *Thomas N. Biddison, Hugo A. Ricciuti* and *Carl H. Lehmann, Jr.* for respondent. Reported below: 214 Md. 100, 133 A. 2d 408.

No. 489. *WILSON v. MUENCH-KREUZER CANDLE Co., INC.* C. A. 9th Cir. Certiorari denied. *Edward B. Gregg* for petitioner. *Leonard S. Lyon* for respondent. Reported below: 246 F. 2d 624.

No. 490. *QUALITY COAL CORP. v. LEWIS ET AL., TRUSTEES FOR UNITED MINE WORKERS OF AMERICA WELFARE AND RETIREMENT FUND*. C. A. 7th Cir. Certiorari denied. *Harold H. Bacon* for respondents. Reported below: 243 F. 2d 769.

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No. 493. AMERICAN BITUMULS & ASPHALT CO. ET AL. *v.* UNITED STATES. Court of Customs and Patent Appeals. Certiorari denied. *Grace M. Stewart* for the American Bitumuls & Asphalt Co., petitioner. *Solicitor General Rankin, Assistant Attorney General Doub, Samuel D. Slade* and *Herman Marcuse* for the United States. Reported below: 44 C. C. P. A. (Cust.) 199, 246 F. 2d 270.

No. 495. DALY *v.* FINNEGAN, DIRECTOR, FEDERAL MEDIATION AND CONCILIATION SERVICE, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Rees B. Gillespie* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Samuel D. Slade* for respondents. Reported below: 101 U. S. App. D. C. 227, 248 F. 2d 87.

No. 496. GALGANO *v.* UNITED STATES; and

No. 497. CARMINATI ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Henry A. Lowenberg* for petitioner in No. 496. *Jacob W. Friedman* for petitioners in No. 497. *Solicitor General Rankin, Acting Assistant Attorney General McLean* and *Beatrice Rosenberg* for the United States. Reported below: 247 F. 2d 640.

No. 498. BROOKLYN EAGLE, INC., *v.* POTOKER. Court of Appeals of New York and Supreme Court of New York, New York County. Certiorari denied. *Henry H. Nordlinger* and *Oscar A. Lewis* for petitioner. *Herman E. Cooper* and *H. Howard Ostrin* for respondent. Reported below: 2 N. Y. 2d 553, 141 N. E. 2d 841; 141 N. Y. S. 2d 719.

No. 499. OHIO FARMERS INSURANCE CO. ET AL. *v.* LANTZ ET AL. C. A. 7th Cir. Certiorari denied. *Roland Obenchain* and *Roland Obenchain, Jr.* for petitioners. *George L. Pepple* for respondents. Reported below: 246 F. 2d 182.

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No. 500. *EISENBERG v. CENTRAL ZONE PROPERTY CORP. ET AL.* Court of Appeals of New York and Supreme Court of New York, New York County. Certiorari denied. *Emil K. Ellis* for petitioner. *Simon H. Rifkind* for the Central Zone Property Corporation, respondent. Reported below: 3 N. Y. 2d 729, 143 N. E. 2d 516.

No. 502. *AMERICAN & EUROPEAN AGENCIES, INC., v. GILLILLAND ET AL., CONSTITUTING THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Paul Ackerman* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub, Samuel D. Slade* and *B. Jenkins Middleton* for respondents. *Philip Levy* filed a brief for the American Yugoslav Electric Co., Inc., et al., as *amici curiae*, in opposition to the petition for writ of certiorari. Reported below: 101 U. S. App. D. C. 104, 247 F. 2d 95.

No. 505. *INSTITUTO CUBANO DE ESTABILIZACION DEL AZUCAR v. T/V GOLDEN WEST ET AL.* C. A. 2d Cir. Certiorari denied. *John C. Crawley* for petitioner. *Dudley C. Smith* for Skibs A/S Golden West, respondent. Reported below: 246 F. 2d 802.

No. 491. *P. & D. MANUFACTURING Co., INC., v. FEDERAL TRADE COMMISSION.* C. A. 7th Cir. Certiorari denied. MR. JUSTICE WHITTAKER took no part in the consideration or decision of this application. *Harold T. Halfpenny* for petitioner. *Solicitor General Rankin* for respondent. Reported below: 245 F. 2d 281.

No. 178, Misc. *NAUS v. RIGG, WARDEN.* Supreme Court of Minnesota. Certiorari denied. Reported below: 250 Minn. 365, 84 N. W. 2d 698.

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No. 501. WOOD ET AL. *v.* GAS SERVICE CO. C. A. 8th Cir. Certiorari denied. MR. JUSTICE WHITTAKER took no part in the consideration or decision of this application. *William S. Hogsett* and *Hale Houts* for petitioners. *Charles M. Miller* and *Jerry T. Duggan* for respondent. Reported below: 245 F. 2d 653.

No. 179, Misc. REYNOLDS *v.* MARTIN, WARDEN. Court of Appeals of New York. Certiorari denied. Reported below: 3 N. Y. 2d 217, 144 N. E. 2d 20.

No. 183, Misc. HENDERSON *v.* CAVELL, WARDEN. Supreme Court of Pennsylvania, Western District. Certiorari denied.

No. 236, Misc. PATREK *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. Reported below: 3 N. Y. 2d 803, 144 N. E. 2d 645.

Rehearing Denied.

No. 136. BOARD OF ASSESSORS OF THE TOWN OF RIVERHEAD, NEW YORK, ET AL. *v.* GRUMMAN AIRCRAFT ENGINEERING CORP., *ante*, p. 814;

No. 183. ARGENTO *v.* HORN ET AL., *ante*, p. 818;

No. 222. CITIZENS BANK & TRUST CO., ADMINISTRATOR, *v.* UNITED STATES, *ante*, p. 825;

No. 229. FEDERAL TRADE COMMISSION *v.* CRAFTS, *ante*, p. 9;

No. 237. DALY *v.* UNITED STATES ET AL., *ante*, p. 826;

No. 250. SAVOIE, ADMINISTRATRIX, *v.* TEXAS COMPANY, *ante*, p. 840;

No. 253. MILLER ET AL. *v.* JENNINGS ET AL., *ante*, p. 827;

No. 291. HELMIG *v.* ROCKWELL MANUFACTURING CO. ET AL., *ante*, p. 832. Petitions for rehearing denied.

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- No. 315. *KASPER v. BRITAIN ET AL.*, *ante*, p. 834;
 No. 319. *MILLS v. CALIFORNIA*, *ante*, p. 841;
 No. 320. *JAFFKE v. DUNHAM, TRUSTEE IN BANKRUPTCY*, *ante*, p. 835;
 No. 339. *MORONEY v. MCKIBBEN ET AL.*, *ante*, p. 840;
 No. 350. *PALERMO v. LUCKENBACH STEAMSHIP CO., INC.*, *ante*, p. 20;
 No. 26, Misc. *WORLEY, ADMINISTRATRIX, ET AL. v. NATIONAL SPECIALTY CO., INC., ET AL.*, *ante*, p. 844;
 No. 52, Misc. *MACKENNA v. TEXAS*, *ante*, p. 851;
 No. 55, Misc. *LINGHAM-PRITCHARD v. COMMISSIONER OF INTERNAL REVENUE*, *ante*, p. 846;
 No. 70, Misc. *HOLLINGSWORTH v. IOWA*, *ante*, p. 851;
 No. 86, Misc. *BAKER v. UNITED STATES*, *ante*, p. 864;
 and
 No. 133, Misc. *TOWNSEND v. ILLINOIS*, *ante*, p. 850.
 Petitions for rehearing denied.

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Dismissal Under Rule 60.

No. 22. *STRAND, SHERIFF, v. SCHMITTROTH*. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Dismissed on motion of petitioner pursuant to Rule 60 of the Rules of this Court. *Edmund G. Brown*, Attorney General of California, *Clarence A. Linn*, Assistant Attorney General, and *Arlo E. Smith*, Deputy Attorney General, for petitioner. Reported below: 233 F. 2d 598, 235 F. 2d 756.

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Miscellaneous Orders.

An order of THE CHIEF JUSTICE designating and assigning MR. JUSTICE REED (retired) to perform judicial duties in the United States Court of Claims beginning December 4, 1957, and ending December 31, 1957, and for

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such further time as may be required to complete unfinished business, pursuant to 28 U. S. C. § 294 (a), is ordered entered on the minutes of this Court, pursuant to 28 U. S. C. § 295.

No. 455. UNITED STATES *v.* CORES. Appeal from the United States District Court for the District of Connecticut. *Clark M. Clifford, Esquire*, of Washington, D. C., a member of the Bar of this Court, is invited to appear and present oral argument, as *amicus curiae*, in support of the judgment below.

No. 29. UNITED STATES *v.* CENTRAL EUREKA MINING CO. ET AL. Certiorari, 352 U. S. 964, to the Court of Claims. The motion to remove this case from the summary calendar is granted. Reported below: 134 Ct. Cl. 1, 130, 138 F. Supp. 281, 146 F. Supp. 476.

No. 165. LERNER *v.* CASEY ET AL., CONSTITUTING THE NEW YORK CITY TRANSIT AUTHORITY. Appeal from the Court of Appeals of New York. The motion of appellant for leave to proceed *in forma pauperis* is granted. *Leonard B. Boudin* was on the motion for appellant. Reported below: 2 N. Y. 2d 355, 141 N. E. 2d 533.

No. 322. ROMERO *v.* INTERNATIONAL TERMINAL OPERATING CO. ET AL. Certiorari, 355 U. S. 807, to the United States Court of Appeals for the Second Circuit. The motion to dispense with printing of the record is granted. *Silas B. Axtell* was on the motion for petitioner. Reported below: 244 F. 2d 409.

No. 194, Misc. HUBBARD ET UX. *v.* BROOKS, U. S. DISTRICT JUDGE. Motion for leave to file petition for writ of mandamus denied. Petitioners *pro se*. *Solicitor General Rankin* for respondent.

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No. 385. PEOPLE'S CHURCH OF SAN FERNANDO VALLEY, INC., *v.* COUNTY OF LOS ANGELES ET AL. Certiorari, 355 U. S. 854, to the Supreme Court of California. The motion to print record at public expense and to dispense with payment of Clerk's fees is granted. The motion to substitute Valley Unitarian-Universalist Church, Inc., as the party petitioner in the place and stead of People's Church of San Fernando Valley, Inc., is granted. THE CHIEF JUSTICE took no part in the consideration or decision of these motions. *A. L. Wirin* and *Fred Okrand* were on the motions for petitioner. Reported below: 48 Cal. 2d 899, 311 P. 2d 540.

No. 164, Misc. POWELL *v.* BURFORD, WARDEN. Motion for leave to file petition for writ of habeas corpus denied. Petitioner *pro se*. *John Patterson*, Attorney General of Alabama, and *Edmon L. Rinehart*, Assistant Attorney General, for respondent.

No. 284, Misc. COLLINS *v.* NEW YORK ET AL.; and

No. 301, Misc. ANDERSON *v.* CALIFORNIA ET AL. Motions for leave to file petitions for writs of habeas corpus denied.

Certiorari Granted. (See also Nos. 409 and 542, ante, pp. 171, 180.)

No. 509. CITY OF TACOMA *v.* TAXPAYERS OF TACOMA, WASHINGTON, ET AL. Supreme Court of Washington. Certiorari granted. *Northcutt Ely*, *Marshall McCormick*, *Frank L. Bannon* and *Robert L. McCarty* for petitioner. *John J. O'Connell*, Attorney General, *E. P. Donnelly*, Assistant Attorney General, and *Joseph T. Mijich*, Special Assistant Attorney General, for the State of Washington et al., respondents. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Melvin Richter*, *Willard W. Gatchell*, *Howard E. Wahrenbrock*

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and *Joseph B. Hobbs* filed a brief for the Federal Power Commission, as *amicus curiae*, urging that the petition for writ of certiorari be granted. Reported below: 49 Wash. 2d 781, 307 P. 2d 567.

Certiorari Denied. (See also Nos. 538, 543, 546 and 553, ante, pp. 182, 183.)

No. 283. *CHOW BING KEW v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Archibald M. Mull, Jr., Forrest E. Macomber* and *Kenneth G. McGilvray* for petitioner. *Solicitor General Rankin, Assistant Attorney General Olney, Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 248 F. 2d 466.

No. 397. *LOVE v. NEWBURY.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Charles F. O'Neill* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub, Paul A. Sweeney* and *Joseph Langbart* for respondent. Reported below: 100 U. S. App. D. C. 79, 242 F. 2d 372.

No. 503. *UNITED STATES v. BOYD ET AL.* C. A. 5th Cir. Certiorari denied. *Solicitor General Rankin, Assistant Attorney General Rice* and *A. F. Prescott* for the United States. *Thomas J. Tubb* for the Bradley Lumber Co., respondent. Reported below: 246 F. 2d 477.

No. 507. *AMERICAN TRANSIT LINES v. SMITH.* C. A. 6th Cir. Certiorari denied. *Robert G. Seaks* for petitioner. *H. Guy Hardy* for respondent. Reported below: 246 F. 2d 86.

No. 508. *S. H. KRESS & Co. v. AGHNIDES ET AL.* C. A. 4th Cir. Certiorari denied. *Will Freeman* for petitioner. *Albert L. Ely* for respondents. Reported below: 246 F. 2d 718.

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No. 512. *DE CASAUS v. CALIFORNIA*. District Court of Appeal of California, Second Appellate District. Certiorari denied. *Morris Lavine* for petitioner. Reported below: 150 Cal. App. 2d 274, 309 P. 2d 835.

No. 514. *STOKES v. CONTINENTAL ASSURANCE CO.* C. A. 5th Cir. Certiorari denied. *Neal P. Rutledge* for petitioner. *Edwin A. Swingle* and *Allan C. Swingle* for respondent. Reported below: 242 F. 2d 893.

No. 515. *HARTWIG ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Sterling M. Wood* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Samuel D. Slade* for the United States. Reported below: 244 F. 2d 849.

No. 516. *LATROBE CONSTRUCTION CO. ET AL. v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *A. L. Barber*, *W. D. Murphy, Jr.* and *Leon Catlett* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Morton*, *Roger P. Marquis* and *Harold S. Harrison* for the United States. Reported below: 246 F. 2d 357.

No. 511. *BARRAS ET AL. v. SALT RIVER VALLEY WATER USERS' ASSOCIATION*. C. A. 9th Cir. Certiorari denied. *Mitchell J. Cooper* for petitioners. *Irving A. Jennings* and *J. A. Riggins, Jr.* for respondent. Reported below: 249 F. 2d 952.

No. 518. *BRENNAN, TREASURER OF CUYAHOGA COUNTY, OHIO, v. UNITED STATES ET AL.* Court of Claims. Certiorari denied. *John T. Corrigan*, *Saul S. Danaceau* and *Frederick W. Frey* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Morton* and *Roger P. Marquis* for the United States, respondent. Reported below: 139 Ct. Cl. —, 153 F. Supp. 377.

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No. 517. VOELKEL ET AL. *v.* TOHULKA ET AL. Supreme Court of Indiana. Certiorari denied. *Roger F. Gay* for petitioners. *S. J. Crumpacker* for respondents. Reported below: 236 Ind. 588, 141 N. E. 2d 344.

No. 521. MURTHA *v.* MONAGHAN, COMMISSIONER OF HARNESS RACING OF NEW YORK. Court of Appeals of New York. Certiorari denied. *David M. Markowitz* for petitioner. *Louis J. Lefkowitz*, Attorney General of New York, *John R. Davison*, Solicitor General, and *Daniel M. Cohen*, Assistant Attorney General, for respondent. Reported below: 2 N. Y. 2d 819, 3 N. Y. 2d 880, 140 N. E. 2d 746, 145 N. E. 2d 181.

No. 524. D'ESPINAY-DURTAL *v.* HARRIS ET AL. Court of Appeals of New York. Certiorari denied. *George A. Spiegelberg* and *Laurence Rosenthal* for petitioner. *William T. Griffin* and *Herbert Burstein* for Harris et al., respondents. Reported below: 3 N. Y. 2d 70, 879, 143 N. E. 2d 505, 145 N. E. 2d 180.

No. 525. AMES ET AL. *v.* CALIFORNIA. District Court of Appeal of California, Second Appellate District. Certiorari denied. *Murray M. Chotiner*, *Russell E. Parsons*, *A. L. Wirin* and *Fred Okrand* for Ames et al., petitioners. Reported below: 151 Cal. App. 2d 714, 312 P. 2d 1111.

No. 526. GENERAL OUTDOOR ADVERTISING Co., INC., *v.* UNITED STATES. Court of Claims. Certiorari denied. *Spaulding Glass* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Harry Baum* for the United States. Reported below: 137 Ct. Cl. 607, 149 F. Supp. 163.

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No. 527. UNITED STATES *v.* CITIZENS UTILITIES CO. ET AL.; and

No. 528. CITY OF LOS ANGELES *v.* CITIZENS UTILITIES CO. ET AL. Court of Claims. Certiorari denied. *Solicitor General Rankin, Assistant Attorney General Doub and Melvin Richter* for the United States. *Roger Arnebergh, Northcutt Ely and Robert L. McCarty* for petitioner in No. 528. *Jesse Climenko* for the Citizens Utilities Co., and *Ezekiel G. Stoddard* for the California-Pacific Utilities Co., respondents. Reported below: 137 Ct. Cl. 547, 149 F. Supp. 158.

No. 529. KELLY *v.* PENNSYLVANIA RAILROAD CO. C. A. 3d Cir. Certiorari denied. *B. Nathaniel Richter* for petitioner. *Philip Price* for respondent. Reported below: 245 F. 2d 408.

No. 530. TSEUNG CHU, ALIAS BOW QUONG CHEW, TSEUNG BOWQUONG CHEW AND THOMAS BOWQUONG CHEW, *v.* CORNELL, ACTING OFFICER IN CHARGE, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 9th Cir. Certiorari denied. *Frank Wickhem* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General McLean and Beatrice Rosenberg* for respondent. Reported below: 247 F. 2d 929.

No. 531. SEABOARD AIR LINE RAILROAD Co. *v.* BRADDOCK ET AL. Supreme Court of Florida. Certiorari denied. *Charles R. Scott, John S. Cox and David W. Dyer* for petitioner. *William S. Frates and Walter H. Beckham, Jr.* for respondents. Reported below: 96 So. 2d 127.

No. 532. CAMPISI *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Peter J. Donoghue* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General McLean, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 248 F. 2d 102.

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No. 533. PARKS-CRAMER CO. *v.* AMERICAN MONORAIL CO. C. A. 4th Cir. Certiorari denied. *Joseph W. Grier, Jr.* and *Cedric W. Porter* for petitioner. *F. O. Richey* and *B. D. Watts* for respondent. Reported below: 245 F. 2d 739.

No. 536. OLIPHANT ET AL. *v.* BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINEMEN ET AL. C. A. 6th Cir. Certiorari denied. *Joseph L. Rauh, Jr.* and *John Silard* for petitioners. *Harold C. Heiss, Russell B. Day* and *Milton Kramer* for respondents.

No. 537. STANDARD-VACUUM OIL CO. *v.* UNITED STATES. Court of Claims. Certiorari denied. *George S. Collins* and *Warrack Wallace* for petitioner. *Solicitor General Rankin, Assistant Attorney General Morton, Roger P. Marquis* and *S. Billingsley Hill* for the United States. Reported below: 139 Ct. Cl. —, 153 F. Supp. 465.

No. 535. R. J. REYNOLDS TOBACCO CO. *v.* UNITED STATES. Court of Claims. Certiorari denied. *Marion N. Fisher, Leon L. Rice, Jr.* and *W. P. Sandridge* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice* and *A. F. Prescott* for the United States. Reported below: 138 Ct. Cl. 1, 149 F. Supp. 889.

No. 539. UNITED STATES OVERSEAS AIRLINES, INC., ET AL. *v.* COMPANIA AEREA VIAJES EXPRESOS DE VENEZUELA, S. A., ET AL. C. A. 2d Cir. Certiorari denied. *David I. Shapiro* for petitioners. *Eugene H. Nickerson* for respondents. Reported below: 246 F. 2d 951.

No. 540. HAILE ET AL. *v.* EASTERN BAND OF CHEROKEE INDIANS. C. A. 4th Cir. Certiorari denied. *W. Neil Thomas, Jr.* for petitioners. Reported below: 246 F. 2d 293.

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No. 541. MICHIGAN CONSOLIDATED GAS CO. *v.* FEDERAL POWER COMMISSION ET AL. C. A. 3d Cir. Certiorari denied. *Donald R. Richberg, Arthur R. Seder and Charles V. Shannon* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub, Paul A. Sweeney, Willard W. Gatchell, Howard E. Wahrenbrock and Edwin M. Miller* for the Federal Power Commission, *William E. Miller* for the Panhandle Eastern Pipe Line Co., and *Jerome Ackerman and David Shapiro* for the Union Gas Co. of Canada, Ltd., respondents. Reported below: 246 F. 2d 904.

No. 544. SEARS, ROEBUCK & CO. ET AL. *v.* ALL STATES LIFE INSURANCE CO. C. A. 5th Cir. Certiorari denied. *Milton Handler* for petitioners. *Paul Carrington and Otis B. Gary* for respondent. Reported below: 246 F. 2d 161.

No. 545. SWOPE ET AL. *v.* EMERSON ELECTRIC MFG. Co. Supreme Court of Missouri. Certiorari denied. *Gordon Neilson* for petitioners. Reported below: 303 S. W. 2d 35.

No. 551. SEGAL *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Max M. Kampelman and Sydney W. Goff* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General McLean and Beatrice Rosenberg* for the United States. Reported below: 246 F. 2d 814.

No. 555. NORTHERN INDIANA PUBLIC SERVICE CO. *v.* HERLIHY MID-CONTINENT Co. C. A. 7th Cir. Certiorari denied. *John C. Lawyer, R. Stanley Anderson and Edmund A. Schroer* for petitioner. *Thomas D. Nash, Jr.* for respondent. Reported below: 245 F. 2d 440.

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No. 552. ASSOCIATED THIRD CLASS MAIL USERS, INC., ET AL. *v.* UNITED STATES ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *John R. Fitzpatrick* and *Edward J. Lynch* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Morton Hollander* for respondents.

No. 554. CHAIN INSTITUTE, INC., ET AL. *v.* FEDERAL TRADE COMMISSION. C. A. 8th Cir. Certiorari denied. *Sumner S. Kittelle*, *Mark F. Hughes*, *Allan Trumbull*, *Stephen H. Beach*, *Milton Weiss*, *Charles Denby*, *Paul J. Winschel*, *James E. S. Baker*, *Norman K. Parsells*, *Elmer E. Finck*, *Harold T. Halfpenny* and *Charles Fay* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Hansen*, *Charles H. Weston*, *Earl W. Kintner* and *James E. Corkey* for respondent. Reported below: 246 F. 2d 231.

No. 520. UNITED GAS PIPE LINE CO. *v.* TYLER GAS SERVICE CO. ET AL. United States Court of Appeals for the District of Columbia Circuit. Motion for leave to file brief of McMurrey Refining Co., as *amicus curiae*, denied. Certiorari denied. *Thomas Fletcher* and *C. Huffman Lewis* for petitioner. *Bryce Rea, Jr.*, *Thomas B. Ramey* and *Troy Smith* for respondents. Reported below: 101 U. S. App. D. C. 184, 247 F. 2d 590.

No. 560. EASTER *v.* GATES, SECRETARY OF THE NAVY. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Geo. Washington Williams* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Paul A. Sweeney* for respondent. Reported below: 101 U. S. App. D. C. 87, 247 F. 2d 78.

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No. 559. *BANDY v. MUNICIPAL COURT OF SAN ANTONIO JUDICIAL DISTRICT, LOS ANGELES COUNTY, CALIFORNIA, ET AL.* District Court of Appeal of California, Second Appellate District. Certiorari denied. *Wendell W. Schooling* for petitioner. Reported below: 151 Cal. App. 2d 736, 312 P. 2d 274.

No. 563. *DEVIDAYAL (SALES) LTD. v. IIDA & Co., NEW YORK, INC.* Court of Appeals of New York. Certiorari denied. *Peter Belsito* for petitioner. *Alfred Rathheim* for respondent. Reported below: 3 N. Y. 2d 814, 144 N. E. 2d 650.

No. 564. *OLESEN v. TRUST COMPANY OF CHICAGO, TRUSTEE, ET AL.* C. A. 7th Cir. Certiorari denied. *David B. Perley* for petitioner. Reported below: 245 F. 2d 522.

No. 116, Misc. *ROGERS v. TEETS, WARDEN.* C. A. 9th Cir. 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. Reported below: 245 F. 2d 154.

No. 117, Misc. *BURWELL v. TEETS, WARDEN.* C. A. 9th Cir. 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. Reported below: 245 F. 2d 154.

No. 140, Misc. *LIEBLICH v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. *Daniel H. Greenberg* for petitioner. *Solicitor General Rankin*, *Warren Olney, III*, then Assistant Attorney General, and *Beatrice Rosenberg* for the United States. Reported below: 246 F. 2d 890.

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No. 565. ELGIN, JOLIET & EASTERN RAILWAY Co. v. GIBSON. C. A. 7th Cir. Certiorari denied. *Harlan L. Hackbert* for petitioner. *Justin Waitkus* for respondent. Reported below: 246 F. 2d 834.

Memorandum of MR. JUSTICE FRANKFURTER, in which MR. JUSTICE HARLAN joins.

Although the Court has definitively decided that a denial of a petition for certiorari carries no legal significance, *Brown v. Allen*, 344 U. S. 443, 489-497, the bar, in briefs, and lower courts, in their opinions, continue to note such denials by way of reinforcing the authority of cited lower court decisions. It has therefore seemed to me appropriate from time to time to emphasize through concrete illustrations that a denial of certiorari does not imply approval of the decision for which review is sought or of its supporting opinion. This case presents another instance for underlining this nonsignificance of the denial of certiorari. Not until this Court explicitly holds that "in F. E. L. A. cases, speculation, conjecture and possibilities suffice to support a jury verdict," which is the holding of the Court of Appeals in this case, 246 F. 2d 834, 837, is that to be assumed to be the law of this Court.

No. 60, Misc. ELBERT v. UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *George C. Dreos* for petitioner. *Solicitor General Rankin*, *Warren Olney, III*, then Assistant Attorney General, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 100 U. S. App. D. C. 244, 243 F. 2d 667.

No. 162, Misc. PIERCE v. PENNSYLVANIA. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

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No. 165, Misc. *WILLIAMS v. JACKSON, WARDEN, ET AL.* Supreme Court of New York, Clinton County. Certiorari denied.

No. 168, Misc. *SLUSSER v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 169, Misc. *GLENN v. NASH, WARDEN.* Supreme Court of Missouri. Certiorari denied.

No. 172, Misc. *AUSTIN v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *John Bodner, Jr.* for petitioner. *Solicitor General Rankin, Warren Olney, III,* then Assistant Attorney General, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 101 U. S. App. D. C. 129, 247 F. 2d 535.

No. 182, Misc. *SHIVELY v. INDIANA.* Supreme Court of Indiana. Certiorari denied. Reported below: — Ind. —, 141 N. E. 2d 921.

No. 195, Misc. *RHEIM v. MURPHY, WARDEN.* C. A. 2d Cir. Certiorari denied.

No. 196, Misc. *ACCARDO v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin, Warren Olney, III,* then Assistant Attorney General, and *Beatrice Rosenberg* for the United States. Reported below: 101 U. S. App. D. C. 162, 247 F. 2d 568.

No. 211, Misc. *ANDREWS v. RHODE ISLAND.* Supreme Court of Rhode Island. Certiorari denied. Reported below: 85 R. I. —, 134 A. 2d 425.

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No. 207, Misc. *ATCHLEY v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 209, Misc. *LONG v. PENNSYLVANIA*. Supreme Court of Pennsylvania, Western District. Certiorari denied.

No. 216, Misc. *IN RE CULVER*. C. A. 3d Cir. Certiorari denied.

No. 218, Misc. *DION v. BANMILLER, WARDEN*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 220, Misc. *JONES v. MOORE, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 224, Misc. *CROSS v. TUSTIN ET AL.* District Court of Appeal of California, Third Appellate District. Certiorari denied.

No. 232, Misc. *PUNGRATZ v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied. Reported below: 348 Mich. 293, 82 N. W. 2d 869.

No. 233, Misc. *BRYANT v. MISSOURI*. Supreme Court of Missouri. Certiorari denied.

No. 234, Misc. *COUNT v. RANDOLPH, WARDEN*. Circuit Court of Randolph County, Illinois. Certiorari denied.

No. 238, Misc. *GAY ET AL. v. UTAH*. Supreme Court of Utah. Certiorari denied. Reported below: 6 Utah 2d 122, 307 P. 2d 885.

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No. 239, Misc. *BLOUNT v. GLADDEN, WARDEN*. Supreme Court of Oregon. Certiorari denied.

No. 243, Misc. *RAMIREZ v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 285, Misc. *LAMBERT v. BANNAN, WARDEN*. Supreme Court of Michigan. Certiorari denied.

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

No. 296, Misc. *WHITCOMB v. RANDOLPH, WARDEN*. Circuit Court of Randolph County, Illinois. Certiorari denied.

No. 297, Misc. *SIEG v. RAGEN, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 247 F. 2d 638.

No. 312, Misc. *SMITH v. RAGEN, WARDEN*. Circuit Court of Will County, Illinois. Certiorari denied.

Rehearing Denied.

No. 142. *GIBSON v. THOMPSON, TRUSTEE, ante*, p. 18;

No. 213. *WEBSTER MOTOR CAR Co. v. PACKARD MOTOR CAR Co. ET AL., ante*, p. 822;

No. 393. *GOMEZ v. UNITED STATES, ante*, p. 863;

No. 402. *HURT v. OKLAHOMA, ante*, p. 22;

No. 406. *BETTER MONKEY GRIP Co. v. NATIONAL LABOR RELATIONS BOARD, ante*, p. 864; and

No. 96, Misc. *WETZEL v. HARPOLE, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY, ET AL., ante*, p. 848. Petitions for rehearing denied.

No. 355, October Term, 1956. *MELROSE REALTY Co., INC., v. LOEW'S INCORPORATED ET AL.*, 352 U. S. 890. Motion for leave to file petition for rehearing denied.

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Miscellaneous Orders.

No. 11, October Term, 1956. UNITED STATES GYPSUM CO. v. NATIONAL GYPSUM CO. ET AL., 352 U. S. 457. The motion of appellant for recall and modification of the judgment is denied without prejudice to the Solicitor General moving to dissolve the three-judge district court. MR. JUSTICE CLARK took no part in the consideration or decision of this motion. *Bruce Bromley, Cranston Spray, Robert C. Keck, John D. Calhoun and Hugh Lynch, Jr.* for appellant-movant. *Solicitor General Rankin, Assistant Attorney General Hansen, Charles H. Weston and Edward Knuff* for the United States, and *Samuel I. Rosenman, Elmer E. Finck, Seymour D. Lewis, Malcolm A. Hoffmann and Seymour Krieger* for the National Gypsum Co., appellees.

No. 254. COMFY MANUFACTURING CO. ET AL. v. UNITED STATES, 355 U. S. 5. The motion of appellants for modification of the judgment is denied. Petition for rehearing denied. *Robert L. Wright and Milton M. Gottesman* for appellants-movants. *Solicitor General Rankin* for the United States.

No. 283. CHOW BING KEW v. UNITED STATES, 355 U. S. 889. The motion to stay the issuance of the order denying certiorari is denied. *Archibald M. Mull, Jr., Forrest E. Macomber and Kenneth G. McGilvray* for petitioner-movant.

Certiorari Granted.

No. 94. BONETTI v. BROWNELL, ATTORNEY GENERAL, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *David Rein and Joseph Forer* for petitioner. *Solicitor General Ran-*

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kin, Warren Olney, III, then Assistant Attorney General, *Beatrice Rosenberg* and *J. F. Bishop* for respondents. Reported below: 99 U. S. App. D. C. 386, 240 F. 2d 624.

No. 363. HOTEL EMPLOYEES UNION, LOCAL No. 255, ET AL. *v.* SAX ENTERPRISES, INC., ET AL.; and

No. 364. HOTEL EMPLOYEES UNION, LOCAL No. 255, ET AL. *v.* LEVY ET AL., DOING BUSINESS AS SHERRY FRONTENAC HOTEL, ET AL. Supreme Court of Florida. Certiorari granted. *Arthur J. Goldberg* and *David E. Feller* for petitioners. Reported below: 93 So. 2d 591, 598.

No. 534. ABBATE ET AL. *v.* UNITED STATES. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted limited to question 2 presented by the petition for the writ which reads as follows:

"Whether the petitioners were twice placed in jeopardy in violation of the Fifth Amendment to the Constitution of the United States, where the evidence shows that they had been previously convicted in the Courts of the State of Illinois of the crime of conspiracy to destroy the property of the Southern Bell Telephone Company, upon the same facts as were presented in the Courts of the United States, and upon which they were convicted of conspiracy to destroy a communications line operated or controlled by the United States."

Charles A. Bellows for petitioners. *Solicitor General Rankin*, *Acting Assistant Attorney General McLean*, *Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 247 F. 2d 410.

No. 221, Misc. KERMAREC *v.* COMPAGNIE GENERALE TRANSATLANTIQUE. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted. *William L. Standard* for petitioner. *George A. Garvey* for respondent. Reported below: 245 F. 2d 175.

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No. 76, Misc. GORE *v.* UNITED STATES. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted. Petitioner *pro se*. Solicitor General Rankin, Warren Olney, III, then Assistant Attorney General, Beatrice Rosenberg and Julia P. Cooper for the United States. Reported below: 100 U. S. App. D. C. 315, 244 F. 2d 763.

Certiorari Denied. (See also No. 583, ante, p. 270.)

No. 25. JIMENEZ *v.* BARBER, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 9th Cir. Certiorari denied. Lloyd E. McMurray for petitioner. Solicitor General Rankin, Warren Olney, III, then Assistant Attorney General, Beatrice Rosenberg and Isabelle R. Cappello for respondent. Reported below: 235 F. 2d 922.

No. 569. BLUMENTHAL *v.* REINER ET UX. C. A. 4th Cir. Certiorari denied. Maurice A. Weinstein for petitioner. Francis E. Winslow, Harold D. Cooley and Hubert E. May for respondents. Reported below: 247 F. 2d 461.

No. 570. BIRMINGHAM FIRE INSURANCE CO. OF PENNSYLVANIA *v.* TROPICAL MARINE PRODUCTS, INC. C. A. 5th Cir. Certiorari denied. Douglas D. Batchelor and David W. Dyer for petitioner. Wilbur E. Dow, Jr. for respondent. Reported below: 247 F. 2d 116.

No. 571. MARCELLO *v.* BROWNELL, ATTORNEY GENERAL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Jack Wasserman and David Carliner for petitioner. Solicitor General Rankin, Acting Assistant Attorney General McLean, Beatrice Rosenberg and J. F. Bishop for respondent.

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No. 321. BARBERS UNION OF MEMPHIS, LOCAL No. 36, ET AL. *v.* FLATT. Supreme Court of Tennessee, Middle District. Certiorari denied. *Cecil D. Branstetter* for petitioners. *Robert L. Taylor* and *Newell N. Fowler* for respondent. Reported below: — Tenn. —, 304 S. W. 2d 329.

No. 567. MISSISSIPPI RIVER FUEL CORP. *v.* FEDERAL POWER COMMISSION ET AL.; and

No. 568. UNITED GAS PIPE LINE CO. *v.* MISSISSIPPI RIVER FUEL CORP. ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *William A. Dougherty*, *Spencer W. Reeder* and *James Lawrence White* for the Mississippi River Fuel Corporation. *Thomas Fletcher*, *C. Huffman Lewis* and *Ralph M. Carson* for the United Gas Pipe Line Co., petitioner in No. 568 and respondent in No. 567. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Paul A. Sweeney*, *Bernard Cedarbaum*, *Willard W. Gatchell* and *Howard E. Wahrenbrock* for the Federal Power Commission, respondent. Reported below: 102 U. S. App. D. C. 238, 252 F. 2d 619.

No. 573. NEW YORK MAIL & NEWSPAPER TRANSPORTATION Co. *v.* UNITED STATES. Court of Claims. Certiorari denied. *John Lord O'Brian* and *Robert L. Randall* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Morton Hollander* for the United States. Reported below: 139 Ct. Cl. —, 154 F. Supp. 271.

No. 556. SHEBA BRACELETS, INC., ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Archibald Palmer* for petitioners. *Solicitor General Rankin*, *Acting Assistant Attorney General McLean*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 248 F. 2d 134.

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No. 65. UNITED STATES EX REL. AVRAMOVICH *v.* LEHMANN, OFFICER IN CHARGE, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 6th Cir. Certiorari denied. *Henry C. Lavine* for petitioner. *Solicitor General Rankin, Warren Olney, III*, then Assistant Attorney General, *Beatrice Rosenberg* and *Felicia Dubrovsky* for respondent. Reported below: 235 F. 2d 260.

No. 121. NIUKKANEN, ALIAS MACKIE, *v.* BOYD, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE, ET AL. C. A. 9th Cir. Certiorari denied. *Reuben Lenske* for petitioner. *Solicitor General Rankin, Warren Olney, III*, then Assistant Attorney General, and *Beatrice Rosenberg* for respondents. Reported below: 241 F. 2d 938.

No. 572. KRANTMAN *v.* LIBERTY LOAN CORP. ET AL. C. A. 7th Cir. Certiorari denied. *Irwin J. Askow* for petitioner. *Frank F. Fowle* for Levy, *Thomas D. Nash, Jr.* for Lichtenstein et al., and *Andrew J. Dallstream, Frederic H. Stafford* and *Albert E. Hallett* for Harris et al., respondents. Reported below: 246 F. 2d 581.

No. 575. L. L. CONSTANTIN & Co. *v.* ARIZONA WESTERN INSURANCE CO. ET AL. C. A. 3d Cir. Certiorari denied. *Myron S. Lehman* and *William A. Consodine* for petitioner. *William Rossmore* for the Arizona Western Insurance Co., respondent. Reported below: 247 F. 2d 388.

No. 581. MILLER *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *N. LeVan Haver* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General McLean* and *Beatrice Rosenberg* for the United States. Reported below: 246 F. 2d 486.

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No. 576. LEONARDO ET UX. *v.* BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, MARYLAND, ET AL. Court of Appeals of Maryland. Certiorari denied. *Hyman Ginsberg* for petitioners. *H. Warren Buckler, Jr.* for respondents. Reported below: 214 Md. 287, 134 A. 2d 284.

No. 580. HARTFORD ACCIDENT & INDEMNITY Co. *v.* LIZZA & SONS, INC., ET AL. C. A. 1st Cir. Certiorari denied. *Frederick M. Kingsbury* for petitioner. *Frank E. A. Sander* for Lizza & Sons, Inc., respondent. Reported below: 247 F. 2d 262.

No. 582. ARTHUR WALTER SEED Co. *v.* McCLURE, TREASURER OF KNOX COUNTY, INDIANA. Supreme Court of Indiana. Certiorari denied. *James J. Costello, Jr.* for petitioner. *James J. Lewis* and *James W. Funk* for respondent. Reported below: — Ind. —, 141 N. E. 2d 847.

No. 584. SMITH *v.* INDEMNITY INSURANCE Co. OF NORTH AMERICA. C. A. 5th Cir. Certiorari denied. *Otis W. Bullock* for petitioner. *Richard H. Switzer* for respondent. Reported below: 245 F. 2d 464.

No. 585. BONNEY *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. *John J. Nicit* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Melva M. Graney* and *L. W. Post* for respondent. Reported below: 247 F. 2d 237.

No. 590. AMERICAN PIPE & STEEL CORP. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. *Peyton Ford* and *Alan Y. Cole* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice* and *I. Henry Kutz* for respondent. Reported below: 243 F. 2d 125.

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No. 595. LEWIS ET AL., TRADING AS M. G. LEWIS & SONS GARAGE, ET AL. *v.* STATE ROAD DEPARTMENT OF FLORIDA ET AL. Supreme Court of Florida. Certiorari denied. *Claude Pepper* for petitioners. *Ford L. Thompson*, for the Apalachicola-Northern Railroad et al., and *Bryan W. Henry* for the State Road Department of Florida, respondents. Reported below: 95 So. 2d 248.

No. 596. EMERLING *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Michael J. Eberling* and *Ted A. Bolinger, Jr.* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General McLean* and *Beatrice Rosenberg* for the United States. Reported below: 248 F. 2d 429.

No. 598. GREENSHIELDS ET AL. *v.* WARREN PETROLEUM CORP. ET AL. C. A. 10th Cir. Certiorari denied. *Duke Duvall* for petitioners. *Reford Bond, Jr.* for the Great Western Drilling Co. et al., and *Warren M. Sparks* for the Warren Petroleum Corporation, respondents. Reported below: 248 F. 2d 61.

No. 599. EISENSCHIML *v.* FAWCETT PUBLICATIONS, INC. C. A. 7th Cir. Certiorari denied. *Elmer Gertz* and *Irwin S. Baskes* for petitioner. *Howard Ellis* and *Don H. Reuben* for respondent. Reported below: 246 F. 2d 598.

No. 600. NOEL ET AL., EXECUTORS, *v.* LINEA AEROPPOSTAL VENEZOLANA. C. A. 2d Cir. Certiorari denied. *Harry Norman Ball* and *Joseph G. Feldman* for petitioners. *William J. Junkerman* for respondent. Reported below: 247 F. 2d 677.

No. 8, Misc. BUSH *v.* ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM, ET AL. Court of Criminal Appeals

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of Texas. Certiorari denied. Petitioner *pro se*. *Will Wilson*, Attorney General of Texas, and *W. V. Geppert* and *George P. Blackburn*, Assistant Attorneys General, for respondents.

Rehearing Denied. (See also No. 254, *supra*.)

No. 238. KRASNOV ET AL. *v.* UNITED STATES, *ante*, p. 5;

No. 399. NEW ORLEANS INSURANCE EXCHANGE *v.* UNITED STATES, *ante*, p. 22; and

No. 66, Misc. MONTGOMERY *v.* CALIFORNIA, *ante*, p. 872. Petitions for rehearing denied.

No. 445. McCORKLE, PRINCIPAL KEEPER, NEW JERSEY STATE PRISON, *v.* DEVITA, *ante*, p. 873. Rehearing denied. MR. JUSTICE BRENNAN took no part in the consideration or decision of this application.

No. 275, Misc. IN RE LAMKIN, *ante*, p. 59. Rehearing denied. The stay of execution heretofore entered is continued to and including January 20, 1958.

DECEMBER 27, 1957.

Dismissal Under Rule 60.

No. 613. MOON *v.* PENNSYLVANIA. On petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *Louis C. Glasso* was on the stipulation for petitioner. With him on the petition was *Edward Dumbauld*. *Thomas D. McBride*, Attorney General of Pennsylvania, and *Harry J. Rubin*, Deputy Attorney General, were on the stipulation for respondent. Reported below: 389 Pa. 304, 132 A. 2d 224.

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JANUARY 6, 1958.

Miscellaneous Orders.

No. 668. GORE *v.* UNITED STATES. Certiorari, 355 U. S. 903, to the United States Court of Appeals for the District of Columbia Circuit. It is ordered that *Joseph L. Rauh, Jr., Esquire*, of Washington, D. C., a member of the Bar of this Court, be appointed to serve as counsel for the petitioner in this case. It is further ordered that *James H. Heller, Esquire*, of Washington, D. C., a member of the Bar of this Court, be appointed to serve as associate counsel for the petitioner in this case.

No. 2, Original. WISCONSIN ET AL. *v.* ILLINOIS ET AL.;

No. 3, Original. MICHIGAN *v.* ILLINOIS ET AL.; and

No. 4, Original. NEW YORK *v.* ILLINOIS ET AL. Applications having been made for a reopening and amendment or modification of the decree of April 21, 1930 [281 U. S. 696], it is ordered that the defendants be allowed 45 days from the date of filing said applications in which to file a response or responses. *Stewart G. Honeck*, Attorney General, and *Roy G. Tulane*, Assistant Attorney General, for the State of Wisconsin, *Miles Lord*, Attorney General, and *Melvin J. Peterson*, Deputy Attorney General, for the State of Minnesota, *William Saxbe*, Attorney General, and *Robert E. Boyd*, Assistant Attorney General, for the State of Ohio, *Thomas D. McBride*, Attorney General, and *Lois G. Forer*, Deputy Attorney General, for the State of Pennsylvania, *Thomas M. Kavanagh*, Attorney General, *Samuel J. Torina*, Solicitor General, and *Nicholas V. Olds*, Assistant Attorney General, for the State of Michigan, and *Louis J. Lefkowitz*, Attorney General, and *John R. Davison*, Solicitor General, for the State of New York, applicants-complainants.

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No. 972, October Term, 1956. *McBRIDE v. TOLEDO TERMINAL RAILROAD Co.*, 354 U. S. 517. The motion to recall and clarify the mandate is denied. *C. Richard Grieser* for movant-petitioner. *Robert B. Gosline*, for respondent, opposed the motion.

No. 94. *BONETTI v. BROWNELL, ATTORNEY GENERAL, ET AL.* Certiorari, 355 U. S. 901, to the United States Court of Appeals for the District of Columbia Circuit; and

No. 348. *SOCIETE INTERNATIONALE POUR PARTICIPATIONS INDUSTRIELLES ET COMMERCIALES, S. A., v. BROWNELL, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN, ET AL.* Certiorari, 355 U. S. 812, to the United States Court of Appeals for the District of Columbia Circuit. The motions to substitute William P. Rogers, Attorney General of the United States, as parties respondent in the place and stead of Herbert Brownell, Jr., resigned, are granted.

No. 350. *PALERMO v. LUCKENBACH STEAMSHIP Co., INC.* The motion of respondent to recall and amend the judgment of this Court in this case is granted. It is ordered that the certified copy of the judgment sent to the District Court be recalled and that the order entered in this case on October 21, 1957 [355 U. S. 20], is amended to provide for a remand of the case to the United States Court of Appeals for the Second Circuit.

No. 442. *STINSON, ADMINISTRATRIX, v. ATLANTIC COAST LINE RAILROAD Co.*, *ante*, p. 62. Rehearing denied. Motion of petitioner for modification of judgment also denied. *Joseph S. Lord, III* for petitioner. *Peyton D. Bibb* and *Norman C. Shepard* for respondent. Reported below: 266 Ala. 244, 96 So. 2d 305.

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No. 39, Misc. PRITCHARD *v.* GLADDEN, WARDEN; and
No. 201, Misc. GILPIN *v.* UNITED STATES. Motions
for leave to file petitions for writs of habeas corpus denied.

No. 146, Misc. DANIEL *v.* HALL, U. S. DISTRICT JUDGE.
Motion for leave to file petition for writ of mandamus
and prohibition denied.

Probable Jurisdiction Noted.

No. 588. YOUNGSTOWN SHEET & TUBE CO. *v.* BOWERS,
TAX COMMISSIONER OF OHIO; and

No. 589. ALLIED STORES OF OHIO, INC., *v.* BOWERS,
TAX COMMISSIONER OF OHIO. Appeals from the Supreme
Court of Ohio. Probable jurisdiction noted. *Carlton S.*
Dargusch, Sr. for appellants. *William Saxbe*, Attorney
General of Ohio, and *John M. Tobin*, Assistant Attorney
General, for appellee. Reported below: 166 Ohio St.
122, 140 N. E. 2d 313.

No. 606. NORTHWESTERN STATES PORTLAND CEMENT
Co. *v.* MINNESOTA. Appeal from the Supreme Court of
Minnesota. Probable jurisdiction noted. *Joseph A.*
Maun and *Earl Smith* for appellant. *Miles Lord*, Attor-
ney General of Minnesota, *Perry Voldness*, Assistant
Attorney General, and *Arthur C. Roemer*, Special Assist-
ant Attorney General, for respondent. Reported below:
250 Minn. 32, 84 N. W. 2d 373.

Certiorari Granted.

No. 621. DAYTON *v.* DULLES, SECRETARY OF STATE.
United States Court of Appeals for the District of
Columbia Circuit. Certiorari granted. *Harry I. Rand*
for petitioner. *Solicitor General Rankin* for respondent.
Reported below: 102 U. S. App. D. C. 372, 254 F. 2d 71.

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Certiorari Denied. (See also No. 578 and No. 262, Misc., ante, p. 285.)

No. 432. *EATON v. MISSOURI*. Supreme Court of Missouri. *Certiorari denied*. Petitioner *pro se*. *John M. Dalton*, Attorney General of Missouri, and *Aubrey R. Hammett, Jr.*, Assistant Attorney General, for respondent. Reported below: 302 S. W. 2d 866.

No. 586. *RYSTAD v. BOYD, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 9th Cir. *Certiorari denied*. *Norman Leonard* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General McLean, Beatrice Rosenberg and Felicia Dubrovsky* for respondent. Reported below: 246 F. 2d 246.

No. 597. *BALLF v. PUBLIC WELFARE DEPARTMENT OF THE CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA, ET AL.* District Court of Appeal of California, First Appellate District. *Certiorari denied*. Petitioner *pro se*. *Dion R. Holm* for respondents. Reported below: 151 Cal. App. 2d 784, 312 P. 2d 360.

No. 602. *CITIES SERVICE CO. v. SECURITIES AND EXCHANGE COMMISSION ET AL.* C. A. 2d Cir. *Certiorari denied*. *Bruce Bromley, Joseph L. Weiner, John D. Calhoun and Richard DeY. Manning* for petitioner. *Solicitor General Rankin, Thomas G. Meeker, Joseph B. Levin and Soloman Freedman* for the Securities and Exchange Commission, *Percival E. Jackson* for the Pennroad Corporation et al., and *Gerald May* for Hearn et al., respondents. Reported below: 247 F. 2d 646.

No. 607. *MILLER, ADMINISTRATRIX, v. FARRELL LINES, INC.* C. A. 2d Cir. *Certiorari denied*. *Herbert J. Kaplow* for petitioner. *George W. Sullivan* for respondent. Reported below: 247 F. 2d 503.

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No. 603. *PURDOM v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Joseph P. Jenkins* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General McLean and Beatrice Rosenberg* for the United States. Reported below: 249 F. 2d 822.

No. 608. *ROPER ET UX. v. SOUTH CAROLINA TAX COMMISSION ET AL.* Supreme Court of South Carolina. Certiorari denied. *J. D. Todd, Jr.* for petitioners. *T. C. Callison*, Attorney General of South Carolina, and *James M. Windham*, Assistant Attorney General, for respondents. Reported below: 231 S. C. 587, 99 S. E. 2d 377.

No. 630. *CENTRAL TRANSPORTATION CO. v. ATKINS, COMMISSIONER OF FINANCE AND TAXATION OF TENNESSEE.* Supreme Court of Tennessee, Middle Division. Certiorari denied. *D. L. Lansden* for petitioner. *George F. McCanless*, Attorney General of Tennessee, *Allison B. Humphreys*, Solicitor General, and *Milton P. Rice*, Assistant Attorney General, for respondent. Reported below: — Tenn. —, 305 S. W. 2d 940.

No. 659. *DAIGLE v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *William H. Collins* for petitioner. *Solicitor General Rankin* for the United States. Reported below: 101 U. S. App. D. C. 286, 248 F. 2d 608.

No. 159, Misc. *SAUNDERS v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *J. Emmett McKenzie* for petitioner. *Solicitor General Rankin, Warren Olney, III*, then Assistant Attorney General, and *Beatrice Rosenberg* for the United States. Reported below: 101 U. S. App. D. C. 98, 247 F. 2d 89.

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No. 601. NORTH AMERICAN AVIATION, INC., *v.* HUGHES ET AL. C. A. 9th Cir. Certiorari denied. *Joe Crider, Jr.* for petitioner. *Albert Lee Stephens, Jr.* and *Glendon Tremaine* for respondents. Reported below: 247 F. 2d 517.

No. 605. GOULD, DOING BUSINESS AS STAY-RITE SUPPLY Co., ET AL. *v.* FISCH ET AL. C. A. 3d Cir. Certiorari denied. *Ralph M. Watson* for petitioners. *George B. Finnegan, Jr.* for respondents. Reported below: 246 F. 2d 5.

No. 622. BROTHERHOOD OF RAILROAD TRAINMEN, LODGE No. 514, ET AL. *v.* NORFOLK & PORTSMOUTH BELT LINE RAILROAD Co. C. A. 4th Cir. Certiorari denied. *Robert R. MacMillan, Wayland K. Sullivan, Russell B. Day* and *Harold C. Heiss* for petitioners. *Thomas H. Willcox* for respondent. Reported below: 248 F. 2d 34.

No. 624. TOWERS ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. *Sydney R. Rubin* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, I. Henry Kutz* and *L. W. Post* for respondent. Reported below: 247 F. 2d 233, 237.

No. 638. AFRO-AMERICAN COMPANY *v.* OWEN. Supreme Court of Appeals of Virginia. Certiorari denied. *Harry O. Levin, Marshall A. Levin, James A. Cobb* and *George E. C. Hayes* for petitioner. *Geo. E. Allen* for respondent.

No. 640. BRIGGS & STRATTON CORP. *v.* CLINTON MACHINE Co., INC. C. A. 8th Cir. Certiorari denied. *Ira Milton Jones* for petitioner. *Edwin J. Balluff* for respondent. Reported below: 247 F. 2d 397.

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No. 615. NISHIDA ET AL., DOING BUSINESS AS HILO DAIRY COMPANY OF KAUAI, ET AL. *v.* E. I. DU PONT DE NEMOURS & Co. C. A. 5th Cir. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *Roger E. Brooks* and *C. Nils Tavares* for petitioners. *Earl T. Thomas* and *Carl E. Geuther* for respondent. Reported below: 245 F. 2d 768.

No. 612. FAY, WARDEN, *v.* UNITED STATES EX REL. MARCIAL, ALIAS JOHNSON. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. *Louis J. Lefkowitz*, Attorney General of New York, *John R. Davison*, Solicitor General, *Samuel A. Hirshowitz*, First Assistant Attorney General, *Michael Freyberg*, Assistant Attorney General, and *George K. Bernstein*, Deputy Assistant Attorney General, for petitioner. Respondent *pro se*. Reported below: 247 F. 2d 662.

No. 127, Misc. FROST *v.* U. S. MARSHAL FOR SOUTHERN DISTRICT OF CALIFORNIA. C. A. 9th Cir. Certiorari denied. *Rayfield Lundy* for petitioner. *Solicitor General Rankin*, *Warren Olney, III*, then Assistant Attorney General, and *Beatrice Rosenberg* for respondent.

No. 132, Misc. HICKS *v.* MAYO, PRISON CUSTODIAN. Supreme Court of Florida. Certiorari denied. Petitioner *pro se*. *Richard W. Ervin*, Attorney General of Florida, and *Odis M. Henderson*, Special Assistant Attorney General, for respondent.

No. 135, Misc. GOODCHILD *v.* BURKE, WARDEN. C. A. 7th Cir. Certiorari denied. *Harold C. Havighurst* for petitioner. *Stewart G. Honeck*, Attorney General of Wisconsin, and *William A. Platz*, Assistant Attorney General, for respondent. Reported below: 245 F. 2d 88.

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No. 138, Misc. CHAPMAN *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 139, Misc. DANIELS *v.* TUCKER, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 141, Misc. McALLISTER *v.* PINTO, SUPERINTENDENT, NEW JERSEY STATE PRISON FARM. C. A. 3d Cir. Certiorari denied.

No. 150, Misc. HULLOM *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 152, Misc. HYDE *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. Reported below: 3 App. Div. 2d 854, 161 N. Y. S. 2d 808.

No. 171, Misc. RODRIGUEZ *v.* JACKSON, WARDEN. C. A. 2d Cir. Certiorari denied. Reported below: 246 F. 2d 730.

No. 185, Misc. WOOD *v.* GRAHAM, WARDEN. Supreme Court of Utah. Certiorari denied.

No. 187, Misc. AMAYA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *A. L. Wirin* and *Fred Okrand* for petitioner. *Solicitor General Rankin*, *Warren Olney, III*, then Assistant Attorney General, and *Beatrice Rosenberg* for the United States. Reported below: 247 F. 2d 947.

No. 191, Misc. WILSON *v.* HAND, WARDEN. Supreme Court of Kansas. Certiorari denied. Reported below: 181 Kan. 483, 311 P. 2d 1009.

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No. 198, Misc. *MILLWOOD v. HEINZE, WARDEN*. Supreme Court of California. Certiorari denied.

No. 204, Misc. *DILLARD v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 206, Misc. *DUNKLE v. CAVELL, WARDEN*. Supreme Court of Pennsylvania, Western District. Certiorari denied.

No. 208, Misc. *CAMERON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 247 F. 2d 775.

No. 210, Misc. *DE NORMAND v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Acting Assistant Attorney General McLean and Beatrice Rosenberg* for the United States. Reported below: 245 F. 2d 876.

No. 213, Misc. *YOUNG ET UX. v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Rankin, Acting Assistant Attorney General McLean and Beatrice Rosenberg* for the United States. Reported below: 246 F. 2d 901.

No. 222, Misc. *MICHEL 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 of California, and *Loton Wells* for the State Compensation Insurance Fund, respondents.

No. 245, Misc. *COAKLEY v. TEXAS ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

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No. 229, Misc. *PETTWAY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Acting Assistant Attorney General McLean, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 245 F. 2d 240.

No. 244, Misc. *SAVAGE v. MINNESOTA*. Supreme Court of Minnesota. Certiorari denied. Reported below: 250 Minn. 370, 84 N. W. 2d 640.

No. 246, Misc. *KOFFEL v. MYERS, WARDEN*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 250, Misc. *WILBURN v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Petitioner *pro se*. *Benj. J. Jacobson* for respondent.

No. 253, Misc. *DICKENSON v. DAVIS, COMMANDANT, U. S. DISCIPLINARY BARRACKS*. C. A. 10th Cir. Certiorari denied. *Guy Emery and Harry E. Wood* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General McLean, Beatrice Rosenberg, Cecil L. Forinash and Peter S. Wondolowski* for respondent. Reported below: 245 F. 2d 317.

No. 255, Misc. *CHERNICK v. MISSOURI*. Supreme Court of Missouri. Certiorari denied. Reported below: 303 S. W. 2d 595.

No. 291, Misc. *AGNEW v. GORDON ET AL.* Appellate Department of the Superior Court of California, Los Angeles County. Certiorari denied.

No. 289, Misc. *LANZETTA v. BUCHKOE, WARDEN*. C. A. 6th Cir. Certiorari denied.

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No. 258, Misc. *ETHERTON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Acting Assistant Attorney General McLean and Beatrice Rosenberg* for the United States. Reported below: 249 F. 2d 410.

No. 260, Misc. *GIROUX v. PROVIDENCE SUPERIOR COURT*. Supreme Court of Rhode Island. Certiorari denied. Reported below: 85 R. I. —, 133 A. 2d 636.

No. 264, Misc. *MAYS v. INDIANA*. Supreme Court of Indiana. Certiorari denied. Reported below: — Ind. —, 143 N. E. 2d 568.

No. 265, Misc. *ANDERSON v. INDIANA*. Supreme Court of Indiana. Certiorari denied. Reported below: — Ind. —, 143 N. E. 2d 568.

No. 288, Misc. *AGNEW v. SHAIN, DOING BUSINESS AS CREDITORS COLLECTION SERVICE OF LOS ANGELES*. Appellate Department of the Superior Court of California, Los Angeles County. Certiorari denied.

No. 292, Misc. *SOVIERO v. KENTON, WARDEN, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 294, Misc. *JOHNSON v. CAVELL, WARDEN*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 377, Misc. *BAILEY v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Acting Assistant Attorney General McLean and Beatrice Rosenberg* for the United States. Reported below: 101 U. S. App. D. C. 236, 248 F. 2d 558.

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No. 397, Misc. *LA MARCA v. NEW YORK*. Court of Appeals of New York. Certiorari denied. *Joseph Lonardo* and *Philip Huntington* for petitioner. Reported below: 3 N. Y. 2d 452, 933, 144 N. E. 2d 420, 145 N. E. 2d 892.

No. 406, Misc. *MEADE v. FLORIDA*. Supreme Court of Florida. Certiorari denied. Reported below: 96 So. 2d 776.

No. 241, Misc. *HOUSE v. MAYO, PRISON CUSTODIAN*. C. A. 10th Cir. Certiorari denied.

Rehearing Denied. (See also No. 442, ante, p. 910.)

No. 413. *DONOHUE ET AL. v. VILLAGE OF FOX POINT*, ante, p. 867;

No. 424. *BOURGEOIS v. MERCANTILE NATIONAL BANK OF MIAMI BEACH, FLORIDA*, ante, p. 869;

No. 425. *CITY OF DALLAS, TEXAS, v. TUBBS MANUFACTURING CO., INC., ET AL.*, ante, p. 868;

Nos. 440 and 441. *SOBELL v. UNITED STATES*, ante, p. 873;

No. 443. *STATE BOARD OF NATUROPATHIC EXAMINERS ET AL. v. WILSON, ATTORNEY GENERAL, ET AL.*, ante, p. 870;

No. 479. *MERCHANTS NATIONAL BANK & TRUST CO. OF INDIANAPOLIS v. UNITED STATES ET AL.*, ante, p. 881; and

No. 499. *OHIO FARMERS INSURANCE CO. ET AL. v. LANTZ ET AL.*, ante, p. 883. Petitions for rehearing denied.

No. 501. *WOOD ET AL. v. GAS SERVICE Co.*, ante, p. 885. Rehearing denied. MR. JUSTICE WHITTAKER took no part in the consideration or decision of this application.

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No. 457. FIRST IOWA HYDRO ELECTRIC COOPERATIVE ET AL. *v.* IOWA-ILLINOIS GAS & ELECTRIC CO. ET AL., *ante*, p. 871. Motion to dispense with printing of the petition for rehearing granted. Rehearing denied.

JANUARY 7, 1958.

Order.

The Court appoints Mr. Warren Olney, III, of California, to be Director of the Administrative Office of the United States Courts, pursuant to the provisions of § 601 of Title 28 of the United States Code.

JANUARY 13, 1958.

Miscellaneous Orders.

No. 105. LENG MAY MA *v.* BARBER, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. Certiorari, 353 U. S. 981, to the United States Court of Appeals for the Ninth Circuit;

No. 396. BROWNELL, ATTORNEY GENERAL, *v.* QUAN ET AL. Certiorari, 355 U. S. 861, to the United States Court of Appeals for the District of Columbia Circuit; and

No. 655. DONG WING OTT ET AL. *v.* SHAUGHNESSY, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. The motion to hold in abeyance the filing of briefs in these cases is granted. *Solicitor General Rankin* for petitioner in No. 396 and respondents in Nos. 105 and 655. Reported below: No. 105, 241 F. 2d 85; No. 396, 101 U. S. App. D. C. 229, 248 F. 2d 89; No. 655, 245 F. 2d 875, 247 F. 2d 769.

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No. 331, Misc. PINATARO *v.* APPELLATE DIVISION OF THE SUPREME COURT OF NEW YORK, FIRST JUDICIAL DEPARTMENT; and

No. 351, Misc. PINATARO *v.* APPELLATE DIVISION OF THE SUPREME COURT OF NEW YORK, FOURTH JUDICIAL DEPARTMENT. Motions for leave to file petitions for writs of mandamus denied.

Certiorari Granted. (See also Nos. 290 and 587, ante, pp. 371, 372.)

No. 633. LEEDOM ET AL., CONSTITUTING THE NATIONAL LABOR RELATIONS BOARD, *v.* KYNE. United States Court of Appeals for the District of Columbia Circuit. *Certiorari* granted. *Solicitor General Rankin, Jerome D. Fenton, Stephen Leonard, Dominick L. Manoli* and *Norton J. Come* for petitioners. *Bernard Dunau* for respondent. Reported below: 101 U. S. App. D. C. 398, 249 F. 2d 490.

Certiorari Denied.

No. 469. MACRIS *v.* SOCIEDAD MARITIMA SAN NICHOLAS, S. A., ET AL. C. A. 2d Cir. *Certiorari* denied. *Jacob Rassner* for petitioner. *John H. Dougherty* for respondents. *Solicitor General Rankin, Assistant Attorney General Doub, Paul A. Sweeney, Leavenworth Colby* and *Robert S. Green* filed a memorandum for the United States, as *amicus curiae*, suggesting that the petition for writ of *certiorari* be denied. Reported below: 245 F. 2d 708.

No. 523. BIGGS *v.* UNITED STATES. C. A. 6th Cir. *Certiorari* denied. *Paul W. Walter* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice* and *Joseph F. Goetten* for the United States. Reported below: 246 F. 2d 40.

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No. 604. RIETMANN *v.* BARBER, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 9th Cir. Certiorari denied. *Joseph S. Hertogs* and *Arthur J. Phelan* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General McLean* and *Beatrice Rosenberg* for respondent. Reported below: 248 F. 2d 118.

No. 625. ESTATE OF MCINTOSH ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. *Robert M. Benjamin* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, A. F. Prescott* and *Morton K. Rothschild* for respondent. Reported below: 248 F. 2d 181.

No. 635. UNITED STATES EX REL. SHOSHONE INDIAN TRIBE ET AL. *v.* SEATON, SECRETARY OF THE INTERIOR. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Marvin J. Sonosky* for the Shoshone Indian Tribe et al., and *Glen A. Wilkinson* for the Arapahoe Indian Tribe et al., petitioners. With them on the petition was *John W. Cragun* of counsel. *Solicitor General Rankin, Assistant Attorney General Morton* and *Roger P. Marquis* for respondent. Reported below: 101 U. S. App. D. C. 234, 248 F. 2d 154.

No. 646. MOYLAN *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Thomas J. Gately* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Samuel D. Slade* for the United States. Reported below: 247 F. 2d 623.

No. 648. PAYNE ET UX. *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Claude I. Bakewell* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, A. F. Prescott* and *Davis W. Morton, Jr.* for the United States. Reported below: 247 F. 2d 481.

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No. 656. SHEET METAL WORKERS INTERNATIONAL ASSOCIATION ET AL. *v.* SHEET METAL CONTRACTORS ASSOCIATION OF SAN FRANCISCO ET AL. C. A. 9th Cir. Certiorari denied. *Clarence M. Mulholland* for petitioners. *George O. Bahrs* for respondents. Reported below: 248 F. 2d 307.

No. 577. CARMEN *v.* DICKSON, WARDEN. 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. *Mason A. Bailey* and *George T. Davis* for petitioner. Reported below: 48 Cal. 2d 851, 313 P. 2d 817.

No. 592. KLEIN *v.* UNITED STATES;

No. 593. HAAS *v.* UNITED STATES; and

No. 594. ALPRIN *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of these applications. *Theodore Kiendl*, *William R. Meagher*, *John A. Reed* and *Philip C. Potter, Jr.* for petitioner in No. 592. *Louis Bender* for petitioner in No. 593. *F. Joseph Donohue*, *Abraham S. Goldstein* and *Michael Kaminsky* for petitioner in No. 594. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Joseph F. Goetten* for the United States. Reported below: 247 F. 2d 908.

No. 212, Misc. ROKER *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Acting Assistant Attorney General McLean* and *Beatrice Rosenberg* for the United States.

No. 240, Misc. LUZZI *v.* BANMILLER, WARDEN. C. A. 3d Cir. Certiorari denied. Reported below: 248 F. 2d 303.

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No. 82, Misc. *McBRIDE v. CULVER*, STATE PRISON CUSTODIAN. Supreme Court of Florida. Certiorari denied. Petitioner *pro se*. *Richard W. Ervin*, Attorney General of Florida, *David U. Tumin*, Assistant Attorney General, and *Edward S. Jaffry*, Special Assistant Attorney General, for respondent.

No. 266, Misc. *KIMBROUGH v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

Rehearing Denied.

No. 30. *RATHBUN v. UNITED STATES*, *ante*, p. 107;

No. 65. *UNITED STATES EX REL. AVRAMOVICH v. LEHMANN*, OFFICER IN CHARGE, IMMIGRATION AND NATURALIZATION SERVICE, *ante*, p. 905. Petitions for rehearing denied.

JANUARY 20, 1958.

Certiorari Granted. (See also No. 65, Misc., and No. 462, *ante*, pp. 392, 393.)

No. 645. *EAGLE LION STUDIOS, INC., ET AL. v. LOEW'S INC. ET AL.* C. A. 2d Cir. Certiorari granted. *William L. McGovern*, *Norman Diamond*, *Robert L. Wright* and *Seymour Krieger* for petitioners. *S. Hazard Gillespie, Jr.* for Loew's Incorporated, and *Arthur F. Driscoll*, *Edward C. Raftery* and *George A. Raftery* for RKO Theatres, Inc., et al., respondents. Reported below: 248 F. 2d 438.

No. 652. *HAWKINS v. UNITED STATES*. C. A. 10th Cir. Certiorari granted. *Kenneth R. King* for petitioner. *Solicitor General Rankin*, *Acting Assistant Attorney General McLean*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 249 F. 2d 735.

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Certiorari Denied.

No. 620. UNITED STATES *v.* SUTER. Court of Claims. Certiorari denied. *Solicitor General Rankin, Assistant Attorney General Doub, Samuel D. Slade and Sondra K. Slade* for the United States. *Guy Emery and Harry Wood* for respondent. Reported below: 139 Ct. Cl. —, 153 F. Supp. 367.

No. 632. TOLL *v.* GWYNNE ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Oliver W. Toll, pro se. Solicitor General Rankin, Assistant Attorney General Doub and Morton Hollander* for respondents. Reported below: 101 U. S. App. D. C. 175, 247 F. 2d 581.

No. 653. EDGEWOOD AMERICAN LEGION POST #448, INC., *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *John J. Rochford* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice and Lee A. Jackson* for the United States. Reported below: 246 F. 2d 1.

No. 654. HOLLIDAY ET AL. *v.* LONG MANUFACTURING Co., INC., ET AL. C. A. 4th Cir. Certiorari denied. *Robert F. Davis and John H. Lewis, Jr.* for petitioners. *A. Yates Dowell and A. Yates Dowell, Jr.* for respondents. Reported below: 246 F. 2d 95.

No. 658. PARIS *v.* MURFF, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 2d Cir. Certiorari denied. *Abraham Kaufman* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General McLean and Beatrice Rosenberg* for respondent. Reported below: 247 F. 2d 1.

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No. 647. LAS PALMAS FOOD CO., INC., ET AL. *v.* RAMIREZ & FERAUD CHILI Co. C. A. 9th Cir. Certiorari denied. *Bernard Kriegel* for petitioners. *Ford W. Harris, Jr.* for respondent. Reported below: 245 F. 2d 874.

No. 663. COLONIAL LIFE & ACCIDENT INSURANCE CO. *v.* WILSON. C. A. 5th Cir. Certiorari denied. *Sam Rice Baker* and *S. Augustus Black* for petitioner. *Truman Hobbs* for respondent. Reported below: 246 F. 2d 922.

No. 62, Misc. BARNES *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin, Warren Olney, III*, then Assistant Attorney General, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States.

No. 113, Misc. WYATT *v.* SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY. Supreme Court of Appeals of Virginia. Certiorari denied. Petitioner *pro se.* *Kenneth C. Patty*, Attorney General of Virginia, and *Thomas M. Miller*, Assistant Attorney General, for respondent.

No. 372, Misc. THOMAS *v.* DAVIS, COMMANDANT, U. S. DISCIPLINARY BARRACKS. C. A. 10th Cir. Certiorari denied. *Thomas Homer Davis* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General McLean* and *Beatrice Rosenberg* for respondent. Reported below: 249 F. 2d 232.

Rehearing Denied.

No. 117, Misc. BURWELL *v.* TEETS, WARDEN, *ante*, p. 896. Petition for rehearing as amended by letter of December 30, 1957, denied.

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No. 397. LOVE *v.* NEWBURY, *ante*, p. 889;

No. 447. BLASKI ET AL. *v.* DAVIDSON, U. S. DISTRICT JUDGE, ET AL., *ante*, p. 872;

No. 560. EASTER *v.* GATES, SECRETARY OF THE NAVY, *ante*, p. 895;

No. 116, Misc. ROGERS *v.* TEETS, WARDEN, *ante*, p. 896; and

No. 195, Misc. RHEIM *v.* MURPHY, WARDEN, *ante*, p. 898. Petitions for rehearing denied.

JANUARY 27, 1958.

Miscellaneous Orders.

No. 655. DONG WING OTT ET AL. *v.* SHAUGHNESSY, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. The motion to substitute John L. Murff as party respondent in the place and stead of Edward J. Shaughnessy, retired, is granted. *Elmer Fried* was on the motion for petitioners. Reported below: 245 F. 2d 875, 247 F. 2d 769.

No. 84, Misc. LOWERY *v.* MURPHY, WARDEN. Motion for leave to file petition for writ of habeas corpus denied. Petitioner *pro se.* *Louis J. Lefkowitz*, Attorney General of New York, and *William C. Robbins*, Assistant Attorney General, for respondent.

No. 314, Misc. HENRY *v.* ELLIS, DIRECTOR, TEXAS PRISON SYSTEM;

No. 316, Misc. FRIERSON *v.* LOONEY, WARDEN;

No. 317, Misc. JACKSON *v.* STEINER, WARDEN; and

No. 321, Misc. CAMMARATA *v.* BANNAN, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 230, Misc. CHEEKS *v.* MARYLAND. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied. Petitioner *pro se*. *C. Ferdinand Sybert*, Attorney General of Maryland, and *James H. Norris, Jr.*, Special Assistant Attorney General, for respondent.

No. 475, Misc. REESE *v.* DICKSON, WARDEN. On petition for writ of certiorari to the Supreme Court of California. Application for stay referred to the entire Court by MR. JUSTICE DOUGLAS denied. Petition for writ of certiorari also denied.

Probable Jurisdiction Noted.

No. 628. FEDERAL HOUSING ADMINISTRATION *v.* THE DARLINGTON, INC. Appeal from the United States District Court for the Eastern District of South Carolina. Probable jurisdiction noted. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Paul A. Sweeney* and *Herman Marcuse* for appellant. *J. C. Long*, *W. Turner Logan* and *Herman H. Higgins, Jr.* for appellee. Reported below: 154 F. Supp. 411.

Certiorari Granted. (See also No. 639, ante, p. 424.)

No. 684. LEWIS ET AL. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 9th Cir. Certiorari granted. *William M. Farrer* for Lewis et al., and *Alva C. Baird* for Loera et al., petitioners. *Solicitor General Rankin* and *Jerome D. Fenton* for respondent. Reported below: 249 F. 2d 832.

Certiorari Denied. (See also Misc. Nos. 230 and 475, supra.)

No. 674. KREGGER *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

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No. 449. SHELL OIL CO. *v.* FEDERAL POWER COMMISSION. C. A. 5th Cir. Certiorari denied. *William F. Kenney, R. H. Whilden* and *David T. Searls* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub, Melvin Richter, Willard W. Gatchell, Howard E. Wahrenbrock* and *Robert L. Russell* for respondent. Reported below: 247 F. 2d 900.

No. 459. HUMBLE OIL & REFINING CO. *v.* FEDERAL POWER COMMISSION. C. A. 5th Cir. Certiorari denied. *Carl Illig, William H. Holloway, William J. Merrill, Bernard A. Foster, Jr.* and *Nelson Jones* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub, Melvin Richter, Willard W. Gatchell, Howard E. Wahrenbrock* and *Robert L. Russell* for respondent. Reported below: 247 F. 2d 903.

No. 642. CINCINNATI GAS & ELECTRIC CO. *v.* FEDERAL POWER COMMISSION ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Walter E. Beckjord* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub, Paul A. Sweeney, Robert S. Green, Willard W. Gatchell* and *Howard E. Wahrenbrock* for the Federal Power Commission, *E. H. Laylin* and *John Peyton Randolph* for the Ohio Fuel Gas Co., and *Robert U. Hastings, Jr., Julian de Bruyn Kops* and *Roy D. Boucher* for the City of Lancaster, Ohio, respondents. Reported below: 101 U. S. App. D. C. 150, 247 F. 2d 556.

No. 657. BEDDOW *v.* ALABAMA. Court of Appeals of Alabama. Certiorari denied. *George Trawick* for petitioner. *John Patterson, Attorney General of Alabama,* and *Edmon L. Rinehart, Assistant Attorney General,* for respondent. Reported below: 39 Ala. App. —, 96 So. 2d 175.

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No. 644. *SKENDER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Acting Assistant Attorney General McLean and Beatrice Rosenberg* for the United States. Reported below: 248 F. 2d 92.

No. 661. *MAROY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Charles B. Evins* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General McLean, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 248 F. 2d 663.

No. 666. *HEIDMAN v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. *Julius L. Sherwin and Theodore R. Sherwin* for petitioner. Reported below: 11 Ill. 2d 501, 144 N. E. 2d 580.

No. 667. *LITITZ MUTUAL INSURANCE CO. ET AL. v. BARNES*. C. A. 5th Cir. Certiorari denied. *Hugh A. Locke* for petitioners. *Hugh A. Lloyd and W. W. Dinning* for respondent. Reported below: 248 F. 2d 241.

No. 671. *SCHNEIDER, DOING BUSINESS AS DAVE SCHNEIDER WHOLESALE JEWELRY, v. CENTENNIAL INSURANCE CO.* C. A. 9th Cir. Certiorari denied. *Forrest A. Betts and John A. Loomis* for petitioner. *George H. Hauerken* for respondent. Reported below: 247 F. 2d 491.

No. 672. *MAGNESS v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 5th Cir. Certiorari denied. *Jas. W. Arnold* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice and A. F. Prescott* for respondent. Reported below: 247 F. 2d 740.

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No. 665. *A. H. BULL STEAMSHIP Co. v. SEAFARERS' INTERNATIONAL UNION OF NORTH AMERICA, ATLANTIC AND GULF DISTRICT, AFL-CIO, ET AL.* C. A. 2d Cir. Certiorari denied. *James V. Hayes, Theodore S. Hope* and *Sidney P. Howell, Jr.* for petitioner. *Seymour W. Miller* for the Seafarers' International Union of North America, Atlantic and Gulf District, AFL-CIO, *Lee Pressman* for the National Marine Engineers' Beneficial Association, AFL-CIO, and *Marvin Schwartz* for the International Organization of Masters, Mates and Pilots, Inc., AFL-CIO, respondents. Reported below: 250 F. 2d 326.

No. 673. *MINNESOTA MINING & MANUFACTURING Co. v. SEARS, ROEBUCK & Co. ET AL.* C. A. 4th Cir. Certiorari denied. *Lawrence C. Kingsland, Estill E. Ezell, Harold J. Kinney, M. K. Hobbs* and *Welch Jordan* for petitioner. *Thornton H. Brooks* and *Hector M. Holmes* for respondents. Reported below: 249 F. 2d 66.

No. 687. *MURPHY AUTO PARTS Co., INC., v. BALL ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *R. Sidney Johnson* for petitioner. *Albert J. Ahern, Jr.* and *James J. Laughlin* for respondents. Reported below: 101 U. S. App. D. C. 416, 249 F. 2d 508.

No. 724. *LOS ANGELES COUNTY DISTRICT COUNCIL OF CARPENTERS ET AL. v. MCCARROLL ET AL., DOING BUSINESS AS MCCARROLL & HALL CONSTRUCTION Co.* Supreme Court of California. Certiorari denied. *Charles P. Scully* for petitioners. *William M. Farrer* for respondents. Reported below: 49 Cal. 2d 45, 315 P. 2d 322.

No. 302, Misc. *MURPHY v. NEW YORK.* County Court of Kings County, New York. Certiorari denied.

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No. 148, Misc. SMITH *v.* STEELE ET AL. Court of Appeals of Tennessee and Supreme Court of Tennessee, Western District. Certiorari denied. *Nell Sanders Aspero* for petitioner. *Roane Waring* for respondents.

No. 167, Misc. PENNSYLVANIA EX REL. SIMCOX *v.* JOHNSTON, WARDEN. Superior Court of Pennsylvania. Certiorari denied. Reported below: 182 Pa. Super. 407, 127 A. 2d 790.

No. 203, Misc. LINDQUIST *v.* TOWLE ET AL. Supreme Court of Nebraska. Certiorari denied. Reported below: 164 Neb. 524, 82 N. W. 2d 631.

No. 205, Misc. SWAIN, ADMINISTRATRIX, *v.* MISSISSIPPI VALLEY BARGE LINE Co. C. A. 3d Cir. Certiorari denied. *Louis C. Glasso* for petitioner. Reported below: 244 F. 2d 821.

No. 214, Misc. DUSHON ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *George B. Grigsby* and *Harold J. Butcher* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Paul A. Sweeney* and *Herman Marcuse* for the United States. Reported below: 243 F. 2d 451.

No. 215, Misc. MACCURDY *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *J. B. Hodges* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Paul A. Sweeney* for the United States. Reported below: 246 F. 2d 67.

No. 227, Misc. COBB *v.* CAVELL, WARDEN. Superior Court of Pennsylvania. Certiorari denied. Petitioner *pro se.* *Victor H. Blanc* and *James N. Lafferty* for respondent.

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No. 237, Misc. CONNELLY *v.* BALKCOM, WARDEN. Supreme Court of Georgia. Certiorari denied. Petitioner *pro se.* *Eugene Cook*, Attorney General of Georgia, and *E. Freeman Leverett*, Assistant Attorney General, for respondent. Reported below: 213 Ga. 491, 99 S. E. 2d 817.

No. 257, Misc. GAMEZ *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin*, Acting Assistant Attorney General *McLean*, *Beatrice Rosenberg* and *Julia P. Cooper* for the United States.

No. 263, Misc. SHEPHERD *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 298, Misc. HERGE *v.* BANMILLER, WARDEN. C. A. 3d Cir. Certiorari denied.

No. 310, Misc. COLLINS *v.* KING, SUPERINTENDENT, CALIFORNIA MEDICAL FACILITY. C. A. 9th Cir. Certiorari denied.

No. 319, Misc. BOWLAND *v.* COLORADO. Supreme Court of Colorado. Certiorari denied. *John H. Gately* for petitioner. *Duke W. Dunbar*, Attorney General of Colorado, *Frank E. Hickey*, Deputy Attorney General, and *John W. Patterson* and *John B. Barnard, Jr.*, Assistant Attorneys General, for respondent. Reported below: 136 Colo. —, 314 P. 2d 685.

No. 466, Misc. TIPTON *v.* DICKSON, WARDEN, ET AL. Supreme Court of California. Certiorari denied. Reported below: 48 Cal. 2d 389, 309 P. 2d 813.

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No. 303, Misc. *DI SILVESTRO v. UNITED STATES VETERANS ADMINISTRATION*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin* for respondent.

No. 306, Misc. *TUBBS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 249 F. 2d 37.

No. 313, Misc. *DUNBAR v. MCNEILL, SUPERINTENDENT, MATTEAWAN STATE HOSPITAL*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 318, Misc. *RYAN v. RANDOLPH, WARDEN*. Circuit Court of Saline County, Illinois. Certiorari denied.

No. 320, Misc. *MCINTOSH v. LOONEY, WARDEN*. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Acting Assistant Attorney General McLean, Beatrice Rosenberg and Julia P. Cooper* for respondent. Reported below: 249 F. 2d 62.

No. 322, Misc. *HARRIS v. BUCHKOE, WARDEN*. Supreme Court of Michigan. Certiorari denied.

No. 323, Misc. *BOYD v. MURPHY, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 324, Misc. *SHANNON v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 326, Misc. *KIVETTE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 327, Misc. *SABO v. DEPARTMENT OF PUBLIC SAFETY OF ILLINOIS ET AL.* Supreme Court of Illinois. Certiorari denied.

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No. 328, Misc. *McKEAG v. ILLINOIS*. Circuit Court of Will County, Illinois. Certiorari denied.

No. 329, Misc. *JONES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 332, Misc. *ATKINS v. ELLIS, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 333, Misc. *COLLINGE v. NEW YORK*. Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied. Reported below: 4 App. Div. 2d 827, 164 N. Y. S. 2d 990.

No. 337, Misc. *COLLINS v. PENNSYLVANIA EX REL. WILLIAMS*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. *David H. Kubert* for petitioner.

No. 340, Misc. *THOMAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Acting Assistant Attorney General McLean, Beatrice Rosenberg and Julia P. Cooper* for the United States. Reported below: 249 F. 2d 429.

No. 486, Misc. *WHITE v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. Reported below: 165 Tex. Cr. R. —, 306 S. W. 2d 903.

Rehearing Denied.

No. 336, October Term, 1950. *DENNIS ET AL. v. UNITED STATES*, 341 U. S. 494. The motion of Henry Winston and Gilbert Green for leave to file a second petition for rehearing is denied. MR. JUSTICE CLARK took no part in the consideration or decision of this motion.

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No. 47. *LAMBERT v. CALIFORNIA*, ante, p. 225. Petition for rehearing and/or modification of the opinion denied.

FEBRUARY 3, 1958.

Miscellaneous Orders.

No. 143. *KLIG v. BROWNELL, ATTORNEY GENERAL*. Certiorari, 355 U. S. 809, to the United States Court of Appeals for the District of Columbia Circuit. The motion to substitute William P. Rogers, present Attorney General of the United States, as the party respondent in the place and stead of Herbert Brownell, Jr., resigned, is granted. *Jack Wasserman* and *David Carliner* were on the motion for petitioner. Reported below: 100 U. S. App. D. C. 294, 244 F. 2d 742.

No. 396. *BROWNELL, ATTORNEY GENERAL, v. QUAN ET AL.* Certiorari, 355 U. S. 861, to the United States Court of Appeals for the District of Columbia Circuit. The motion to substitute William P. Rogers, present Attorney General of the United States, as the party petitioner in the place and stead of Herbert Brownell, Jr., resigned, is granted. *Solicitor General Rankin* was on the motion for petitioner. Reported below: 101 U. S. App. D. C. 229, 248 F. 2d 89.

Probable Jurisdiction Noted.

No. 692. *GUERLAIN, INC., v. UNITED STATES*. Appeal from the United States District Court for the Southern District of New York. Probable jurisdiction noted. *Chauncey B. Garver* and *Charles C. Parlin, Jr.* for appellant. *Solicitor General Rankin* for the United States. Reported below: 155 F. Supp. 77.

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No. 636. AMERICAN TRUCKING ASSOCIATIONS, INC., ET AL. *v.* FRISCO TRANSPORTATION Co.;

No. 637. RAILWAY LABOR EXECUTIVES' ASSOCIATION ET AL. *v.* FRISCO TRANSPORTATION Co.; and

No. 651. INTERSTATE COMMERCE COMMISSION *v.* FRISCO TRANSPORTATION Co. Appeals from the United States District Court for the Eastern District of Missouri. Probable jurisdiction noted. *Gregory M. Rebman, B. W. LaTourette, Wentworth E. Griffin, Peter T. Beardsley* and *William J. O'Brien, Jr.* for appellants in No. 636. *Carroll J. Donohue, Clarence M. Mulholland, Edward J. Hickey, Jr.* and *James L. Highsaw, Jr.* for the Railway Labor Executives' Association et al., appellants in No. 637. *Robert W. Ginnane* and *Charlie H. Johns, Jr.* for appellant in No. 651. *James L. Homire, John E. McCullough, Alvin J. Baumann, Ernest D. Grinnell, Jr.* and *Bernard G. Ostmann* for appellee. Reported below: 153 F. Supp. 572.

Certiorari Granted.

No. 691. UNITED GAS PIPE LINE Co. *v.* MEMPHIS LIGHT, GAS AND WATER DIVISION ET AL.;

No. 694. FEDERAL POWER COMMISSION *v.* MEMPHIS LIGHT, GAS AND WATER DIVISION ET AL.; and

No. 695. TEXAS GAS TRANSMISSION CORP. ET AL. *v.* MEMPHIS LIGHT, GAS AND WATER DIVISION ET AL. Motion in Nos. 691, 694 and 695 for leave to file brief of the Ohio Fuel Gas Co. et al., as *amici curiae*, denied. Motions in No. 694 for leave to file brief and reply brief of Natural Gas Pipeline Co. of America et al., as *amici curiae*, denied. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted. *Ralph M. Carson, Thomas Fletcher* and *C. Huffman Lewis* for petitioner in No. 691. *Solicitor General Rankin, Assistant Attorney General Doub,*

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Paul A. Sweeney, Bernard Cedarbaum and Willard W. Gatchell for petitioner in No. 694. *John T. Cahill* for the Texas Gas Transmission Corporation, and *William S. Tarver* for the Southern Natural Gas Co., petitioners in No. 695. With them on the petition in No. 695 were *Richard J. Connor* and *Daniel James*. *Reuben Goldberg* for the Memphis Light, Gas and Water Division et al., respondents. *Roger Arnebergh, John C. Banks, Peter Campbell Brown, E. R. Christensen, J. Elliott Drinard, Marshall F. Hurley, J. Frank McKenna, John C. Melaniphy, Charles S. Rhyne* and *J. Parker Connor* filed a brief for the Member Municipalities of the National Institute of Municipal Law Officers, as *amici curiae*, in opposition to the petitions for writs of certiorari. Reported below: 102 U. S. App. D. C. 77, 250 F. 2d 402.

Certiorari Denied.

No. 660. *KOPPERS CO., INC., ET AL. v. OTTO*. C. A. 4th Cir. Certiorari denied. *Jo. Baily Brown, John M. Crimmins* and *Wright Hugus* for petitioners. *W. Brown Morton, Jr.* for respondent. Reported below: 246 F. 2d 789.

No. 675. *MILLER ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 7th Cir. Certiorari denied. *John J. Dillon* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice* and *Harry Baum* for respondent. Reported below: 247 F. 2d 206.

No. 676. *SCHLESINGER v. GATES, SECRETARY OF THE NAVY*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Osmond K. Fraenkel* and *Burton R. Thorman* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Paul A. Sweeney* for respondent. Reported below: 101 U. S. App. D. C. 355, 249 F. 2d 111.

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No. 679. *RIPPERGER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Joseph F. Goetten* for the United States. Reported below: 248 F. 2d 944.

No. 680. *COLD METAL PRODUCTS CO. v. CRUCIBLE STEEL CO. OF AMERICA*. C. A. 3d Cir. Certiorari denied. *William H. Webb* for petitioner. *Charles H. Walker* and *Charles E. Kenworthy* for respondent. Reported below: 247 F. 2d 241.

No. 681. *HECHT v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Sanford H. Cohen* and *Daniel H. Greenberg* for petitioner. *Solicitor General Rankin*, *Acting Assistant Attorney General McLean*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 248 F. 2d 544.

No. 682. *ALONZO ET AL. v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Paul A. Porter*, *Walton Hamilton* and *R. F. Deacon Arledge* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Morton* and *Roger P. Marquis* for the United States. Briefs of *amici curiae* in support of the petition for writ of certiorari were filed by *Fred M. Standley*, Attorney General, for the State of New Mexico, and *Robert Morrison*, Attorney General, for the State of Arizona. Reported below: 249 F. 2d 189.

No. 683. *SCIENTIFIC LIVING, INC., v. FEDERAL TRADE COMMISSION*. C. A. 3d Cir. Certiorari denied. *Frank R. Cook* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Hansen*, *Earl W. Kintner* and *James E. Corkey* for respondent.

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No. 686. PAISNER ET AL., DOING BUSINESS AS QUALITY MANUFACTURING Co., v. UNITED STATES. Court of Claims. Certiorari denied. *Harry Rosenblatt* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Morton Hollander* for the United States. Reported below: 138 Ct. Cl. 420, 150 F. Supp. 835.

No. 706. MEADE v. GOLDBERG ET AL. C. A. 6th Cir. Certiorari denied. *Edward F. Prichard, Jr.* for petitioner. *Jerome J. Dick* for respondents. Reported below: 249 F. 2d 957.

No. 101. E. EDELMANN & Co. v. FEDERAL TRADE COMMISSION. C. A. 7th Cir. Certiorari denied. MR. JUSTICE WHITTAKER took no part in the consideration or decision of this application. *Will Freeman* and *W. M. Van Sciver* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Hansen*, *Charles H. Weston*, *Earl W. Kintner* and *Robert B. Dawkins* for respondent. Reported below: 239 F. 2d 152.

No. 225. C. E. NIEHOFF & Co. v. FEDERAL TRADE COMMISSION. C. A. 7th Cir. Certiorari denied. MR. JUSTICE WHITTAKER took no part in the consideration or decision of this application. *Charles R. Sprowl* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Hansen*, *Daniel M. Friedman*, *Earl W. Kintner* and *James E. Corkey* for respondent. Reported below: 241 F. 2d 37.

No. 489, Misc. EVERETT v. FLORIDA. Supreme Court of Florida. Certiorari denied. *Earl R. Duncan* for petitioner. Reported below: 97 So. 2d 241.

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No. 343, Misc. *CARUSO v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 643. *UNITED STATES v. SILVERMAN, ALIAS TAYLOR, ET AL.* Motion of the respondents for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. *Solicitor General Rankin* and *Assistant Attorney General Tompkins* for the United States. *Frank J. Donner* for Dimow et al., respondents. With him on the brief in opposition were *Thomas I. Emerson* and *Joseph Mitchell Kaye*. Reported below: 248 F. 2d 671.

No. 242, Misc. *BRAMBLE v. CALIFORNIA*. Supreme Court of California. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application.

No. 342, Misc. *PETROLIA v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied. MR. JUSTICE BRENNAN took no part in the consideration or decision of this application. Reported below: 25 N. J. 43, 134 A. 2d 539.

Rehearing Denied.

No. 578. *GROSSMAN v. UNITED STATES ET AL.*, *ante*, p. 285. Rehearing denied. MR. JUSTICE DOUGLAS took no part in the consideration or decision of this application.

No. 127, Misc. *FROST v. U. S. MARSHAL FOR SOUTHERN DISTRICT OF CALIFORNIA*, *ante*, p. 915;

No. 198, Misc. *MILLWOOD v. HEINZE, WARDEN*, *ante*, p. 917; and

No. 210, Misc. *DE NORMAND v. UNITED STATES*, *ante*, p. 917. Petitions for rehearing denied.

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February 4, 5, 10, 25, 1958.

FEBRUARY 4, 1958.

Dismissal Under Rule 60.

No. 690. *TIPPET v. THOMPSON, TRUSTEE, ET AL.* On petition for writ of certiorari to the Court of Civil Appeals of Texas, First Supreme Judicial District. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *Leland B. Kee* for petitioner. *Walter F. Woodul* for the Missouri Pacific Railroad Co., respondent. Reported below: 300 S. W. 2d 351.

FEBRUARY 5, 1958.

Dismissal Under Rule 60.

No. 186. *BAIRD, ADMINISTRATRIX, v. NEW YORK CENTRAL RAILROAD Co.* Certiorari, 355 U. S. 853, to the United States Court of Appeals for the Second Circuit. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *William Paul Allen* for petitioner. *Gerald H. Hendley* for respondent. Reported below: 242 F. 2d 383.

FEBRUARY 10, 1958.

Miscellaneous Order.

No. —. *JIMENEZ v. BARBER, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE.* Application for stay of deportation referred to the entire Court by MR. JUSTICE DOUGLAS denied. *Joseph Forer* and *David Rein* for petitioner.

FEBRUARY 25, 1958.

Dismissal Under Rule 60.

No. 707. *WARREN PETROLEUM CORP. ET AL. v. INTERNATIONAL INDUSTRIES, INC.* On petition for writ of certiorari to the United States Court of Appeals for the

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Third Circuit. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *Dean Acheson* was on the stipulation for petitioners. With him on the petition were *Stanley L. Temko* and *Warren M. Sparks*. *John H. Poe* was on the stipulation for respondent. With him on a brief in opposition was *David F. Anderson*. Reported below: 248 F. 2d 696.

MARCH 3, 1958.

Miscellaneous Orders.

An order of THE CHIEF JUSTICE designating and assigning MR. JUSTICE REED (retired) to perform judicial duties in the United States Court of Appeals for the District of Columbia Circuit beginning February 6, 1958, and ending June 30, 1958, and for such further time as may be required to complete unfinished business, pursuant to 28 U. S. C. § 294 (a), is ordered entered on the minutes of this Court, pursuant to 28 U. S. C. § 295.

No. 2, Original. WISCONSIN ET AL. *v.* ILLINOIS ET AL.;

No. 3, Original. MICHIGAN *v.* ILLINOIS ET AL.; and

No. 4, Original. NEW YORK *v.* ILLINOIS ET AL. The application and motion herein are denied, with leave to renew the application and motion with allegations made more definite and certain as a basis for the relief sought. *Stewart G. Honeck*, Attorney General, and *Roy G. Tulane*, Assistant Attorney General, for the State of Wisconsin; *Miles Lord*, Attorney General, and *Melvin J. Peterson*, Deputy Attorney General, for the State of Minnesota; *William Saxbe*, Attorney General, and *Robert E. Boyd*, Assistant Attorney General, for the State of Ohio; *Thomas D. McBride*, Attorney General, and *Lois G. Forer*, Deputy Attorney General, for the State of Pennsylvania; *Thomas M. Kavanagh*, Attorney General, *Samuel J. Torina*, Solicitor General, and *Nicholas V.*

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Olds, Assistant Attorney General, for the State of Michigan; and *Louis J. Lefkowitz*, Attorney General, and *John R. Davison*, Solicitor General, for the State of New York, applicants-complainants. *Latham Castle*, Attorney General of Illinois, *William C. Wines*, Assistant Attorney General, *Russell W. Root*, *Lawrence J. Fenlon*, *Joseph B. Fleming* and *Thomas M. Thomas* for defendants. *Fredrick M. Rowe* entered an appearance for the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, defendants. *Solicitor General Rankin*, *John F. Davis* and *David R. Warner* filed a memorandum for the United States, as *amicus curiae*, at the invitation of the Court to express the views of the Government with respect to the application and motion. For previous order see 355 U. S. 909.

No. 11, Original. UNITED STATES *v.* LOUISIANA ET AL. This case is set for argument on Monday, October 13, 1958, on the motion of the United States for judgment, the answers thereto, and on the motion to dismiss the cross-bill of the State of Alabama. Counsel are directed to submit a proposed schedule within thirty days for the filing of briefs, and the order of an allotment of time for oral argument. Such schedule shall provide that the briefs of all of the parties be on file on or before September 15, 1958. THE CHIEF JUSTICE and MR. JUSTICE CLARK took no part in the consideration or decision of these applications. *Solicitor General Rankin* for the United States. *Jack P. F. Gremillion*, Attorney General, *W. Scott Wilkinson*, *Edward M. Carmouche*, *John L. Madden*, *Bailey Walsh*, Special Assistant Attorneys General, *Hugh M. Wilkinson*, *Victor A. Sachse* and *Marc Dupuy, Jr.* for the State of Louisiana; *Price Daniel*, Governor, *Will Wilson*, Attorney General, *James N. Ludlum*, First Assistant Attorney General, *James H. Rogers*, Assistant Attorney General, *James P. Hart* and *J. Chrys Dougherty*

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for the State of Texas; *Joe T. Patterson*, Attorney General, and *John H. Price, Jr.*, Assistant Attorney General, for the State of Mississippi; *John Patterson*, Attorney General, *William G. O'Rear*, *Gordon Madison*, Assistant Attorneys General, and *E. K. Hanby*, Special Assistant Attorney General, for the State of Alabama; and *Spesard L. Holland*, United States Senator, *Richard W. Ervin*, Attorney General, *J. Robert McClure*, First Assistant Attorney General, *Fred M. Burns*, Assistant Attorney General, and *Robert J. Kelly*, Special Assistant Attorney General, for the State of Florida, defendants. For previous order see 355 U. S. 876.

No. 12, Original. VIRGINIA *v.* MARYLAND. It is ordered that MR. JUSTICE REED (retired) be, and he is hereby, appointed Special Master in this cause, with authority to summon witnesses, issue subpoenas, and take such evidence as may be introduced and such as he may deem it necessary to call for. The Master is directed to hold hearings with all convenient speed, and to submit a report with recommendations relative to the disposition of the questions raised by the pleadings.

The Master shall be allowed his actual expenses. The allowances to him, the compensation paid to his stenographic and clerical assistants, and the cost of printing his report shall be charged against and be borne by the parties in such proportion as the Court hereafter may direct.

C. Ferdinand Sybert, Attorney General, *Joseph S. Kaufman*, Assistant Attorney General, and *Edward S. Digges*, Special Assistant Attorney General, filed an answer to the Bill of Complaint for the State of Maryland, defendant. For previous decision of the Court, see 355 U. S. 269.

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No. 96. *ESKRIDGE v. SCHNECKLOTH*, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Certiorari, 353 U. S. 922, to the Supreme Court of Washington. The joint motion to substitute Washington State Board of Prison Terms and Paroles as the party respondent in the place and stead of Merle E. Schneckloth, Superintendent of the Washington State Penitentiary, is granted. *Robert W. Graham*, acting under appointment by the Court, 354 U. S. 936, for petitioner. *John J. O'Connell*, Attorney General of Washington, and *Michael R. Alfieri*, Assistant Attorney General, for respondent.

No. 561. *CARITATIVO v. CALIFORNIA ET AL.* Certiorari, 355 U. S. 853, to the Supreme Court of California. The motion to substitute Fred R. Dickson, Acting Warden of the California State Prison at San Quentin as a party respondent in the place and stead of Harley O. Teets, deceased, is granted. *George T. Davis* for movant-petitioner.

No. 385. *VALLEY UNITARIAN-UNIVERSALIST CHURCH, INC., v. COUNTY OF LOS ANGELES ET AL.* Certiorari, 355 U. S. 854, to the Supreme Court of California. The motion for leave to file brief of Philadelphia Yearly Meeting of the Religious Society of Friends, and American Friends Service Committee, Inc., as *amici curiae*, is granted. THE CHIEF JUSTICE took no part in the consideration or decision of this motion. *Harold Evans* and *Allen S. Olmsted, 2d*, for the Philadelphia Yearly Meeting of the Religious Society of Friends, and *Claude C. Smith* for the American Friends Service Committee, Inc., movants. *Harold W. Kennedy* for respondents in opposition to the motion. Reported below: 48 Cal. 2d 899, 311 P. 2d 540.

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No. 562. RUPP *v.* TEETS, WARDEN. Certiorari, 355 U. S. 854, to the Supreme Court of California. The motion to substitute Fred R. Dickson, Acting Warden of the California State Prison at San Quentin as the party respondent in the place and stead of Harley O. Teets, deceased, is granted. *A. J. Zirpoli* for movant-petitioner.

No. 382. FIRST UNITARIAN CHURCH OF LOS ANGELES *v.* COUNTY OF LOS ANGELES ET AL.; and

No. 385. VALLEY UNITARIAN-UNIVERSALIST CHURCH, INC., *v.* COUNTY OF LOS ANGELES ET AL. Certiorari, 355 U. S. 853, 854, to the Supreme Court of California. The motion for leave to file brief of American Civil Liberties Union, as *amicus curiae*, is granted. THE CHIEF JUSTICE took no part in the consideration or decision of this motion. *Kenneth W. Greenawalt* for the American Civil Liberties Union, movant, urging reversal. *Harold W. Kennedy* for respondents in opposition to the motion. Reported below: No. 382, 48 Cal. 2d 419, 311 P. 2d 508; No. 385, 48 Cal. 2d 899, 311 P. 2d 540.

No. 146. UNITED STATES *v.* MCNINCH, DOING BUSINESS AS HOME COMFORT Co., ET AL. Certiorari, 355 U. S. 808, to the United States Court of Appeals for the Fourth Circuit. The motion to remove this case from the summary calendar is granted and a total of one hour and a half allowed for oral argument. *A. C. Epps* and *Charles W. Laughlin* for Cato Bros., Inc., et al., respondents. Reported below: 242 F. 2d 359.

No. 548. JOSEPH ET AL. *v.* INDIANA. Certiorari, 355 U. S. 812, to the Supreme Court of Indiana. It is ordered that *William S. Isham, Esquire*, of Fowler, Indiana, a member of the Bar of this Court, be appointed to serve as counsel for the petitioners in this case. Reported below: 236 Ind. 529, 141 N. E. 2d 109.

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No. 69. *SAFEWAY STORES, INC., v. VANCE, TRUSTEE IN BANKRUPTCY*, ante, p. 389. The motion for leave to withdraw the appearance of *Douglas Stripp* as counsel for the petitioner is granted.

No. 691. *UNITED GAS PIPE LINE CO. v. MEMPHIS LIGHT, GAS AND WATER DIVISION ET AL.*;

No. 694. *FEDERAL POWER COMMISSION v. MEMPHIS LIGHT, GAS AND WATER DIVISION ET AL.*; and

No. 695. *TEXAS GAS TRANSMISSION CORP. ET AL. v. MEMPHIS LIGHT, GAS AND WATER DIVISION ET AL.* Certiorari, 355 U. S. 938, to the United States Court of Appeals for the District of Columbia Circuit. The motion to advance is denied. *Solicitor General Rankin* for the Federal Power Commission. Reported below: 102 U. S. App. D. C. 77, 250 F. 2d 402.

No. 764, October Term, 1954. *HUPMAN v. UNITED STATES*. The motion to vacate orders denying petition for writ of certiorari, 349 U. S. 953, and petition for rehearing, 350 U. S. 855, is denied. *Frank J. Donner, Arthur Kinoy* and *Marshall Perlin* for movant-petitioner. *Solicitor General Rankin* filed a memorandum for the United States in opposition.

No. 444, October Term, 1956. *TATKO BROTHERS SLATE CO., INC., v. VERMONT STRUCTURAL SLATE CO., INC.* The motion to recall order denying certiorari, 352 U. S. 917, and to enter order granting certiorari and summarily vacating the judgment of the United States Court of Appeals for the Second Circuit and remanding to that court for reconsideration is denied. *W. Brown Morton, Jr., Maxwell E. Sparrow* and *J. Preston Swecker* for movant-petitioner. *John C. Blair* and *Richard P. Schulze* for respondent in opposition.

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No. 57. *BYRD v. BLUE RIDGE RURAL ELECTRIC COOPERATIVE, INC.* Certiorari, 352 U. S. 999, to the United States Court of Appeals for the Fourth Circuit. Argued January 28, 1958. This case is restored to the calendar for reargument. Counsel are asked to brief and argue the application of *Erie R. Co. v. Tompkins*, 304 U. S. 64, in connection with question II of the questions presented in respondent's brief, and point III of the points in petitioner's reply brief. *Henry Hammer, Henry H. Edens and William E. Chandler, Jr.* for petitioner. *Wesley M. Walker and Ray R. Williams* for respondent. Reported below: 238 F. 2d 346.

No. 300, Misc. *BARNES v. COLUMBIA BROADCASTING SYSTEM, INC.*; and

No. 315, Misc. *BARNES v. NATIONAL BROADCASTING CO., INC., ET AL.* Motions for leave to file petitions for writs of certiorari denied.

No. 365, Misc. *EL PASO NATURAL GAS CO. ET AL. v. UNITED STATES.* Motion for leave to file petition for writ of certiorari denied. *Arthur H. Dean and Dennis McCarthy* for the El Paso Natural Gas Co., and *Robert F. Campbell and Paul H. Ray* for the Pacific Northwest Pipeline Corporation, petitioners. *Solicitor General Rankin, Assistant Attorney General Hansen and Daniel M. Friedman* for the United States.

No. 361, Misc. *PATTERSON v. ROOD, SUPERINTENDENT, ATASCADERO STATE HOSPITAL*;

No. 363, Misc. *LEE v. JACKSON, WARDEN, ET AL.*;

No. 379, Misc. *RICHARDSON v. HAND, WARDEN*; and

No. 385, Misc. *TISCIO v. MARTIN, WARDEN, ET AL.* Motions for leave to file petitions for writs of habeas corpus denied.

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No. 277, Misc. ROMANO *v.* MURPHY, WARDEN. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied.

No. 430, Misc. IN RE BIRRELL. Motion for leave to file petition for writ of prohibition and mandamus denied. *Richard H. Wels* for petitioner. *Solicitor General Rankin, Thomas G. Meeker* and *David Ferber* filed a brief in opposition.

No. 275. MANZANILLO *v.* UNITED STATES. Certiorari, 355 U. S. 809, to the Court of Claims. The writ of certiorari is dismissed for failure to comply with paragraph 1 of Rule 36 of the Rules of this Court. Reported below: 137 Ct. Cl. 927.

Probable Jurisdiction Noted.

No. 751. PARFUMS CORDAY, INC., *v.* UNITED STATES; and

No. 752. LANVIN PARFUMS, INC., *v.* UNITED STATES. Appeals from the United States District Court for the Southern District of New York. Probable jurisdiction noted. *Samuel I. Rosenman, Seymour D. Lewis* and *Joseph Hochman* for appellant in No. 751. *Simon H. Rifkind* and *Walter J. Derenberg* for appellant in No. 752. *Solicitor General Rankin* for the United States. Reported below: 155 F. Supp. 77.

Certiorari Granted. (See also Nos. 626 and 641, ante, pp. 602, 601.)

No. 662. HOTEL EMPLOYEES LOCAL NO. 255, HOTEL AND RESTAURANT EMPLOYEES AND BARTENDERS INTERNATIONAL UNION, ET AL. *v.* LEEDOM, CHAIRMAN, NATIONAL LABOR RELATIONS BOARD, ET AL. United States

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Court of Appeals for the District of Columbia Circuit. Certiorari granted. *J. W. Brown* for petitioners. *Solicitor General Rankin, Jerome D. Fenton and Dominick L. Manoli* for the National Labor Relations Board, respondent. Reported below: 101 U. S. App. D. C. 414, 249 F. 2d 506.

No. 718. CAMMARANO ET UX. *v.* UNITED STATES. C. A. 9th Cir. Certiorari granted. *Frederick Bernays Wiener and Clinton M. Hester* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, Harry Baum and Myron C. Baum* for the United States. Reported below: 246 F. 2d 751.

Certiorari Denied. (See also No. 709, *ante*, p. 606; No. 286, *Misc.*, *ante*, p. 607; and *Misc. Nos.* 277, 300, 315, 365, *supra*.)

No. 629. LAKE CHARLES STEVEDORES, INC., ET AL. *v.* RICHARD ET AL. Court of Appeal of Louisiana, First Circuit. Certiorari denied. *John A. Hickman* for petitioners. *Russell T. Tritico* for respondents. Reported below: 95 So. 2d 830.

No. 677. GOODY *v.* SHAPIRO, BERNSTEIN & Co., INC., ET AL. C. A. 2d Cir. Certiorari denied. *Abraham M. Lowenthal and Leon G. Telsey* for petitioner. *Harold Berkowitz* for respondents. Reported below: 248 F. 2d 260.

No. 678. TECHNICAL TAPE CORP. *v.* MINNESOTA MINING & MANUFACTURING Co. C. A. 2d Cir. Certiorari denied. *Daniel L. Morris and Simon H. Riskind* for petitioner. *Edward A. Haight, H. H. Hamilton, M. K. Hobbs and Harold J. Kinney* for respondent. Reported below: 247 F. 2d 343.

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No. 685. *WILLIAMS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Henry C. Clausen* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Morton Hollander* for the United States. Reported below: 248 F. 2d 492.

No. 688. *MILOM v. NEW YORK CENTRAL RAILROAD Co.* C. A. 7th Cir. Certiorari denied. *E. M. Burke* for petitioner. *Marvin A. Jersild* for respondent. Reported below: 248 F. 2d 52.

No. 689. *BOLINDERS Co., INC., v. UNITED STATES*. Court of Claims. Certiorari denied. *Copal Mintz* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Samuel D. Slade* for the United States. Reported below: 139 Ct. Cl. —, 153 F. Supp. 381.

No. 704. *RUTH ELKHORN COALS, INC., ET AL. v. MITCHELL, SECRETARY OF LABOR*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Wallace M. Cohen, James M. Landis* and *Fred B. Greear* for petitioners. *Solicitor General Rankin, Assistant Attorney General Doub, Paul A. Sweeney, Stuart Rothman* and *Bessie Margolin* for respondent. Reported below: 101 U. S. App. D. C. 313, 248 F. 2d 635.

No. 698. *COUNTY SCHOOL BOARD OF PRINCE EDWARD COUNTY, VIRGINIA, ET AL. v. ALLEN ET AL.* C. A. 4th Cir. Certiorari denied. *Kenneth C. Patty*, then Attorney General, and *Henry T. Wickham*, Special Assistant Attorney General, for the State of Virginia, and *T. Justin Moore, Archibald G. Robertson, John W. Riely* and *T. Justin Moore, Jr.* for the Prince Edward County School Authorities, petitioners. Reported below: 249 F. 2d 462.

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No. 699. SING KEE *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Menahem Stim* and *Allen S. Stim* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General McLean, Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 250 F. 2d 236.

No. 700. DEAN ET AL. *v.* JELSMAN. Supreme Court of Oklahoma. Certiorari denied. *Richard J. Spooner* for petitioners. *Charles Hill Johns* for respondent. Reported below: 316 P. 2d 599.

No. 702. RANDALL *v.* PENNSYLVANIA. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. *Herbert Fishbone* for petitioner.

No. 705. RIGGALL *v.* WASHINGTON COUNTY MEDICAL SOCIETY ET AL. C. A. 8th Cir. Certiorari denied. *James R. Hale* for petitioner. *Eugene R. Warren* for respondents. Reported below: 249 F. 2d 266.

No. 708. SNIDER *v.* SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY. Supreme Court of Appeals of Virginia. Certiorari denied. *O. P. Easterwood, Jr.* for petitioner. *A. S. Harrison, Jr.*, Attorney General of Virginia, and *C. F. Hicks*, Assistant Attorney General, for respondent.

No. 710. RUCKER ET AL. *v.* OHIO. Supreme Court of Ohio. Certiorari denied. *Monroe G. Marks* for petitioners. *John T. Corrigan* for respondent. Reported below: 167 Ohio St. 17, 145 N. E. 2d 537.

No. 715. WALKER *v.* BROWN, TRIAL JUSTICE. Supreme Court of Appeals of Virginia. Certiorari denied. *George C. Rawlings, Jr.* for petitioner.

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No. 711. PETROCARBON LIMITED *v.* WATSON, COMMISSIONER OF PATENTS. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Ralph H. Hudson, Harold J. Kinney* and *M. K. Hobbs* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Morton Hollander* for respondent. Reported below: 101 U. S. App. D. C. 214, 247 F. 2d 800.

No. 712. STONE ET AL. *v.* MCFARLIN ET AL. C. A. 10th Cir. Certiorari denied. *Neal E. McNeill* for petitioners. *Solicitor General Rankin, Assistant Attorney General Morton* and *Roger P. Marquis* for the United States, and *Lynn Adams* for Morgan et al., respondents. Reported below: 249 F. 2d 54.

No. 713. ESTATE OF HASKINS, HARBER, EXECUTOR, *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 6th Cir. Certiorari denied. *H. Keith Harber* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Robert N. Anderson* and *Joseph Kovner* for respondent. Reported below: 249 F. 2d 143.

No. 719. LEE ET AL. *v.* CITY OF COLORADO SPRINGS. Supreme Court of Colorado. Certiorari denied. *John H. Gately* for petitioners. *Louis Johnson* and *Charles S. Rhyne* for respondent. Reported below: 136 Colo. —, 315 P. 2d 822.

No. 720. COWLITZ TRIBE OF INDIANS *v.* CITY OF TACOMA. C. A. 9th Cir. Certiorari denied. *Malcolm S. McLeod* for petitioner. *Marshall McCormick* for respondent. Reported below: 253 F. 2d 625.

No. 725. BILLS *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. *George S. McCarthy* for petitioner. Reported below: 165 Tex. Cr. R. —, 305 S. W. 2d 614.

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No. 716. *SUCHER PACKING CO. v. MANUFACTURERS CASUALTY INSURANCE Co.* C. A. 6th Cir. Certiorari denied. *Jerome Goldman* for petitioner. *William H. Selva* for respondent. Reported below: 245 F. 2d 513.

No. 721. *BARRY v. CALIFORNIA.* District Court of Appeal of California, Second Appellate District. Certiorari denied. *D. Wendell Reid* for petitioner. *Edmund G. Brown*, Attorney General of California, and *Herschel Elkins*, Deputy Attorney General, for respondent. Reported below: 153 Cal. App. 2d 193, 314 P. 2d 531.

No. 722. *AKIN ET AL. v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. *Muriel S. Paul*, *Leonard E. Ackermann* and *Bennett Boskey* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Robert N. Anderson* and *Carolyn R. Just* for the United States. Reported below: 248 F. 2d 742.

No. 723. *FRANKEN v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. *C. Lee Spillers*, *Thomas A. Goodwin*, *Lawrence Bloomenthal* and *Gilbert S. Bachmann* for petitioner. *Solicitor General Rankin*, *Acting Assistant Attorney General McLean* and *Beatrice Rosenberg* for the United States. Reported below: 248 F. 2d 789.

No. 728. *SATURN OIL & GAS Co., INC., v. FEDERAL POWER COMMISSION.* C. A. 10th Cir. Certiorari denied. *William H. Chamberlain* and *Chisman Hanes* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Paul A. Sweeney*, *Robert S. Green* and *Willard W. Gatchell* for respondent. Reported below: 250 F. 2d 61.

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No. 727. PRIVATE BRANDS, INC., ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Archibald Palmer* for petitioners. *Solicitor General Rankin, Acting Assistant Attorney General McLean, Beatrice Rosenberg* and *Eugene L. Grimm* for the United States. Reported below: 250 F. 2d 554.

No. 729. CITY OF CHICAGO ET AL. *v.* THIELE ET AL., DOING BUSINESS AS TWIN TOWERS COMMISSARY. Supreme Court of Illinois. Certiorari denied. *John C. Melaniphy* and *Sydney R. Drebin* for petitioners. *Sidney M. Davis* for respondents. Reported below: 12 Ill. 2d 218, 145 N. E. 2d 637.

No. 731. WAGS TRANSPORTATION SYSTEM, INC., ET AL. *v.* PREVATT, ANCILLARY ADMINISTRATOR, ET AL. Supreme Court of Florida. Certiorari denied. *Thomas H. Barkdull, Jr.* for petitioners. *Carl T. Hoffman, G. Kenneth Kemper* and *Wyatt Johnson* for respondents. Reported below: 97 So. 2d 473.

No. 732. UNITED STATES EX REL. WISCONSIN *v.* FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION ET AL. C. A. 7th Cir. Certiorari denied. *Stewart G. Honeck*, Attorney General of Wisconsin, *John D. Winner*, Deputy Attorney General, and *Roy G. Tulane*, Assistant Attorney General, for petitioner. *Solicitor General Rankin* and *Morton Hollander* for the Federal Home Loan Bank Board, respondent. Reported below: 248 F. 2d 804.

No. 737. SHERMAN *v.* SHERMAN ET AL. Surrogate's Court, County of New York, New York. Certiorari denied. *Samuel A. Spiegel* for petitioner. *Abraham N. Davis* for Sherman, and *Samuel Ecker* for Siegel, respondents.

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No. 733. POLICE PENSION AND RELIEF BOARD ET AL. *v.* BEHNKE ET AL. Supreme Court of Colorado. Certiorari denied. *John C. Banks* and *Horace N. Hawkins, Jr.* for petitioners. *E. F. Conly* for respondents. Reported below: 136 Colo. —, 316 P. 2d 1025.

No. 735. FITZGERALD *v.* CASSIDY. C. A. 4th Cir. Certiorari denied. *Albert J. Ahern, Jr.* and *James J. Laughlin* for petitioner. *John R. Willett* for respondent. Reported below: 249 F. 2d 91.

No. 736. TRUCK DRIVERS AND HELPERS LOCAL UNION 728 (FORMERLY LOCAL UNION 859), INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN & HELPERS OF AMERICA, AFL-CIO, *v.* NATIONAL LABOR RELATIONS BOARD. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Herbert S. Thatcher, David Previant* and *Edwin Pearce* for petitioner. *Solicitor General Rankin, Jerome D. Fenton, Thomas J. McDermott, Dominick L. Manoli* and *William J. Avrutis* for respondent. Reported below: 101 U. S. App. D. C. 420, 249 F. 2d 512.

No. 741. MURPHY, DIRECTOR OF ALCOHOLIC BEVERAGE CONTROL, ET AL. *v.* LOVE, DOING BUSINESS AS THE LOVE TRANSFER Co. C. A. 10th Cir. Certiorari denied. *John Anderson, Jr.*, Attorney General of Kansas, for petitioners. *Homer Davis* for respondent. Reported below: 249 F. 2d 783.

No. 773. VARGAS ET AL. *v.* A. H. BULL STEAMSHIP CO. ET AL. Supreme Court of New Jersey. Certiorari denied. *Samuel M. Cole* for petitioners. *Conover English* and *Nicholas Conover English* for respondents. Reported below: 25 N. J. 293, 135 A. 2d 857.

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No. 742. FRANKLIN *v.* SHELTON ET AL. C. A. 10th Cir. Certiorari denied. *John B. Ogden* and *Josh Lee* for petitioner. *R. M. Mountcastle* for respondents. Reported below: 250 F. 2d 92.

No. 775. MARTIN, TRUSTEE, *v.* TINDELL. Supreme Court of Florida. Certiorari denied. *George F. Gilleland* for petitioner. *William S. Frates* and *Walter H. Beckham, Jr.* for respondent. Reported below: 98 So. 2d 473.

No. 634. A. MASCHMEIJER, JR., INC., *v.* EASTERN MOTOR EXPRESS, INC. The motions for leave to file briefs of the National Industrial Traffic League; the Manufacturing Chemists' Association, Inc.; and Southern Textile Chemical Manufacturers' Association, as *amici curiae*, are granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. *Jerome G. Greenspan* for petitioner. *Herbert Burstein* for respondent. Briefs of *amici curiae* urging that the petition for writ of certiorari be granted were filed by *Morris Hershson* for the National Barrel & Drum Association, Inc., *Robert N. Burchmore* and *John S. Burchmore* for the National Industrial Traffic League, *Nuel D. Belnap* for the Manufacturing Chemists' Association, Inc., and *James B. Craighill* for the Southern Textile Chemical Manufacturers' Association. *Louis Silver* filed a brief for the National Freight Claim Council of the American Trucking Associations, Inc., urging that the petition be denied. Reported below: 247 F. 2d 826.

No. 693. LOUISIANA & ARKANSAS RAILWAY Co. *v.* ROBINSON. The motion to adjudge damages to respondent for delay is denied. Petition for writ of certiorari to the Supreme Court of Texas denied. *A. L. Burford* for petitioner. *Franklin Jones, Sr.* and *C. A. Brian* for respondent.

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No. 734. *HARD v. CIVIL AERONAUTICS BOARD*. The motion for leave to file brief of Air Line Pilots Association, International, as *amicus curiae*, is granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. *George F. Archer* for petitioner. *Solicitor General Rankin* for respondent. *Lloyd Fletcher* filed a brief for the Air Line Pilots Association, International, in support of the petition for a writ of certiorari. Reported below: 248 F. 2d 761.

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

No. 11, Misc. *ORTEGA v. OLSEN, CLERK, CRIMINAL COURT OF COOK COUNTY, ILLINOIS, ET AL.* C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Benjamin S. Adamowski* for respondents. Reported below: 241 F. 2d 464.

No. 197, Misc. *CARROLL v. CALIFORNIA*. Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Edmund G. Brown*, Attorney General of California, and *Doris M. Maier*, Deputy Attorney General, for respondent.

No. 219, Misc. *RICHARDSON v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 251, Misc. *KIEVER v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 252, Misc. *WALKER v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

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No. 254, Misc. WILLIAMS *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 256, Misc. MCGHEE *v.* BANNAN, WARDEN. Supreme Court of Michigan. Certiorari denied.

No. 259, Misc. IRBY *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Acting Assistant Attorney General McLean, Beatrice Rosenberg and Julia P. Cooper* for the United States. Reported below: 101 U. S. App. D. C. 19, 246 F. 2d 706.

No. 261, Misc. NETHERY *v.* MAYO, PRISON CUSTODIAN. Supreme Court of Florida. Certiorari denied.

No. 267, Misc. SAVAIANO *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 271, Misc. MCGEE *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 272, Misc. MOHLER *v.* MICHIGAN ET AL. Supreme Court of Michigan. Certiorari denied.

No. 273, Misc. MULHERN *v.* RAGEN, WARDEN. Circuit Court of Will County, Illinois. Certiorari denied.

No. 274, Misc. KIRSCH *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 278, Misc. SUPERO *v.* ILLINOIS. Circuit Court of Randolph County, Illinois. Certiorari denied.

No. 282, Misc. BLACKMON *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

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No. 279, Misc. SHEPHERD *v.* TUCKER, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 280, Misc. MANKO *v.* TUCKER, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 281, Misc. MCDANIEL *v.* TUCKER, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 283, Misc. HOLLIS *v.* ELLIS, DIRECTOR, TEXAS PRISON SYSTEM. Court of Criminal Appeals of Texas. Certiorari denied.

No. 299, Misc. FIRMSTONE *v.* MYERS, WARDEN. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 308, Misc. SCOTT ET AL. *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioners *pro se*. *Solicitor General Rankin, Acting Assistant Attorney General McLean and Beatrice Rosenberg* for the United States. Reported below: 101 U. S. App. D. C. 341, 248 F. 2d 754.

No. 311, Misc. MEADORS *v.* NASH, WARDEN. Supreme Court of Missouri. Certiorari denied. Petitioner *pro se*. *John M. Dalton, Attorney General of Missouri, and Aubrey R. Hammett, Jr., Assistant Attorney General, for respondent.*

No. 345, Misc. AZULAY *v.* PEPERSACK, WARDEN. Court of Appeals of Maryland. Certiorari denied. Reported below: 214 Md. 617, 135 A. 2d 453.

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No. 346, Misc. *ROGERS v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 347, Misc. *BLANK v. NEW YORK*. Court of Appeals of New York. Certiorari denied. *Nathan Kestnbaum* for petitioner.

No. 350, Misc. *SHERWOOD v. GLADDEN, WARDEN*. Supreme Court of Oregon. Certiorari denied.

No. 353, Misc. *LAWSON v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Acting Assistant Attorney General McLean and Beatrice Rosenberg* for the United States. Reported below: 101 U. S. App. D. C. 332, 248 F. 2d 654.

No. 355, Misc. *PARKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Acting Assistant Attorney General McLean, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 248 F. 2d 803.

No. 356, Misc. *FITCH v. TUCKER, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 357, Misc. *RAYNE v. PEPERSACK, WARDEN*. Court of Appeals of Maryland. Certiorari denied. Reported below: 214 Md. 620, 135 A. 2d 621.

No. 358, Misc. *BARCLAY v. MARTIN, WARDEN*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 359, Misc. *NEAL v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

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No. 362, Misc. STEWART *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied.

No. 364, Misc. PRICE *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 249 F. 2d 17.

No. 366, Misc. NEWSOM *v.* SMYTH, SUPERINTENDENT, VIRGINIA PENITENTIARY. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 367, Misc. REXRODE *v.* TUCKER, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 368, Misc. DENEEN *v.* TUCKER, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 369, Misc. McABEE *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 370, Misc. HUGHES *v.* CALIFORNIA ET AL. Supreme Court of California. Certiorari denied.

No. 371, Misc. POLLACK *v.* CITY OF NEWARK, NEW JERSEY, ET AL. C. A. 3d Cir. Certiorari denied. Petitioner *pro se.* *Thomas M. Kane* for respondents. Reported below: 248 F. 2d 543.

No. 373, Misc. DOBSON *v.* MISSOURI. Supreme Court of Missouri. Certiorari denied. Reported below: 303 S. W. 2d 650.

No. 375, Misc. SUDOL *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied. Reported below: 25 N. J. 132, 135 A. 2d 248.

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No. 376, Misc. *GOLLA v. RHODES, WARDEN*. Supreme Court of Delaware. Certiorari denied. Reported below: — Del. —, 135 A. 2d 137.

No. 378, Misc. *COOPER v. JACKSON, WARDEN*. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 380, Misc. *JOHNSON v. ILLINOIS*. Circuit Court of Macon County, Illinois. Certiorari denied.

No. 382, Misc. *SMITH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Acting Assistant Attorney General McLean and Beatrice Rosenberg* for the United States. Reported below: 250 F. 2d 37.

No. 383, Misc. *WARREN v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 384, Misc. *WALKER v. MISSOURI*. Supreme Court of Missouri. Certiorari denied.

No. 386, Misc. *MILLER v. THORN, ANCILLARY EXECUTRIX, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Charles William Freeman* for petitioner.

No. 387, Misc. *FAULKNER v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Reported below: 12 Ill. 2d 176, 145 N. E. 2d 632.

No. 413, Misc. *HARLESS v. IOWA*. Supreme Court of Iowa. Certiorari denied. Petitioner *pro se*. *Norman A. Erbe, Attorney General of Iowa, and Freeman H. Forrest, Assistant Attorney General, for respondent*. Reported below: 83 N. W. 2d 401.

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No. 388, Misc. *ROBERTS v. PEPERSACK, WARDEN*. Court of Appeals of Maryland. Certiorari denied. Reported below: 214 Md. 611, 135 A. 2d 446.

No. 390, Misc. *MILLER v. RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. Supreme Court of Washington. Certiorari denied.

No. 391, Misc. *KENNEDY v. MARTIN, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 393, Misc. *JEDWABNY ET AL. v. PHILADELPHIA TRANSPORTATION CO. ET AL.* Supreme Court of Pennsylvania, Eastern District. Certiorari denied. *Herman Moskowitz* for petitioners. Reported below: 390 Pa. 231, 135 A. 2d 252.

No. 395, Misc. *PAPAGNI v. HEINZE, WARDEN*. Supreme Court of California. Certiorari denied.

No. 396, Misc. *RICE v. PEPERSACK, WARDEN*. Court of Appeals of Maryland. Certiorari denied. Reported below: 214 Md. 613, 135 A. 2d 622.

No. 398, Misc. *DOBSON v. WARDEN, MARYLAND PENITENTIARY*. Court of Appeals of Maryland. Certiorari denied. Reported below: 214 Md. 654, 135 A. 2d 890.

No. 399, Misc. *POLLINO v. NEW YORK*. County Court of Bronx County, New York. Certiorari denied.

No. 400, Misc. *HAINES v. RANDOLPH, WARDEN, ET AL.* Circuit Court of Randolph County, Illinois. Certiorari denied.

No. 401, Misc. *MARTIN v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

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No. 421, Misc. SMITH *v.* HIXON, WARDEN. C. A. 5th Cir. Certiorari denied. Petitioner *pro se.* John Patterson, Attorney General of Alabama, and Bernard F. Sykes and George Young, Assistant Attorneys General, for respondent. Reported below: 249 F. 2d 41.

No. 532, Misc. FOSTER *v.* GEORGIA. Supreme Court of Georgia. Certiorari denied. James Barrow for petitioner. Eugene Cook, Attorney General of Georgia, and E. Freeman Leverett, Assistant Attorney General, for respondent. Reported below: 213 Ga. 601, 100 S. E. 2d 426.

No. 549, Misc. JEFFERSON *v.* TEETS, WARDEN. C. A. 9th Cir. Certiorari denied. A. J. Zirpoli for petitioner. Reported below: 248 F. 2d 955.

Rehearing Denied. (See also No. 764, October Term, 1954, *ante*, p. 949.)

No. 9. LAWN *v.* UNITED STATES, *ante*, p. 339;

No. 10. GIGLIO ET AL. *v.* UNITED STATES, *ante*, p. 339;

No. 67. NASHVILLE MILK Co. *v.* CARNATION Co., *ante*, p. 373;

No. 71. GORDON *v.* TEXAS, *ante*, p. 369;

No. 85. CITIES SERVICE GAS Co. *v.* STATE CORPORATION COMMISSION OF KANSAS ET AL., *ante*, p. 391;

No. 449. SHELL OIL Co. *v.* FEDERAL POWER COMMISSION, *ante*, p. 930;

No. 576. LEONARDO ET UX. *v.* BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, MARYLAND, ET AL., *ante*, p. 906;

No. 586. RYSTAD *v.* BOYD, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE, *ante*, p. 912; and

No. 597. BALLF *v.* PUBLIC WELFARE DEPARTMENT OF THE CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA, ET AL., *ante*, p. 912. Petitions for rehearing denied.

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No. 610. STRAUSS ET AL. *v.* UNIVERSITY OF THE STATE OF NEW YORK ET AL., *ante*, p. 394;

No. 611. TAYLOR ET AL. *v.* KENTUCKY, *ante*, p. 394;

No. 62, Misc. BARNES *v.* UNITED STATES, *ante*, p. 927;

No. 266, Misc. KIMBROUGH *v.* UNITED STATES, *ante*, p. 925; and

No. 303, Misc. DI SILVESTRO *v.* UNITED STATES VETERANS ADMINISTRATION, *ante*, p. 935. Petitions for rehearing denied.

No. 110. FEDERAL TRADE COMMISSION *v.* C. E. NIEHOFF & Co., *ante*, p. 411. Rehearing denied. MR. JUSTICE WHITTAKER took no part in the consideration or decision of this application.