

ORDERS FROM JUNE 9 THROUGH
JUNE 30, 1958.

JUNE 9, 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 Claims beginning June 4, 1958, and continuing thereafter for such time as may be necessary to consider the cases heard that day, 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. 479, Misc. CAGLE *v.* UNITED STATES. Motion for leave to file petition for writ of habeas corpus denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General White and Harold H. Greene* for the United States.

No. 640, Misc. GLANCY *v.* HEINZE, WARDEN; and

No. 686, Misc. DUNNE *v.* WASHINGTON ET AL. Motions for leave to file petitions for writs of habeas corpus denied.

No. 753, Misc. COURTNEY *v.* HEINZE, WARDEN;

No. 759, Misc. PALMER *v.* ROGERS, ATTORNEY GENERAL, ET AL.;

No. 761, Misc. KIRBY *v.* MARYLAND ET AL.;

No. 769, Misc. FANTER *v.* UNITED STATES;

No. 777, Misc. CRABTREE *v.* UNITED STATES; and

No. 791, Misc. BILDERBACK *v.* WILKINSON, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 10, Original. *ARIZONA v. CALIFORNIA ET AL.* The petition for an order approving payment on account of an additional fee to the Special Master is granted and the parties are ordered to make additional payments totaling \$50,000 to *Simon H. Rikkind, Esquire*, Special Master, on account of the fee to be awarded by this Court as compensation for his services as Special Master. Such payments are to be made in the following proportions: Arizona, 28%; California, 28%; United States, 28%; Nevada, 12%; New Mexico, 2%; and Utah, 2%.

The order is subject to any further award, allowance or division of costs or fees as this Court may deem proper. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

On the petition were *Charles H. Reed* for the State of Arizona, plaintiff, *Northcutt Ely*, Assistant Attorney General, for the State of California et al., defendants, and *W. T. Mathews*, Special Assistant Attorney General, for the State of Nevada, *Paul L. Billhymer*, Assistant Attorney General, for the State of New Mexico, and *E. R. Callister*, Attorney General, for the State of Utah, interveners. *Solicitor General Rankin* for the United States, intervenor.

No. 742, Misc. *BERTONE v. TAYLOR, WARDEN.* Motion for leave to file petition for writ of habeas corpus denied. *Horace S. King* for petitioner.

No. 565, Misc. *McGRADY v. SMYTH, SUPERINTENDENT, VIRGINIA PENITENTIARY.* 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*. *A. S. Harrison*, Attorney General of Virginia, and *Thomas M. Miller*, Assistant Attorney General, for respondent.

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Certiorari Granted.

No. 956. *HOWARD v. LYONS ET AL.* C. A. 1st Cir. Certiorari granted. *Solicitor General Rankin, Assistant Attorney General Doub, Samuel D. Slade and Bernard Cedarbaum* for petitioner. Reported below: 250 F. 2d 912.

No. 877. *THE TUNGUS ET AL. v. SKOVGAARD, ADMINISTRATRIX, ET AL.* C. A. 3d Cir. Certiorari granted. *James M. Estabrook and David P. H. Watson* for petitioners. *Nathan Baker and Milton Garber* for Skovgaard, respondent. Reported below: 252 F. 2d 14.

No. 929. *SCULL v. VIRGINIA EX REL. COMMITTEE ON LAW REFORM AND RACIAL ACTIVITIES.* Supreme Court of Appeals of Virginia. Certiorari granted. *Joseph L. Rauh, Jr., John Silard and Karl Sorg* for petitioner. *Leslie Hall* for respondent.

No. 955. *UNITED NEW YORK AND NEW JERSEY SANDY HOOK PILOTS ASSOCIATION v. HALECKI, ADMINISTRATRIX.* C. A. 2d Cir. Certiorari granted. *Lawrence J. Mahoney* for petitioners. *Nathan Baker, Bernard Chazen and Milton Garber* for respondent. Reported below: 251 F. 2d 708.

No. 968. *CRUMADY v. THE JOACHIM HENDRIK FISSEN ET AL.;* and

No. 971. *THE JOACHIM HENDRIK FISSEN v. NACIREMA OPERATING Co., INC.* C. A. 3d Cir. Certiorari granted. *Abraham E. Freedman* for petitioner in No. 968. *John H. Dougherty* for petitioner in No. 971, and *The Joachim Hendrik Fisser et al.*, respondents in No. 968. *John J. Monigan, Jr.* for the Nacirema Operating Co., Inc., respondent. Reported below: 249 F. 2d 818.

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No. 965. *FLAXER v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. MR. JUSTICE BURTON took no part in the consideration or decision of this application. *David Rein* and *Joseph Forer* for petitioner. *Solicitor General Rankin* and *Philip R. Monahan* for the United States. Reported below: 103 U. S. App. D. C. 319, 258 F. 2d 413.

No. 417, Misc. *SMITH 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. *Marion Rushton* for petitioner. *Solicitor General Rankin*, *Acting Assistant Attorney General McLean*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 250 F. 2d 842.

No. 474, Misc. *CASH v. CULVER, STATE PRISON CUSTODIAN*. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Florida granted. Petitioner *pro se*. *Richard W. Ervin*, Attorney General of Florida, and *Edward S. Jaffry*, Special Assistant Attorney General, for respondent.

Certiorari Denied. (See also No. 565, Misc., supra.)

No. 884. *BENJAMIN ET AL. v. CITY OF COLUMBUS ET AL.* Supreme Court of Ohio. Certiorari denied. *Waymon Belton McLeskey* for petitioners. *Russell Leach* for respondents. Reported below: 167 Ohio St. 103, 146 N. E. 2d 854.

No. 950. *GOLDBLATT BROS., INC., v. KOSLEY*. C. A. 7th Cir. Certiorari denied. *Stanford Clinton* and *Robert A. Sprecher* for petitioner. *Edmund A. Schroer* for respondent. Reported below: 251 F. 2d 558.

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No. 902. *FEAK ET AL. v. CITY OF TOLEDO ET AL.* Supreme Court of Ohio. Certiorari denied. *Dan H. McCullough* for petitioners. *Charles T. Lawton* and *William D. Driscoll* for respondents. Reported below: 167 Ohio St. 167, 146 N. E. 2d 603.

No. 958. *MEADS v. UNITED STATES.* Court of Claims. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Alan S. Rosenthal* for the United States. Reported below: 140 Ct. Cl. 526, 156 F. Supp. 938.

No. 960. *ORTA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Philip R. Monahan* and *Carl G. Coben* for the United States. Reported below: 253 F. 2d 312.

No. 967. *NOIA v. NEW YORK.* Court of Appeals of New York. Certiorari denied. *Maurice Edelbaum* for petitioner. *Edward S. Silver* and *William I. Siegel* for respondent. Reported below: 3 N. Y. 2d 596, 148 N. E. 2d 139.

No. 972. *CANADAY ET AL. v. TENNESSEE.* Supreme Court of Tennessee, Middle Division. Certiorari denied. *H. G. B. King* for petitioners. *George F. McCannless*, Attorney General of Tennessee, and *Thomas E. Fox*, Assistant Attorney General, for respondent. Reported below: — Tenn. —, 310 S. W. 2d 428.

No. 991. *FORBES ET AL. v. CITY OF HOUSTON ET AL.* Court of Civil Appeals of Texas, First Supreme Judicial District. Certiorari denied. *W. Ervin James* for petitioners. *Homer T. Bouldin* and *David T. Searls* for the City of Houston et al., respondents. Reported below: 304 S. W. 2d 542.

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No. 913. *CRUMP v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. *Melvin B. Lewis* for petitioner. Reported below: 12 Ill. 2d 402, 147 N. E. 2d 76.

No. 953. *CONSOLIDATED TRIMMING CORP. v. LOUDON*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Leonard L. Kalish* and *William E. Friedman* for petitioner.

No. 973. *SCHLOSSER v. COMMONWEALTH EDISON CO. ET AL.* C. A. 7th Cir. Certiorari denied. *Harry R. Booth* for petitioner. *William R. Ming, Jr.* for respondents. Reported below: 250 F. 2d 478.

No. 975. *FARMER v. UNITED STATES ET AL.* C. A. 6th Cir. Certiorari denied. *Fyke Farmer, pro se*. *Solicitor General Rankin* for respondents. Reported below: 252 F. 2d 490.

No. 992. *KELLY, EXECUTOR, v. CONSOLIDATED PACKAGING MACHINERY CORP. ET AL.* C. A. 7th Cir. Certiorari denied. *J. Edgar Kelly* for petitioner. *John Vaughan Groner* and *James P. Hume* for respondents. Reported below: 253 F. 2d 49.

No. 999. *SLADE ET AL. v. BOARD OF EDUCATION OF HARFORD COUNTY ET AL.* C. A. 4th Cir. Certiorari denied. *Thurgood Marshall* and *Jack Greenberg* for petitioners. *Wilson K. Barnes* for respondents. Reported below: 252 F. 2d 291.

No. 1009. *NATIONAL PRODUCING CO., INC., ET AL. v. ANDERSON*. C. A. 2d Cir. Certiorari denied. *Thomas A. Gaffney* for petitioners. *Richard W. Condon* and *James L. Nelligan* for respondent. Reported below: 254 F. 2d 834.

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No. 1001. *CARLI v. WISCONSIN*. Supreme Court of Wisconsin. Certiorari denied. *Dominic H. Frinzi* for petitioner. *Stewart G. Honeck*, Attorney General of Wisconsin, and *William A. Platz*, Assistant Attorney General, for respondent. Reported below: 2 Wis. 2d 429, 86 N. W. 2d 434, 87 N. W. 2d 830.

No. 961. *OSSLO ET AL. v. CALIFORNIA*. Supreme Court of California. Certiorari denied. Bail having been temporarily granted in this case by MR. JUSTICE DOUGLAS on April 29, 1958, it is ordered that said order continue until June 23, 1958, and then terminate. THE CHIEF JUSTICE took no part in the consideration or decision of this application. *Aaron Sapiro* and *Charles P. Scully* for petitioners. *Edmund G. Brown*, Attorney General of California, and *William E. James* and *Norman H. Sokolow*, Deputy Attorneys General, for respondent. Reported below: 50 Cal. 2d 75, 323 P. 2d 397.

No. 1014. *HARRIS ET AL. v. CITY OF NEW YORK ET AL.* Court of Appeals of New York. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that the petition for writ of certiorari should be granted. *David I. Shapiro* and *Harris L. Present* for petitioners. *Peter Campbell Brown*, *Benjamin Offner* and *Anthony Curreri* for the City of New York et al., *Edward D. Burns*, *Porter R. Chandler*, *William R. Meagher* and *Martin Fogelman* for Fordham University, *Samuel I. Rosenman* and *Max Freund* for Webb & Knapp Lincoln Square Corporation, and *William Eldred Jackson* and *Rebecca M. Cutler* for Lincoln Center for the Performing Arts, Inc., respondents. Reported below: 4 N. Y. 2d 268, 150 N. E. 2d 396.

No. 1024. *GENERAL CASUALTY CO. v. GRUBB*, U. S. DISTRICT JUDGE. C. A. 7th Cir. Certiorari denied. *Suel O. Arnold* for petitioner. Reported below: 253 F. 2d 51.

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No. 954. *SMITH v. UNITED STATES*. C. A. 5th Cir. Motion for leave to supplement record denied. Certiorari denied. *Joseph A. St. Ana* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Eugene L. Grimm* for the United States. Reported below: 252 F. 2d 120.

No. 1030. *JACKSON, WARDEN, ET AL. v. UNITED STATES EX REL. WADE*. Motion to dispense with printing of the response to the petition 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, and *Paxton Blair*, Solicitor General, for petitioners. *Philip C. Potter, Jr.* for respondent. Reported below: 256 F. 2d 7.

No. 457, Misc. *FAVORS v. TUCKER, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied. Petitioner *pro se*. *W. W. Barron*, Attorney General of West Virginia, and *Fred H. Caplan*, Assistant Attorney General, for respondent. Reported below: 143 W. Va. —, 100 S. E. 2d 411.

No. 632, Misc. *HARMON 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 Anderson, Beatrice Rosenberg and Carl H. Imlay* for the United States. Reported below: 102 U. S. App. D. C. 138, 251 F. 2d 379.

No. 634, 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: 249 Iowa 530, 86 N. W. 2d 210.

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No. 617, Misc. *HOLT v. KENTUCKY*. Court of Appeals of Kentucky. Certiorari denied. Reported below: 310 S. W. 2d 40.

No. 633, Misc. *BROWN v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 636, Misc. *AYALA v. DICKSON, WARDEN*. Supreme Court of California. Certiorari denied.

No. 637, Misc. *FISHER v. ILLINOIS*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 641, Misc. *GRiffin v. SMYTH, SUPERINTENDENT, VIRGINIA PENITENTIARY*. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 669, Misc. *LESSER v. MARTIN, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 670, Misc. *NICOL ET AL. v. NATIONAL SAVINGS & TRUST Co., EXECUTOR*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Bruce E. Lambert and Jessie P. Grandy* for petitioners. *Arthur P. Drury, John M. Lynham, John E. Powell and David C. Bastian* for respondent. Reported below: 102 U. S. App. D. C. 68, 250 F. 2d 36.

No. 687, Misc. *SMITH v. INDIANA*. Supreme Court of Indiana. Certiorari denied. Reported below: 237 Ind. 532, 146 N. E. 2d 86.

No. 701, Misc. *KULIKAUSKAS v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied. Reported below: 5 App. Div. 2d 690, 168 N. Y. S. 2d 995.

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No. 682, Misc. *VEGA-MURRILLO v. LOONEY, WARDEN.*
C. A. 10th Cir. Certiorari denied.

No. 685, Misc. *CORBIN v. BANMILLER, WARDEN.* Supreme Court of Pennsylvania, Eastern District. Certiorari denied. Reported below: 391 Pa. 265, 137 A. 2d 467.

No. 688, Misc. *LEHNER v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied.

No. 691, Misc. *REESE v. SMYTH, SUPERINTENDENT, VIRGINIA PENITENTIARY.* Supreme Court of Appeals of Virginia. Certiorari denied.

No. 692, Misc. *ROBINSON v. SMYTH, SUPERINTENDENT, VIRGINIA PENITENTIARY.* Supreme Court of Appeals of Virginia. Certiorari denied.

No. 694, Misc. *SONS v. FLORIDA.* Supreme Court of Florida. Certiorari denied.

No. 696, Misc. *GILSON v. KEENAN, WARDEN.* Supreme Court of Pennsylvania, Western District. Certiorari denied.

No. 697, Misc. *BUCANIS v. NEW JERSEY.* Supreme Court of New Jersey. Certiorari denied. Reported below: 26 N. J. 45, 138 A. 2d 739.

No. 698, Misc. *MIKKA v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied.

No. 703, Misc. *DUNCAN v. RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY.* C. A. 9th Cir. Certiorari denied. Reported below: 251 F. 2d 846.

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No. 705, Misc. *HILL v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 712, Misc. *HAWLK v. ELLIS, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 718, Misc. *BATES v. CALIFORNIA ADULT AUTHORITY*. Supreme Court of California. Certiorari denied.

No. 720, Misc. *TRAMAGLINO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 721, Misc. *COATES v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 725, Misc. *POPE v. RAGEN, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 733, Misc. *BECK v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 741, Misc. *WYERS v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 746, Misc. *BRIMAGE v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 747, Misc. *SEWARD v. HEINZE, WARDEN*. Supreme Court of California. Certiorari denied.

No. 748, Misc. *SHIPMAN v. RANDOLPH, WARDEN*. Circuit Court of Randolph County, Illinois. Certiorari denied.

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No. 749, Misc. *SMALLWOOD v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. Reported below: 216 Md. 16, 139 A. 2d 242.

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

No. 762, Misc. *SMITH v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 764, Misc. *ADINOLFI v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied. Reported below: 26 N. J. 170, 139 A. 2d 48.

No. 765, Misc. *CONWAY v. DICKSON, WARDEN*. Supreme Court of California. Certiorari denied.

No. 767, Misc. *WISSENFELD v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 772, Misc. *DUTTON v. EYMAN, WARDEN, ET AL.* Supreme Court of Arizona. Certiorari denied.

No. 773, Misc. *PRATT v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 778, Misc. *HARRIS v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied.

Rehearing Denied.

No. 343. *AMERICAN MOTORS CORP. ET AL. v. CITY OF KENOSHA*, 356 U. S. 21. Petition for rehearing of United States denied.

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FRANKFURTER, J., dissenting.

No. 18. CITY OF DETROIT ET AL. *v.* MURRAY CORPORATION OF AMERICA ET AL.; and

No. 36. CITY OF DETROIT ET AL. *v.* MURRAY CORPORATION OF AMERICA ET AL., 355 U. S. 489. Petitions for rehearing of the Murray Corporation of America and the United States denied. MR. JUSTICE FRANKFURTER has filed the following dissent.

MR. JUSTICE FRANKFURTER, dissenting.

The petitions for rehearing in these cases should be granted. Petitioners direct attention to the statement in the Court's opinion of March 3, 1958, 355 U. S. 489, 492 (Prelim. Print), that "There is no contention that these taxes were levied directly against the United States or its property." The contentions made by the parties throughout this litigation and the characteristics of the taxes sustained make evident that the case was decided under a misapprehension of what was in issue. Simply to delete from the quoted sentence reference to what the parties contended, as has now been done, cannot delete the significance of its original inclusion in the opinion as a manifestation of the direction of the Court's thoughts. In reaching the conclusion that the tax here involved is indistinguishable from a tax on the privilege of possessing or using government property, the Court proceeded on mistaken notions about Michigan tax law and its administration.

The petitions for rehearing make more vivid than did the original briefs the distinction between the ad valorem property tax that was in fact imposed and a privilege tax with which the former was identified. The distinction is deeply embedded in Michigan statutory and constitutional law, and guides taxing authorities in their administration of the local statutes. The tax that Michigan levied and this Court sustained is imposed on the prop-

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erty of the United States. Property is the subject of the tax and is the ultimate reliance for its satisfaction. The State has a lien on the property to assure collection. The person in possession on tax day is liable for the tax, but, since he has a right of recovery against the owner secured by a lien, he is in effect simply a collector of the tax. It is persuasively shown that, had the state authorities been satisfied that full ownership in the particular property was in the United States—an issue for controlling determination by this Court—the tax would not have been imposed. Indeed, as to tools concededly owned by the United States, no attempt was made to collect a tax. Such administrative practice by the taxing authorities would be inexplicable if the tax were conceived as an excise, a privilege tax, that is, on possession of property.

The petitions for rehearing have thrown into sharp relief the fact that the tax here imposed is simply an ordinary *ad valorem* tax imposed on the property, a tax indistinguishable from that in *United States v. County of Allegheny*, 322 U. S. 174. Therefore this tax is sustainable, unless Michigan law is to be construed in a way wholly at variance with the actual provisions of the state statutes and demonstrated administrative practice thereunder, only by disregarding *Allegheny* or overruling it. The Court does not purport to overrule *Allegheny*. The erroneous hypothesis about Michigan law underlying the Court's opinion could hardly have failed to obscure the full implications of the decision the Court was called upon to make. Due regard for the importance of these cases—as a matter of federal finance, of course, but even more so from the point of view of federal-state relations—and the demands of sound adjudication call for reargument. The Court would then be able to consider the power of a State to levy a tax undis-

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putably imposed upon property owned by the United States. Because I deem a reargument to be required, I do not mean to imply that it would lead to a different result. The basis of an adjudication may be as important as the decision. The Court has rightly been parsimonious in ordering rehearings, but the occasions on which important and difficult cases have been reargued have, I believe, enhanced the deliberative process.

No. 816. *NEW YORKER MAGAZINE, INC., v. GEROSA, COMPTROLLER OF THE CITY OF NEW YORK, ET AL.*, 356 U. S. 339;

No. 850. *POMPEI WINERY, INC., v. OHIO BOARD OF LIQUOR CONTROL*, 356 U. S. 937;

No. 859. *BOSTON & PROVIDENCE RAILROAD CORP. ET AL. v. NEW YORK, NEW HAVEN & HARTFORD RAILROAD CO.*, ET AL., 356 U. S. 939;

No. 334, Misc. *BILDERBACK v. UNITED STATES*, 356 U. S. 940;

No. 510, Misc. *LEE v. BURFORD, WARDEN*, 356 U. S. 935; and

No. 554, Misc. *BILDERBACK v. UNITED STATES*, 356 U. S. 946. Petitions for rehearing denied.

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Order Appointing Clerk.

IT IS ORDERED that James R. Browning be appointed Clerk of this Court effective August 15, 1958, to succeed John T. Fey whose resignation shall be effective at the close of business August 14, 1958. Mr. Browning shall take the oath of office and give bond as required by statute and the order of this Court entered November 22, 1948.

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Miscellaneous Orders.

No. 20. SCHAFER TRANSPORTATION CO. ET AL. *v.* UNITED STATES ET AL., 355 U. S. 83. The motion to allow and tax costs is granted. *Peter T. Beardsley* and *William J. O'Brien, Jr.* for appellants. *J. D. Feeney, Jr.*, *Joseph H. Hays*, *Amos Mathews*, *H. F. Chapman*, *Carl Helmetag, Jr.*, *James G. Lane* and *Ed White* for the Akron, Canton & Youngstown Railroad Co. et al., appellees.

No. 796, Misc. HOUSE *v.* GRIMES, SHERIFF;

No. 801, Misc. GIROUX *v.* LANGLOIS, ACTING WARDEN; and

No. 802, Misc. SANDERS *v.* MADIGAN, WARDEN, ET AL. Motions for leave to file petitions for writs of habeas corpus denied.

No. 716, Misc. FARNUM *v.* CONNECTICUT ET AL. Motion for leave to file petition for writ of mandamus denied. Petitioner *pro se*. *Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, and *Samuel A. Hirshowitz* and *Harold Borgwald*, Assistant Attorneys General, for the New York State Department of Mental Hygiene, appellee.

No. 717, Misc. FARNUM *v.* INTERNATIONAL ASSOCIATION OF MACHINISTS; and

No. 793, Misc. SHANE *v.* RAGEN, WARDEN. Motions for leave to file petitions for writs of mandamus denied.

No. 683, Misc. HARTSFIELD *v.* SLOAN, U. S. DISTRICT JUDGE. Motion of United States Conference of Mayors for leave to file brief, as *amicus curiae*, granted. Motion for leave to file petition for writ of mandamus denied. THE CHIEF JUSTICE, MR. JUSTICE BLACK, MR. JUSTICE DOUGLAS, and MR. JUSTICE BRENNAN think that a rule

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to show cause should issue. *Morris B. Abram* for petitioner. *Eugene Cook*, Attorney General, *Freeman Leverett*, *Robert H. Hall*, Assistant Attorneys General, and *B. D. Murphy* for the Secretary of State of Georgia, and *Charles J. Bloch* for Bell, Chairman, Georgia State Democratic Executive Committee, et al., filed briefs in opposition to the motion for leave to file petition for writ of mandamus. *Wallace M. Cohen* filed a brief for the United States Conference of Mayors, as *amicus curiae*, urging that the motion for leave to file petition for writ of mandamus be granted.

Probable Jurisdiction Noted.

No. 838. *NEW YORK CENTRAL RAILROAD Co. v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF NEW JERSEY ET AL.;*

No. 918. *ERIE RAILROAD Co. v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF NEW JERSEY ET AL.;* and

No. 948. *NEW YORK, SUSQUEHANNA & WESTERN RAILROAD Co. v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF NEW JERSEY ET AL.* Appeals from the United States District Court for the District of New Jersey. In these cases probable jurisdiction is noted. The motion to strike memorandum for appellees, United States and Interstate Commerce Commission, in support of statements as to jurisdiction in No. 838 is denied. *Thomas E. Dewey* and *Gerald E. Dwyer* for appellant in No. 838. *Charles W. Hutchinson*, *Raymond J. Lamb* and *Frederick G. Hoffmann* for appellant in No. 918. *Joseph J. Biunno* for appellant in No. 948. *Solicitor General Rankin*, *Assistant Attorney General Hansen*, *Robert W. Ginnane* and *Charlie H. Johns, Jr.* for the United States and the Interstate Commerce Commission, appellees in Nos. 838 and 918. *David D. Furman*, Acting Attorney General of New Jersey, and *William A. Roberts*, for the Board of Public Utility Commissioners et al., and *Milton T. Lasher*,

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Mr. Roberts and *Edgar Turlington* for Bergen County, New Jersey, et al., appellees in No. 838. *Mr. Furman* and *Joseph P. Lordi* and *Felix G. Forlenza*, Deputy Attorneys General of New Jersey, for the Board of Public Utility Commissioners of New Jersey et al., appellees in No. 918. Reported below: No. 838, 158 F. Supp. 98; Nos. 918 and 948, 158 F. Supp. 104.

No. 943. *UNITED STATES v. RADIO CORPORATION OF AMERICA ET AL.* Appeal from the United States District Court for the Eastern District of Pennsylvania. Probable jurisdiction noted. *Solicitor General Rankin*, *Assistant Attorney General Hansen*, *Daniel M. Friedman*, *Bernard M. Hollander* and *Raymond M. Carlson* for the United States. *Bernard G. Segal*, *Edward W. Mullinix*, *Josephine H. Klein* and *Lawrence J. McKay* for appellees. Reported below: 158 F. Supp. 333.

Certiorari Granted. (See No. 723, *Misc.*, ante, p. 219.)

Certiorari Denied. (See also No. 104, ante, p. 77, No. 677, *Misc.*, ante, p. 218, and No. 755, *Misc.*, ante, p. 220.)

No. 926. *CHINN v. CHINN.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Eugene X. Murphy* for petitioner. *Belford V. Lawson, Jr.* and *Marjorie A. McKenzie* for respondent. Reported below: 102 U. S. App D. C. 150, 251 F. 2d 391.

No. 966. *NEW MEXICO v. BEGAY.* Supreme Court of New Mexico. Certiorari denied. *Fred M. Standley*, Attorney General of New Mexico, and *Robert F. Pyatt* and *Alfred P. Whittaker*, Assistant Attorneys General, for petitioner. *Norman M. Littell*, *Laurence Davis* and *Charles M. Tansey, Jr.* for respondent. Reported below: 63 N. M. 409, 320 P. 2d 1017.

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No. 963. *FARNUM v. CONNECTICUT ET AL.* C. A. 2d Cir. Certiorari denied.

No. 969. *DAVIDITIS, ALIAS DAVIS, ET AL. v. NATIONAL BANK OF MATTOON, MATTOON, ILLINOIS.* Supreme Court of Illinois. Certiorari denied.

No. 970. *VOGLINO ET AL. v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. *Ellsworth T. Simpson* for petitioners. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Carl H. Imlay* for the United States. Reported below: 253 F. 2d 794.

No. 977. *STERN ET UX. v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. *Paul O'Dwyer* for petitioners. *Solicitor General Rankin, Acting Assistant Attorney General Yeagley, Philip R. Monahan and Carl G. Coben* for the United States. Reported below: 249 F. 2d 720.

No. 981. *PITTSTON COMPANY v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 2d Cir. Certiorari denied. *Rollin Browne* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Harry Baum and Myron C. Baum* for respondent. Reported below: 252 F. 2d 344.

No. 983. *TELESERVICE CO. OF WYOMING VALLEY v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 3d Cir. Certiorari denied. *Edward P. Morgan and Herbert E. Forrest* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice and Harry Baum* for respondent. Reported below: 254 F. 2d 105.

No. 985. *SMITH v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. *Charles A. Bellows* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and J. F. Bishop* for the United States. Reported below: 253 F. 2d 95.

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No. 989. *MANSFIELD ET UX. v. UNITED STATES.* Court of Claims. Certiorari denied. *Lloyd Fletcher and Scott P. Crampton* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, Harry Baum and Grant W. Wiprud* for the United States. Reported below: 141 Ct. Cl. 579, 159 F. Supp. 346.

No. 996. *WARNER v. LIEBERMAN ET AL.* C. A. 7th Cir. Certiorari denied. *Richard Dillon* for petitioner. *John F. Zimmermann* for respondents. Reported below: 253 F. 2d 99.

No. 1018. *CHANAN DIN KHAN v. BARBER, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE.* C. A. 9th Cir. Certiorari denied. *Nathaniel S. Colley* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Robert G. Maysack* for respondent. Reported below: 253 F. 2d 547.

No. 577, Misc. *DUKE v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Stanley E. Sparrowe* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Eugene L. Grimm* for the United States. Reported below: 255 F. 2d 721.

No. 616, Misc. *BUONO v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin, Assistant Attorney General Anderson and Beatrice Rosenberg* for the United States. Reported below: 255 F. 2d 721.

No. 612, Misc. *BALLARD v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Thomas Whelan* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson and Beatrice Rosenberg* for the United States. Reported below: 255 F. 2d 721.

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No. 618, Misc. COVINGTON *v.* INDEMNITY INSURANCE CO. OF NORTH AMERICA ET AL. C. A. 5th Cir. Certiorari denied. *Richard E. McDaniel* for petitioner. *J. Austin Barnes* for respondents. Reported below: 251 F. 2d 930.

No. 643, Misc. GRAY *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin* for the United States.

No. 646, Misc. HARDY *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 250 F. 2d 580.

No. 648, Misc. WALKER *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 251 F. 2d 616.

No. 673, Misc. JENKINS ET AL. *v.* DELL PUBLISHING CO., INC. C. A. 3d Cir. Certiorari denied. Petitioners *pro se*. *Charles F. C. Arensberg* for respondent. Reported below: 251 F. 2d 447.

No. 678, Misc. CARNEY *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 679, Misc. BROWNLOW *v.* FLORIDA ET AL. Supreme Court of Florida. Certiorari denied

No. 729, Misc. ROBINSON *v.* CAVELL, WARDEN. Supreme Court of Pennsylvania, Western District. Certiorari denied.

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No. 690, Misc. *GRiffin 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 Anderson, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 103 U. S. App. D. C. 317, 258 F. 2d 411.

No. 702, Misc. *SWITZER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Walter H. Maloney and Llewellyn A. Luce* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and William J. Schafer, III*, for the United States. Reported below: 252 F. 2d 139.

No. 708, Misc. *LEICK v. COLORADO*. Supreme Court of Colorado. Certiorari denied. *Charles Ginsberg* 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. 535, 322 P. 2d 674.

No. 735, Misc. *JOHNSON v. MISSOURI*. Supreme Court of Missouri. Certiorari denied.

No. 737, Misc. *DREHER v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 751, Misc. *JORDAN v. ARIZONA*. Supreme Court of Arizona. Certiorari denied. *W. Edward Morgan* for petitioner. Reported below: 83 Ariz. 248, 320 P. 2d 446.

No. 788, Misc. *BYRD v. PEPERSACK, WARDEN*. Court of Appeals of Maryland. Certiorari denied. Reported below: 216 Md. 656, 140 A. 2d 694.

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No. 734, Misc. *JOHNSON v. NEW YORK*. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 779, Misc. *WARWICK v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 797, Misc. *DAVIS v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. Reported below: 165 Tex. Cr. R. —, 310 S. W. 2d 73.

Rehearing Denied.

No. 213. *WEBSTER MOTOR CAR CO. v. PACKARD MOTOR CAR CO. ET AL.*, 355 U. S. 822. Motion for leave to file a second petition for rehearing denied.

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Miscellaneous Orders.

Pursuant to the provisions of Title 28, U. S. C., § 42, It is ordered that MR. JUSTICE FRANKFURTER be, and he is hereby, temporarily assigned to the Sixth Circuit as Circuit Justice from July 19, 1958, to September 1, 1958.

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

No. 252. *GRACE LINE, INC., ET AL. v. PANAMA CANAL CO.*, 356 U. S. 309. The application for amendment of the opinion is denied. *C. Dickerman Williams* and *J. Stewart Harrison* for applicants-respondents. *Solicitor General Rankin, Assistant Attorney General Doub, Samuel D. Slade* and *Herman Marcuse* filed a memorandum in opposition for the Panama Canal Co.

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No. 692. GUERLAIN, INC., *v.* UNITED STATES;

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, No. 692, 355 U. S. 937; Nos. 751 and 752, 355 U. S.
951.) The motion for leave to file brief of the Webster
Motor Car Company, as *amicus curiae*, is denied.

No. 834. GINSBURG *v.* STERN ET AL., 356 U. S. 932.
The motion to remand is denied.

No. 157. CIUCCI *v.* ILLINOIS, 356 U. S. 571. Petition
for rehearing or modification of opinion and judgment
denied.

No. 461, Misc. MARTINEZ *v.* SOUTHERN UTE TRIBE
OF THE SOUTHERN UTE RESERVATION ET AL., 356 U. S.
960. Petition for rehearing and motion for leave to
amend complaint denied.

No. 768, Misc. GENERAL HOUSES, INC., *v.* BRUCH-
HAUSEN, U. S. DISTRICT JUDGE. Motion for leave to file
petition for writ of mandamus or, in the alternative, for
writ of prohibition or certiorari, denied. *Horace A.*
Young for petitioner. *Solicitor General Rankin*, *Assist-
ant Attorney General Doub* and *Alan S. Rosenthal* for
Floete, Administrator of General Services, and *Thomas J.*
McFadden for the Marloch Manufacturing Corporation
et al.

No. 813, Misc. DELTENRE *v.* TINSLEY, WARDEN. Mo-
tion for leave to file petition for writ of habeas corpus
denied.

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Certiorari Granted. (See also Nos. 107, 122-125, 412, 921, 986 and 1012, ante, pp. 235, 275, 345, 346, 347, 348.)

No. 957. *DICK v. NEW YORK LIFE INSURANCE CO.* C. A. 8th Cir. Certiorari granted. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *Pershing Boe* for petitioner. *Harold W. Bangert* for respondent. Reported below: 252 F. 2d 43.

No. 998. *SAN DIEGO BUILDING TRADES COUNCIL ET AL. v. GARMON ET AL.* Supreme Court of California. Certiorari granted. Motion to use record in No. 50, October Term, 1956, granted. *Charles P. Scully, Walter Wencke and Mathew Tobriner* for petitioners. *James W. Archer* for respondents. Reported below: 49 Cal. 2d 595, 320 P. 2d 473.

No. 790, Misc. *WILLIAMS v. OKLAHOMA.* Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Criminal Court of Appeals of Oklahoma granted. Reported below: 321 P. 2d 990.

Certiorari Denied. (See also No. 952, ante, p. 344, and No. 768, Misc., ante, p. 924.)

No. 655. *DONG WING OTT ET AL. v. MURFF, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE.* C. A. 2d Cir. Certiorari denied. *Elmer Fried* for petitioners. *Solicitor General Rankin* for respondent. Reported below: 245 F. 2d 875, 247 F. 2d 769.

No. 1002. *FLORIDA EX REL. ARNOLD v. REVELS, CIRCUIT COURT JUDGE.* Supreme Court of Florida. Certiorari denied. *Chester Bedell* for petitioner. Reported below: 100 So. 2d 51.

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No. 987. *FRIEDMAN v. INTERNATIONAL ASSOCIATION OF MACHINISTS ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Victor B. Harris* and *Seymour Krieger* for petitioner. *Clarence M. Mulholland, Edward J. Hickey, Jr.* and *James L. Highsaw, Jr.* for respondents. Reported below: 102 U. S. App. D. C. 282, 252 F. 2d 846.

No. 988. *ELGIN CORPORATION v. ATLAS BUILDING PRODUCTS CO.* C. A. 10th Cir. Certiorari denied. *Dee C. Blythe* for petitioner. *William A. Sloan* and *J. F. Hulse* for respondent. Reported below: 251 F. 2d 7.

No. 993. *MOORE ET UX. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *John D. Cofer* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice* and *Joseph F. Goetten* for the United States. Reported below: 254 F. 2d 213.

No. 1000. *STALEY MILLING CO. v. A. E. STALEY MANUFACTURING CO.* C. A. 7th Cir. Certiorari denied. *Wallace H. Martin, Montgomery S. Winning* and *Robert Bonynge* for petitioner. *Thomas W. Samuels, Carl R. Miller* and *William T. Woodson* for respondent. Reported below: 253 F. 2d 269.

No. 1005. *UNITED STATES v. FIELD ET AL.* 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 E. Wood* for respondents. Reported below: 141 Ct. Cl. 307, 312, 157 F. Supp. 936, 158 F. Supp. 580.

No. 1011. *LILLIONS ET VIR v. PUGET SOUND MUTUAL SAVINGS BANK.* Supreme Court of Washington. Certiorari denied. *Christ D. Lillions* for petitioners.

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No. 1003. DORCHESTER CORPORATION *v.* NATURAL GAS PIPELINE CO. OF AMERICA ET AL. C. A. 3d Cir. Certiorari denied. *Gene M. Woodfin* for petitioner. *Solicitor General Rankin* for the Federal Power Commission, and *Carl McGowan* for the Natural Gas Pipeline Co. of America, respondents. Reported below: 253 F. 2d 3.

No. 1004. KNIGHT MORLEY CORP. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 6th Cir. Certiorari denied. *John F. Langs* for petitioner. *Solicitor General Rankin, Jerome D. Fenton, Thomas J. McDermott, Dominick L. Manoli* and *Owsley Vose* for respondent. Reported below: 251 F. 2d 753.

No. 1006. SCIRIA *v.* LEHMANN, OFFICER IN CHARGE, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 6th Cir. Certiorari denied. *Henry C. Lavine* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg* and *Carl H. Imlay* for respondent. Reported below: 248 F. 2d 519.

No. 1007. CROW *v.* FAULKNER ET AL., DISBARMENT COMMITTEE. Supreme Court of Ohio. Certiorari denied. *Reed M. Winegardner* and *J. Harvey Crow* for petitioner. *D. Harland Jackman* and *Edwin L. English* for respondents.

No. 728, Misc. MILLER *v.* NEW YORK. C. A. 2d Cir. Certiorari denied.

No. 1033. BROOKS ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Rudolph F. Becker, Jr.* for petitioners. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg* and *Carl H. Imlay* for the United States. Reported below: 253 F. 2d 362.

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No. 1010. CENTRAL RAILROAD CO. OF NEW JERSEY ET AL. *v.* NEELD, DIRECTOR, DIVISION OF TAXATION, DEPARTMENT OF TREASURY, ET AL. Supreme Court of New Jersey. Certiorari denied. *Augustus Nasmith* for the Delaware, Lackawanna & Western Railroad Co., *Joseph C. Glavin* for the Pennsylvania Railroad Co. et al., and *Raymond J. Lamb* for the Erie Railroad Co. et al., petitioners. *David D. Furman*, Attorney General of New Jersey, and *Theodore L. Botter* and *William L. Boyan*, Deputy Attorneys General, for Neeld, *Leo Rosenblum* for the City of Jersey City et al., *James Rosen* for the Township of Weehawken, *Herbert H. Fine* for the City of Hoboken, *Vincent J. Casale* for the City of Newark, and *Norman Heine* for the City of Camden, respondents. Reported below: 26 N. J. 172, 139 A. 2d 110.

No. 740, Misc. DEUTSCHMANN *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 254 F. 2d 487.

No. 809, Misc. KITCHEN *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 1020. SWARTZ ET UX. *v.* ROGERS, ATTORNEY GENERAL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Eugene Gressman*, *Max M. Kampelman*, *Richard Schifter* and *Joseph Robbie* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Carl H. Imlay* for respondent. Reported below: 103 U. S. App. D. C. 1, 254 F. 2d 338.

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No. 1013. BOVEY, WARDEN, *v.* GRANDSINGER. C. A. 8th Cir. Certiorari denied. *Clarence S. Beck*, Attorney General of Nebraska, and *Ralph D. Nelson*, Special Assistant Attorney General, for petitioner. Reported below: 253 F. 2d 917.

No. 984. MERWIN LIGHTERAGE Co., INC., *v.* VIRGIN ISLANDS CORP. C. A. 3d Cir. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *Henry F. Butler* and *John D. Merwin* for petitioner. *F. Herbert Prem* and *Warren H. Young* for respondent. Reported below: 251 F. 2d 872.

No. 997. TALIAFERRO *v.* COAKLEY, SUPERIOR COURT JUDGE, ET AL. District Court of Appeal of California, First Appellate District. Motion to dispense with the printing of the petition granted. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this motion and application.

No. 556, Misc. ADAMS *v.* BANMILLER, WARDEN. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. Petitioner *pro se*. *Raymond R. Start* for respondent. Reported below: 391 Pa. 140, 137 A. 2d 508.

No. 623, Misc. JOHNSON *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 Anderson*, *Beatrice Rosenberg* and *J. F. Bishop* for the United States.

No. 789, Misc. MORRIS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied.

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No. 671, Misc. *WOODARD v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *De Long Harris* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and William J. Schafer, III*, for the United States. Reported below: 102 U. S. App. D. C. 393, 254 F. 2d 312.

No. 693, Misc. *ANDERSEN v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Eugene X. Murphy* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Kirby W. Patterson* for the United States. Reported below: 102 U. S. App. D. C. 313, 253 F. 2d 335.

No. 1016. *RUDIN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Louis M. Hopping* and *William G. Comb* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and William J. Schafer, III*, for the United States. Reported below: 254 F. 2d 45.

No. 819, Misc. *DAY v. McELROY, SECRETARY OF DEFENSE, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Harry E. Wood* and *Guy Emery* for petitioner. Reported below: 103 U. S. App. D. C. 101, 255 F. 2d 179.

No. 806, Misc. *EPHRAIM v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Reported below: 13 Ill. 2d 456, 150 N. E. 2d 152.

No. 713, Misc. *MURPHY v. LOUISIANA ET AL.* Supreme Court of Louisiana. Certiorari denied. Reported below: 234 La. 909, 102 So. 2d 61.

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No. 711, Misc. *ALLEN v. MURPHY, WARDEN*. Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied. Reported below: 5 App. Div. 2d 956, 172 N. Y. S. 2d 563.

No. 726, Misc. *SANDERS v. NEW YORK*. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied. Reported below: 5 App. Div. 2d 766, 170 N. Y. S. 2d 975.

No. 1008. *B & G ELECTRIC CO. v. G. E. BASS & CO., INC.* C. A. 5th Cir. Certiorari denied. *Robert L. Taylor* for petitioner. Reported below: 252 F. 2d 698.

No. 731, Misc. *HARPER v. BANMILLER, WARDEN*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 743, Misc. *CATO v. OHIO*. Supreme Court of Ohio. Certiorari denied. *Leo F. Lightner* for petitioner. *Daniel L. O'Connor* for respondent.

No. 744, Misc. *MOORE v. MCNEILL, DIRECTOR, MATTEAWAN STATE HOSPITAL*. Supreme Court of New York, Dutchess County. Certiorari denied.

No. 700, Misc. *ROMERO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Warren M. Christopher* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Julia P. Cooper* for the United States. Reported below: 253 F. 2d 513.

No. 714, Misc. *BOLISH v. PENNSYLVANIA*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. Reported below: 391 Pa. 550, 138 A. 2d 447.

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No. 780, Misc. *FORSYTHE v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied. Petitioner *pro se*. *David D. Furman*, Attorney General of New Jersey, and *William L. Boyan*, Deputy Attorney General, for respondent.

No. 710, Misc. *IN RE McNALLY*. C. A. 9th Cir. Certiorari denied. Reported below: 254 F. 2d 813.

No. 774, Misc. *JONES v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Bennett Boskey* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *William J. Schafer, III*, for the United States. Reported below: 103 U. S. App. D. C. 326, 258 F. 2d 420.

No. 699, Misc. *MURRAY ET UX. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. Reported below: 250 F. 2d 489.

No. 543, Misc. *CATO v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application. Petitioner *pro se*. *Edmund G. Brown*, Attorney General of California, *Clarence A. Linn*, Assistant Attorney General, and *Arlo E. Smith*, Deputy Attorney General, for respondents.

No. 722, Misc. *LUSK v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 7th Cir. Motion to dispense with the printing of the petition granted. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *I. Henry Kutz* and *S. Dee Hanson* for respondent. Reported below: 250 F. 2d 591.

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Rehearing Denied. (See also No. 157 and No. 461, *Misc.*, *supra*.)

No. 15. PUBLIC SERVICE COMMISSION OF UTAH ET AL.
v. UNITED STATES ET AL., 356 U. S. 421;

No. 57. BYRD *v.* BLUE RIDGE RURAL ELECTRIC COOPERATIVE, INC., 356 U. S. 525;

No. 84. MASCIALE *v.* UNITED STATES, 356 U. S. 386;
and

No. 386, *Misc.* MILLER *v.* THORN, ANCILLARY EXECUTRIX, ET AL., 355 U. S. 965. Petitions for rehearing denied.

No. 40. HOAG *v.* NEW JERSEY, 356 U. S. 464. Rehearing denied. MR. JUSTICE BRENNAN took no part in the consideration or decision of this application.

No. 846. BROWN *v.* UNITED STATES, 356 U. S. 938. Motion for leave to file petition for rehearing denied.

Dismissal Under Rule 60.

No. 846, *Misc.* JOHNSON *v.* UNITED STATES. On petition for writ of certiorari 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 H. Timbers* for petitioner. *Solicitor General Rankin* for the United States. Reported below: 254 F. 2d 175.

JUNE 30, 1958.

Miscellaneous Orders.

No. 1057. CASH *v.* CULVER, STATE PRISON CUSTODIAN. Certiorari, 357 U. S. 904, to the Supreme Court of Florida. It is ordered that *Irwin L. Langbein, Esquire*, of West Palm Beach, Florida, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for petitioner in this case.

June 30, 1958.

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No. 1, Original. *NEW MEXICO v. COLORADO*. It is ordered that *Joseph C. Thoma* of Washington, D. C., be, and he is hereby, appointed Boundary Commissioner in this case in the place of *Arthur D. Kidder*, deceased.

No. 832, Misc. *HARRISON v. SETTLE, WARDEN*; and No. 839, Misc. *MOSES v. SMYTH, SUPERINTENDENT, VIRGINIA PENITENTIARY*. Motions for leave to file petitions for writs of habeas corpus denied.

No. 853, Misc. *BAILEY v. HUXMAN, U. S. DISTRICT JUDGE, ET AL.* Motion for leave to file petition for writ of mandamus denied.

No. 833, Misc. *HUNTER v. BIBB, DIRECTOR, DEPARTMENT OF PUBLIC SAFETY, ET AL.* Motion for leave to file petition for writ of mandamus and other relief denied.

No. 836, Misc. *KNIGHT v. RAGEN, WARDEN, ET AL.* Motion for leave to file petition for writ of prohibition and other relief denied.

Certiorari Granted. (See also Nos. 165, 387, 753 and Misc. Nos. 513, 515, 596, 756 and 826, ante, pp. 468, 573, 574, 575, 576, 575, 577, 578.)

No. 77, Misc. *GREENE 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. *James H. Heller* for petitioner. *Solicitor General Rankin, Warren Olney, III*, then Assistant Attorney General, *Roger Fisher* and *Beatrice Rosenberg* for the United States. Reported below: 100 U. S. App. D. C. 396, 246 F. 2d 677.

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No. 591. *HARRIS v. UNITED STATES*. C. A. 8th Cir. Certiorari granted. *Morris A. Shenker, Bernard J. Mellman and Sidney M. Glazer* 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 196.

No. 290, Misc. *WOODY 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 Sixth Circuit granted. Petitioner *pro se*. *Solicitor General Rankin, Acting Assistant Attorney General McLean and Beatrice Rosenberg* for the United States. Reported below: 258 F. 2d 535.

No. 411, Misc. *DRAPER 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 Tenth Circuit granted. *Osmond K. Fraenkel* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General McLean and Beatrice Rosenberg* for the United States. Reported below: 248 F. 2d 295.

No. 639, Misc. *HEFLIN 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. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Kirby W. Patterson* for the United States. Reported below: 251 F. 2d 69.

Certiorari Denied. (See also Nos. 756, 757, 759, 947 and 1095, ante, pp. 569, 570, 566.)

No. 1022. *MAYO v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. *Woodrow Seals* for petitioner. Reported below: — Tex. Cr. R. —, 314 S. W. 2d 834.

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No. 903. *WEISE ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Edward Mosk* and *Sam Rosenwein* for petitioners. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 251 F. 2d 867.

No. 1017. *DU BOYES, INC., ET AL. v. BOUCHER ET AL.* C. A. 2d Cir. Certiorari denied. *Maxwell E. Sparrow* and *J. Preston Swecker* for petitioners. *Thomas A. McGovern* and *Burton L. Knapp* for respondents. Reported below: 253 F. 2d 948.

No. 1019. *WATKINS ET UX. v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. *John H. Weir* and *Curtiss K. Thompson* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, Harry Baum* and *Grant W. Wiprud* for the United States. Reported below: 252 F. 2d 722.

No. 1023. *CALLAS ET AL. v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. *Joseph A. Solovei* for petitioners. *Solicitor General Rankin, Assistant Attorney General Doub* and *Samuel D. Slade* for the United States. Reported below: 253 F. 2d 838.

No. 419. *EASTERN AIR LINES, INC., v. MOE.* C. A. 5th Cir. Certiorari denied. *E. Smythe Gambrell* and *W. Glen Harlan* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Samuel D. Slade* for respondent. Reported below: 246 F. 2d 215.

No. 1026. *FERGUSON v. OHIO.* Supreme Court of Ohio. Certiorari denied. *A. L. Kearns* for petitioner. *John T. Corrigan* for respondent. Reported below: 167 Ohio St. 294, 147 N. E. 2d 663.

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No. 1021. *WILLMUT GAS & OIL CO. v. UNITED GAS PIPE LINE CO. ET AL.* Supreme Court of Mississippi. Certiorari denied. *Garner W. Green, Sr.* for petitioner. *Thomas Fletcher* and *C. Huffman Lewis* for respondents. *Bryce Rea, Jr.* filed a brief for the City of Hattiesburg, Mississippi, as *amicus curiae*, in support of the petition for a writ of certiorari. Reported below: — Miss. —, 97 So. 2d 530, 100 So. 2d 609.

No. 1025. *BERLINER ET AL. v. DISTRICT OF COLUMBIA.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Milton W. King, Bernard I. Nordlinger, Wallace Luchs, Jr.* and *Robert B. Frank* for petitioners. *Chester H. Gray, Milton D. Korman* and *Henry E. Wixon* for respondent. Reported below: 103 U. S. App. D. C. 351, 258 F. 2d 651.

No. 704, Misc. *SMITH v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *John D. Fauntleroy* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. Reported below: 103 U. S. App. D. C. 48, 254 F. 2d 751.

No. 661, Misc. *SMITH v. FLORIDA.* 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. 1047. *COSTELLO v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. *Edward Bennett Williams, Agnes A. Neill* and *Morris Shilensky* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Joseph F. Goetten* and *Myron C. Baum* for the United States. Reported below: 255 F. 2d 876.

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No. 1048. *KLEPPER ET AL. v. MANUFACTURERS LIFE INSURANCE CO. ET AL.* C. A. 3d Cir. Certiorari denied. *Andrew J. Dritsas* and *Albert Barnett Klepper* for petitioners. *Nicholas Conover English* for the Manufacturers Life Insurance Co., respondent.

No. 1053. *HARTE-HANKS NEWSPAPERS ET AL. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Dan Moody* for petitioners. *Solicitor General Rankin, Assistant Attorney General Hansen* and *Daniel M. Friedman* for the United States. Reported below: 254 F. 2d 366.

No. 354, Misc. *WILLIAMS v. MICHIGAN.* Supreme Court of Michigan. Certiorari denied. Petitioner *pro se.* *Paul L. Adams*, Attorney General of Michigan, and *Samuel J. Torina*, Solicitor General, for respondent.

No. 656, Misc. *TIPTON v. DICKSON, WARDEN, ET AL.* Supreme Court of California. Certiorari denied. Petitioner *pro se.* *Edmund G. Brown*, Attorney General of California, *Clarence A. Linn*, Assistant Attorney General, and *Arlo E. Smith*, Deputy Attorney General, for respondents.

No. 1045. *JOHNSON FARE BOX CO. v. DOYLE, TRUSTEE IN REORGANIZATION, ET AL.* C. A. 2d Cir. Certiorari denied. *Joseph Lorenz* for petitioner. *Edward D. Burns* for Doyle, respondent. Reported below: 250 F. 2d 656.

No. 709, Misc. *KENDRICK 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 Anderson, Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 102 U. S. App. D. C. 296, 252 F. 2d 860.

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No. 707, Misc. *SMITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Kirby W. Patterson* for the United States. Reported below: 252 F. 2d 369.

No. 1037. *KAMEN SOAP PRODUCTS Co., INC., v. UNITED STATES*. Court of Claims. Certiorari denied. *Samuel E. Hirsch and Sheldon E. Bernstein* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub and Samuel D. Slade* for the United States. Reported below: 140 Ct. Cl. 566.

No. 785, Misc. *GRADY v. RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. Supreme Court of Washington. Certiorari denied. Reported below: 51 Wash. 2d 1, 314 P. 2d 930.

No. 736, Misc. *CHASE v. KEENAN, WARDEN*. Supreme Court of Pennsylvania, Western District. Certiorari denied.

No. 754, Misc. *HAMILTON 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 Anderson, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 102 U. S. App D. C. 298, 252 F. 2d 862.

No. 787, Misc. *UPSHAW 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 Anderson, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 102 U. S. App. D. C. 299, 252 F. 2d 863.

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No. 727, Misc. *SHAW v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 745, Misc. *ANDREWS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Daniel H. Greenberg* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and William J. Schafer, III*, for the United States. Reported below: 252 F. 2d 788.

No. 752, Misc. *TITTMAN v. GREAT NORTHERN RAILWAY CO.* C. A. 9th Cir. Certiorari denied. *Ben Anderson* for petitioner. *Thomas Balmer and Harry T. Davenport* for respondent. Reported below: 252 F. 2d 793.

No. 757, Misc. *BARRETT v. LOONEY, WARDEN*. C. A. 10th Cir. Certiorari denied. *Joseph P. Jenkins* for petitioner. *Solicitor General Rankin, Assistant Attorney General White and Harold H. Greene* for respondent. Reported below: 252 F. 2d 588.

No. 775, Misc. *SOUTHERS v. ADAMS, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 766, Misc. *DALOIA v. RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. C. A. 9th Cir. Certiorari denied.

No. 770, Misc. *ROARK v. WEST ET AL.* C. A. 5th Cir. Certiorari denied. *I. H. Spears* for petitioner. Reported below: 251 F. 2d 956.

No. 771, Misc. *NEGRON v. NEW YORK*. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied.

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No. 760, Misc. SCHUMACHER *v.* GAYNOR, EXECUTOR, ET AL. Supreme Court of Iowa. Certiorari denied.

No. 776, Misc. BLACKMON *v.* WAGENER ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 253 F. 2d 10.

No. 781, Misc. LOZOYA *v.* RAMIREZ ET AL. C. A. 9th Cir. Certiorari denied. *Morris Lavine* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Eugene L. Grimm* for respondents. Reported below: 253 F. 2d 85.

No. 782, Misc. ROMANO *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 783, Misc. TUCKER *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 255 F. 2d 271.

No. 784, Misc. THOMPSON *v.* CAVELL, WARDEN. Supreme Court of Pennsylvania, Western District. Certiorari denied.

No. 724, Misc. WORBETZ *v.* GOODMAN, WARDEN. Supreme Court of New Jersey. Certiorari denied. Reported below: 26 N. J. 245, 139 A. 2d 471.

No. 786, Misc. BOWEN *v.* NEW YORK. Supreme Court of New York, Bronx County. Certiorari denied.

No. 792, Misc. HULBERT *v.* MARTIN, WARDEN. Supreme Court of New York, Wyoming County. Certiorari denied.

No. 799, Misc. PEABODY *v.* GULOTTA, DISTRICT ATTORNEY OF NASSAU COUNTY, NEW YORK. Court of Appeals of New York. Certiorari denied.

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No. 795, Misc. BEASLEY *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 798, Misc. SCOTT *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 255 F. 2d 18.

No. 794, Misc. CATRON *v.* ADAMS, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 800, Misc. GULLAHORN *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 255 F. 2d 928.

No. 803, Misc. WOLF *v.* BROWNELL, ATTORNEY GENERAL, ET AL. C. A. 9th Cir. Certiorari denied. *John Caughlan* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson* and *Beatrice Rosenberg* for respondents. Reported below: 253 F. 2d 141.

No. 805, Misc. LEGGETT *v.* ARKANSAS. Supreme Court of Arkansas. Certiorari denied. *Kenneth Coffelt* for petitioner. Reported below: — Ark. —, 311 S. W. 2d 521.

No. 849, Misc. WILKINS *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Reported below: 103 U. S. App. D. C. 322, 258 F. 2d 416.

No. 838, Misc. GARDNER *v.* PEPERSACK, WARDEN. Court of Appeals of Maryland. Certiorari denied. Reported below: 217 Md. 653, 141 A. 2d 684.

No. 867, Misc. ECKWERTH *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. *Stephen C. Vladeck* for petitioner. Reported below: 4 N. Y. 2d 811, 923, 149 N. E. 2d 894, 151 N. E. 2d 351.

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No. 822, Misc. MILLER, ALIAS WARNER, *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Reported below: 13 Ill. 2d 84, 148 N. E. 2d 455.

No. 823, Misc. WIGGINS *v.* RAGEN, WARDEN. C. A. 7th Cir. Certiorari denied. Reported below: 252 F. 2d 205.

No. 827, Misc. WELLS *v.* KEITH, 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. 858, 102 S. E. 2d 533.

No. 820, Misc. LUCAS *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 845, Misc. RICHARDSON *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. Petitioner *pro se*. Frank D. O'Connor and Benj. J. Jacobson for respondent. Reported below: 4 N. Y. 2d 224, 149 N. E. 2d 875.

No. 818, Misc. GOLDBERG *v.* WAGNER, MAYOR OF THE CITY OF NEW YORK, ET AL. Court of Appeals of New York. Certiorari denied. Petitioner *pro se*. Peter Campbell Brown and Seymour B. Quel for respondents.

No. 852, Misc. LINDEN *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 855, Misc. NELSON *v.* WARDEN OF MARYLAND PENITENTIARY. Court of Appeals of Maryland. Certiorari denied. Reported below: 216 Md. 648, 140 A. 2d 516.

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No. 821, Misc. *HOLLAND v. SMYTH, SUPERINTENDENT, VIRGINIA PENITENTIARY*. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 874, Misc. *RISER v. TEETS, WARDEN*. C. A. 9th Cir. Certiorari denied. *George T. Davis* for petitioner. Reported below: 253 F. 2d 844.

Rehearing Denied.

No. 88. *THOMAS v. ARIZONA*, 356 U. S. 390;
No. 868. *AQUA HOTEL CORP. ET AL. v. McLAUGHLIN, TRUSTEE IN REORGANIZATION, ET AL.*, 356 U. S. 965;
No. 898. *McKINNEY v. KELLEY*, 356 U. S. 972;
No. 909. *GIARDANO ET AL. v. UNITED STATES*, 356 U. S. 973;
No. 913. *CRUMP v. ILLINOIS*, *ante*, p. 906;
No. 914. *GERNIE ET AL. v. UNITED STATES*, 356 U. S. 968;
No. 942. *HOOVER v. UNITED STATES*, 356 U. S. 960;
No. 980. *MORRISON, MAYOR OF NEW ORLEANS, ET AL. v. DAVIS ET AL.*, 356 U. S. 968; and
No. 455, Misc. *PRATT v. DEPARTMENT OF THE ARMY ET AL.*, 356 U. S. 226. Petitions for rehearing denied.

No. 21. *INTERNATIONAL UNION, UNITED AUTOMOBILE, AIRCRAFT AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW-CIO) ET AL. v. RUSSELL*, 356 U. S. 634; and

No. 31. *INTERNATIONAL ASSOCIATION OF MACHINISTS ET AL. v. GONZALES*, 356 U. S. 617. Petitions for rehearing denied. MR. JUSTICE BLACK took no part in the consideration or decision of these applications.

No. 864. *SPRIGGS v. PIONEER CARISSA GOLD MINES, INC., ET AL.*, 356 U. S. 950. Motion for leave to file petition for rehearing denied.