

ORDERS FROM OCTOBER 3, 1958, THROUGH
FEBRUARY 20, 1959.

OCTOBER 3, 1958.

Dismissal Under Rule 60.

No. 186. *PERRICONE v. NEW YORK STATE COMMISSION AGAINST DISCRIMINATION ET AL.* Appeal from the Court of Appeals of New York. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. Petitioner *pro se*. *Evelyn E. West* was on the stipulation for the New York State Commission Against Discrimination, appellee. With her on a Motion to Dismiss or Affirm was *Milton Rosenberg*. *Samuel W. Eager*, appellee, *pro se*, was also on the stipulation. Reported below: 4 N. Y. 2d 874, 150 N. E. 2d 712.

OCTOBER 6, 1958.

Dismissal Under Rule 60.

No. 312. *COMMERCIAL STEVEDORING Co., INC., v. A/S J. LUDWIG MOWINCKELS REDERI.* 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. *Horace M. Gray* was on the stipulation for petitioner. With him on the petition was *Leo F. Hanan*. *James M. Estabrook* was on the stipulation for respondent. With him on a brief in opposition to the petition was *Francis X. Byrn*. Reported below: 256 F. 2d 227.

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Miscellaneous Orders.

No. 66. *SAN DIEGO BUILDING TRADES COUNCIL ET AL. v. GARMON ET AL.* Certiorari, 357 U. S. 925, to the Su-

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preme Court of California. The Solicitor General is invited to file a brief in this case setting forth the views of the United States. Reported below: 49 Cal. 2d 595, 320 P. 2d 473.

No. 130, October Term, 1957. FIDELITY-PHILADELPHIA TRUST CO. ET AL., EXECUTORS, *v.* SMITH, COLLECTOR OF INTERNAL REVENUE, 356 U. S. 274. The motion to retax costs is denied. *Robert T. McCracken* for movant-petitioners. *Solicitor General Rankin* for respondent.

No. 23. UNITED GAS PIPE LINE CO. *v.* MEMPHIS LIGHT, GAS AND WATER DIVISION ET AL.;

No. 25. FEDERAL POWER COMMISSION *v.* MEMPHIS LIGHT, GAS AND WATER DIVISION ET AL.; and

No. 26. 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 motions for leave to file briefs of Amere Gas Utilities Co. et al. and Natural Gas Pipeline Co. of America et al., as *amici curiae*, are denied. Reported below: 102 U. S. App. D. C. 77, 250 F. 2d 402.

No. 25. FEDERAL POWER COMMISSION *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 for leave to file brief of Long Island Lighting Co., as *amicus curiae*, is denied. Reported below: 102 U. S. App. D. C. 77, 250 F. 2d 402.

No. 135. WOODY *v.* UNITED STATES. Certiorari, 357 U. S. 935, to the United States Court of Appeals for the Sixth Circuit. It is ordered that *Clarence O. Woolsey, Esquire*, of Springfield, Missouri, be, and he is hereby, appointed to serve as counsel for petitioner in this case.

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No. 53. *NEW YORK v. O'NEILL*. Certiorari, 356 U. S. 972, to the Supreme Court of Florida. The motion for leave to file brief of the National Conference of Commissioners on Uniform State Laws, as *amicus curiae*, is granted. *James C. Dezendorf* and *Louis A. Kohn* for movant. Reported below: 100 So. 2d 149.

No. 56. *UNITED NEW YORK AND NEW JERSEY SANDY HOOK PILOTS ASSOCIATION ET AL. v. HALECKI, ADMINISTRATRIX*. Certiorari, 357 U. S. 903, to the United States Court of Appeals for the Second Circuit. The motion of the Solicitor General for leave to participate in oral argument is denied. MR. JUSTICE FRANKFURTER, with whom MR. JUSTICE HARLAN joins, would grant the Government's motion for leave to participate in the oral argument of this case in view of the important public interest with which the Government is charged in carrying out the congressional policy for a government-owned merchant marine and in view of the confused state of the law dealing with the issues raised by this case. *Solicitor General Rankin* for the United States, movant. *Nathan Baker* for respondent in opposition to the motion. Reported below: 251 F. 2d 708.

No. 137. *HEFLIN v. UNITED STATES*. Certiorari, 357 U. S. 935, to the United States Court of Appeals for the Fifth Circuit. It is ordered that *Jerome A. Cooper, Esquire*, of Birmingham, Alabama, 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: 251 F. 2d 69.

No. 320, Misc. *PURITAN CHURCH BUILDING FUND ET AL. v. EDGERTON, CHIEF JUDGE, ET AL.* Motion for leave to file petition for writ of mandamus and motion to disqualify denied.

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No. 153. *GANGER ET AL. v. CITY OF MIAMI*. Appeal from the Supreme Court of Florida. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits. Counsel are directed to discuss the question of whether the constitutional issues were raised and decided below. *Clyde A. Epperson* and *Thomas H. Anderson* for appellants. *Milton M. Ferrell* for appellee. Reported below: 101 So. 2d 116.

No. 167. *SUN OIL CO. v. FEDERAL POWER COMMISSION*;

No. 197. *LONG ISLAND LIGHTING CO. ET AL. v. SUN OIL CO. ET AL.*;

No. 201. *LONG ISLAND LIGHTING CO. ET AL. v. BEL OIL CORP. ET AL.*;

No. 202. *BEL OIL CORP. v. FEDERAL POWER COMMISSION*; and

No. 203. *UNION OIL CO. OF CALIFORNIA ET AL. v. FEDERAL POWER COMMISSION*. C. A. 5th Cir. Certiorari denied. Motion of Long Island Lighting Co. et al. to be added as parties respondent and to correct and amend titles and captions in Nos. 167, 202 and 203 denied. *Martin A. Row* and *Robert E. May* for petitioner in No. 167. *David K. Kadane* for the Long Island Lighting Co., and *Vincent P. McDevitt* and *Samuel G. Miller* for the Philadelphia Electric Co., petitioners in Nos. 197 and 201 and movants in Nos. 167, 202 and 203. With them on the motion was *Edward S. Kirby* for the Public Service Electric & Gas Co., petitioner in Nos. 197 and 201. *Cullen R. Liskow* for petitioner in No. 202. *George D. Horning, Jr.* for the Union Oil Co. of California, petitioner in No. 203 and respondent in Nos. 197 and 201. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Samuel D. Slade*, *Willard W. Gatchell*, *Howard E. Wahrenbrock* and *William W. Ross* for the Federal Power Commission, respondent in Nos. 167, 202 and 203. Reported below: 255 F. 2d 548, 557.

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No. 122, October Term, 1957. IVANHOE IRRIGATION DISTRICT ET AL. *v.* McCracken ET AL.;

No. 123, October Term, 1957. MADERA IRRIGATION DISTRICT ET AL. *v.* Steiner ET AL.;

No. 124, October Term, 1957. MADERA IRRIGATION DISTRICT *v.* ALBONICO ET UX.; and

No. 125, October Term, 1957. SANTA BARBARA COUNTY WATER AGENCY *v.* BALAAM ET AL., 357 U. S. 275. Petition for rehearing and clarification of opinion denied. MR. JUSTICE FRANKFURTER took no part in the consideration or decision of this application.

No. 86, Misc. TAYLOR *v.* ADAMOWSKI ET AL.;

No. 104, Misc. BOWMAN *v.* ALVIS, WARDEN;

No. 106, Misc. MITCHELL *v.* UNITED STATES;

No. 107, Misc. SMITH *v.* PEPERSACK, WARDEN;

No. 139, Misc. HARRISON *v.* SETTLE, WARDEN;

No. 151, Misc. LAMB *v.* CALIFORNIA;

No. 157, Misc. SILVESTRI *v.* HEINZE, WARDEN;

No. 163, Misc. MORGAN *v.* DOWD, WARDEN;

No. 164, Misc. GRIFFIN *v.* FLORIDA;

No. 174, Misc. BIEN *v.* RANDOLPH, WARDEN;

No. 178, Misc. PALMER *v.* ROGERS, ATTORNEY GENERAL, ET AL.;

No. 184, Misc. HYDER *v.* JOHNSTON, WARDEN;

No. 191, Misc. WAHL *v.* DOWD, WARDEN;

No. 194, Misc. STONEKING *v.* LOONEY, WARDEN; and

No. 202, Misc. NEAL *v.* UFFELMAN, SUPERINTENDENT, ILLINOIS SECURITY HOSPITAL. Motions for leave to file petitions for writs of habeas corpus denied. Petitioners *pro se.* Solicitor General Rankin for respondents in No. 178, Misc., and respondent in No. 194, Misc.

No. 141, Misc. IN RE SANGUIGNI. Motion for leave to file petition for writ of habeas corpus and for other relief denied.

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No. 8, Misc. LEWIS *v.* CULVER, DIRECTOR AND COORDINATOR, FLORIDA CORRECTIONAL INSTITUTIONS;

No. 23, Misc. BROWN *v.* SMYTH, SUPERINTENDENT, VIRGINIA PENITENTIARY;

No. 28, Misc. MCCARTHY *v.* JACKSON, WARDEN;

No. 76, Misc. CORNELIOUS *v.* MARTIN, WARDEN; and

No. 152, Misc. WILSON *v.* BANMILLER, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied. Treating the papers submitted as petitions for writs of certiorari, certiorari is denied. Petitioners *pro se*. *Richard W. Ervin*, Attorney General of Florida, and *David U. Tumin*, Assistant Attorney General, for respondent in No. 8, Misc. *A. S. Harrison, Jr.*, Attorney General of Virginia, and *Thomas M. Miller*, Assistant Attorney General, for respondent in No. 23, Misc. *Louis J. Lefkowitz*, Attorney General of New York, and *Paxton Blair*, Solicitor General, for respondent in No. 28, Misc.

No. 168, Misc. HUGHES ET AL. *v.* THORNTON, U. S. DISTRICT JUDGE, ET AL. Motion for leave to file petition for writ of mandamus denied.

No. 220, Misc. POWELL ET AL. *v.* UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION, ET AL. Motion for leave to file petition for writ of mandamus, prohibition or injunction denied. *Bertram Edises* and *A. L. Wirin* for petitioners. *Solicitor General Rankin*, *Acting Assistant Attorney General Yeagley* and *Benjamin F. Pollack* for respondents.

Probable Jurisdiction Noted.

No. 72. UNITED STATES *v.* SHIREY. Appeal from the United States District Court for the Middle District of Pennsylvania. Probable jurisdiction noted. *Solicitor General Rankin*, *Assistant Attorney General Anderson*,

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Beatrice Rosenberg and *J. F. Bishop* for the United States. *Sidney G. Handler* for appellee. Reported below: 168 F. Supp. 382.

No. 127. HARRISON, ATTORNEY GENERAL OF VIRGINIA, ET AL. *v.* NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE ET AL. Appeal from the United States District Court for the Eastern District of Virginia. Probable jurisdiction noted. *Albertis S. Harrison, Jr.*, Attorney General of Virginia, *David J. Mays*, *Henry T. Wickham* and *J. Segar Gravatt* for appellants. *Robert L. Carter* and *Oliver W. Hill* for the National Association for the Advancement of Colored People, Inc., and *Thurgood Marshall* and *Spotswood W. Robinson, III*, for the NAACP Legal Defense and Educational Fund, Inc., appellees. With them on a motion to affirm were *Jack Greenberg* and *Constance Baker Motley*. Reported below: 159 F. Supp. 503.

No. 157. STEVENS, SUCCESSOR TO LAWLER, SECRETARY OF HIGHWAYS OF PENNSYLVANIA, ET AL. *v.* CREASY ET AL. Appeal from the United States District Court for the Western District of Pennsylvania. Probable jurisdiction noted. *Thomas D. McBride*, Attorney General of Pennsylvania, *Harry J. Rubin*, Deputy Attorney General, and *Leonard M. Mendelson* for appellants. *A. E. Kountz* and *Edward P. Good* for appellees. Reported below: 160 F. Supp. 404.

No. 252. SAFEWAY STORES, INC., *v.* OKLAHOMA RETAIL GROCERS ASSOCIATION, INC., ET AL. Appeal from the Supreme Court of Oklahoma. Probable jurisdiction noted. MR. JUSTICE CLARK took no part in the consideration or decision of this application. *V. P. Crowe*, *Robert L. Clark*, *Ramsey Clark* and *William L. Keller* for appellant. *W. J. Holloway, Sr.* and *M. A. Ned Looney* for appellees. Reported below: 322 P. 2d 179.

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No. 94. BIBB, DIRECTOR, DEPARTMENT OF PUBLIC SAFETY OF ILLINOIS, ET AL. *v.* NAVAJO FREIGHT LINES, INC., ET AL. Appeal from the United States District Court for the Southern District of Illinois. Probable jurisdiction noted. *Latham Castle*, Attorney General of Illinois, and *William C. Wines*, *Raymond S. Sarnow*, *A. Zola Groves* and *Richard W. Husted*, Assistant Attorneys General, for appellants. *David Axelrod* and *Carl L. Steiner* for the Navajo Freight Lines, Inc., et al., appellees. Reported below: 159 F. Supp. 385.

No. 210. UNITED STATES *v.* ATLANTIC REFINING CO. ET AL. Appeal from the United States District Court for the District of Columbia. Probable jurisdiction noted. MR. JUSTICE CLARK and MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *Solicitor General Rankin*, *Assistant Attorney General Hansen*, *Daniel M. Friedman* and *W. Louise Florencourt* for the United States. *R. Sturgis Ingersoll* and *Bynum E. Hinton, Jr.* for the Arapahoe Pipe Line Co., *Hammond E. Shaffetz* and *Frederick M. Rowe* for the Service Pipe Line Co. et al., *Frank C. Bolton, Jr.* and *John E. McClure* for the Magnolia Pipe Line Co., *John J. Wilson* and *O. J. Dorwin* for the Texas Pipe Line Co. et al., *William F. Kenney* and *George S. Wolbert, Jr.* for the Shell Pipe Line Corp., *William Simon* for the Plantation Pipe Line Co., *R. L. Wagner* and *David T. Searls* for the Great Lakes Pipe Line Co., *Park Holland, Jr.*, *Gentry Lee* and *Narvin R. Weaver* for the Cities Service Pipe Line Co., *Llewellyn C. Thomas*, *Caesar L. Aiello* and *G. B. Craighill, Jr.* for the Continental Pipe Line Co., *Nelson Jones* and *Joseph J. Smith, Jr.* for the Humble Pipe Line Co., *Joseph P. Walsh* and *Bynum E. Hinton, Jr.* for the Sinclair Pipe Line Co., *Arthur H. Dean*, *Roy H. Steyer* and *Hugh H. Obear* for the Interstate Oil Pipe Line Co. et al., and *Joseph P. Tumulty, Jr.* and *M. Joseph Matan* for the Tidal Pipe Line Co. et al., appellees.

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Certiorari Granted. (See also No. 84, ante, p. 40, No. 208, ante, p. 31, No. 31, Misc., ante, p. 42, and No. 82, Misc., ante, p. 48.)

No. 76. *KLOR'S, INCORPORATED, v. BROADWAY-HALE STORES, INC., ET AL.* C. A. 9th Cir. *Certiorari granted.* *Maxwell Keith* and *Irvin Goldstein* for petitioner. *Moses Lasky* for the Broadway-Hale Stores, Inc., *Herbert W. Clark* for the Admiral Corporation et al., *Robert E. Burns* for the Zenith Radio Corporation, *Alvin H. Pelavin* for the Whirlpool-Seeger Corporation, *David B. Gideon* for the H. R. Basford Co., *Francis R. Kirkham* for the Radio Corporation of America, *H. W. Glensor* for the Leo J. Meyberg Co., *Nat Schmulowitz* for the Emerson Radio & Phonograph Corporation et al., *Marion B. Plant* for the Philco Corporation et al., *Malcolm T. Dungan* for the Rheem Manufacturing Co., *Everett A. Mathews* for the General Electric Co. et al., and *Philip S. Ehrlich* for Olympic Radio & Television, Inc., et al., respondents. *Solicitor General Rankin*, *Assistant Attorney General Hansen* and *Henry Geller* filed a brief for the United States, as *amicus curiae*, urging that the petition for a writ of certiorari should be granted. Reported below: 255 F. 2d 214.

No. 88. *SIMS v. UNITED STATES.* C. A. 4th Cir. *Certiorari granted.* *W. W. Barron*, Attorney General of West Virginia, and *Fred H. Caplan*, Assistant Attorney General, for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Melva M. Graney* and *Joseph Kovner* for the United States. Reported below: 252 F. 2d 434.

No. 178. *THE MONROSA ET AL. v. CARBON BLACK EXPORT, INC.* C. A. 5th Cir. *Certiorari granted.* *E. D. Vickery* for Navigazione Alta Italia, petitioner. *Carl G. Stearns* for respondent. Reported below: 254 F. 2d 297.

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No. 92. SERVICE STORAGE & TRANSFER CO., INC., *v.* VIRGINIA. Supreme Court of Appeals of Virginia. Certiorari granted. *Francis W. McInerny* for petitioner. *A. S. Harrison, Jr.*, Attorney General of Virginia, for respondent. Reported below: 199 Va. 797, 102 S. E. 2d 339.

No. 248. FARMERS EDUCATIONAL AND COOPERATIVE UNION OF AMERICA, NORTH DAKOTA DIVISION, *v.* WDAY, INCORPORATED. Supreme Court of North Dakota. Certiorari granted. *Edward S. Greenbaum, Morris L. Ernst, Harriet F. Pilpel, Nancy F. Wechsler* and *Albert J. Rosenthal* for petitioner. *Solicitor General Rankin* and *Warren A. Baker* filed a memorandum for the United States, as *amicus curiae*. Reported below: 89 N. W. 2d 102.

No. 68. T. I. M. E. INCORPORATED *v.* UNITED STATES. C. A. 5th Cir. Certiorari granted. *W. D. Benson, Jr.* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Alan S. Rosenthal* for the United States. Reported below: 252 F. 2d 178.

No. 96. DAVIDSON TRANSFER & STORAGE CO., INC., *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Bryce Rea, Jr.* and *Edgar Watkins* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Alan S. Rosenthal* for the United States. Reported below: 104 U. S. App. D. C. 72, 259 F. 2d 802.

No. 74. MILLS ET AL. *v.* LOUISIANA; and

No. 75. MILLS *v.* LOUISIANA. Supreme Court of Louisiana. Certiorari granted. *Eugene Stanley* and *Albert B. Koorie* for petitioners in No. 74. *Milo B. Williams* for petitioner in No. 75.

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No. 267. *KELLY v. KOSUGA*. C. A. 7th Cir. Certiorari granted. *Joseph W. Louisell* and *Ivan E. Barris* for petitioner. *Lee A. Freeman* for respondent. Reported below: 257 F. 2d 48.

No. 110. *TAK SHAN FONG v. UNITED STATES*. C. A. 2d Cir. Certiorari granted. *William B. Mahoney* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 254 F. 2d 4.

No. 155. *SOUTHWESTERN SUGAR & MOLASSES Co., INC., v. RIVER TERMINALS CORP.* C. A. 5th Cir. Certiorari granted. *Clem H. Sehrt* for petitioner. *Carl G. Stearns* and *Selim B. Lemle* for respondent. Reported below: 253 F. 2d 922.

No. 161. *MITCHELL, SECRETARY OF LABOR, v. KENTUCKY FINANCE Co., INC., ET AL.* C. A. 6th Cir. Certiorari granted. *Solicitor General Rankin*, *Stuart Rothman*, *Bessie Margolin* and *Sylvia S. Ellison* for petitioner. *Harold H. Levin* for respondents. Reported below: 254 F. 2d 8.

No. 174. *UNITED STATES v. EMBASSY RESTAURANT, INC., ET AL.* C. A. 3d Cir. Certiorari granted. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Melva M. Graney* and *George F. Lynch* for the United States. Reported below: 254 F. 2d 475.

No. 233. *PETTY, ADMINISTRATRIX, v. TENNESSEE-MISSOURI BRIDGE COMMISSION.* C. A. 8th Cir. Certiorari granted. *Charles W. Miles, III*, and *W. Morris Miles* for petitioner. *James M. Reeves* for respondent. Reported below: 254 F. 2d 857.

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No. 234. FEDERAL TRADE COMMISSION *v.* MANDEL BROTHERS, INC. C. A. 7th Cir. Certiorari granted. *Solicitor General Rankin, Assistant Attorney General Hansen, Daniel M. Friedman, Earl W. Kintner and James E. Corkey* for petitioner. *Anderson A. Owen and Samuel H. Horne* for respondent. Reported below: 254 F. 2d 18.

No. 246. ARROYO *v.* UNITED STATES. C. A. 1st Cir. Certiorari granted. *Robert W. Meserve* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson and Beatrice Rosenberg* for the United States. Reported below: 256 F. 2d 549.

No. 269. FELTER *v.* SOUTHERN PACIFIC CO. ET AL. C. A. 9th Cir. Certiorari granted. *Roland C. Davis, V. Craven Shuttleworth and Harry E. Wilmarth* for petitioner. *Clifton Hildebrand* for respondents. Reported below: 256 F. 2d 429.

No. 276. ROBERT C. HERD & Co., INC., *v.* KRAWILL MACHINERY CORP. ET AL. C. A. 4th Cir. Certiorari granted. *George W. P. Whip and Robert E. Coughlan, Jr.* for petitioner. *William A. Grimes* for respondents. Reported below: 256 F. 2d 946.

No. 237. NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC., *v.* VARIABLE ANNUITY LIFE INSURANCE CO. OF AMERICA ET AL.; and

No. 290. SECURITIES AND EXCHANGE COMMISSION *v.* VARIABLE ANNUITY LIFE INSURANCE CO. OF AMERICA ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *John H. Dorsey* for petitioner in No. 237. *Solicitor General Rankin, Thomas G. Meeker, David Ferber and Pace Reich* for petitioner in No. 290. *James M. Earnest, Roy W.*

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McDonald and *Malcolm Fooshee* for the Variable Annuity Life Insurance Co. of America, and *Benjamin H. Dorsey*, *Smith W. Brookhart* and *Ralph E. Becker* for the Equity Annuity Life Insurance Co., respondents. Reported below: 103 U. S. App. D. C. 197, 257 F. 2d 201.

No. 263. ABEL, ALIAS "MARK," ALIAS COLLINS, ALIAS GOLDFUS, *v.* UNITED STATES. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted limited to questions 1 and 2 presented by the petition for the writ which read as follows:

"1. Whether the Fourth and Fifth Amendments to the Constitution of the United States are violated by a search and the seizure of evidence without a search warrant, after an alien suspected and officially accused of espionage has been taken into custody for deportation, pursuant to an administrative Immigration Service warrant, but has not been arrested for the commission of a crime?

"2. Whether the Fourth and Fifth Amendments to the Constitution of the United States are violated when articles so seized are unrelated to the Immigration Service warrant and, together with other articles obtained from such leads, are introduced as evidence in a prosecution for espionage?" *James B. Donovan* and *Thomas M. Debevoise, II*, for petitioner. *Solicitor General Rankin*, *Acting Assistant Attorney General Yeagley*, *William F. Tompkins* and *Kevin T. Maroney* for the United States. Reported below: 258 F. 2d 485.

No. 285. UNITED STATES *v.* ISTHMIAN STEAMSHIP Co. C. A. 2d Cir. Certiorari granted. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Samuel D. Slade* and *Herman Marcuse* for the United States. *Clement C. Rinehart* and *Walter P. Hickey* for respondent. Reported below: 255 F. 2d 816.

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No. 218. PARSONS ET AL. *v.* SMITH, FORMER COLLECTOR OF INTERNAL REVENUE; and

No. 305. HUSS ET AL. *v.* SMITH, FORMER COLLECTOR OF INTERNAL REVENUE. C. A. 3d Cir. Certiorari granted. *Sherwin T. McDowell* for petitioners in No. 218. *Walter Stein* for petitioners in No. 305. *Solicitor General Rankin* for respondent. *Edgar J. Goodrich* and *Lipman Redman* filed a brief for the Estate of Schumacher, as *amicus curiae*, in No. 218, in support of the petition. Reported below: No. 218, 255 F. 2d 595; No. 305, 255 F. 2d 599.

No. 81, Misc. GLUS *v.* BROOKLYN EASTERN DISTRICT TERMINAL. 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. *John J. Seffern* for petitioner. Reported below: 253 F. 2d 957.

Certiorari Denied. (See also Nos. 64, 151, 167, 197, 201, 202 and 203, *ante*, pp. 37, 45 and 804; and Misc. Nos. 8, 23, 28, 33, 35, 76, 117, 144, and 152, *ante*, pp. 41, 46, 47, 48 and 806.)

No. 59. SCHLEICH, ALIAS RING, *v.* BUTTERFIELD, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 6th Cir. Certiorari denied. *Ernest Goodman* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Julia P. Cooper* for respondent. Reported below: 252 F. 2d 191.

No. 69. RUSH *v.* CITY OF MAPLE HEIGHTS. Supreme Court of Ohio. Certiorari denied. *John R. Vintilla* for petitioner. *Arthur Krause* for respondent. Reported below: 167 Ohio St. 221, 147 N. E. 2d 599.

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No. 70. *BRYAN v. SID W. RICHARDSON, INC.* C. A. 5th Cir. Certiorari denied. *Oscar A. Mellin* and *E. Hastings Ackley* for petitioner. *Gillis A. Johnson* for respondent. Reported below: 254 F. 2d 191.

No. 71. *WASSON ET UX. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Petitioners *pro se.* *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Robert N. Anderson* and *Davis W. Morton, Jr.* for the United States. Reported below: 250 F. 2d 826.

No. 73. *PADRON v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Melvin B. Lewis* 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 574.

No. 77. *EVARTS v. WESTERN METAL FINISHING CO.* C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *Don F. Tyler* for respondent. Reported below: 253 F. 2d 637.

No. 78. *SOUTHERN COUNTIES GAS CO. OF CALIFORNIA v. UNITED STATES.* Court of Claims. Certiorari denied. *Bates Booth* and *Irl Davis Brett* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Morton*, *Roger P. Marquis* and *S. Billingsley Hill* for the United States. Reported below: 141 Ct. Cl. 28, 157 F. Supp. 934.

No. 81. *WHITLOCK CORPORATION v. UNITED STATES.* Court of Claims. Certiorari denied. *Julius Schein* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Alan S. Rosenthal* for the United States. Reported below: 141 Ct. Cl. 758, 159 F. Supp. 602.

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No. 79. *MASSICOT ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Herve Racivitch* and *Guy Johnson* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Eugene L. Grimm* for the United States. Reported below: 254 F. 2d 58.

No. 82. *DEBERNARDO v. ROGERS, 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*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Julia P. Cooper* for respondent. Reported below: 102 U. S. App. D. C. 382, 254 F. 2d 81.

No. 83. *BEARDSLEY ET AL. v. CONTINENTAL CASUALTY Co.* C. A. 2d Cir. Certiorari denied. *Otto C. Sommerich*, *Benjamin Busch* and *Stuart Sprague* for petitioners. *Leslie D. Taggart* and *John Rex Allen* for respondent. Reported below: 253 F. 2d 702.

No. 85. *MATCZAK ET AL., TRADING AS TYLERSPORT GARAGE, v. BYRNE, ADMINISTRATRIX*. C. A. 3d Cir. Certiorari denied. *Philip W. Amram* for petitioners. *B. Nathaniel Richter* for respondent. Reported below: 254 F. 2d 525.

No. 89. *MORGENSTERN CHEMICAL Co., INC., v. G. D. SEARLE & Co.* C. A. 3d Cir. Certiorari denied. *Copal Mintz* for petitioner. *Bernard M. Shanley* for respondent. Reported below: 253 F. 2d 390.

No. 95. *DE POVA v. CAMDEN FORGE Co.* C. A. 3d Cir. Certiorari denied. *John F. Crane* for petitioner. *Harry Norman Ball* for respondent. Reported below: 254 F. 2d 248.

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No. 93. *COOK ET AL. v. BROTHERHOOD OF SLEEPING CAR PORTERS ET AL.* Supreme Court of Missouri. Certiorari denied. *Victor Packman, Henry D. Espy and Joseph C. Waddy* for petitioners. *Clif Langsdale* for the Brotherhood of Sleeping Car Porters et al., and *George W. Holmes* for the Missouri Pacific Railroad Co., respondents. Reported below: 309 S. W. 2d 579.

No. 97. *BENNETT v. THE MORMACTEAL ET AL.* C. A. 2d Cir. Certiorari denied. *Louis R. Harolds* for petitioner. *Joseph M. Cunningham* and *Vernon S. Jones* for respondents. Reported below: 254 F. 2d 138.

No. 100. *ALKER v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. *Jacob Kossman* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Oehmann* and *Joseph F. Goetten* for the United States. Reported below: 255 F. 2d 851.

No. 102. *JEOFFROY MFG., INC., ET AL. v. GRAHAM ET AL.* C. A. 5th Cir. Certiorari denied. *W. W. Gibson* for petitioners. *Claude A. Fishburn* and *Orville O. Gold* for respondents. Reported below: 253 F. 2d 72.

No. 104. *STROUD ET AL. v. BENSON, SECRETARY OF AGRICULTURE, ET AL.* C. A. 4th Cir. Certiorari denied. *Jesse A. Jones* for petitioners. *Solicitor General Rankin, Assistant Attorney General Doub, Samuel D. Slade* and *Lionel Kestenbaum* for the Secretary of Agriculture, respondent. Reported below: 254 F. 2d 448.

No. 105. *RUUD ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *William S. Holden* for petitioners. *Solicitor General Rankin, Assistant Attorney General Morton, Roger P. Marquis* and *Elizabeth Dudley* for the United States. Reported below: 256 F. 2d 460.

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No. 103. REYNOLDS *v.* ROYAL MAIL LINES, LTD., ET AL. C. A. 9th Cir. Certiorari denied. *Ben Margolis* for petitioner. Reported below: 254 F. 2d 55.

No. 106. BROTHERHOOD OF RAILROAD TRAINMEN ET AL. *v.* SWITCHMEN'S UNION OF NORTH AMERICA ET AL. C. A. 9th Cir. Certiorari denied. *Clifton Hildebrand* for petitioners. *Clifford D. O'Brien* for respondents. Reported below: 253 F. 2d 81.

No. 107. CARPENTER *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *Stuart A. Culbertson* and *Thomas N. Griggs* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Samuel D. Slade* and *Robert S. Green* for the United States. Reported below: 251 F. 2d 775.

No. 108. DOANE AGRICULTURAL SERVICE, INC., *v.* COLEMAN. C. A. 6th Cir. Certiorari denied. *Emmett W. Braden* and *Walter P. Armstrong, Jr.* for petitioner. *Lee Winchester, Sr.* for respondent. Reported below: 254 F. 2d 40.

No. 109. REDDING PINE MILLS, INC., ET AL. *v.* STATE BOARD OF EQUALIZATION OF CALIFORNIA ET AL. District Court of Appeal of California, Third Appellate District. Certiorari denied. *Laurence J. Kennedy* for petitioners. *Edmund G. Brown*, Attorney General of California, and *James E. Sabine* and *Irving H. Perluss*, Assistant Attorneys General, for respondents. Reported below: 157 Cal. App. 2d 40, 320 P. 2d 25.

No. 111. POND *v.* GENERAL ELECTRIC Co. C. A. 9th Cir. Certiorari denied. *Joseph F. Rank* for petitioner. *E. Avery Crary* for respondent. Reported below: 256 F. 2d 824.

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No. 112. *WOLFE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Hayden C. Covington* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 256 F. 2d 434.

No. 113. *GRADY, ADMINISTRATOR, v. IRVINE*. C. A. 4th Cir. Certiorari denied. *Geo. E. Allen* for petitioner. *Wayt B. Timberlake, Jr.* for respondent. Reported below: 254 F. 2d 224.

No. 114. *BOARD OF SUPERVISORS OF LOUISIANA STATE UNIVERSITY & AGRICULTURAL & MECHANICAL COLLEGE ET AL. v. LUDLEY ET AL.* C. A. 5th Cir. Certiorari denied. *Jack P. F. Gremillion*, Attorney General of Louisiana, *George M. Ponder*, First Assistant Attorney General, *William P. Schuler*, Assistant Attorney General, and *Laurance W. Brooks* for petitioners. Reported below: 252 F. 2d 372.

No. 115. *RIGGI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Anthony A. Calandra* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and J. F. Bishop* for the United States. Reported below: 256 F. 2d 57.

No. 117. *WARE ET AL. v. BEACH*. Supreme Court of Oklahoma. Certiorari denied. *Frank W. Files* and *John W. Cragun* for petitioners. *Chas. R. Gray, W. N. Palmer and Paul A. Comstock* for respondent. Reported below: 322 P. 2d 635.

No. 119. *ROTH v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Herbert Monte Levy* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Julia P. Cooper* for the United States. Reported below: 255 F. 2d 440.

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No. 118. *J. C. PENNEY Co. v. THACKER*. C. A. 5th Cir. Certiorari denied. *William L. Kerr* for petitioner. Reported below: 254 F. 2d 672.

No. 120. *LOUISIANA STATE BOARD OF EDUCATION ET AL. v. LARK ET AL.* C. A. 5th Cir. Certiorari denied. *Jack P. F. Gremillion*, Attorney General of Louisiana, *George M. Ponder*, First Assistant Attorney General, and *William P. Schuler*, Assistant Attorney General, for petitioners. *Thurgood Marshall* for respondents. Reported below: 252 F. 2d 372.

No. 121. *NECHES RIVER CONSERVATION DISTRICT v. SEEMAN, DIVISION ENGINEER, ET AL.* C. A. 5th Cir. Certiorari denied. *J. Chrys Dougherty*, *Thomas Gibbs Gee*, *Robert J. Hearon, Jr.* and *Ireland Graves* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Morton*, *Roger P. Marquis* and *David R. Warner* for respondents. Reported below: 252 F. 2d 327.

No. 122. *ANDERSON ET AL. v. SEEMAN, DIVISION ENGINEER, ET AL.* C. A. 5th Cir. Certiorari denied. *J. Chrys Dougherty*, *Thomas Gibbs Gee*, *Robert J. Hearon, Jr.* and *Ireland Graves* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Morton*, *Roger P. Marquis* and *David R. Warner* for respondents. Reported below: 252 F. 2d 321.

No. 129. *COMPTROLLER OF THE TREASURY OF MARYLAND v. GLENN L. MARTIN Co. (NOW KNOWN AS MARTIN COMPANY)*. Court of Appeals of Maryland. Certiorari denied. *C. Ferdinand Sybert*, Attorney General of Maryland, and *Charles B. Reeves, Jr.*, Assistant Attorney General, for petitioner. *William L. Marbury* for respondent. Reported below: 216 Md. 235, 140 A. 2d 288.

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No. 123. OKEMAH NATIONAL BANK *v.* WISEMAN, DISTRICT DIRECTOR OF INTERNAL REVENUE. C. A. 10th Cir. Certiorari denied. *C. E. Ram Morrison* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Harry Baum* and *Joseph Kovner* for respondent. Reported below: 253 F. 2d 223.

No. 126. MISSOURI PACIFIC RAILROAD CO. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Roy L. Arterbury* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Alan S. Rosenthal* for the United States. Reported below: 250 F. 2d 805.

No. 128. TELLIER *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Frederick Bernays Wiener*, *Richard J. Burke*, and *J. Bertram Wegman* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. Reported below: 255 F. 2d 441.

No. 130. LEMON *v.* DRUFFEL, U. S. DISTRICT JUDGE. C. A. 6th Cir. Certiorari denied. *Elmer I. Schwartz* for petitioner. *Strother Hynes* for respondent. Reported below: 253 F. 2d 680.

No. 131. EASTER *v.* DUNDALK HOLDING CO. ET AL. Court of Appeals of Maryland. Certiorari denied. Reported below: 215 Md. 549, 137 A. 2d 667.

No. 133. JAMES ET AL., TRADING AS CHICAGO BOARD CO., *v.* FEDERAL TRADE COMMISSION. C. A. 7th Cir. Certiorari denied. *Thomas J. Pearson* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Hansen*, *Earl W. Kintner* and *James E. Corkey* for respondent. Reported below: 253 F. 2d 78.

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No. 138. *SACKETT v. LOUISIANA STATE BAR ASSOCIATION*. Supreme Court of Louisiana. Certiorari denied. *Maurice R. Woulfe* and *Richard A. Dowling* for petitioner. Reported below: 234 La. 762, 101 So. 2d 661.

No. 139. *NATIONAL PLATE & WINDOW GLASS Co., INC., v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Louis Bender* and *Bernard Weiss* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Harry Baum* and *Meyer Rothwacks* for the United States. Reported below: 254 F. 2d 92.

No. 140. *EARLE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Elmer Fried* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Samuel D. Slade* for the United States. Reported below: 254 F. 2d 384.

No. 143. *SPECTOR v. PETE ET AL.* District Court of Appeal of California, Fourth Appellate District, and Supreme Court of California. Certiorari denied. *Irl David Brett* for petitioner. Reported below: 157 Cal. App. 2d 432, 321 P. 2d 59.

No. 145. *COMPTROLLER OF THE TREASURY OF MARYLAND v. RHEEM MANUFACTURING Co.* Court of Appeals of Maryland. Certiorari denied. *C. Ferdinand Sybert*, Attorney General of Maryland, and *Charles B. Reeves, Jr.*, Assistant Attorney General, for petitioner. *William L. Marbury* for respondent. Reported below: 216 Md. 259, 140 A. 2d 301.

No. 148. *FLORIDA EX REL. THOMAS v. CULVER, DIRECTOR, DIVISION OF CORRECTIONS OF FLORIDA, ET AL.* C. A. 5th Cir. Certiorari denied. *Releford McGriff* for petitioner. Reported below: 253 F. 2d 507.

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No. 146. AGHNIDES *v.* AGHNIDES. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied. *Thomas F. Meehan* for petitioner. *Harold H. Levin* for respondent. Reported below: 4 App. Div. 2d 498, 167 N. Y. S. 2d 201.

No. 149. WREN *v.* WASHINGTON. Supreme Court of Washington. Certiorari denied. *Francis L. Bannon* for petitioner. *John J. O'Connell*, Attorney General of Washington, for respondent. Reported below: 51 Wash. 2d 759, 321 P. 2d 911.

No. 152. SECURITIES AND EXCHANGE COMMISSION *v.* INSURANCE SECURITIES INC. ET AL. C. A. 9th Cir. Certiorari denied. *Solicitor General Rankin*, *Thomas G. Meeker* and *Aaron Levy* for petitioner. *Moses Lasky*, *Philip S. Ehrlich* and *Alfred Jaretzki, Jr.*, for respondents. Reported below: 254 F. 2d 642.

No. 154. NATIONAL UNION FIRE INSURANCE CO. OF PITTSBURGH, PENNSYLVANIA, *v.* REPUBLIC OF CHINA ET AL. C. A. 4th Cir. Certiorari denied. *Martin P. Detels*, *George W. P. Whip*, *Ezra G. Benedict Fox*, *Vincent L. Leibell, Jr.* and *Eugene Gressman* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Samuel D. Slade* for the United States, and *Robert E. Kline, Jr.*, *Ronald A. Capone* and *William A. Grimes* for the Republic of China et al., respondents. Reported below: 254 F. 2d 177.

No. 156. SHAYNE *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Morris Lavine* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 255 F. 2d 739.

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No. 150. *WEGMANN v. MANNINO ET AL.* C. A. 5th Cir. Certiorari denied. *Howard P. Rives* for petitioner. *Wm. C. McLean* for respondents. Reported below: 253 F. 2d 627.

No. 158. *STECKENRIDER v. MICHIGAN.* Recorder's Court for the City of Detroit, Michigan. Certiorari denied. *William G. Comb* for petitioner. *Paul L. Adams*, Attorney General of Michigan, *Samuel J. Torina*, Solicitor General, and *Samuel Brezner* for respondent.

No. 159. *WOODALL ET AL. v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. *John B. Tittmann* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Melva M. Graney* for the United States. Reported below: 255 F. 2d 370.

No. 162. *FORD ET AL. v. UNITED GAS CORP.* C. A. 5th Cir. Certiorari denied. *Aaron L. Ford* for petitioners. Reported below: 254 F. 2d 817.

No. 164. *SADACCA v. NYLONET CORPORATION.* C. A. 5th Cir. Certiorari denied. *Claude Pepper* and *Walter A. Apfelbaum* for petitioner. *David W. Dyer* and *Douglas D. Batchelor* for respondent. Reported below: 254 F. 2d 238.

No. 165. *PARR v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *G. H. Kelsoe, Jr.* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. Reported below: 255 F. 2d 86.

No. 170. *SWORD ET AL. v. GULF OIL CORP.* C. A. 5th Cir. Certiorari denied. *W. D. Girand* and *Warren E. Miller* for petitioners. *William L. Kerr* for respondent. Reported below: 251 F. 2d 829.

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No. 168. WALKDEN, EXECUTOR, *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Robert Merkle* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *I. Henry Kutz* for the United States. Reported below: 255 F. 2d 681.

No. 171. SIMPSON *v.* KANSAS CITY CONNECTING RAILWAY Co. Supreme Court of Missouri. Certiorari denied. *Walter A. Raymond* and *Ernest Hubbell* for petitioner. *Daniel L. Brenner* for respondent. Reported below: 312 S. W. 2d 113.

No. 172. KAY *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Howard Vogel* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. Reported below: 255 F. 2d 476.

No. 173. FRIEDMAN ET UX., DOING BUSINESS AS CITY METAL SALVAGE Co., *v.* HILL. Supreme Court of Oklahoma. Certiorari denied. *John B. Ogden* for petitioners. *C. E. Ram Morrison* for respondent. Reported below: 325 P. 2d 434.

No. 176. ALKER *v.* GIRARD TRUST CORN EXCHANGE BANK ET AL., EXECUTORS. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. *Frank F. Truscott* for petitioner. *Edwin Booth* for respondents. Reported below: 392 Pa. 47, 139 A. 2d 901.

No. 181. McNEILL *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 4th Cir. Certiorari denied. *R. G. de Quevedo* and *Wilton H. Wallace* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *A. F. Prescott* for respondent. Reported below: 251 F. 2d 863.

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No. 177. *ALKER v. ESTATE OF RENTSCHLER*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. *Frank F. Truscott* for petitioner. *David F. Maxwell* for respondent. Reported below: 392 Pa. 46, 139 A. 2d 901.

No. 182. *KILGORE v. SOUTH CAROLINA*. Supreme Court of South Carolina. Certiorari denied. *Wesley M. Walker, J. D. Todd, Jr. and Fletcher C. Mann* for petitioner. Reported below: 233 S. C. 6, 103 S. E. 2d 321.

No. 183. *SOCARRAS ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *David W. Walters* for petitioners. *Solicitor General Rankin* for the United States.

No. 193. *LANGLEY v. OREGON*. Supreme Court of Oregon. Certiorari denied. Petitioner *pro se*. *Robert Y. Thornton*, Attorney General of Oregon, for respondent. Reported below: — Ore. —, 323 P. 2d 301.

No. 198. *MINNESOTA v. ADAMS ET AL.* Supreme Court of Minnesota. Certiorari denied. *Miles Lord*, Attorney General of Minnesota, *Melvin J. Peterson*, Deputy Attorney General, and *Victor J. Michaelson* and *Sydney Berde*, Special Assistant Attorneys General, for petitioner. *John D. Jenswold* for respondents. Reported below: 251 Minn. 521, 89 N. W. 2d 661.

No. 185. *ARRINGTON v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *T. Emmett McKenzie* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Eugene L. Grimm* for the United States.

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No. 188. *HURST ET AL. v. GULF OIL CORP.* C. A. 5th Cir. Certiorari denied. *W. D. Girand* and *Warren E. Miller* for petitioners. *William L. Kerr* for respondent. Reported below: 251 F. 2d 836.

No. 189. *222 EAST CHESTNUT STREET CORP. v. LASALLE NATIONAL BANK, TRUSTEE, ET AL.* C. A. 7th Cir. Certiorari denied. *Joseph F. Elward* for petitioner. *Milton I. Shadur* for the LaSalle National Bank et al., respondents. Reported below: 253 F. 2d 484.

No. 190. *TAORMINA CORPORATION ET AL. v. ESCOBEDO.* C. A. 5th Cir. Certiorari denied. *Jackson Littleton* for petitioners. Respondent *pro se*. Reported below: 254 F. 2d 171.

No. 191. *CITY BONDED MESSENGER SERVICE, INC., ET AL. v. CITY MESSENGER OF HOLLYWOOD, INC., DOING BUSINESS AS THE CITY MESSENGER AIR EXPRESS.* C. A. 7th Cir. Certiorari denied. *Eli Mullin* for petitioners. *Harry G. Fins* and *David O. Kuh* for respondent. Reported below: 254 F. 2d 531.

No. 194. *AMERICAN BEMBERG CORP. v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. *Robert Ash* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Meyer Rothwacks* and *Joseph Kovner* for the United States. Reported below: 253 F. 2d 691.

No. 195. *MISSOURI-KANSAS-TEXAS RAILROAD CO. OF TEXAS v. BUSH.* Court of Civil Appeals of Texas, Third Supreme Judicial District. Certiorari denied. *Dan Moody* for petitioner. *Fentress Bracewell* for respondent. Reported below: 310 S. W. 2d 404.

No. 196. *MACNEIL v. GRAY.* C. A. 1st Cir. Certiorari denied. *Angus M. MacNeil* for petitioner.

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No. 199. *AMERICAN UNION TRANSPORT, INC., v. UNITED STATES ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *George F. Galland* and *William J. Lippman* for petitioner. *Solicitor General Rankin, Assistant Attorney General Hansen, Daniel M. Friedman, E. Robert Seaver, Robert E. Mitchell* and *Edward Aptaker* for the United States and the Federal Maritime Board, and *Elmer C. Maddy* for the River Plate & Brazil Conferences et al., respondents. Reported below: 103 U. S. App. D. C. 229, 257 F. 2d 607.

No. 200. *ILLINOIS EX REL. KEENAN v. MCGUANE ET AL.* Supreme Court of Illinois. Certiorari denied. *L. Louis Karton* for petitioner. *Benjamin S. Adamowski* for respondents. Reported below: 13 Ill. 2d 520, 150 N. E. 2d 168.

No. 204. *GIBRAN v. NATIONAL COMMITTEE OF GIBRAN ET AL.* C. A. 2d Cir. Certiorari denied. *Victor House* for petitioner. *George G. Shiya* for the National Committee of Gibran, respondent. Reported below: 255 F. 2d 121.

No. 205. *KIEFER v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Claude L. Dawson* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub, Samuel D. Slade* and *Robert S. Green* for the United States. Reported below: 103 U. S. App. D. C. 111, 255 F. 2d 189.

No. 207. *GRANT v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. *Bert C. Cheatham* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg* and *Eugene L. Grimm* for the United States. Reported below: 255 F. 2d 341.

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No. 206. *WHITE ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Edgar Paul Boyko* for petitioners. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Kirby W. Paterson* for the United States. Reported below: 254 F. 2d 137.

No. 209. *ZAWADA v. PENNSYLVANIA SYSTEM BOARD OF ADJUSTMENT, BROTHERHOOD OF RAILWAY & STEAMSHIP CLERKS, FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. *Lawrence J. Richette* for petitioner. *Allen S. Olmsted, 2nd, Walter Biddle Saul, Robert S. Marx and Ivar H. Peterson* for respondent. Reported below: 392 Pa. 207, 140 A. 2d 335.

No. 212. *FAUBUS, GOVERNOR OF ARKANSAS, ET AL. v. UNITED STATES (AMICUS CURIAE) ET AL.* C. A. 8th Cir. Certiorari denied. *Walter L. Pope* for petitioners. *Solicitor General Rankin, Assistant Attorney General Doub and Morton Hollander* for the United States (Amicus Curiae). Reported below: 254 F. 2d 797.

No. 213. *ALLIED CHEMICAL & DYE CORP. v. MCMAHON, DISTRICT DIRECTOR OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. *Victor Futter* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Lee A. Jackson and A. F. Prescott* for respondent. Reported below: 253 F. 2d 663.

No. 217. *STROEHMANN BROTHERS CO. ET AL. v. HUBER BAKING CO.* C. A. 2d Cir. Certiorari denied. *Roberts B. Larson* for the Stroehmann Brothers Co., and *Harold Greenwald* for the Quality Bakers of America Cooperative, Inc., petitioners. *Cyrus Austin* for respondent. Reported below: 252 F. 2d 945.

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No. 211. ST. PAUL FIRE & MARINE INSURANCE CO. v. CHICAGO UNION STATION CO. C. A. 7th Cir. Certiorari denied. *Ernest Schein* for petitioner. *Erwin W. Roemer* and *James A. Velde* for respondent. Reported below: 253 F. 2d 441.

No. 214. MASTROS v. UNITED STATES. C. A. 3d Cir. Certiorari denied. *Jacob Kossman* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. Reported below: 257 F. 2d 808.

No. 215. GOLDSTEIN v. UNITED STATES. C. A. 2d Cir. Certiorari denied. *Arthur D. Goldstein* and *Samuel Goldstein* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *A. F. Prescott* for the United States. Reported below: 256 F. 2d 581.

No. 216. NATIONAL BANK OF DETROIT v. WAYNE OAKLAND BANK ET AL. C. A. 6th Cir. Certiorari denied. *John Lord O'Brian*, *Charles A. Horsky*, *Robert E. McKean* and *Stanley L. Temko* for petitioner. *Solicitor General Rankin* for the Comptroller of the Currency, and *Sherwin A. Hill*, *Edward T. Goodrich*, *N. Barr Miller* and *Roy E. Brownell* for the Wayne Oakland Bank, respondents. Reported below: 249 F. 2d 445, 252 F. 2d 537.

No. 221. COSTELLO v. UNITED STATES; and

No. 224. CANNELLA v. UNITED STATES. C. A. 8th Cir. Certiorari denied. *Morris A. Shenker* and *Sidney M. Glazer* for petitioner in No. 221. *Bernard J. Mellman* for petitioner in No. 224. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 255 F. 2d 389.

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No. 220. CHARLES K. HARRIS MUSIC PUBLISHING CO., INC., *v.* EDWARD B. MARKS MUSIC CORP. C. A. 2d Cir. Certiorari denied. *Maxwell Okun* for petitioner. *Harold Berkowitz* for respondent. Reported below: 255 F. 2d 518.

No. 222. MASON *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *Francis P. O'Neill* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Eugene L. Grimm* for the United States. Reported below: 257 F. 2d 359.

No. 223. PEERLESS CASUALTY CO. ET AL. *v.* UNITED STATES FOR THE USE AND BENEFIT OF HOPPER BROTHERS QUARRIES. C. A. 8th Cir. Certiorari denied. *Thomas B. Roberts* for petitioners. Reported below: 255 F. 2d 137.

No. 226. GENERAL PUBLIC UTILITIES CORP. ET AL. *v.* UNITED STATES. Court of Claims. Certiorari denied. *Jerome R. Hellerstein and Victor Brudney* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, Joseph F. Goetten and Grant W. Wiprud* for the United States.

No. 227. SPAETH *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *William R. Pringle* for petitioner. Reported below: 254 F. 2d 924.

No. 229. PORTO RICO TELEPHONE CO. *v.* DESCARTES, SECRETARY OF THE TREASURY OF PUERTO RICO. C. A. 1st Cir. Certiorari denied. *George Jackson Eder* for petitioner. *Francisco Espinosa, Jr., Acting Attorney General of Puerto Rico, Arturo Estrella and Carlos G. Latimer, Assistant Attorneys General, and Jose Trias Monge* for respondent. Reported below: 255 F. 2d 169.

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No. 228. *JOHN McSHAIN, INC., v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Charles B. Murray, George F. Shea and Vincent P. McDevitt* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub, Geo. S. Leonard and Samuel D. Slade* for the United States. Reported below: 103 U. S. App. D. C. 328, 258 F. 2d 422.

No. 232. *HILLS ET AL. v. EISENHART ET AL.* C. A. 9th Cir. Certiorari denied. *Claude L. Dawson* for petitioners. *Solicitor General Rankin, Assistant Attorney General Doub, Alan S. Rosenthal and B. Jenkins Middleton* for respondents. Reported below: 256 F. 2d 609.

No. 236. *IDAHO POWER Co. v. UNITED STATES*. Court of Claims. Certiorari denied. *E. Roy Gilpin* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Joseph F. Goetten and Grant W. Wiprud* for the United States. Reported below: 142 Ct. Cl. 534, 161 F. Supp. 807.

No. 241. *LYDDON & Co. (AMERICA) INC. v. UNITED STATES*. Court of Claims. Certiorari denied. *Harold Manheim, Meyer Grouf and Robert Braunschweig* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice and L. W. Post* for the United States. Reported below: 141 Ct. Cl. 545, 158 F. Supp. 951.

No. 244. *JONES BEACH STATE PARKWAY AUTHORITY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *G. Frank Dougherty, John P. McGrath and Jeremiah M. Evarts* for petitioner. *Solicitor General Rankin, Assistant Attorney General Morton and Roger P. Marquis* for the United States. Reported below: 255 F. 2d 329.

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No. 231. *McMAHON v. CITY OF DUBUQUE, IOWA*. C. A. 8th Cir. Certiorari denied. *E. Marshall Thomas* for petitioner. *Brice W. Rhyne* and *T. H. Nelson* for respondent. Reported below: 255 F. 2d 154.

No. 238. *WALTERS ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Charles S. Burdell* for petitioners. *Solicitor General Rankin* for the United States. Reported below: 256 F. 2d 840.

No. 239. *ROMM v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 4th Cir. Certiorari denied. *Warren W. Grimes* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice* and *A. F. Prescott* for respondent. Reported below: 255 F. 2d 698.

No. 243. *FIELD v. OBERWORTMANN ET AL.* Appellate Court of Illinois, First District. Certiorari denied. *Leonard L. Cowan* for petitioner. *Perry S. Patterson* for respondents. Reported below: 16 Ill. App. 2d 376, 148 N. E. 2d 600.

No. 245. *HANSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Carl J. Batter* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice* and *Joseph F. Goetten* for the United States. Reported below: 254 F. 2d 359.

No. 247. *ROSENFELD, ADMINISTRATOR, v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *John Rogers Carroll* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Oehmann, L. W. Post* and *Louise Foster* for the United States. Reported below: 254 F. 2d 940.

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No. 249. *McFARLING ET AL. v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Edward L. Wright* and *Robert F. Schlafly* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *William W. Goodrich* for the United States. Reported below: 256 F. 2d 89.

No. 251. *ATLANTIC CITY ELECTRIC CO. v. UNITED STATES*. Court of Claims. Certiorari denied. *J. Marvin Haynes*, *N. Barr Miller*, *F. Eberhart Haynes*, *Oscar L. Tyree*, *Joseph H. Sheppard* and *Arthur H. Adams* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Joseph F. Goetten* and *Grant W. Wiprud* for the United States. Reported below: 142 Ct. Cl. 519, 161 F. Supp. 811.

No. 254. *UNITED STATES EX REL. McCANS v. ARMOUR & Co.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Perry S. Patterson*, *Herbert J. Miller, Jr.*, *George E. Leonard, Jr.* and *John P. Doyle* for respondent. Reported below: 102 U. S. App. D. C. 391, 254 F. 2d 90.

No. 255. *CHASE ET AL. v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *H. Clifford Alder* and *Kenneth D. Wood* for petitioners. Reported below: 103 U. S. App. D. C. 177, 256 F. 2d 891.

No. 256. *ALASKA STEAMSHIP CO. v. UNITED STATES*. Court of Claims. Certiorari denied. *J. Franklin Fort* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Alan S. Rosenthal* and *John G. Laughlin, Jr.* for the United States. Reported below: 141 Ct. Cl. 399, 158 F. Supp. 361.

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No. 253. *McKENNA v. SEATON, SECRETARY OF THE INTERIOR, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Robert H. Rines, Samuel Nakasian and Nelson H. Shapiro* for petitioner. *Solicitor General Rankin, Assistant Attorney General Morton, Roger P. Marquis and Fred W. Smith* for the Secretary of the Interior, and *Marvin J. Sonosky* for deArmas, respondents. Reported below: 104 U. S. App. D. C. 50, 259 F. 2d 780.

No. 257. *SCHENLEY DISTILLERS, INC., ET AL. v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. *Elder W. Marshall and Thomas E. Dewey* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, Melva M. Graney and Grant W. Wiprud* for the United States. Reported below: 255 F. 2d 334.

No. 259. *HVASS v. GRAVEN, U. S. DISTRICT JUDGE, ET AL.* C. A. 8th Cir. Certiorari denied. *Charles Alan Wright and Warren B. King* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson and Beatrice Rosenberg* for respondents. Reported below: 257 F. 2d 1.

No. 261. *AMERICAN NATIONAL BANK OF JACKSONVILLE v. UNITED STATES ET AL.* C. A. 5th Cir. Certiorari denied. *W. Gregory Smith* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Oehmann and Robert N. Anderson* for the United States, and *Ray W. Richardson, Jr.* for the Title & Trust Co. of Florida, respondents. Reported below: 255 F. 2d 504.

No. 262. *DEAN OIL Co. v. AMERICAN OIL Co.* C. A. 3d Cir. Certiorari denied. *Melvin J. Koestler* for petitioner. *John C. Butler and Fred G. Stickel, Jr.* for respondent. Reported below: 254 F. 2d 816.

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No. 260. *BUCHANAN ET AL. v. EVANS ET AL.* C. A. 3d Cir. Certiorari denied. *Joseph Donald Craven*, Attorney General of Delaware, *Frank O'Donnell, Jr.*, Chief Deputy Attorney General, and *F. Alton Tybout*, Deputy Attorney General, for petitioners. *Louis L. Reddings* for Evans et al., and *James M. Tunnell, Jr.* for the Local School Boards of the Districts of Milford, Seaford, Laurel and Greenwood, respondents. Reported below: 256 F. 2d 688.

No. 264. *DeLUCIA v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. *Wm. Scott Stewart* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 256 F. 2d 487.

No. 265. *McNEIL v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. *Elliott R. Katz* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. Reported below: 255 F. 2d 387.

No. 268. *SEABOARD AIR LINE RAILROAD Co. v. SARA-SOTA-FRUITVILLE DRAINAGE DISTRICT.* C. A. 5th Cir. Certiorari denied. *Morris E. White* for petitioner. *Charles E. Early* for respondent. Reported below: 251 F. 2d 583, 255 F. 2d 622.

No. 275. *PAN AMERICAN WORLD AIRWAYS, INC., v. CIVIL AERONAUTICS BOARD.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Henry J. Friendly* and *Robert G. Barnard* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Hansen*, *Franklin M. Stone* and *O. D. Ozment* for respondent. Reported below: 103 U. S. App. D. C. 156, 256 F. 2d 711.

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No. 270. SWIFT & CO. *v.* UNITED STATES; and

No. 271. NATIONAL BISCUIT CO. ET AL. *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *David R. Owen* for petitioner in No. 270. *William L. Marbury* and *Fred E. Campbell* for petitioners in No. 271. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Morton Hollander*, *Marvin C. Taylor* and *Bernard Cedarbaum* for the United States. *E. M. Norton* and *M. R. Garstang* filed a brief for the National Milk Producers Federation, as *amicus curiae*, in support of the petition for writ of certiorari. Reported below: 257 F. 2d 787.

No. 277. FIRST NATIONAL CITY BANK OF NEW YORK *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. *F. Gloyd Awalt*, *W. V. T. Justis* and *John A. Wilson* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Samuel D. Slade* for respondents. Reported below: 103 U. S. App. D. C. 219, 257 F. 2d 223.

No. 279. MAGNOLIA PETROLEUM CO. *v.* CITIES SERVICE GAS CO. ET AL. C. A. 10th Cir. Certiorari denied. *Frank C. Bolton, Jr.*, *William S. Richardson* and *John E. McClure* for petitioner. *Solicitor General Rankin* for the Federal Power Commission, and *Conrad C. Mount*, *O. R. Stites*, *Robert R. McCracken*, *Harry S. Littman* and *Jack Werner* for the Cities Service Gas Co., respondents. Reported below: 255 F. 2d 860.

No. 282. THOMPSON *v.* FIDELITY & CASUALTY CO. OF NEW YORK. Appellate Court of Illinois, Second District. Certiorari denied. Petitioner *pro se*. *Charles A. Thomas* for respondent. Reported below: 16 Ill. App. 2d 159, 148 N. E. 2d 9.

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No. 274. TUG CORPORAL CORP. *v.* DWYER OIL TRANSPORT CO., INC., ET AL. C. A. 2d Cir. Certiorari denied. *Edmund F. Lamb* for petitioner. *Martin J. McHugh* for the Dwyer Oil Transport Co., Inc., and *Frank C. Mason* for the Matton Steamboat Co., Inc., et al., respondents. Reported below: 255 F. 2d 380.

No. 280. LUG-ALL COMPANY *v.* LITTLE MULE CORP. ET AL. C. A. 5th Cir. Certiorari denied. *Harry Langsam* for petitioner. *Charles J. Merriam* and *Samuel B. Smith* for respondents. Reported below: 254 F. 2d 268.

No. 281. APPLEBY *v.* COLBY. Court of Appeals of Maryland. Certiorari denied. *Elizabeth R. Young* for petitioner. *Sheldon E. Bernstein* for respondent. Reported below: 217 Md. 35, 141 A. 2d 507.

No. 283. GREENE *v.* ART INSTITUTE OF CHICAGO ET AL. Appellate Court of Illinois, First District. Certiorari denied. Petitioner *pro se*. *William A. McSwain* for the Art Institute of Chicago, and *Kenneth F. Burgess*, *William H. Avery, Jr.* and *John C. Williams* for the Northern Trust Co., respondents. Reported below: 16 Ill. App. 2d 84, 147 N. E. 2d 415.

No. 284. TRIHEY, ADMINISTRATOR, *v.* TRANSOCEAN AIR LINES, INC., ET AL. C. A. 9th Cir. Certiorari denied. *A. J. Blackman* for petitioner. *Joe Crider, Jr.* and *Henry E. Kappler* for the Transocean Air Lines, Inc., respondent. Reported below: 255 F. 2d 824.

No. 296. BURNS, DOING BUSINESS AS INTERNATIONAL ADVERTISING AGENCY, *v.* JAFFE ET AL. C. A. 7th Cir. Certiorari denied. *Jay E. Darlington* for petitioner. *Claude A. Roth* for Jaffe et al., and *Hubert L. Will* and *Wayland B. Cedarquist* for the Guarantee Reserve Life Insurance Co. of Hammond, Indiana, respondents.

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No. 286. MAHER *v.* ELLSWORTH ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Claude L. Dawson* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub and Samuel D. Slade* for respondents. Reported below: 103 U. S. App. D. C. 217, 257 F. 2d 221.

No. 287. RESERVE LIFE INSURANCE CO. *v.* MARR, EXECUTOR. C. A. 9th Cir. Certiorari denied. *Laidler B. Mackall* for petitioner. *Fielding H. Ficklen* for respondent. Reported below: 254 F. 2d 289.

No. 289. MARON, EXECUTOR, *v.* ROGERS, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Harry W. Blair, Newell Blair and Hermine Herta Meyer* for petitioner. *Solicitor General Rankin, Assistant Attorney General Townsend, George B. Searls and Irwin A. Seibel* for respondent. Reported below: 103 U. S. App. D. C. 244, 257 F. 2d 622.

No. 301. FLYNN *v.* TENNESSEE. Supreme Court of Tennessee, Middle Division. Certiorari denied. *W. E. Hendrix* for petitioner. *George F. McCanless, Attorney General of Tennessee, and James M. Glasgow, Assistant Attorney General*, for respondent. Reported below: — Tenn. —, 313 S. W. 2d 248.

No. 302. MATTHEWS, ADMINISTRATRIX, *v.* MATTHEWS, ADMINISTRATOR. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Theodore A. Brown and M. Wilhelmina Jackson* for petitioner. *William S. Thompson* for respondent. Reported below: 103 U. S. App. D. C. 293, 258 F. 2d 145.

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No. 292. *ACME SPECIALTIES CORP. v. BIBB, DIRECTOR OF DEPARTMENT OF PUBLIC SAFETY, ET AL.* Supreme Court of Illinois. Certiorari denied. *James C. Murray* for petitioner. *Latham Castle*, Attorney General of Illinois, and *William C. Wines*, Assistant Attorney General, for respondents. Reported below: 13 Ill. 2d 516, 150 N. E. 2d 132.

No. 293. *IN RE COOPER.* United States Court of Customs and Patent Appeals. Certiorari denied. *John A. Marzall* for petitioner. Reported below: 45 C. C. P. A. (Pat.) 923, 254 F. 2d 611.

No. 298. *ATCHISON, TOPEKA & SANTA FE RAILWAY CO. ET AL. v. ARMOUR & Co.* C. A. 7th Cir. Certiorari denied. *Robert H. Bierma* for petitioners. *Weymouth Kirkland*, *Howard Ellis*, *George E. Leonard, Jr.* and *Marcus Whiting* for respondent. Reported below: 254 F. 2d 719.

No. 299. *CUBA RAILROAD CO. v. UNITED STATES.* C. A. 2d. Cir. Certiorari denied. *Henry M. Marx* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Robert N. Anderson* and *Joseph Kovner* for the United States. Reported below: 254 F. 2d 280.

No. 303. *COFER v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. *Peyton Ford* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Eugene L. Grimm* for the United States. Reported below: 256 F. 2d 221.

No. 314. *REYNOLDS METALS CO. v. YTURBIDE ET AL.* C. A. 9th Cir. Certiorari denied. *Gustav B. Margraf* for petitioner. *George W. Mead* for respondents. Reported below: 258 F. 2d 321.

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No. 306. NEEMAN (FORMERLY DODGE) *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. *Lawrence R. Condon* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Lee A. Jackson* and *L. W. Post* for respondent. Reported below: 255 F. 2d 841.

No. 316. MURRELL *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Will O. Murrell, Jr.* for petitioner. *Solicitor General Rankin* for the United States. Reported below: 253 F. 2d 267.

No. 333. O'ROURKE ET AL. *v.* SILL ET AL. Supreme Court of Michigan. Certiorari denied. Petitioners *pro se*. *Benjamin Kleinstiver* for respondents. Reported below: 352 Mich. 318, 89 N. W. 2d 463.

No. 384. TUSCARORA NATION OF INDIANS, ALSO KNOWN AS TUSCARORA INDIAN NATION, *v.* POWER AUTHORITY OF NEW YORK ET AL. C. A. 2d Cir. Certiorari denied. *Arthur Lazarus, Jr.* and *Eugene Gressman* for petitioner. *Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, and *Julius L. Sackman* for the Superintendent of Public Works of New York, and *Thomas F. Moore, Jr.*, *Samuel I. Rosenman*, *Godfrey Goldmark*, *Henry S. Manley* and *John R. Davison* for the Power Authority of New York et al., respondents. Reported below: 257 F. 2d 885.

No. 258. ALLIED STEVEDORING CORP. ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *Henry A. Lowenberg* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Joseph F. Goetten* and *Jack M. Cotton* for the United States. Reported below: 258 F. 2d 104.

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No. 80. MONTANA POWER Co. v. UNITED STATES. Court of Claims. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *E. Roy Gilpin* and *Harry A. Poth, Jr.* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Harry Baum* and *Sheldon I. Fink* for the United States. Reported below: 141 Ct. Cl. 620, 159 F. Supp. 593.

No. 125. PLEASANT v. CLEVELAND BAR ASSOCIATION. Motion for leave to file brief of Cuyahoga County Bar Association, as *amicus curiae*, denied. Petition for writ of certiorari to the Supreme Court of Ohio denied. *William J. Corrigan* for petitioner. *S. Burns Weston* for respondent. Reported below: 167 Ohio St. 325, 148 N. E. 2d 493.

No. 219. UNITED STATES v. BREWSTER ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE BURTON took no part in the consideration or decision of this application. *Solicitor General Rankin, Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. *Jerry N. Griffin, John K. Pickens* and *Donald S. Dawson* for respondents. Reported below: 103 U. S. App. D. C. 147, 255 F. 2d 899.

No. 250. BAUER-SMITH DREDGING Co., INC., v. TULLY ET AL. Motion for leave to file brief of National Association of River and Harbor Contractors, as *amicus curiae*, denied. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Ninth Supreme Judicial District, denied. *T. G. Schirmeyer* for petitioner. *Ewell Strong* and *Geo. A. Weller* for respondents. Reported below: 305 S. W. 2d 805.

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No. 225. *ELEUTERI ET AL. v. FURMAN, ATTORNEY GENERAL OF NEW JERSEY, ET AL.* Supreme Court of New Jersey. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *James M. Davis, Jr.* for petitioners. *David D. Furman*, Attorney General of New Jersey, for respondents. Reported below: 26 N. J. 506, 141 A. 2d 46.

No. 327. *TERZICH v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. *Louis C. Glasso* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg, Julia P. Cooper and William J. Schafer, III*, for the United States. Reported below: 256 F. 2d 197.

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

No. 9, Misc. *DANIELS v. CULVER, STATE PRISON CUSTODIAN.* Supreme Court of Florida. Certiorari denied.

No. 10, Misc. *CAMPBELL v. CULVER, STATE PRISON CUSTODIAN.* Supreme Court of Florida. Certiorari denied. Petitioner *pro se.* *Richard W. Ervin*, Attorney General of Florida, and *Odis M. Henderson*, Assistant Attorney General, for respondent.

No. 14, Misc. *HOWARD v. NEW YORK.* Supreme Court of New York, Monroe County. Certiorari denied.

No. 15, Misc. *DESIMONE v. CAVELL, WARDEN.* Supreme Court of Pennsylvania, Western District. Certiorari denied.

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No. 11, Misc. SIMS *v.* ALVIS, WARDEN. C. A. 6th Cir. Certiorari denied. Petitioner *pro se.* *William Saxbe*, Attorney General of Ohio, and *William M. Vance*, Assistant Attorney General, for respondent. Reported below: 253 F. 2d 114.

No. 12, Misc. GEPNER *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. Petitioner *pro se.* *Will Wilson*, Attorney General of Texas, and *E. M. DeGeurin* and *George P. Blackburn*, Assistant Attorneys General, for respondent.

No. 16, Misc. SPEARS ET AL. *v.* WALTER ET AL. C. A. 5th Cir. Certiorari denied. *I. H. Spears* for petitioners.

No. 17, Misc. SICLARI *v.* FOLSOM, SECRETARY OF HEALTH, EDUCATION, AND WELFARE. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin*, Assistant Attorney General *Doub* and *Alan S. Rosenthal* for respondent. Reported below: 251 F. 2d 365.

No. 18, Misc. WARWICK ET AL. *v.* CULVER, STATE PRISON CUSTODIAN. Supreme Court of Florida. Certiorari denied.

No. 19, Misc. MABEE *v.* MARTIN, WARDEN. County Court of Wyoming County, New York. Certiorari denied.

No. 20, Misc. SCHUER *v.* NEW YORK. County Court of Bronx County, New York. Certiorari denied.

No. 21, Misc. MAINIERI *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 972.

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No. 25, Misc. SLEIGHTER *v.* BANMILLER, SUPERINTENDENT, EASTERN STATE PENITENTIARY. C. A. 3d Cir. Certiorari denied.

No. 26, Misc. DEMARA *v.* EMPLOYERS LIABILITY ASSURANCE CORP., LTD. C. A. 5th Cir. Certiorari denied. *Reynolds N. Cate* for petitioner. *Charles W. Barrow* for respondent. Reported below: 250 F. 2d 799.

No. 27, Misc. LEE *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. Reported below: 4 N. Y. 2d 843, 150 N. E. 2d 241.

No. 29, Misc. LUSCHER *v.* RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied.

No. 30, Misc. ANDERSON *v.* UNITED STATES. C. A. 5th 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 96.

No. 34, Misc. FIRESTONE *v.* ADAMS, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 36, Misc. FRANKLIN *v.* NASH, WARDEN. Supreme Court of Missouri. Certiorari denied.

No. 42, Misc. GREENE *v.* INDUSTRIAL COMMISSIONER OF NEW YORK. Court of Appeals of New York. Certiorari denied. Petitioner *pro se*. *Louis J. Lefkowitz*, Attorney General of New York, and *Paxton Blair*, Solicitor General, for respondent. Reported below: 4 N. Y. 2d 715, 148 N. E. 2d 315.

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No. 37, Misc. *FISH v. MARTIN, WARDEN*. Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

No. 39, Misc. *BOWLES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Anderson and Beatrice Rosenberg* for the United States.

No. 41, Misc. *SHIELDS ET AL. v. BALTIMORE & OHIO RAILROAD CO.* C. A. 7th Cir. Certiorari denied. Petitioners *pro se*. *S. R. Prince* for respondent. Reported below: 254 F. 2d 863.

No. 43, Misc. *KONVALIN v. NEBRASKA*. Supreme Court of Nebraska. Certiorari denied. Reported below: 165 Neb. 842, 87 N. W. 2d 570.

No. 44, Misc. *MEDINA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Morris Lavine* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson and Beatrice Rosenberg* for the United States. Reported below: 254 F. 2d 228.

No. 45, Misc. *ROGERS v. RAGEN, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 46, Misc. *BEARD v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. Petitioner *pro se*. *C. Ferdinand Sybert*, Attorney General of Maryland, *Joseph S. Kaufman*, Assistant Attorney General, and *James H. Norris, Jr.*, Special Assistant Attorney General, for respondent. Reported below: 216 Md. 302, 140 A. 2d 672.

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No. 48, Misc. METZ *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 50, Misc. ROBINSON *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 51, Misc. GRAY *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 52, Misc. JUELICH *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 53, Misc. BRIDGES *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and J. F. Bishop* for the United States. Reported below: 259 F. 2d 611.

No. 60, Misc. EDWARDS *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. 152, 256 F. 2d 707.

No. 71, Misc. DUNN *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Anderson and Beatrice Rosenberg* for the United States. Reported below: 259 F. 2d 269.

No. 72, Misc. STOUT *v.* RIGG, WARDEN. Supreme Court of Minnesota. Certiorari denied. Reported below: 252 Minn. 503, 90 N. W. 2d 910.

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No. 55, Misc. *ELAM v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Samuel D. Slade* for the United States. Reported below: 250 F. 2d 582.

No. 56, Misc. *NICHOLS v. McGEE, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS, ET AL.* Supreme Court of California. Certiorari denied.

No. 57, Misc. *LAVINE v. RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. Supreme Court of Washington. Certiorari denied.

No. 59, Misc. *WORLEY, ADMINISTRATRIX, ET AL. v. DUNN, TRUSTEE, ET AL.* C. A. 6th Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Rankin* for the United States, *Charles C. Trabue, Jr.* for Dunn et al., and *F. A. Berry* for the First American National Bank of Nashville, Tennessee, respondents. Reported below: 252 F. 2d 712.

No. 61, Misc. *KIRKSEY v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 63, Misc. *EDMOND v. MOORE-McCORMACK LINES, INC.* C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Vernon S. Jones* for respondent. Reported below: 253 F. 2d 143.

No. 66, Misc. *CULLEY v. WARDEN, MARYLAND HOUSE OF CORRECTION*. Court of Appeals of Maryland. Certiorari denied. Reported below: 217 Md. 660, 143 A. 2d 61.

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No. 67, Misc. WISE *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 68, Misc. CRAWFORD *v.* CIRCUIT COURT OF LUCAS COUNTY ET AL. Supreme Court of Michigan. Certiorari denied.

No. 70, Misc. ROUSSEAU *v.* HURTADO, EXECUTRIX. District Court of Appeal of California, First Appellate District. Certiorari denied.

No. 74, Misc. BOMBARD *v.* NEW YORK. Appellate Division of the Supreme Court of New York, Third Judicial Department. Certiorari denied. Reported below: 5 App. Div. 2d 923, 172 N. Y. S. 2d 1.

No. 75, Misc. JONES *v.* RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. C. A. 9th Cir. Certiorari denied. Reported below: 254 F. 2d 393.

No. 79, Misc. COSIMO *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. Reported below: 4 N. Y. 2d 833, 150 N. E. 2d 238.

No. 83, Misc. WILKINSON *v.* NEW YORK. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 89, Misc. BEACH *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Eugene Gressman* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *J. F. Bishop* for the United States.

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No. 88, Misc. HAMPTON *v.* DEBLAAY ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 258 F. 2d 790.

No. 90, Misc. BLACKNEY *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Hymie Nussbaum* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 103 U. S. App. D. C. 187, 257 F. 2d 191.

No. 92, Misc. HAGAN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. Reported below: 256 F. 2d 34.

No. 98, Misc. POWELL *v.* ALABAMA. Court of Appeals of Alabama, Sixth Division. Certiorari denied. Reported below: 39 Ala. App. 423, 102 So. 2d 923.

No. 108, Misc. HANLEY *v.* MASSACHUSETTS. Supreme Judicial Court of Massachusetts. Certiorari denied. Reported below: 337 Mass. 384, 149 N. E. 2d 608.

No. 114, Misc. KOMINSKI *v.* DELAWARE. Supreme Court of Delaware. Certiorari denied. Reported below: 51 Del. —, 141 A. 2d 138.

No. 118, Misc. MITCHELL *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Harold Leventhal* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 104 U. S. App. D. C. 57, 259 F. 2d 787.

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No. 94, Misc. *McDANIEL v. HEINZE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 95, Misc. *STAPLES v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 96, Misc. *MEERS v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Reported below: 4 N. Y. 2d 898, 151 N. E. 2d 84.

No. 97, Misc. *DONOVAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Herbert Monte Levy* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Kirby W. Patterson* for the United States. Reported below: 252 F. 2d 788.

No. 101, Misc. *CURRY v. RAGAN ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 257 F. 2d 449.

No. 102, Misc. *GRAZIANO v. NEW YORK*. Court of Appeals of New York. Certiorari denied. *Nathan Kestnbaum* for petitioner. *Frank S. Hogan and Harold Roland Shapiro* for respondent. Reported below: 4 N. Y. 2d 881, 150 N. E. 2d 768.

No. 103, Misc. *TATE v. BANMILLER, WARDEN*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. Reported below: 393 Pa. 496, 143 A. 2d 56.

No. 109, Misc. *HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 256 F. 2d 342.

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No. 105, Misc. *WATKINS v. SMYTH*, SUPERINTENDENT, VIRGINIA PENITENTIARY. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 111, Misc. *LATIMER v. RANDOLPH*, WARDEN. Supreme Court of Illinois. Certiorari denied. Reported below: 13 Ill. 2d 552, 150 N. E. 2d 603.

No. 112, Misc. *WILLIAMS v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 115, Misc. *ABNEY v. BANMILLER*, WARDEN. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 119, Misc. *McCLANAHAN v. MICHIGAN*. Recorder's Court of the City of Detroit, Michigan. Certiorari denied.

No. 121, Misc. *POWERS v. RHAY*, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied.

No. 123, Misc. *HOLLIS v. TEXAS*. Supreme Court of Texas. Certiorari denied.

No. 124, Misc. *WILLIAMS v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 128, Misc. *FLETCHER v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 132, Misc. *MOORE v. SMYTH*, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY. Supreme Court of Appeals of Virginia. Certiorari denied.

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No. 130, Misc. SPANGLER *v.* DAILY, JUDGE, MARION CRIMINAL COURT. Supreme Court of Indiana. Certiorari denied. Reported below: 238 Ind. 704, 151 N. E. 2d 517.

No. 135, Misc. MCCOY *v.* PEPERSACK, WARDEN. Court of Appeals of Maryland. Certiorari denied. Petitioner *pro se.* *C. Ferdinand Sybert*, Attorney General of Maryland, *Stedman Prescott, Jr.*, Deputy Attorney General, and *James H. Norris, Jr.*, Special Assistant Attorney General, for respondent. Reported below: 216 Md. 332, 140 A. 2d 689.

No. 137, Misc. TRIGG *v.* INDIANA. Supreme Court of Indiana. Certiorari denied. Reported below: 238 Ind. 260, 149 N. E. 2d 545.

No. 138, Misc. McDANIEL 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 Anderson*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 103 U. S. App. D. C. 144, 255 F. 2d 896.

No. 140, Misc. CHALUPOWITZ *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: 254 F. 2d 479.

No. 142, Misc. PERSON *v.* MARYLAND. Court of Appeals of Maryland. Certiorari denied. Reported below: 217 Md. 650, 141 A. 2d 743.

No. 153, Misc. TAHTINEN *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. Reported below: 50 Cal. 2d 127, 323 P. 2d 442.

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No. 143, Misc. GREEN *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Julia P. Cooper* for the United States. Reported below: 256 F. 2d 483.

No. 146, Misc. BROWN *v.* SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 147, Misc. GRUBBS *v.* NEW YORK. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 149, Misc. VIGDOR *v.* YOUNG ET AL., MEMBERS OF THE U. S. CIVIL SERVICE COMMISSION, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Eugene X. Murphy* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub and Alan S. Rosenthal* for respondents. Reported below: 102 U. S. App. D. C. 414, 254 F. 2d 333.

No. 150, Misc. PENNSYLVANIA EX REL. PAYLOR *v.* CAVELL, WARDEN. Supreme Court of Pennsylvania, Western District. Certiorari denied. *Louis C. Glasso* for petitioner.

No. 154, Misc. PAPWORTH *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Anderson and Beatrice Rosenberg* for the United States. Reported below: 256 F. 2d 125.

No. 159, Misc. HAMILTON *v.* WARDEN, MARYLAND HOUSE OF CORRECTION. Court of Appeals of Maryland. Certiorari denied. Reported below: 216 Md. 652, 140 A. 2d 891.

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No. 158, Misc. *BLISS v. NEW YORK*. County Court of Wyoming County, New York. Certiorari denied.

No. 160, Misc. *BANDER v. UNITED STATES*. Court of Claims. Certiorari denied. *Robert H. Reiter* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Alan S. Rosenthal* for the United States. Reported below: 141 Ct. Cl. 373, 158 F. Supp. 564.

No. 161, Misc. *SHOTKIN v. WEKSLER ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 255 F. 2d 100.

No. 162, Misc. *FALU v. NEW YORK*. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied. Reported below: 6 App. Div. 2d 688, 174 N. Y. S. 2d 945.

No. 166, Misc. *GRIFFIN v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 167, Misc. *DESTEFANO v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 175, Misc. *HARRIS v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 187, Misc. *SMITH v. GEORGIA*. Supreme Court of Georgia. Certiorari denied. *Aaron Kravitch* and *Phyllis Kravitch* for petitioner. *Eugene Cook*, Attorney General of Georgia, and *E. Freeman Leverett*, Assistant Attorney General, for respondent. Reported below: 214 Ga. 314, 104 S. E. 2d 444.

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No. 176, Misc. HAYES *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin* and *Acting Assistant Attorney General Oehmann* for the United States. Reported below: 258 F. 2d 400.

No. 177, Misc. PETROLIA *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied.

No. 182, Misc. WORTH *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 188, Misc. ARMPRIESTER *v.* UNITED STATES. C. A. 4th 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: 256 F. 2d 294.

No. 208, Misc. WOOLSEY *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied.

No. 209, Misc. BAILEY *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 211, Misc. PHILLIPS *v.* RANDOLPH, WARDEN. Supreme Court of Illinois. Certiorari denied. Reported below: 13 Ill. 2d 552, 150 N. E. 2d 603.

No. 212, Misc. WILSON, RELATOR AND BEST FRIEND OF JEFFERSON, *v.* DICKSON, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 256 F. 2d 536.

No. 216, Misc. RUBY ET UX. *v.* BOWLUS. Court of Appeals of Maryland. Certiorari denied. Reported below: 217 Md. 115, 140 A. 2d 513.

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No. 218, Misc. MARTIN *v.* ILLINOIS. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 219, Misc. SYPNIEWSKI *v.* BUCHKOE, WARDEN. Supreme Court of Michigan. Certiorari denied.

No. 91, Misc. GRAEBER *v.* RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Petition for writ of certiorari and other relief to the United States Court of Appeals for the Ninth Circuit denied. Reported below: 256 F. 2d 556.

No. 93, Misc. MATHISON *v.* UNITED STATES. Petition for writ of certiorari and other relief to the United States Court of Appeals for the Seventh Circuit denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 256 F. 2d 803.

No. 172, Misc. SMITH *v.* RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Petition for writ of certiorari and other relief to the Supreme Court of Washington denied.

No. 204, Misc. WALKER *v.* CALIFORNIA. Petition for writ of certiorari and other relief to the District Court of Appeal of California, Fourth Appellate District, denied. Reported below: 160 Cal. App. 2d 736, 325 P. 2d 594.

No. 99, Misc. TUSCANO *v.* TEXAS. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied without prejudice to an application for a writ of habeas corpus in an appropriate United States District Court.

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Rehearing Denied. (See also Nos. 122, 123, 124 and 125, October Term, 1957, ante, p. 805.)

No. 29, October Term, 1957. UNITED STATES *v.* CENTRAL EUREKA MINING CO. ET AL., 357 U. S. 155;

No. 63, October Term, 1957. BEILAN *v.* BOARD OF PUBLIC EDUCATION, SCHOOL DISTRICT OF PHILADELPHIA, 357 U. S. 399;

No. 165, October Term, 1957. LERNER *v.* CASEY ET AL., CONSTITUTING THE NEW YORK CITY TRANSIT AUTHORITY, 357 U. S. 468;

No. 107, October Term, 1957. HANSON, EXECUTRIX, ET AL. *v.* DENCKLA ET AL., 357 U. S. 235;

No. 117, October Term, 1957. LEWIS ET AL. *v.* HANSON, EXECUTRIX AND TRUSTEE, ET AL., 357 U. S. 235;

No. 178, October Term, 1957. CROOKER *v.* CALIFORNIA, 357 U. S. 433;

No. 419, October Term, 1957. EASTERN AIR LINES, INC., *v.* MOE, 357 U. S. 936;

No. 562, October Term, 1957. RUPP *v.* DICKSON, ACTING WARDEN, 357 U. S. 549;

No. 668, October Term, 1957. GORE *v.* UNITED STATES, 357 U. S. 386;

No. 947, October Term, 1957. PENNSYLVANIA ET AL. *v.* BOARD OF DIRECTORS OF CITY TRUSTS OF PHILADELPHIA ET AL., 357 U. S. 570;

No. 975, October Term, 1957. FARMER *v.* UNITED STATES ET AL., 357 U. S. 906;

No. 1002, October Term, 1957. FLORIDA EX REL. ARNOLD *v.* REVELS, CIRCUIT COURT JUDGE, 357 U. S. 925;

No. 1004, October Term, 1957. KNIGHT MORLEY CORP. *v.* NATIONAL LABOR RELATIONS BOARD, 357 U. S. 927;

No. 1037, October Term, 1957. KAMEN SOAP PRODUCTS Co., INC., *v.* UNITED STATES, 357 U. S. 939;

No. 1047, October Term, 1957. COSTELLO *v.* UNITED STATES, 357 U. S. 937. Petitions for rehearing denied.

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No. 632, Misc., October Term, 1957. *HARMON v. UNITED STATES*, 357 U. S. 908;

No. 669, Misc., October Term, 1957. *LESSER v. MARTIN, WARDEN*, 357 U. S. 909;

No. 670, Misc., October Term, 1957. *NICOL ET AL. v. NATIONAL SAVINGS & TRUST Co., EXECUTOR*, 357 U. S. 909;

No. 672, Misc., October Term, 1957. *MILLER v. TOWN OF SUFFIELD ET AL.*, 356 U. S. 978;

No. 702, Misc., October Term, 1957. *SWITZER v. UNITED STATES*, 357 U. S. 922;

No. 751, Misc., October Term, 1957. *JORDAN v. ARIZONA*, 357 U. S. 922;

No. 770, Misc., October Term, 1957. *ROARK v. WEST ET AL.*, 357 U. S. 940;

No. 774, Misc., October Term, 1957. *JONES v. UNITED STATES*, 357 U. S. 932;

No. 777, Misc., October Term, 1957. *CRABTREE v. UNITED STATES*, 357 U. S. 901;

No. 781, Misc., October Term, 1957. *LOZOYA v. RAMIREZ ET AL.*, 357 U. S. 941;

No. 799, Misc., October Term, 1957. *PEABODY v. GULOTTA, DISTRICT ATTORNEY OF NASSAU COUNTY, NEW YORK*, 357 U. S. 941;

No. 803, Misc., October Term, 1957. *WOLF v. BROWNELL, ATTORNEY GENERAL, ET AL.*, 357 U. S. 942; and

No. 822, Misc., October Term, 1957. *MILLER, ALIAS WARNER, v. ILLINOIS*, 357 U. S. 943. Petitions for rehearing denied.

No. 543, Misc., October Term, 1957. *CATO v. CALIFORNIA ET AL.*, 357 U. S. 932. Motion for leave to file petition for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this motion.

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No. 483, October Term, 1957. *SPEISER v. RANDALL*, ASSESSOR OF CONTRA COSTA COUNTY, CALIFORNIA; and

No. 484, October Term, 1957. *PRINCE v. CITY AND COUNTY OF SAN FRANCISCO*, 357 U. S. 513. Rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application.

No. 649, October Term, 1957. *LOCAL 174 AND JOINT COUNCIL No. 28 OF THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS OF AMERICA, ET AL. v. SELLES*, 356 U. S. 975. Rehearing denied. MR. JUSTICE BLACK took no part in the consideration or decision of this application.

No. 189, October Term, 1957. *KNAPP v. SCHWEITZER*, JUDGE OF THE COURT OF GENERAL SESSIONS, ET AL., 357 U. S. 371;

No. 305, October Term, 1957. *LOCAL 140 SECURITY FUND v. HACK*, TRUSTEE IN BANKRUPTCY, ET AL., 355 U. S. 833;

No. 892, October Term, 1957. *BERGE v. NATIONAL BULK CARRIERS, INC., ET AL.*, 356 U. S. 958; and

No. 226, Misc., October Term, 1955. *LISTER v. MCLEOD*, WARDEN, 350 U. S. 917. Motions for leave to file petitions for rehearing denied.

OCTOBER 20, 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 October 20, 1958, and ending June 30, 1959, 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.

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No. 5. HOTEL EMPLOYEES UNION, LOCAL No. 255, ET AL. *v.* SAX ENTERPRISES, INC., ET AL.; and

No. 6. HOTEL EMPLOYEES UNION, LOCAL No. 255, ET AL. *v.* LEVY ET AL., DOING BUSINESS AS SHERRY FRONTENAC HOTEL, ET AL. Certiorari, 355 U. S. 902, to the Supreme Court of Florida. Upon consideration of the suggestion of omission of parts of the record from the printed record, the Clerk is directed to print such parts as a supplemental record subject to further order of the Court as to the payment of costs incident thereto. The brief of the respondents is to be filed on or before November 1, and the cases are set for oral argument on November 10, next. *Thomas H. Anderson* and *Thomas H. Barkdull, Jr.* were on the suggestion of omission for respondents. *David E. Feller* was on a response for petitioners. Reported below: 93 So. 2d 591, 598.

No. 9. YOUNGSTOWN SHEET & TUBE CO. *v.* BOWERS, TAX COMMISSIONER OF OHIO. Appeal from the Supreme Court of Ohio (probable jurisdiction noted, 355 U. S. 911); and

No. 44. UNITED STATES PLYWOOD CORP. *v.* CITY OF ALGOMA. Certiorari, 356 U. S. 957, to the Supreme Court of Wisconsin. The motion of the City of Algoma to strike brief, as *amici curiae*, of Bruce Bromley et al., is denied. *Edwin Larkin* for movant-respondent in No. 44. *Bruce Bromley* and *Roswell Magill*, as *amici curiae*, were on a reply to the motion to strike. Reported below: No. 9, 166 Ohio St. 122, 140 N. E. 2d 313; No. 44, 2 Wis. 2d 567, 87 N. W. 2d 481.

No. 235, Misc. ALVIDREZ *v.* HEINZE, WARDEN;

No. 241, Misc. LITCHFIELD *v.* TINSLEY, WARDEN; and

No. 281, Misc. WILLIAMS *v.* TINSLEY, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 15, October Term, 1957. PUBLIC SERVICE COMMISSION OF UTAH ET AL. *v.* UNITED STATES ET AL., 356 U. S. 421. The motion to allow and tax costs is granted to the extent of nine-elevenths of such costs which are hereby taxed against appellees exclusive of the United States and the Interstate Commerce Commission. MR. JUSTICE STEWART took no part in the consideration or decision of this motion. *E. R. Callister*, Attorney General of Utah, *Raymond W. Gee*, Assistant Attorney General, *Calvin L. Rampton* and *Keith Sohm* for movants-appellants. *Elmer B. Collins*, *Bryan P. Leverich*, *Ernest P. Porter*, *Peter W. Billings*, *Wood R. Worsley* and *A. U. Miner* were on a brief in opposition for the Denver & Rio Grande Western Railroad Co. et al., railroad appellees. Reported below: 146 F. Supp. 803.

No. 27. FOLSOM, SECRETARY OF HEALTH, EDUCATION, AND WELFARE, *v.* FLORIDA CITRUS EXCHANGE ET AL. Certiorari, 356 U. S. 911, to the United States Court of Appeals for the Fifth Circuit. The motion to substitute Arthur S. Flemming as the party petitioner for Marion B. Folsom is granted. *Solicitor General Rankin* for movant-petitioner. Reported below: 246 F. 2d 850.

No. 175. RALEY ET AL. *v.* OHIO. Appeal from the Supreme Court of Ohio. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits. MR. JUSTICE STEWART took no part in the consideration or decision of this application. *Morse Johnson* and *Louis C. Capelle* for appellants. Reported below: 167 Ohio St. 295, 147 N. E. 2d 847.

No. 232, Misc. LA MANNA *v.* CALIFORNIA. 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.

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No. 62, Misc. MORGAN *v.* OHIO. Appeal from the Supreme Court of Ohio. Motion for leave to proceed *in forma pauperis* granted. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits and case transferred to appellate docket. MR. JUSTICE STEWART took no part in the consideration or decision of this application. *Ann Fagan Ginger* and *Thelma C. Furry* for appellant. Reported below: 167 Ohio St. 295, 147 N. E. 2d 847.

No. 173, Misc. ST. ELMO ET AL. *v.* CAMPBELL, U. S. DISTRICT JUDGE. Motion for leave to file petition for writ of mandamus denied. *George W. Crank* and *Harry G. Fins* for petitioners. *John C. Melaniphy* and *Sydney R. Drebin* for the Neighborhood Redevelopment Commission of the City of Chicago, and *William H. Dillon* for the South West Hyde Park Neighborhood Redevelopment Corporation.

Probable Jurisdiction Noted.

No. 278. FRANK *v.* MARYLAND. Appeal from the Criminal Court of Baltimore, Maryland. Probable jurisdiction noted. *Benjamin Lipsitz* for appellant. *C. Ferdinand Sybert*, Attorney General of Maryland, and *James H. Norris, Jr.*, Special Assistant Attorney General, for respondent.

Certiorari Granted. (See also Nos. 235, *ante*, p. 49, and 242, *ante*, p. 51.)

No. 329. NATIONAL LABOR RELATIONS BOARD *v.* CABOT CARBON CO. ET AL. C. A. 5th Cir. *Certiorari* granted. *Solicitor General Rankin*, *Jerome D. Fenton*, *Thomas J. McDermott*, *Dominick L. Manoli* and *Fannie M. Boyls* for petitioner. *M. Truman Woodward, Jr.* and *Richard C. Keenan* for respondents. Reported below: 256 F. 2d 281.

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Certiorari Denied. (See also No. 125, Misc., ante, p. 54, and No. 232, Misc., supra.)

No. 144. FORD MOTOR CO. *v.* UNITED STATES. Court of Claims. *Certiorari denied.* *Clarence E. Dawson, William T. Gossett and L. Homer Surbeck* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Harry Baum and Myron C. Baum* for the United States. Reported below: 140 Ct. Cl. 487, 156 F. Supp. 554.

No. 230. UNDERWOOD ET AL. *v.* MALONEY. C. A. 3d Cir. *Certiorari denied.* *Abraham E. Freedman and Martin J. Vigderman* for petitioners. *Charles A. Wolfe and J. Albert Woll* for respondent. Reported below: 256 F. 2d 334.

No. 304. DUBOIS, TRUSTEE, *v.* UNITED STATES. C. A. 3d Cir. *Certiorari denied.* *Josiah E. DuBois, Jr., pro se.* *Solicitor General Rankin, Assistant Attorney General Rice, A. F. Prescott and George F. Lynch* for the United States. Reported below: 255 F. 2d 706.

No. 308. MELLOTT ET AL. *v.* UNITED STATES. C. A. 3d Cir. *Certiorari denied.* *Henry D. O'Connor* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice and I. Henry Kutz* for the United States. Reported below: 257 F. 2d 798.

No. 309. LANE INDUSTRIES, INC., *v.* UNITED STATES. Court of Claims. *Certiorari denied.* *Michael Berman* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub and Samuel D. Slade* for the United States. Reported below: 142 Ct. Cl. 712, 162 F. Supp. 443.

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No. 240. *BRINKLEY v. PENNSYLVANIA RAILROAD CO.* C. A. 3d Cir. Certiorari denied. *B. Nathaniel Richter* for petitioner. *Philip Price* and *Robert M. Landis* for respondent. Reported below: 254 F. 2d 598.

No. 311. *GOND RON ET AL. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *M. Gabriel Nahas, Jr.* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. Reported below: 256 F. 2d 205.

No. 313. *BEISTLINE v. CITY OF SAN DIEGO ET AL.* C. A. 9th Cir. Certiorari denied. *Eli H. Levenson* for petitioner. *Aaron W. Reese* for the City of San Diego, and *Fred Kunzel* for the General Dynamics Corporation, respondents. Reported below: 256 F. 2d 421.

No. 315. *I. C. SUTTON HANDLE FACTORY v. NATIONAL LABOR RELATIONS BOARD.* C. A. 8th Cir. Certiorari denied. *Virgil D. Willis* and *Robert W. Cummins* for petitioner. *Solicitor General Rankin*, *Jerome D. Fenton*, *Thomas J. McDermott* and *Dominick L. Manoli* for respondent. Reported below: 255 F. 2d 697.

No. 317. *DAVIS, ADMINISTRATRIX, v. JONES, ADMINISTRATRIX, ET AL.* C. A. 10th Cir. Certiorari denied. *W. F. Semple* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Morton* and *Roger P. Marquis* for the United States, respondent. Reported below: 254 F. 2d 696.

No. 318. *WILSON ET AL. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *John C. Walters* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. Reported below: 255 F. 2d 686.

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No. 319. *PACIFIC FAR EAST LINE, INC., v. UNITED STATES ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Odell Kominers* for petitioner. *Solicitor General Rankin, Assistant Attorney General Hansen, Daniel M. Friedman, E. Robert Seaver, Robert E. Mitchell, Edward Aptaker and Edward Schmeltzer* for the United States and the Federal Maritime Board, and *Alvin J. Rockwell and William R. Deming* for the Matson Navigation Co., respondents. Reported below: 103 U. S. App. D. C. 104, 255 F. 2d 182.

No. 324. *GENERAL MOTORS CORPORATION, FRIGIDAIRE DIVISION, v. UNITED STATES.* Court of Claims. Certiorari denied. *Newell W. Ellison, Henry M. Hogan, Daniel M. Gribbon and Calvert Thomas* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Joseph F. Goetten and Myron C. Baum* for the United States. Reported below: 142 Ct. Cl. 842, 163 F. Supp. 854.

No. 325. *EVANS v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Arthur D. Klang* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Carl H. Imlay* for the United States. Reported below: 257 F. 2d 121.

No. 328. *WEIN v. CALIFORNIA.* Supreme Court of California. Certiorari denied. *Russell E. Parsons and Henry E. Kappler* for petitioner. Reported below: 50 Cal. 2d 383, 326 P. 2d 457.

No. 120, Misc. *ARAN, DOING BUSINESS AS AUTO NURSE MANUFACTURING Co., v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Acting Assistant Attorney General Oehmann, I. Henry Kutz and Carolyn R. Just* for the United States. Reported below: 259 F. 2d 757.

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No. 320. *BRASIER v. JEARY ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 256 F. 2d 474.

No. 330. *ITEM COMPANY v. NEW ORLEANS NEWSPAPER GUILD.* C. A. 5th Cir. Certiorari denied. *Eberhard P. Deutsch* for petitioner. *George A. Dreyfous* for respondent. Reported below: 256 F. 2d 855.

No. 331. *PROUTY ET AL. v. CITIZENS UTILITIES CO.* C. A. 2d Cir. Certiorari denied. *Edwin W. Lawrence* and *Arthur L. Graves* for petitioners. *Jesse Climenko* and *Clifton G. Parker* for respondent. Reported below: 257 F. 2d 692.

No. 321. *CARTELLONE, ALIAS PRINCE, v. LEHMANN, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE.* C. A. 6th Cir. Certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application. *Henry C. Lavine* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg* and *Felicia Dubrovsky* for respondent. Reported below: 255 F. 2d 101.

No. 334. *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. Reported below: 254 F. 2d 598.

No. 78, Misc. *NELSON, ADMINISTRATOR, v. GREENE LINE STEAMERS, INC.* C. A. 6th Cir. Certiorari denied. *W. Scott Miller, Jr.* for petitioner. *A. J. Deindoerfer* and *Joseph E. Stopher* for respondent. Reported below: 255 F. 2d 31.

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No. 77, Misc. *STEPPER v. BANMILLER, WARDEN*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. Reported below: 393 Pa. 1, 141 A. 2d 573.

No. 87, Misc. *MILLER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Anderson and Beatrice Rosenberg* for the United States. Reported below: 254 F. 2d 523.

No. 165, Misc. *THOMPSON v. CAVELL, WARDEN*. Supreme Court of Pennsylvania, Western District. Certiorari denied.

No. 179, Misc. *WINSTON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin* for the United States.

No. 180, Misc. *KENNEDY v. MYERS, WARDEN*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. Reported below: 393 Pa. 535, 143 A. 2d 660.

No. 183, Misc. *HAINES v. BANMILLER, WARDEN*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. Reported below: 393 Pa. 439, 143 A. 2d 661.

No. 198, Misc. *PENNSYLVANIA EX REL. MURRAY v. KEENAN, SUPERINTENDENT, ALLEGHENY COUNTY WORKHOUSE*. Supreme Court of Pennsylvania, Western District. Certiorari denied. *Marjorie Hanson Matson* for petitioner.

No. 200, Misc. *THOMPSON v. BANNAN, WARDEN*. Supreme Court of Michigan. Certiorari denied.

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No. 193, Misc. *GVARA v. KETTLE*, SUPERINTENDENT, NORWICH STATE HOSPITAL. Superior Court of Connecticut, New London County. Certiorari denied.

No. 195, Misc. *THOMAS 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 Kirby W. Patterson* for the United States. Reported below: 103 U. S. App. D. C. 178, 256 F. 2d 892.

No. 197, Misc. *ORR v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. *John R. Snively* for petitioner.

No. 201, Misc. *BURKHAMER v. ADAMS*, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied. Reported below: 143 W. Va. —, 103 S. E. 2d 777.

No. 122, Misc. *BOBO v. CALIFORNIA ET AL.* Petition for writ of certiorari and for other relief to the Supreme Court of California denied.

No. 189, Misc. *BAILEY v. ARKANSAS*. Petition for writ of certiorari to the Supreme Court of Arkansas denied without prejudice to an application for a writ of habeas corpus in an appropriate United States District Court. Reported below: — Ark. —, 313 S. W. 2d 388.

No. 222, Misc. *BLACKMON v. MICHIGAN ET AL.* C. A. 6th Cir. Certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application.

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Rehearing Denied.

No. 958, October Term, 1957. *MEADS v. UNITED STATES*, 357 U. S. 905. Rehearing denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application.

No. 963, October Term, 1957. *FARNUM v. CONNECTICUT ET AL.*, 357 U. S. 919;

No. 716, Misc., October Term, 1957. *FARNUM v. CONNECTICUT ET AL.*, 357 U. S. 916; and

No. 717, Misc., October Term, 1957. *FARNUM v. INTERNATIONAL ASSOCIATION OF MACHINISTS*, 357 U. S. 916. Petition for rehearing and other relief denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application.

No. 626, Misc., October Term, 1954. *DAVIS v. SUMMERFIELD, POSTMASTER GENERAL*, 349 U. S. 965. Motion for leave to file second petition for rehearing denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application.

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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 November 3, 1958, and ending June 30, 1959, 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. 415, October Term, 1957. *COUNTY OF MARIN ET AL. v. UNITED STATES ET AL.*, 356 U. S. 412. The motion to allow and tax costs is granted to the extent of

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three-fifths of such costs which are hereby taxed against appellees exclusive of the United States and the Interstate Commerce Commission. MR. JUSTICE STEWART took no part in the consideration or decision of this motion. *Spurgeon Avakian* for appellants. *Allan P. Matthew* for the Golden Gate Transit Lines et al., appellees. Reported below: 150 F. Supp. 619.

No. 339. *SPEVACK v. STRAUSS ET AL.* The motion for discovery in this case is denied. The motion for leave to use record in No. 641, October Term, 1957, and the motion to impound the record are granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit also granted. *Carleton U. Edwards, II, Joseph Y. Houghton and Bernard Margolius* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub, Samuel D. Slade, Herman Marcuse, Loren K. Olson and Roland A. Anderson* for respondents. Briefs of *amici curiae* in support of the petition for a writ of certiorari were filed by *Elisha Hanson, Arthur B. Hanson and Calvin H. Cobb, Jr.* for the American Chemical Society, and *Carlton S. Dargusch and Carlton S. Dargusch, Jr.* for the Engineers Joint Council, Inc. Reported below: 103 U. S. App. D. C. 204, 257 F. 2d 208.

No. 492, October Term, 1957. *FLORA v. UNITED STATES*, 357 U. S. 63. The Solicitor General is requested to file a response to the petition for rehearing in this case. MR. JUSTICE STEWART took no part in the consideration or decision of this matter. Reported below: 246 F. 2d 929.

Certiorari Granted. (See also No. 349, ante, p. 55, and No. 339, supra.)

No. 101. *VITARELLI v. SEATON, SECRETARY OF THE INTERIOR, ET AL.* United States Court of Appeals for the

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District of Columbia Circuit. Certiorari granted. *Clifford J. Hynning* and *Allen S. Olmsted, 2nd*, for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Alan S. Rosenthal* for respondents. Reported below: 102 U. S. App. D. C. 316, 253 F. 2d 338.

No. 180. *GREENE v. McELROY ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Carl W. Berueffy* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Samuel D. Slade* and *B. Jenkins Middleton* for respondents. Reported below: 103 U. S. App. D. C. 87, 254 F. 2d 944.

No. 347. *COUNTY OF ALLEGHENY v. FRANK MASHUDA Co. ET AL.* C. A. 3d Cir. Certiorari granted. *Maurice Louik* for petitioner. *Don Rose* for respondents. Reported below: 256 F. 2d 241.

Certiorari Denied.

No. 335. *SUN OIL Co. v. FEDERAL POWER COMMISSION.* C. A. 5th Cir. Certiorari denied. *Martin A. Row* and *Robert E. May* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Samuel D. Slade*, *B. Jenkins Middleton*, *Willard W. Gatchell* and *William W. Ross* for respondent. Reported below: 256 F. 2d 233.

No. 338. *BISAILLON v. SURECK*, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 9th Cir. Certiorari denied. *Howard K. Hoddick* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson* and *Beatrice Rosenberg* for respondent. Reported below: 257 F. 2d 435.

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No. 336. *WHEELER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Robert M. Taylor* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice* and *Joseph F. Goetten* for the United States. Reported below: 256 F. 2d 745.

No. 337. *MENDOZA v. VIRGINIA*. Supreme Court of Appeals of Virginia. Certiorari denied. *Louis B. Fine* for petitioner. Reported below: 199 Va. 961, 103 S. E. 2d 1.

No. 342. *WILSON ET AL. v. CITY OF LONG BRANCH ET AL.* Supreme Court of New Jersey. Certiorari denied. *Theodore D. Parsons* and *William R. Blair, Jr.* for petitioners. *Edward F. Juska* and *Clarkson S. Fisher* for the City of Long Branch, respondent. *David D. Furman*, Attorney General of New Jersey, filed a brief as intervenor, opposing the petition. With him on the brief was *Stephen F. Lichtenstein*, Deputy Attorney General. Reported below: 27 N. J. 360, 142 A. 2d 837.

No. 345. *MOODY v. KAGAN ET AL.* Court of Civil Appeals of Texas, First Supreme Judicial District. Certiorari denied. *R. Dean Moorhead* for petitioner. *Harry Dow* for respondents. Reported below: 309 S. W. 2d 515.

No. 346. *GIACONA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *William F. Walsh* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg* and *Eugene L. Grimm* for the United States. Reported below: 257 F. 2d 450.

No. 354. *SHARGAA v. FLORIDA*. Supreme Court of Florida. Certiorari denied. *L. J. Cushman* for petitioner. Reported below: 102 So. 2d 809.

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No. 348. *RAINER v. UNITED STATES*. Court of Claims. Certiorari denied. *Carl L. Shipley, Alex Akerman, Jr. and Samuel Resnicoff* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub, Samuel D. Slade and Robert S. Green* for the United States. Reported below: 142 Ct. Cl. —.

No. 352. *BEARD ET UX. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Carlos J. Badger* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, I. Henry Kutz and Davis W. Morton, Jr.* for the United States. Reported below: 260 F. 2d 81.

No. 353. *RESERVE LIFE INSURANCE CO. v. NORTH*. C. A. 4th Cir. Certiorari denied. *Stephen Ailes* for petitioner. *Charles P. Green* for respondent. Reported below: 255 F. 2d 240.

No. 355. *CHARLES H. TOMPKINS CO. ET AL. v. LLOYD E. MITCHELL, INC., ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *O. P. Easterwood, Jr. and Alan Johnstone* for petitioners. *Joseph Bernstein* for Lloyd E. Mitchell, Inc., and *Nicholas J. Chase* for Harry Alexander, Inc., et al., respondents. Reported below: 104 U. S. App. D. C. 20, 259 F. 2d 177.

No. 187. *DEEN v. GULF, COLORADO & SANTA FE RAILWAY Co.* Petition for writ of certiorari to the Supreme Court of Texas denied in view of the order entered this day in *Deen v. Hickman*, ante, p. 57. MR. JUSTICE STEWART took no part in the consideration or decision of this application. *David C. McCord and Robert Lee Guthrie* for petitioner. *Luther Hudson* for respondent. Reported below: 158 Tex. —, 312 S. W. 2d 933.

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No. 356. STATE COMMISSION OF REVENUE AND TAXATION OF KANSAS *v.* GENERAL MOTORS CORP. ET AL. Supreme Court of Kansas. Certiorari denied. *Frank G. Theis* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, A. F. Prescott and H. Eugene Heine, Jr.* for the United States, and *Henry M. Hogan and Donald K. Barnes* for the General Motors Corporation, respondents. Reported below: 182 Kan. 237, 320 P. 2d 807.

No. 357. AMERICAN LIFE & ACCIDENT INSURANCE CO. ET AL. *v.* FEDERAL TRADE COMMISSION. C. A. 8th Cir. Certiorari denied. *A. Alvis Layne, Jr., T. S. L. Perlman and Kenneth Teasdale* for petitioners. *Solicitor General Rankin, Assistant Attorney General Hansen, Charles H. Weston, Earl W. Kintner and James E. Corkey* for respondent. Reported below: 255 F. 2d 289, 295.

No. 358. DE FONCE CONSTRUCTION CO., INC., ET AL. *v.* CITY OF MIAMI FOR USE AND BENEFIT OF COMPLETE MACHINERY & EQUIPMENT CO., INC. C. A. 5th Cir. Certiorari denied. *Sidney O. Raphael* for petitioners. *Harry Grossman* for respondent. Reported below: 256 F. 2d 425.

No. 359. MIDWEST MOTOR EXPRESS, INC., *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 8th Cir. Certiorari denied. *Joseph A. Maun and Ronald S. Hazel* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Melva M. Graney and Morton K. Rothschild* for respondent. Reported below: 251 F. 2d 405.

No. 343. COOPER, ADMINISTRATRIX, *v.* R. J. REYNOLDS TOBACCO CO. Motion for leave to amend petition granted. Petition for writ of certiorari to the United

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States Court of Appeals for the First Circuit denied. *Edward A. Stern* for petitioner. *John L. Hall* and *Claude R. Branch* for respondent. Reported below: 256 F. 2d 464.

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Dismissals Under Rule 60.

No. 340. DIVERSEY CORPORATION *v.* CHARLES PFIZER & Co., INC.; and

No. 344. CHARLES PFIZER & Co., INC., *v.* DIVERSEY CORPORATION. On petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit. Dismissed by stipulation pursuant to Rule 60 of the Rules of this Court. *Charles J. Merriam* was on the stipulation for petitioner in No. 340 and respondent in No. 344. With him on the petition was *Samuel B. Smith*. *Arthur G. Connelly* for respondent in No. 340 and petitioner in No. 344. Reported below: 255 F. 2d 60.

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Miscellaneous Orders.

No. 371. NATIONAL BROADCASTING Co., INC., *v.* PHILCO CORPORATION. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. The Solicitor General is invited to file a brief setting forth the views of the Federal Communications Commission in this case. Reported below: 103 U. S. App. D. C. 278, 257 F. 2d 656.

No. 273, Misc. WRIGHT *v.* DOWD, WARDEN;

No. 279, Misc. BRANCH *v.* ALVIS, WARDEN; and

No. 292, Misc. MULLINS *v.* ALVIS, WARDEN, ET AL. Motions for leave to file petitions for writs of habeas corpus denied. Treating the papers submitted as petitions for writs of certiorari, certiorari is denied.

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No. 246, Misc. OVERTON *v.* MISSOURI;
No. 257, Misc. POPE *v.* RAGEN, WARDEN;
No. 280, Misc. PATTERSON *v.* ALVIS, WARDEN;
No. 285, Misc. DAUGHERTY *v.* ALVIS, WARDEN;
No. 293, Misc. HOWARD *v.* TINSLEY, WARDEN;
No. 298, Misc. OUGHTON *v.* UNITED STATES; and
No. 307, Misc. ARLEN *v.* ATTORNEY GENERAL OF THE
UNITED STATES. Motions for leave to file petitions for
writs of habeas corpus denied.

No. 269, Misc. CONLEY *v.* GREEN, SUPERINTENDENT,
MARION CORRECTIONAL INSTITUTION; and

No. 275, Misc. EINEDER *v.* BANNAN, WARDEN. Mo-
tions for leave to file petitions for writs of habeas corpus
denied. Treating the papers submitted as petitions for
writs of certiorari, certiorari is denied. MR. JUSTICE
STEWART took no part in the consideration or decision of
these applications.

Certiorari Granted. (See also No. 300, ante, p. 66.)

No. 288. OKLAHOMA NATURAL GAS CO. *v.* FEDERAL
POWER COMMISSION ET AL. United States Court of
Appeals for the District of Columbia Circuit. Certiorari
granted. John S. Carlson, Norman A. Flaningam and
Melvin Richter for petitioner. Solicitor General Rankin,
Willard W. Gatchell and Howard E. Wahrenbrock for the
Federal Power Commission, Clarence H. Ross for the Nat-
ural Gas Pipeline Co. of America, John J. Wilson and
David T. Searls for Oil Drilling, Inc., et al., and Warren
M. Sparks for the Warren Petroleum Corporation,
respondents. Roger Arnebergh, John C. Banks, Peter
Campbell Brown, J. Elliott Drinard, 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 support of the
petition for a writ of certiorari. Reported below: 103
U. S. App. D. C. 256, 257 F. 2d 634.

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No. 397. *PENNSYLVANIA RAILROAD Co. v. DAY, ADMINISTRATOR*. C. A. 3d Cir. Certiorari granted. *F. Morse Archer, Jr., John P. Hauch, Jr., John B. Prizer* and *Richard N. Clattenburg* for petitioner. *James M. Davis, Jr.* for respondent. Reported below: 258 F. 2d 62.

No. 363. *BAKER ET AL. v. TEXAS & PACIFIC RAILWAY Co.* Court of Civil Appeals of Texas, Fifth Supreme Judicial District. Certiorari granted. *Harvey L. Davis* for petitioners. *D. L. Case* for respondent. Reported below: 309 S. W. 2d 92.

No. 396. *PLUMBERS, STEAMFITTERS, REFRIGERATION, PETROLEUM FITTERS, AND APPRENTICES, LOCAL 298, A. F. of L., ET AL. v. COUNTY OF DOOR ET AL.* Supreme Court of Wisconsin. Certiorari granted. *Martin F. O'Donoghue* and *David Previant* for petitioners. Reported below: 4 Wis. 2d 142, 89 N. W. 2d 920.

No. 404. *MELROSE DISTILLERS, INC., ET AL. v. UNITED STATES*. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted limited to question No. 1 presented by the petition for the writ which reads as follows:

"1. Can a Maryland corporation or a Delaware corporation be further criminally prosecuted (in a federal court for a federal offense) following its dissolution under the laws of the state of its creation occurring after indictment but before arraignment or plea, such dissolution timely appearing of record in the case?"

The Attorneys General of the States of Maryland and Delaware are invited to file briefs, as *amici curiae*, in this case if they are so advised.

Robert S. Marx and *Hilary W. Gans* for petitioners. *Solicitor General Rankin, Assistant Attorney General Hansen* and *Daniel M. Friedman* for the United States. Reported below: 258 F. 2d 726.

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No. 380. COMMISSIONER OF INTERNAL REVENUE *v.* HANSEN ET UX. C. A. 9th Cir. Certiorari granted. *Solicitor General Rankin, Assistant Attorney General Rice, Joseph F. Goetten and Meyer Rothwacks* for petitioner. Reported below: 258 F. 2d 585.

No. 381. COMMISSIONER OF INTERNAL REVENUE *v.* GLOVER. C. A. 8th Cir. Certiorari granted. *Solicitor General Rankin, Assistant Attorney General Rice, Joseph F. Goetten and Meyer Rothwacks* for petitioner. Reported below: 253 F. 2d 735.

Certiorari Denied. (See also No. 390 and Misc. No. 190, ante, p. 67, and Misc. Nos. 269, 273, 275, 279 and 292, supra.)

No. 272. RESERVE LIFE INSURANCE CO. ET AL. *v.* BANKERS LIFE & CASUALTY CO. ET AL.; and

No. 377. HARTFORD ACCIDENT & INDEMNITY CO. *v.* RESERVE LIFE INSURANCE CO. ET AL. C. A. 5th Cir. Certiorari denied. *James A. Dixon* for petitioners in No. 272. *M. F. Goldstein, B. D. Murphy and Robert E. Coll* for the Hartford Accident & Indemnity Co., petitioner in No. 377 and respondent in No. 272. *Charles F. Short, Jr. and Miller Walton* for the Bankers Life & Casualty Co., respondent. *Eugene Cook*, Attorney General, filed a brief for the State of Georgia, as *amicus curiae*, in support of the petition for a writ of certiorari in No. 377. Reported below: 257 F. 2d 377.

No. 365. FLEMING *v.* AETNA LIFE INSURANCE CO. ET AL. C. A. 10th Cir. Certiorari denied. *Glenn O. Young, Glenn A. Young and David Young* for petitioner. *Robert J. Woolsey* for the Aetna Life Insurance Co., *Sam T. Allen, III*, for Rettenmeyer, and *Raymond C. Jopling, Jr.* for Sprankle et al., respondents. Reported below: 255 F. 2d 577.

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No. 361. *LUSTMAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Gustave B. Garfield* for petitioner. *Solicitor General Rankin* for the United States. Reported below: 258 F. 2d 475.

No. 360. *JOINES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Judson E. Ruch* and *R. Palmer Ingram* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Eugene L. Grimm* for the United States. Reported below: 258 F. 2d 471.

No. 368. *TENORE ET AL., DOING BUSINESS AS RICO SALES CO., v. AMERICAN & FOREIGN INSURANCE CO. OF NEW YORK ET AL.* C. A. 7th Cir. Certiorari denied. *Anna R. Lavin* for petitioners. *Donald N. Clausen*, *Herbert W. Hirsh* and *John P. Gorman* for respondents. Reported below: 256 F. 2d 791.

No. 369. *R. H. MACY & Co., INC., ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Roswell Magill* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Melva M. Graney* and *Grant W. Wiprud* for the United States. Reported below: 255 F. 2d 884.

No. 370. *HOLLAND v. HOLLAND*. Supreme Court of Florida. Certiorari denied. *Louis Nizer* for petitioner. *William Gresham Ward* for respondent.

No. 373. *CAMERON IRON WORKS, INC., v. LODGE No. 12, DISTRICT No. 37, INTERNATIONAL ASSOCIATION OF MACHINISTS*. C. A. 5th Cir. Certiorari denied. *John Leroy Jeffers* for petitioner. *Plato E. Papps* and *Chris Dixie* for respondent. Reported below: 257 F. 2d 467.

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No. 388. PROGRESSIVE BUILDERS, INC., *v.* DISTRICT OF COLUMBIA. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Emanuel Harris and Bernard J. Gallagher* for petitioner. *Chester H. Gray, Milton D. Korman and Hubert B. Pair* for respondent. Reported below: 103 U. S. App. D. C. 337, 258 F. 2d 431.

No. 374. HARMON *v.* HARMON. District Court of Appeal of California, Second Appellate District. Certiorari denied. Petitioner *pro se*. *Edmund G. Brown*, Attorney General of California, and *Clarence A. Linn*, Chief Assistant Attorney General, for respondent. Reported below: 160 Cal. App. 2d 47, 324 P. 2d 901.

No. 375. CIVIL AERONAUTICS BOARD *v.* ALASKA AIRLINES, INC., ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Solicitor General Rankin, Assistant Attorney General Hansen, Charles H. Weston, Franklin M. Stone and O. D. Ozment* for petitioner. *John E. Stephen, Daniel M. Gribbon, Robert L. Randall and George Lapham* for respondents. Reported below: 103 U. S. App. D. C. 225, 257 F. 2d 229.

No. 376. IN RE TEITELBAUM. Supreme Court of Illinois. Certiorari denied. *Abraham Teitelbaum, pro se*. *Charles Leviton, pro se*, filed a brief in opposition to the petition for a writ of certiorari. Reported below: 13 Ill. 2d 586, 150 N. E. 2d 873.

No. 379. BAUM, ADMINISTRATRIX, *v.* BALTIMORE & OHIO RAILROAD Co. C. A. 7th Cir. Certiorari denied. *Justin Waitkus* for petitioner. *Charles G. Bomberger and John L. Rogers, Jr.* for respondent. Reported below: 256 F. 2d 753.

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No. 385. LIVESAY INDUSTRIES, INC., ET AL. *v.* LIVESAY WINDOW Co., INC., ET AL. C. A. 5th Cir. Certiorari denied. *Henry M. Sinclair* and *J. M. Flowers* for petitioners. *Ralph L. Chappel* and *Walter Humkey* for respondents. Reported below: 256 F. 2d 1.

No. 387. DELTA AIR LINES, INC., *v.* EDWARDS, ADMINISTRATOR. C. A. 5th Cir. Certiorari denied. *James N. Frazer* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Melva M. Graney* and *Joseph Kovner* for respondent. Reported below: 255 F. 2d 501.

No. 372. GINSBURG *v.* SULLIVAN, U. S. DISTRICT JUDGE, ET AL. C. A. 7th Cir. Certiorari denied. *Paul Ginsburg*, *pro se.* *George B. Christensen* and *Thomas A. Reynolds* for respondents.

No. 389. CRAVENS ET AL. *v.* CITY OF AMARILLO. Court of Civil Appeals of Texas, Seventh Supreme Judicial District. Certiorari denied. *Cleo G. Clayton, Jr.* for petitioners. *W. W. Gibson* for respondent. Reported below: 309 S. W. 2d 903.

No. 393. FURNISH *v.* BOARD OF MEDICAL EXAMINERS OF CALIFORNIA. C. A. 9th Cir. Certiorari denied. *Murray M. Chotiner* and *Russell E. Parsons* for petitioner. Reported below: 257 F. 2d 520.

No. 395. PITTSBURGH RAILWAYS CO. *v.* AMALGAMATED ASSOCIATION OF STREET, ELECTRIC RAILWAY AND MOTOR COACH EMPLOYEES OF AMERICA, DIVISION 85. Supreme Court of Pennsylvania, Western District. Certiorari denied. *Charles Monroe Thorp, Jr.* for petitioner. *I. J. Gromfine*, *Bernard Cushman*, *Herman Sternstein* and *Frank R. Bolte* for respondent. Reported below: 393 Pa. 219, 142 A. 2d 734.

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No. 399. *ACCARDI v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Robert R. Rainold* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 257 F. 2d 168.

No. 400. *DOUGALL v. SPOKANE, PORTLAND & SEATTLE RAILWAY Co.* C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Charles A. Hart, Hugh L. Biggs and Cleveland C. Cory* for respondent. Reported below: 256 F. 2d 601.

No. 405. *TAUSSIG v. AMERICAN NATIONAL BANK & TRUST Co. OF CHICAGO, FORMER TRUSTEE*. C. A. 7th Cir. Certiorari denied. *Robert B. Johnstone and Myer H. Gladstone* for petitioner. *Weymouth Kirkland and Howard Ellis* for the American National Bank & Trust Co. of Chicago, *William H. Dillon* for the Chicago Title & Trust Co., *David Levinson* for the Northern Trust Co., and *Horace A. Young* for Saxelby, respondents. Reported below: 255 F. 2d 765.

No. 402. *MONDAY ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 6th Cir. Certiorari denied. *Henry K. Williams, Jr.* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, A. F. Prescott and Fred E. Youngman* for respondent. Reported below: 252 F. 2d 789.

No. 403. *LOESCH v. FEDERAL TRADE COMMISSION*. C. A. 4th Cir. Certiorari denied. *Richard M. Welling* for petitioner. *Solicitor General Rankin, Assistant Attorney General Hansen, Daniel M. Friedman, W. Louise Florencourt, Earl W. Kintner and James E. Corkey* for respondent. Reported below: 257 F. 2d 882.

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No. 401. GEORGIA-PACIFIC CORPORATION *v.* UNITED STATES PLYWOOD CORP. C. A. 2d Cir. Certiorari denied. *John Vaughan Groner* and *Charles B. Smith* for petitioner. *W. O. Heilman* and *James M. Heilman* for respondent. Reported below: 258 F. 2d 124.

No. 408. PENNSYLVANIA PUBLIC UTILITY COMMISSION *v.* UNITED STATES. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. *Miles Warner* and *Thomas M. Kerrigan* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Hansen* and *Henry Geller* for the United States. Reported below: 393 Pa. 537, 143 A. 2d 341.

No. 364. FOUTS ET AL. *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. THE CHIEF JUSTICE, MR. JUSTICE DOUGLAS, and MR. JUSTICE WHITTAKER are of the opinion that certiorari should be granted. MR. JUSTICE STEWART took no part in the consideration or decision of this application. *Robert C. Knee* for Fouts, petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 258 F. 2d 402.

No. 366. DUPONT ET AL., TRUSTEES, *v.* CRUMMER COMPANY ET AL. C. A. 5th Cir. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *John Lord O'Brian* and *Hugh B. Cox* for petitioners. *Richard W. Ervin*, Attorney General of Florida, and *Ralph M. McLane*, Assistant Attorney General, for Shafer et al., *Donald Russell* and *Clarence G. Ashby* for Ball et al., *Charles R. Scott* for the St. Joe Paper Co., and *H. M. Voorhis* and *W. H. Poe* for Leedy, Wheeler & Alleman, Inc., et al., petitioners. *Francis P. Whitehair*, *Chris Dixie* and *Warren E. Hall, Jr.* for respondents. Reported below: 255 F. 2d 425.

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No. 367. *VOCI v. PENNSYLVANIA*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Reported below: 393 Pa. 404, 143 A. 2d 652.

No. 391. *BENTON v. VINSON ET AL.* C. A. 2d Cir. Certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application. *Thaddeus G. Benton* for petitioner. *Leo T. Kissam* for Searls, respondent. Reported below: 255 F. 2d 299.

No. 392. *COSCIA v. WILLARD*, DEPUTY COMMISSIONER, UNITED STATES DEPARTMENT OF LABOR, BUREAU OF EMPLOYEES' COMPENSATION, ET AL. C. A. 2d Cir. Certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application. *Philip F. Di Costanzo* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Samuel D. Slade* and *Robert S. Green* for the Deputy Commissioner, respondent. Reported below: 257 F. 2d 105.

No. 407. *SULENTICH v. INTERLAKE STEAMSHIP CO.* C. A. 7th Cir. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. *James A. Dooley* for petitioner. *Harlan L. Hackbert* for respondent. Reported below: 257 F. 2d 316.

No. 85, Misc. *BELL 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. 383, 254 F. 2d 82.

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No. 126, Misc. *VAN PELT v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 131, Misc. *RICHARDS 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. 145, Misc. *ANDERSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin* for the United States.

No. 170, Misc. *DOWLING v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. *Carl E. F. Dally* for petitioner. *Will Wilson*, Attorney General of Texas, *George P. Blackburn*, *W. V. Geppert*, Assistant Attorneys General, and *Benjamin T. Woodall* for respondent. Reported below: 164 Tex. Cr. R. 650, 317 S. W. 2d 533.

No. 171, Misc. *CEPERO v. PAN AMERICAN AIRWAYS, INC.* C. A. 1st Cir. Certiorari denied.

No. 196, Misc. *STEGALL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Theodore G. Gilinsky* for the United States. Reported below: 259 F. 2d 83.

No. 205, Misc. *BANKS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Eugene L. Grimm* for the United States. Reported below: 258 F. 2d 318.

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No. 207, Misc. *ADKINS v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 215, Misc. *CARPENTER v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. *Daniel C. Ahern* and *Kevin J. Gillogly* for petitioner. Reported below: 13 Ill. 2d 470, 150 N. E. 2d 100.

No. 217, Misc. *TOWNSEND v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. *George N. Leighton* for petitioner.

No. 221, Misc. *OVERMAN v. WILKINSON, WARDEN*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin* for respondent. Reported below: 256 F. 2d 58.

No. 228, Misc. *BARCLAY v. MARTIN, WARDEN*. C. A. 3d Cir. Certiorari denied.

No. 233, Misc. *PRESS v. FALK, DIRECTOR, NEW YORK STATE DEPARTMENT OF CIVIL SERVICE, ET AL.* Supreme Court of New York, New York County, and Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied. *James L. R. Costello* and *Seymour S. Brewer* for petitioner. *Louis J. Lefkowitz*, Attorney General of New York, and *Paxton Blair*, Solicitor General, for respondents. Reported below: 4 App. Div. 2d 859, 1021, 167 N. Y. S. 2d 413, 169 N. Y. S. 2d 419.

No. 242, Misc. *MORRISON v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied. Reported below: 6 App. Div. 2d 821, 176 N. Y. S. 2d 240.

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No. 230, Misc. *BIZZELL v. BIZZELL*. Supreme Court of North Carolina. Certiorari denied. *Robert H. Reiter* and *Daniel Partridge, III*, for petitioner. *I. Beverly Lake* for respondent. Reported below: 247 N. C. 590, 101 S. E. 2d 668.

No. 238, Misc. *LOVING v. SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY*. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 243, Misc. *ESCALONA v. NEW YORK*. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied. Reported below: 6 App. Div. 2d 684, 174 N. Y. S. 2d 947.

No. 245, Misc. *MIDDLETON v. ELLIS, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 248, Misc. *LIVESAY v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 256, Misc. *KIRKRAND v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Reported below: 14 Ill. 2d 86, 150 N. E. 2d 788.

No. 259, Misc. *WESTLEY v. CULVER, STATE PRISON CUSTODIAN*. Supreme Court of Florida. Certiorari denied.

No. 263, Misc. *INMAN 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.

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No. 265, Misc. *ANDERSON v. HEINZE, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 258 F. 2d 479.

No. 270, Misc. *SPENCER v. BANMILLER, WARDEN.* Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 271, Misc. *HOCH v. BANMILLER, WARDEN.* Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 277, Misc. *SMITH, ADMINISTRATRIX, v. REINAUER OIL TRANSPORT, INC.* C. A. 1st Cir. Certiorari denied. Petitioner *pro se.* *G. Philip Wardner* for respondent. Reported below: 256 F. 2d 646.

No. 286, Misc. *GHASKIN 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. 288, Misc. *TINES v. TENNESSEE.* Supreme Court of Tennessee, Eastern Division. Certiorari denied. *Earl E. Leming* and *Jas. P. Brown* for petitioner. *George F. McCanless*, Attorney General of Tennessee, and *James M. Glasgow*, Assistant Attorney General, for respondent. Reported below: — Tenn. —, 315 S. W. 2d 111.

No. 303, Misc. *LA BELLE v. STATE TAX COMMISSION OF MARYLAND.* Court of Appeals of Maryland. Certiorari denied. Petitioner *pro se.* *C. Ferdinand Sybert*, Attorney General of Maryland, and *Stedman Prescott, Jr.*, Deputy Attorney General, for respondent. Reported below: 217 Md. 443, 142 A. 2d 560.

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No. 297, Misc. IRBY *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. 312, Misc. JANOSKO *v.* NEW YORK. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied. Reported below: 5 App. Div. 2d 1005, 173 N. Y. S. 2d 1013, 6 App. Div. 2d 821, 176 N. Y. S. 2d 10.

No. 317, Misc. ANDREWS *v.* RAGEN, WARDEN. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 226, Misc. HENDERSON *v.* BANNAN, WARDEN. C. A. 6th Cir. Certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application. *Ernest Goodman* for petitioner. Reported below: 256 F. 2d 363.

No. 247, Misc. BRINSON *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application. Petitioner *pro se*. *Solicitor General Rankin* for the United States.

Rehearing Denied.

No. 102. JEOFFROY MFG., INC., ET AL. *v.* GRAHAM ET AL., *ante*, p. 817;

No. 98, Misc. POWELL *v.* ALABAMA, *ante*, p. 850;

No. 141, Misc. IN RE SANGUIGNI, *ante*, p. 805; and

No. 208, Misc. WOOLSEY *v.* TEXAS, *ante*, p. 856. Petitions for rehearing denied. MR. JUSTICE STEWART took no part in the consideration or decision of these applications.

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No. 101. *VITARELLI v. SEATON, SECRETARY OF THE INTERIOR, ET AL.* Certiorari, 358 U. S. 871, to the United States Court of Appeals for the District of Columbia Circuit. The motion to substitute Barbara Bates Gunderson as a party respondent for Christopher H. Phillips is granted. *Clifford J. Hynning* for petitioner. *Solicitor General Rankin* for respondents. Reported below: 102 U. S. App. D. C. 316, 253 F. 2d 338.

No. 246. *ARROYO v. UNITED STATES.* Certiorari, 358 U. S. 812, to the United States Court of Appeals for the First Circuit. The motion of petitioner for leave to proceed *in forma pauperis* is granted. *Robert W. Meserve* for petitioner. Reported below: 256 F. 2d 549.

No. 378. *ANONYMOUS NOS. 6 AND 7 v. ARKWRIGHT, SUPREME COURT JUSTICE OF NEW YORK.* 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. *Raphael H. Weissman* for appellants. *Denis M. Hurley* for appellee. Reported below: 4 N. Y. 2d 1034, 152 N. E. 2d 651.

No. 316, Misc. *ORTEGA v. RAGEN, WARDEN*; and

No. 342, Misc. *IN RE MEDLIN.* Motions for leave to file petitions for writs of habeas corpus denied.

No. 54, Misc. *HORSLEY v. ALVIS, 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.

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Certiorari Granted.

No. 326. *IN RE SAWYER*. C. A. 9th Cir. Certiorari granted. *John T. McTernan* for petitioner. *Herbert Y. C. Choy*, Attorney General of Hawaii, *Morio Omori*, Special Deputy Attorney General, and *A. William Barlow* for the Bar Association of Hawaii. Reported below: 260 F. 2d 189.

No. 362. *KOLLER ET AL. v. UNITED STATES*. C. A. 3d Cir. Certiorari granted. *Robert H. Malis* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Samuel D. Slade* and *Robert S. Green* for the United States. Reported below: 255 F. 2d 865.

No. 414. *UNION PACIFIC RAILROAD Co. v. PRICE*. C. A. 9th Cir. Certiorari granted. *E. C. Renwick*, *Malcolm Davis*, *Calvin M. Cory*, *W. R. Rouse* and *James A. Wilcox* for petitioner. *Samuel S. Lionel* for respondent. Reported below: 255 F. 2d 663.

No. 383. *MARSHALL v. UNITED STATES*. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted limited to the first question presented by the petition for the writ which reads as follows:

"Whether a defendant in a criminal trial to a jury is denied a fair trial when members of the jury during the course of the trial read newspaper articles which state that the defendant has a record of two previous felony convictions and recite other defamatory matter."

Omer Griffin for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. Reported below: 258 F. 2d 94.

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No. 398. LOUISIANA POWER & LIGHT CO. *v.* CITY OF THIBODAUX, LOUISIANA. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted limited to questions 2 and 3 presented by the petition for the writ which read as follows:

"2. Does a United States District Court have the inherent power in a case at law to exercise the discretion of staying proceedings in order to control the progress of the cause before it in an orderly manner?

"3. Assuming that a United States District Court does have discretion to stay proceedings in order to control the progress of a law case before it in an orderly manner, did the District Court abuse that discretion?"

J. Blanc Monroe, Monte M. Lemann and J. Raburn Monroe for petitioner. *Louis Fenner Claiborne* for respondent. Reported below: 255 F. 2d 774.

Certiorari Denied. (See also No. 291, ante, p. 73, and Misc. No. 54, supra.)

No. 409. ESTATE OF IVERSON ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 8th Cir. Certiorari denied. *Joseph A. Maun* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice and A. F. Prescott* for respondent. Reported below: 255 F. 2d 1, 257 F. 2d 408.

No. 412. RUSSELL *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. *Ivan Irwin* for petitioner.

No. 416. WILSON ET AL., EXECUTORS, *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *George R. Fearon* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice and Harry Baum* for the United States. Reported below: 257 F. 2d 534.

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No. 413. *MIYAKI v. ROBINSON*, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 7th Cir. Certiorari denied. *Thomas Masuda* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson* and *Beatrice Rosenberg* for respondent. Reported below: 257 F. 2d 806.

No. 417. *YURDIN ET AL. v. TOWN PLAN & ZONING COMMISSION OF THE TOWN OF FAIRFIELD ET AL.* Supreme Court of Errors of Connecticut. Certiorari denied. *George A. Saden* for petitioners. *Norman K. Parsells* and *Irwin E. Friedman* for respondents. Reported below: 145 Conn. 416, 143 A. 2d 639.

No. 419. *HODGES ET AL. v. HODGES, SHERIFF, ET AL.* Court of Appeals of Kentucky. Certiorari denied. *Cleon K. Calvert* for petitioners. *Maxey B. Harlin, Jr.* for respondents. Reported below: 314 S. W. 2d 208.

No. 423. *COOPER v. CALIFORNIA*. Appellate Department of the Superior Court of California, Los Angeles County. Certiorari denied. *Edward Mosk* for petitioner. *Roger Arnebergh* and *Philip E. Grey* for respondent.

No. 410. *ST. LOUIS AMUSEMENT CO. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE DOUGLAS took no part in the consideration or decision of this application. *Russell Hardy, Sr.* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Hansen*, *John L. Fitzgerald* and *Richard A. Solomon* for the Federal Communications Commission, and *Ralph F. Colin* and *Ambrose Doskow* for the Columbia Broadcasting System, Inc., respondents. Reported below: 104 U. S. App. D. C. 45, 259 F. 2d 202.

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No. 428. *BERENDSON v. REDERIAKTIEBOLAGET VOLO*. C. A. 2d Cir. Certiorari denied. *Jacob Rassner* for petitioner. *James M. Estabrook* and *David P. H. Watson* for respondent. Reported below: 257 F. 2d 136.

No. 431. *SAVAGE v. HADLOCK ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Eugene X. Murphy* for petitioner. *John J. Donnelly* for respondents.

No. 433. *RASLICH v. MICHIGAN*. Circuit Court for Genesee County, Michigan. Certiorari denied. *James McTaggart* for petitioner. *Samuel J. Torina*, Solicitor General of Michigan, for respondent.

No. 227, Misc. *FISHER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *John Caughlan* for petitioner. *Solicitor General Rankin* for the United States. Reported below: 254 F. 2d 302.

No. 274, Misc. *MCGAHEE v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 278, Misc. *MONTALBANO v. HEINZE, WARDEN*. Supreme Court of California. Certiorari denied.

No. 284, Misc. *VAN SLYKE v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 315, Misc. *KOENIG v. RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. C. A. 9th Cir. Certiorari denied. Reported below: 256 F. 2d 751.

No. 330, Misc. *RICE v. ELLIS, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS*. Court of Criminal Appeals of Texas. Certiorari denied.

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Rehearing Denied.

No. 328. *WEIN v. CALIFORNIA*, *ante*, p. 866. Rehearing denied.

No. 86. *LINDER v. COLLINS ET AL., MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WALLACE COUNTY, KANSAS, ET AL.*, *ante*, p. 44;

No. 106. *BROTHERHOOD OF RAILROAD TRAINMEN ET AL. v. SWITCHMEN'S UNION OF NORTH AMERICA ET AL.*, *ante*, p. 818;

No. 133. *JAMES ET AL., TRADING AS CHICAGO BOARD Co., v. FEDERAL TRADE COMMISSION*, *ante*, p. 821;

No. 150. *WEGMANN v. MANNINO ET AL.*, *ante*, p. 824;

No. 173. *FRIEDMAN ET UX., DOING BUSINESS AS CITY METAL SALVAGE Co., v. HILL*, *ante*, p. 825;

No. 264. *DeLUCIA v. UNITED STATES*, *ante*, p. 836;

No. 286. *MAHER v. ELLSWORTH ET AL.*, *ante*, p. 839;

No. 41, Misc. *SHIELS ET AL. v. BALTIMORE & OHIO RAILROAD Co.*, *ante*, p. 846;

No. 52, Misc. *JUELICH v. UNITED STATES*, *ante*, p. 847;

No. 70, Misc. *ROUSSEAU v. HURTADO, EXECUTRIX*, *ante*, p. 849; and

No. 123, Misc. *HOLLIS v. TEXAS*, *ante*, p. 852. Petitions for rehearing denied. MR. JUSTICE STEWART took no part in the consideration or decision of these applications.

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Miscellaneous Orders.

No. 31. *LANVIN PARFUMS, INC., v. UNITED STATES*. Appeal from the United States District Court for the Southern District of New York. (Probable jurisdiction noted, 355 U. S. 951.) The motion of Jacob Rothman for leave to file brief, as *amicus curiae*, is granted. *Gustave B. Garfield* for movant. Reported below: 155 F. Supp. 77.

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No. 311, Misc. *WARD v. HERITAGE, WARDEN*; and
No. 332, Misc. *PARTRIDGE v. BUCHKOE, WARDEN*. Motions for leave to file petitions for writs of habeas corpus denied.

No. 186, Misc. *ABERLIN v. SUGARMAN*, U. S. DISTRICT JUDGE, ET AL. Motion for leave to file petition for writ of mandamus denied. *Dora Aberlin* for petitioner. *Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, and *Dunton F. Tynan*, Assistant Attorney General, for Hill et al., and *Peter Campbell Brown*, pro se, *Seymour B. Quel* and *Anthony Curreri* for the Corporation Counsel of New York City, respondents.

No. 254, Misc. *HULLOM v. THORNTON*. Motion for leave to file petition for writ of mandamus denied.

Probable Jurisdiction Noted.

No. 394. *KINGSLEY INTERNATIONAL PICTURES CORP. v. REGENTS OF THE UNIVERSITY OF NEW YORK*. Appeal from the Court of Appeals of New York. Probable jurisdiction noted. *Ephraim London* and *Chester T. Lane* for appellant. *Charles A. Brind, Jr.* for appellees. Reported below: 4 N. Y. 2d 349, 151 N. E. 2d 197.

Certiorari Granted.

No. 406. *FEDERAL TRADE COMMISSION v. SIMPLICITY PATTERN Co., INC.*; and

No. 447. *SIMPLICITY PATTERN Co., INC. v. FEDERAL TRADE COMMISSION*. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Solicitor General Rankin*, *Assistant Attorney General Hansen*, *Daniel M. Friedman*, *Earl W. Kintner*, *James E. Corkey* and *Alvin L. Berman* for the Federal Trade Commission. *William Simon*, *Robert L. Wald* and *David Vorhaus* for the Simplicity Pattern Co., Inc. Reported below: 103 U. S. App. D. C. 373, 258 F. 2d 673.

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No. 429. PATTERSON, GENERAL ADMINISTRATOR, ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari granted. *Jacob Rassner* for petitioners. *Solicitor General Rankin* for the United States. Reported below: 258 F. 2d 702.

Certiorari Denied. (See also No. 22, Misc., ante, p. 102.)

No. 415. GASTON ET AL. *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *T. Emmett McKenzie* for petitioners. *Solicitor General Rankin, Assistant Attorney General Anderson, Robert S. Erdahl and Felicia Dubrovsky* for the United States.

No. 427. CRIMM *v.* MISSISSIPPI. Supreme Court of Mississippi. Certiorari denied. *J. O. Hollis* for petitioner. Reported below: — Miss. —, 103 So. 2d 139.

No. 442. HYDE CORPORATION *v.* HUFFINES. Supreme Court of Texas. Certiorari denied. *T. S. Christopher* for petitioner. *Ogden K. Shannon, Jr.* for respondent. Reported below: 158 Tex. —, 314 S. W. 2d 763.

No. 443. G & G FISHING MAGNETS, INC., ET AL. *v.* K & G OIL TOOL & SERVICE Co., INC., ET AL. Supreme Court of Texas. Certiorari denied. *Tom Arnold* for petitioners. *Cooper K. Ragan and Robert Eikel* for respondents. Reported below: 158 Tex. —, 314 S. W. 2d 782.

No. 425. RUSTAD ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. MR. JUSTICE DOUGLAS and MR. JUSTICE WHITTAKER are of the opinion that certiorari should be granted. *John H. Dimond* for petitioners. *Solicitor General Rankin, Assistant Attorney General Anderson and Robert S. Erdahl* for the United States. Reported below: 258 F. 2d 563.

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No. 420. HATAHLEY ET AL. *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *Norman M. Littell, Frederick Bernays Wiener and Dennis McCarthy* for petitioners. *Solicitor General Rankin, Assistant Attorney General Morton, Roger P. Marquis and Harold S. Harrison* for the United States. Reported below: 257 F. 2d 920.

No. 421. MALMENATO *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. *Myer H. Gladstone and George N. Leighton* for petitioner. Reported below: 14 Ill. 2d 52, 150 N. E. 2d 806.

No. 100, Misc. ADAMS *v.* RIGG, WARDEN. Supreme Court of Minnesota. Certiorari denied. Reported below: 252 Minn. 283, 89 N. W. 2d 898.

No. 113, Misc. GUGLIELMELLI *v.* NEW YORK. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied. *Jacob W. Friedman* for petitioner. *Walter E. Dillon* for respondent. Reported below: 5 App. Div. 2d 815, 170 N. Y. S. 2d 986.

No. 136, Misc. SNELGROVE *v.* RUSHING, WARDEN, ET AL. Court of Criminal Appeals 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.

No. 181, Misc. SCOTT *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin, Assistant Attorney General Anderson and Beatrice Rosenberg* for the United States. Reported below: 257 F. 2d 816.

No. 239, Misc. SCHWARTZBERG *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

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No. 253, Misc. *DE LEVAY ET AL. v. ISBELL ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 262, Misc. *MILLER v. LAINSON, WARDEN.* Supreme Court of Iowa. Certiorari denied. Petitioner *pro se*. *Norman A. Erbe*, Attorney General of Iowa, and *Hugh V. Faulkner* and *Don C. Swanson*, Assistant Attorneys General, for respondent.

No. 291, Misc. *KENNEDY v. NEW YORK.* Court of Appeals of New York. Certiorari denied. Reported below: 4 N. Y. 2d 962, 152 N. E. 2d 519.

No. 294, Misc. *MORALES ET AL. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *G. W. Gill* and *G. H. Schreiber* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 257 F. 2d 168.

No. 305, Misc. *NIDY v. CULVER, DIRECTOR OF CORRECTIONS.* Supreme Court of Florida. Certiorari denied.

No. 314, Misc. *ALLEN v. RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY.* Supreme Court of Washington. Certiorari denied. Reported below: 52 Wash. 2d 609, 328 P. 2d 367.

No. 251, Misc. *HORN v. WASHINGTON ET AL.* Petition for writ of certiorari to the Supreme Court of Washington denied without prejudice to an application for a writ of habeas corpus in an appropriate United States District Court. Reported below: 52 Wash. 2d 613, 328 P. 2d 159.

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No. 340, Misc. FERRELL *v.* MOORE, WARDEN. Court of Criminal Appeals of Texas. Certiorari denied.

Rehearing Denied.

No. 325. EVANS *v.* UNITED STATES, *ante*, p. 866. Rehearing denied.

No. 65. GEO. F. ALGER CO. *v.* BOWERS, TAX COMMISSIONER OF OHIO, *ante*, p. 43;

No. 119. ROTH *v.* UNITED STATES, *ante*, p. 819;

No. 131. EASTER *v.* DUNDALK HOLDING CO. ET AL., *ante*, p. 821;

No. 166. GROCHOWIAK *v.* PENNSYLVANIA, *ante*, p. 47;

No. 176. ALKER *v.* GIRARD TRUST CORN EXCHANGE BANK ET AL., EXECUTORS, *ante*, p. 825;

No. 177. ALKER *v.* ESTATE OF RENTSCHLER, *ante*, p. 826;

No. 189. 222 EAST CHESTNUT STREET CORP. *v.* LASALLE NATIONAL BANK, TRUSTEE, ET AL., *ante*, p. 827;

No. 221. COSTELLO *v.* UNITED STATES, *ante*, p. 830;

No. 224. CANNELLA *v.* UNITED STATES, *ante*, p. 830;

No. 254. UNITED STATES EX REL. McCANS *v.* ARMOUR & Co., *ante*, p. 834;

No. 270. SWIFT & Co. *v.* UNITED STATES, *ante*, p. 837;

No. 271. NATIONAL BISCUIT CO. ET AL. *v.* UNITED STATES, *ante*, p. 837; and

No. 161, Misc. SHOTKIN *v.* WEKSLER ET AL., *ante*, p. 855. Petitions for rehearing denied. MR. JUSTICE STEWART took no part in the consideration or decision of these applications.

No. 446, October Term, 1957. MISSISSIPPI VALLEY BARGE LINE CO. *v.* T. L. JAMES & Co., INC., ET AL., 355 U. S. 871. Motion for leave to file petition for rehearing denied. MR. JUSTICE STEWART took no part in the consideration or decision of this motion.

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Miscellaneous Orders.

No. 10, Original. UNITED STATES *v.* LOUISIANA ET AL. The motion for leave to file reply brief of the State of Florida is granted. The joint motion for leave to file reply brief of the State of Louisiana et al. is granted. THE CHIEF JUSTICE and MR. JUSTICE CLARK took no part in the consideration or decision of these motions. *Richard W. Ervin*, Attorney General, *J. Robert McClure*, First Assistant Attorney General, *Fred M. Burns*, *Robert J. Kelly*, *Irving B. Levenson*, Assistant Attorneys General, and *Spessard L. Holland*, for the State of Florida, were on both the joint motion and a separate motion for the State of Florida. Also on the joint motion were *Jack P. F. Gremillion*, Attorney General, *W. Scott Wilkinson*, *Victor A. Sachse*, *Edward M. Carmouche*, *John L. Madden*, Special Assistant Attorneys General, *Bailey Walsh*, *Hugh M. Wilkinson* and *Marc Dupuy, Jr.* for the State of Louisiana; *Will Wilson*, Attorney General, *James N. Ludlum*, First Assistant Attorney General, *James H. Rogers*, Assistant Attorney General, *James P. Hart*, *J. Chrys Dougherty* and *Robert J. Hearon, Jr.* 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 *Guy Cordon* for the State of Florida.

No. 311. GOND RON ET AL. *v.* UNITED STATES, *ante*, p. 865. Motion to remand denied. Rehearing also denied.

*MR. JUSTICE FRANKFURTER took no part in the consideration or decision of cases in which orders were this day announced.

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No. 155. SOUTHWESTERN SUGAR & MOLASSES CO., INC.,
v. RIVER TERMINALS CORP. Certiorari, 358 U. S. 811, to
the United States Court of Appeals for the Fifth Circuit.
The motion for leave to file brief of T. L. James & Co.,
Inc., et al., as *amici curiae*, is denied. Reported below:
253 F. 2d 922.

No. 480. M. A. OWENS CO. v. GARGILL, TRUSTEE.
The petitioner's motion for directions for production of
record is denied. The petition for writ of certiorari to the
United States Court of Appeals for the First Circuit is
also denied. *Angus M. MacNeil* for petitioner.

No. 322, Misc. SOPER v. MICHIGAN. Motion for leave
to file petition for writ of mandamus denied.

No. 318, Misc. SHELTON v. UNITED STATES. Motion
for leave to file petition for writ of habeas corpus denied.
Petitioner *pro se*. *Solicitor General Rankin* for the
United States.

No. 327, Misc. LEE v. JACKSON, WARDEN. Motion for
leave to file petition for writ of habeas corpus denied.

Certiorari Granted.

No. 435. LEV v. UNITED STATES;

No. 436. WOOL v. UNITED STATES; and

No. 437. RUBIN v. UNITED STATES. On petitions for
writs of certiorari to the United States Court of Appeals
for the Second Circuit.

In No. 435 the petition for writ of certiorari is granted
limited to questions 5, 6, and 7 presented by the petition
for the writ which read as follows:

"5. Is it proper for a reviewing court to make an exam-
ination *in camera* of a sealed summary of a witness's prior
statement to a government investigator furnished it by
the prosecutor and of *ex parte* affidavits pertaining to the

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summary in order to determine whether the summary is discoverable under the provisions of Title 18 U. S. C., Section 3500, when no claim is made that it contained irrelevant or extraneous matter?

"6. Are not summaries and reports of prior statements made by witnesses to a government investigator available to the defendant under the provisions of Title 18 U. S. C., Section 3500?

"7. Does Title 18 U. S. C. Section 3500 provide the sole procedure by which such summaries and reports are to be made available to defendants?"

In No. 436 the petition for writ of certiorari is granted limited to question 2 presented by the petition for the writ which reads as follows:

"2. Whether the rights of the petitioner were substantially prejudiced when the trial court denied the motion of the defendants to direct the Government to produce a statement which a witness for the Government had previously given to government agents, in direct violation of this Court's decision in *Jencks v. U. S.*, 353 U. S. 657."

In No. 437 the petition for writ of certiorari is granted.

The cases are consolidated and a total of three hours is allowed for oral argument. MR. JUSTICE STEWART took no part in the consideration or decision of these applications.

Anthony Bradley Eben for petitioner in No. 435. *Albert H. Treiman* for petitioner in No. 436. *Isidor Enselman* for petitioner in No. 437. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 258 F. 2d 9.

No. 451. *ROSENBERG v. UNITED STATES*. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted limited to question I presented by the petition for the writ which reads as follows:

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"I. Is the rule of this Court in *Jencks v. United States*, 1957, 353 U. S. 657, a rule of mere procedure, or does it involve a defendant's constitutional rights? May a clear violation of this rule be harmless error? May the conceded error of a trial court in withholding from defense counsel prior statements of principal Government witnesses be excused because a Circuit Court finds that the defense was not hampered in cross-examination of those witnesses? Is it proper for a Circuit Court to determine what use defense counsel might have made of statements erroneously withheld?"

Bernard Tompkins for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 257 F. 2d 760.

No. 457. *INGRAM ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari granted. *Wesley R. Asinof* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 259 F. 2d 886.

No. 471. *PALERMO v. UNITED STATES*. C. A. 2d Cir. Certiorari granted. *Wyllys S. Newcomb* and *John A. Wells* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Joseph F. Goetten* and *Lawrence K. Bailey* for the United States. Reported below: 258 F. 2d 397.

Certiorari Denied. (See also No. 434, ante, p. 129; No. 480, supra, and Misc. Nos. 214, ante, p. 130, and 260, ante, p. 132.)

No. 456. *GREEN v. OKLAHOMA*. Criminal Court of Appeals of Oklahoma. Certiorari denied. Reported below: 327 P. 2d 704.

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No. 351. *BROWN PAPER MILL Co., INC., v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 5th Cir. Certiorari denied. *Robert Ash* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Lee A. Jackson* and *Harry Marselli* for respondent. Reported below: 255 F. 2d 77.

No. 411. *BARNARD-CURTISS COMPANY ET AL. v. UNITED STATES FOR THE USE AND BENEFIT OF D. W. FALLS CONSTRUCTION Co. ET AL.*; and

No. 455. *UNITED STATES FOR THE USE AND BENEFIT OF D. W. FALLS CONSTRUCTION Co. ET AL. v. BARNARD-CURTISS COMPANY ET AL.* C. A. 10th Cir. Certiorari denied. *Darrell J. Skelton* for petitioners in No. 411. *John B. Tittmann* for the D. W. Falls Construction Co. et al. Reported below: 257 F. 2d 565.

No. 440. *BEAN ET AL. v. UNITED STATES*. Court of Claims. Certiorari denied. *Thurman Arnold* and *W. Morgan Hunter* for petitioners. *Solicitor General Rankin, Assistant Attorney General Morton, David R. Warner* and *S. Billingsley Hill* for the United States. Reported below: 143 Ct. Cl. —, 163 F. Supp. 838.

No. 441. *TANZER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *James J. Silver* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson* and *Robert S. Erdahl* for the United States.

No. 444. *PETROLITE CORPORATION, LTD., v. UNITED STATES*. Court of Claims. Certiorari denied. *Everett B. Laybourne* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub, Morton Hollander* and *John G. Laughlin, Jr.* for the United States. Reported below: 142 Ct. Cl. 108, 161 F. Supp. 618.

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No. 449. *STACHER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Jack Wasserman* and *David Carliner* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. Reported below: 258 F. 2d 112.

No. 450. *WOLFSEN ET AL. v. UNITED STATES*. Court of Claims. Certiorari denied. *Edward G. Chandler*, *Francis M. Shea*, *Lawrence J. Latto* and *Richard T. Conway* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Morton*, *Roger P. Marquis* and *A. Donald Mileur* for the United States. Reported below: 142 Ct. Cl. 383, 162 F. Supp. 403.

No. 452. *222 EAST CHESTNUT STREET CORP. v. LAKEFRONT REALTY CORP. ET AL.* C. A. 7th Cir. Certiorari denied. *Joseph F. Elward* for petitioner. *John S. Miller* and *Howard B. Bryant* for the Lakefront Realty Corporation et al., *Alban Weber* for the Northwestern University, and *John C. Melaniphy* and *Sydney R. Drebin* for the City of Chicago et al., respondents. Reported below: 256 F. 2d 513.

No. 459. *MILLER ET AL. v. DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL, ALCOHOLIC CONTROL APPEALS BOARD*. District Court of Appeal of California, Second Appellate District. Certiorari denied. Reported below: 160 Cal. App. 2d 658, 325 P. 2d 601.

No. 473. *AKERS ET AL., DOING BUSINESS AS AKERS CLEANERS, v. HANDLEY, GOVERNOR OF INDIANA, ET AL.* Supreme Court of Indiana. Certiorari denied. *Gustav H. Dongus* for petitioners. *Edwin K. Steers*, Attorney General of Indiana, and *Lloyd C. Hutchinson*, Assistant Attorney General, for respondents. Reported below: 238 Ind. 288, 149 N. E. 2d 692.

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No. 458. CERTAIN INTERESTS IN PROPERTY IN HILLSBOROUGH COUNTY, FLORIDA, ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Chester H. Ferguson* and *John M. Allison* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Morton* and *Roger P. Marquis* for the United States. Reported below: 257 F. 2d 844.

No. 460. McDAVID *v.* FORD MOTOR Co. C. A. 4th Cir. Certiorari denied. *C. T. Graydon* for petitioner. *Nathaniel A. Turner* for respondent. Reported below: 259 F. 2d 261.

No. 461. FISHER ET AL. *v.* PRINTING DEVELOPMENTS, INC. Appellate Court of Illinois, First District. Certiorari denied. *Horace A. Young* for petitioners. *Cranston Spray* and *Robert C. Keck* for respondent. Reported below: 17 Ill. App. 2d 553, 151 N. E. 2d 108.

No. 462. McALLISTER LIGHTERAGE LINE, INC., *v.* JOHN T. CLARK & SON, INC. C. A. 2d Cir. Certiorari denied. *Edmund F. Lamb* for petitioner. *William L. F. Gardiner* for respondent. Reported below: 258 F. 2d 297.

No. 467. FLOWERS *v.* NANCE EXPLORATION Co. Court of Civil Appeals of Texas, Eighth Supreme Judicial District. Certiorari denied. Petitioner *pro se.* *William L. Kerr* for respondent. Reported below: 305 S. W. 2d 621.

No. 506. ZOOMAR, INC., *v.* PAILLARD PRODUCTS, INC. C. A. 2d Cir. Certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application. *Louis H. Shereff* for petitioner. *Edwin Levisohn* for respondent. Reported below: 258 F. 2d 527.

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No. 478. *KIAMIE ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Theodore Kiendl, William R. Meagher and Philip C. Potter, Jr.* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice and Joseph F. Goetten* for the United States. Reported below: 258 F. 2d 924.

No. 477. *INTERNATIONAL ORGANIZATION OF MASTERS, MATES AND PILOTS OF AMERICA, INC., AFL-CIO, ET AL. v. MADDEN, REGIONAL DIRECTOR, NATIONAL LABOR RELATIONS BOARD*. C. A. 7th Cir. Certiorari denied. *Mozart G. Ratner* for petitioners. *Solicitor General Rankin, Jerome D. Fenton, Thomas J. McDermott, Dominick L. Manoli and Norton J. Come* for the National Labor Relations Board. Reported below: 259 F. 2d 312.

No. 484. *GRADY COUNTY, GEORGIA, v. DICKERSON*. C. A. 5th Cir. Certiorari denied. *Eugene Cook, Attorney General of Georgia, Paul Miller, E. J. Summerour, Lamar Murdaugh, Assistant Attorneys General, Ariel V. Conlin, John E. Hogg, Deputy Assistant Attorneys General, and Sol Altman* for petitioner. *Thomas Heyward Vann* for respondent. Reported below: 257 F. 2d 369.

No. 430. *FLYING TIGER LINE, INC., v. PHILIPPINE AIR LINES, INC.*; and

No. 469. *PHILIPPINE AIR LINES, INC., v. ORLOVE, DOING BUSINESS AS H. ORLOVE CO.* C. A. 2d Cir. Certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of these applications. *Russell T. Mount and James F. Dwyer* for petitioner in No. 430. *Frank C. Fisher and Harry W. Colmery* for the Philippine Air Lines, Inc. *Arthur O. Louis* for respondent in No. 469. Reported below: 257 F. 2d 384.

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No. 470. DEPARTMENT OF HIGHWAYS OF LOUISIANA *v.* UNITED GAS PIPE LINE CO. C. A. 5th Cir. Certiorari denied. MR. JUSTICE CLARK took no part in the consideration or decision of this application. *W. Crosby Pegues, Jr.* for petitioner. *John M. Madison* for respondent. Reported below: 258 F. 2d 357, 359.

No. 476. PRASHKER, EXECUTRIX, ET AL. *v.* BEECH AIRCRAFT CORP. ET AL. Motion for leave to file brief of Jean C. Cleminshaw, Trustee, as *amicus curiae*, denied. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. *Harold Leshem* and *Lee S. Kreindler* for petitioners. *E. N. Carpenter, II, J. Welles Henderson, Jr.* and *Louis J. Finger* for the Beech Aircraft Corporation, and *Richard W. Galiher* for the Atlantic Aviation Corporation, respondents. Reported below: 258 F. 2d 602.

No. 481. TORRE *v.* GARLAND. C. A. 2d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. MR. JUSTICE STEWART took no part in the consideration or decision of this application. *Mathias F. Correa* for petitioner. *Lionel S. Popkin* for respondent. Reported below: 259 F. 2d 545.

No. 24, Misc. SMITH *v.* MISSOURI. Supreme Court of Missouri. Certiorari denied. *Merle L. Silverstein* for petitioner. *John M. Dalton*, Attorney General of Missouri, for respondent. Reported below: 310 S. W. 2d 845.

No. 47, Misc. SMITH *v.* NEW YORK. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied. Petitioner *pro se.* *Frank S. Hogan* for respondent.

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No. 58, Misc. STAPP *v.* MISSOURI. Supreme Court of Missouri. Certiorari denied.

No. 116, Misc. BACKUS *v.* PENNSYLVANIA. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 127, Misc. ROGERS *v.* NEW YORK. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 129, Misc. NIKLAUS *v.* NEBRASKA EX REL. BECK. Supreme Court of Nebraska. Certiorari denied. Reported below: 166 Neb. 94, 87 N. W. 2d 894.

No. 156, Misc. BROWN *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. 210, Misc. BERRY *v.* DISTRICT PAROLE BOARD ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General White and Harold H. Greene* for respondents.

No. 223, Misc. JOHNSON *v.* BANMILLER, WARDEN. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 224, Misc. LYONS *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Anderson and Beatrice Rosenberg* for the United States. Reported below: 256 F. 2d 749.

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No. 169, Misc. *McCUNE v. ADAMS, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 237, Misc. *MOORE v. SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY*. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 249, Misc. *COX v. SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY*. Supreme Court of Appeals of Virginia. Certiorari denied. *William Alfred Hall, Jr.* for petitioner.

No. 250, Misc. *GRAY v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM*. C. A. 5th Cir. Certiorari denied. Reported below: 257 F. 2d 159.

No. 255, Misc. *HANNON v. MISSOURI*. Supreme Court of Missouri. Certiorari denied.

No. 264, Misc. *WEBER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin* for the United States. Reported below: 256 F. 2d 119, 257 F. 2d 585.

No. 268, Misc. *WILLIAMS v. NEW YORK*. Appellate Division of the Supreme Court of New York, Third Judicial Department. Certiorari denied.

No. 272, Misc. *WINTER v. DIRECTOR, DEPARTMENT OF PUBLIC WELFARE OF BALTIMORE CITY*. Court of Appeals of Maryland. Certiorari denied. Petitioner *pro se*. *Hugo A. Ricciuti* and *Blanche G. Wahl* for respondent. Reported below: 217 Md. 391, 143 A. 2d 81.

No. 295, Misc. *VATELLI v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied.

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No. 289, Misc. *IN RE STAFFORD*. District Court of Appeal of California, Second Appellate District. Certiorari denied. Reported below: 160 Cal. App. 2d 110, 324 P. 2d 967.

No. 296, Misc. *OWENS 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. 308, Misc. *SHIPMAN v. RANDOLPH, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 341, Misc. *GEORGE v. RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. Supreme Court of Washington. Certiorari denied.

No. 343, Misc. *MORGAN v. DICKSON, WARDEN*. Supreme Court of California. Certiorari denied.

Rehearing Denied. (See also No. 311, *ante*, p. 902.)

No. 46. *PEURIFOY ET AL. v. COMMISSIONER OF INTERNAL REVENUE*, *ante*, p. 59;

No. 295. *NEW ORLEANS CITY PARK IMPROVEMENT ASSOCIATION v. DETIEGE ET AL.*, *ante*, p. 54;

No. 308. *MELLOTT ET AL. v. UNITED STATES*, *ante*, p. 864;

No. 336. *WHEELER v. UNITED STATES*, *ante*, p. 873;

No. 352. *BEARD ET UX. v. UNITED STATES*, *ante*, p. 874;

No. 393. *FURNISH v. BOARD OF MEDICAL EXAMINERS OF CALIFORNIA*, *ante*, p. 882; and

No. 197, Misc. *ORR v. ILLINOIS*, *ante*, p. 869. Petitions for rehearing denied.

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No. 232. HILLS ET AL. *v.* EISENHART ET AL., *ante*, p. 832;

No. 333. O'ROURKE ET AL. *v.* SILL ET AL., *ante*, p. 841;

No. 101, Misc. CURRY *v.* RAGAN ET AL., *ante*, p. 851;

No. 154, Misc. PAPWORTH *v.* UNITED STATES, *ante*, p. 854; and

No. 216, Misc. RUBY ET UX. *v.* BOWLUS, *ante*, p. 856. Petitions for rehearing denied. MR. JUSTICE STEWART took no part in the consideration or decision of these applications.

DECEMBER 15, 1958.*

Miscellaneous Orders.

No. 57. HOWARD *v.* LYONS ET AL. Certiorari, 357 U. S. 903, to the United States Court of Appeals for the First Circuit. Argued December 8-9, 1958. This case is restored to the calendar for reargument. *Solicitor General Rankin, Assistant Attorney General Doub, Paul A. Sweeney, Morton Hollander and Bernard Cedarbaum* for petitioner. *Claude L. Dawson* for respondents. Reported below: 250 F. 2d 912.

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. Application having been made for a reopening and amendment of the decree of April 21, 1930, 281 U. S. 696, it is ordered that the defendants be allowed to and including January 19, 1959, in which to file a response or responses to the application. *Latham Castle*, Attorney General, for the State of Illinois, and *Russell W. Root* for the Metropolitan Sanitary District of Greater Chicago, movants-defendants.

*MR. JUSTICE FRANKFURTER took no part in the consideration or decision of cases in which orders were this day announced.

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No. 24. GUERLAIN, INC., *v.* UNITED STATES;No. 30. PARFUMS CORDAY, INC., *v.* UNITED STATES;

and

No. 31. LANVIN PARFUMS, INC., *v.* UNITED STATES.

Appeals from the United States District Court for the Southern District of New York. (Probable jurisdiction noted, 355 U. S. 937, 951.) The motion to vacate the judgments is granted. The judgments are vacated and the cases remanded to the District Court to enable it to consider a motion to dismiss to be filed by the United States. *Chauncey B. Garver* and *Charles C. Parlin, Jr.* for appellant in No. 24. *Samuel I. Rosenman, Seymour D. Lewis* and *Joseph L. Hochman* for appellant in No. 30. *Simon H. Rifkind* and *Walter J. Derenberg* for appellant in No. 31. *Solicitor General Rankin* and *Ralph S. Spritzer* for the United States, movant-appellee. *Gustave B. Garfield* filed a brief for Rothman, as *amicus curiae*. Reported below: 155 F. Supp. 77.

No. 175. RALEY ET AL. *v.* OHIO. Appeal from the Supreme Court of Ohio. (Consideration of question of jurisdiction postponed to hearing on the merits, *ante*, p. 862.) The motion to strike portions of the designation of record is denied. MR. JUSTICE STEWART took no part in the consideration or decision of this motion. *Morse Johnson* and *Louis C. Capelle* for appellants. *C. Watson Hover* and *Carl B. Rubin* for movant-appellee. Reported below: 167 Ohio St. 295, 147 N. E. 2d 847.

No. 479. GRAND TRUNK WESTERN RAILROAD CO. *v.* JAMES, ADMINISTRATOR. Motion to amend petition for writ of certiorari as to question 1 presented by the motion granted. Petition for writ of certiorari to the Supreme Court of Illinois denied. *George B. Christensen* for petitioner. *James A. Dooley* for respondent. Reported below: 14 Ill. 2d 356, 152 N. E. 2d 858.

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No. 14, Original. *SCHUTTE v. NEBRASKA ET AL.* The motion for leave to file petition is denied.

No. 65, Misc. *ROARK v. ALVIS, 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 denied. Petitioner *pro se.* *William Saxbe*, Attorney General of Ohio, and *William M. Vance*, Assistant Attorney General, for respondent.

No. 356, Misc. *LUNDBERG v. BANNAN, WARDEN, ET AL.* Motion for leave to file petition for writ of habeas corpus and for other relief denied.

No. 370, Misc. *ORDER OF RAILROAD TELEGRAPHERS ET AL. v. DUFFY ET AL., U. S. COURT OF APPEALS JUDGES, ET AL.* Motion for leave to file petition for writ of mandamus denied. *Alex Elson, Lester P. Schoene, Brainerd Currie* and *Philip B. Kurland* for petitioners. *Solicitor General Rankin* for the Judges of the United States Court of Appeals for the Seventh Circuit, and *Carl McGowan* for the Chicago & North Western Railway Co., respondents.

Probable Jurisdiction Noted.

No. 229, Misc. *LASSITER v. NORTHAMPTON COUNTY BOARD OF ELECTIONS.* Appeal from the Supreme Court of North Carolina. Motion for leave to proceed *in forma pauperis* granted. Probable jurisdiction noted. *Herman L. Taylor* and *Samuel S. Mitchell* for appellant. *Malcolm B. Seawell*, Attorney General of North Carolina, and *Ralph Moody*, Assistant Attorney General, for appellee. Reported below: 248 N. C. 102, 102 S. E. 2d 853.

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Certiorari Granted.

No. 350. *BARR v. MATTEO ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Solicitor General Rankin, Assistant Attorney General Doub, Morton Hollander and Bernard Cedarbaum* for petitioner. *Byron N. Scott and Richard A. Mehler* for respondents. Reported below: 103 U. S. App. D. C. 176, 256 F. 2d 890.

No. 488. *SCALES v. UNITED STATES.* C. A. 4th Cir. Certiorari granted. *Telford Taylor and McNeill Smith* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Yeagley and Philip R. Monahan* for the United States. Reported below: 260 F. 2d 21.

No. 489. *PITTSBURGH PLATE GLASS CO. v. UNITED STATES.* Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted limited to question 1 presented by the petition for the writ which reads as follows:

"1. In the trial of a federal criminal action, when the principal witness for the prosecution stated that he had testified three times before the indicting grand jury upon matters covered by his testimony at the trial, was it reversible error for the trial judge upon motion duly made to deny to the defendants, for use in cross examination, inspection of the transcripts of the grand jury testimony of that witness?"

Leland Hazard, Cyrus V. Anderson and James B. Henry, Jr. for petitioner.

Solicitor General Rankin, Assistant Attorney General Hansen and Daniel M. Friedman for the United States. Reported below: 260 F. 2d 397.

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No. 482. NATIONAL LABOR RELATIONS BOARD *v.* FANT MILLING Co. C. A. 5th Cir. Certiorari granted. *Solicitor General Rankin, Jerome D. Fenton, Thomas J. McDermott, Dominick L. Manoli and Frederick U. Reel* for petitioner. *O. B. Fisher* for respondent. Reported below: 258 F. 2d 851.

No. 491. GALAX MIRROR Co., INC., ET AL. *v.* UNITED STATES. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted limited to question 1 presented by the petition for the writ which reads as follows:

"1. Whether the denial of defendants' motion at the trial for production of the relevant grand jury testimony of the principal Government witness for purposes of cross-examination constituted error."

H. Graham Morison for petitioners. *Solicitor General Rankin, Assistant Attorney General Hansen and Daniel M. Friedman* for the United States. Reported below: 260 F. 2d 397.

No. 504. TAYLOR *v.* McELROY ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Joseph L. Rauh, Jr., John Silard, Harold A. Cranefield and Richard Lipsitz* for petitioner. *Solicitor General Rankin* for respondents.

No. 512. BAIRD ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 7th Cir. Certiorari granted. *W. Byron Sorrell, John C. Williamson, Lester M. Ponder and Thomas M. Scanlon* for petitioners. *Solicitor General Rankin* for respondent. Reported below: 256 F. 2d 918.

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No. 80, Misc. SPANO *v.* NEW YORK. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Court of Appeals of New York granted. *Rita D. Schechter* for petitioner. *Walter E. Dillon* and *Irving Anolik* for respondent. Reported below: 4 N. Y. 2d 256, 150 N. E. 2d 226.

No. 5, Misc. BURNS *v.* OHIO. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Ohio granted. MR. JUSTICE STEWART took no part in the consideration or decision of this application. Petitioner *pro se.* *C. Watson Hover* for respondent.

No. 213, Misc. NAPUE *v.* ILLINOIS. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Illinois granted. *George N. Leighton* for petitioner. Reported below: 13 Ill. 2d 566, 150 N. E. 2d 613.

Certiorari Denied. (See also No. 479 and Misc. No. 65, *supra.*)

No. 192. BARNARD ET AL. *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *Daniel L. Brenner*, *William S. Hogsett*, *J. A. Dickinson*, *Edward F. Arn* and *Joseph H. McDowell* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg*, *Robert S. Erdahl* and *Theodore G. Gilinsky* for the United States. Reported below: 255 F. 2d 583.

No. 422. PERFECT BRASSIERE CO., INC., *v.* PERFECT-FORM CORPORATION. C. A. 3d Cir. Certiorari denied. *Asher Blum* and *Milton Pollack* for petitioner. *S. Stephen Baker* for respondent. Reported below: 256 F. 2d 736.

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No. 485. CROSLY BROADCASTING CORP. *v.* WIBC, INC., ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *D. M. Patrick* and *E. Barrett Prettyman, Jr.* for petitioner. *Solicitor General Rankin* and *John L. Fitzgerald* for the Federal Communications Commission, and *Thomas H. Wall, Earl R. Stanley* and *Harry T. Ice* for WIBC, Inc., respondents. Reported below: 104 U. S. App. D. C. 126, 259 F. 2d 941.

No. 486. CURD *v.* UNITED STATES ET AL. C. A. 5th Cir. Certiorari denied. *Llewellyn A. Luce* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *I. Henry Kutz* and *Fred E. Youngman* for respondents. Reported below: 257 F. 2d 347.

No. 496. ORDER OF RAILROAD TELEGRAPHERS ET AL. *v.* CHICAGO & NORTH WESTERN RAILWAY CO. C. A. 7th Cir. Certiorari denied. *Alex Elson*, *Lester P. Schoene*, *Brainerd Currie* and *Philip B. Kurland* for petitioners. *Carl McGowan* for respondent.

No. 483. LADREY *v.* COMMISSION ON LICENSURE TO PRACTICE THE HEALING ART IN THE DISTRICT OF COLUMBIA. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. *William B. Bryant*, *Joseph C. Waddy* and *William C. Gardner* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Samuel D. Slade* and *Robert E. Green* for respondent. Reported below: 104 U. S. App. D. C. 239, 261 F. 2d 68.

No. 73, Misc. TUMMINELLO *v.* NEW YORK. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied. Petitioner *pro se*. *David Diamond* for respondent. Reported below: 5 App. Div. 2d 892, 173 N. Y. S. 2d 250.

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No. 490. MEADOW BROOK CLUB *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *John H. Finn* and *William C. Mattison* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Morton* and *Roger P. Marquis* for the United States. Reported below: 259 F. 2d 41.

No. 148, Misc. HERRING *v.* ELLIS, GENERAL MANAGER, TEXAS DEPARTMENT OF CORRECTIONS, ET AL. Court of Criminal Appeals 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.

No. 244, Misc. BOYD *v.* BOMAR, WARDEN. Supreme Court of Tennessee, Middle Division. Certiorari denied. *John J. Hooker* for petitioner. *George F. McCanless*, Attorney General of Tennessee, and *Henry C. Foutch*, Assistant Attorney General, for respondent. Reported below: 312 S. W. 2d 174.

No. 252, Misc. MARTIN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 256 F. 2d 345.

No. 359, Misc. SCHLETTE *v.* HEINZE, WARDEN, ET AL. C. A. 9th Cir. Certiorari denied.

No. 372, Misc. CULLEY *v.* WARDEN OF MARYLAND HOUSE OF CORRECTION. Court of Appeals of Maryland. Certiorari denied. Reported below: 218 Md. 639, 145 A. 2d 226.

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No. 323, Misc. *JETER 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. 324, Misc. *ROUSSEAU ET UX. v. HURTADO ET AL.* District Court of Appeal of California, First Appellate District. Certiorari denied.

No. 326, Misc. *JACKSON v. NEW YORK*. Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

No. 333, Misc. *BOMBKA v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 334, Misc. *SMEREKA v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 344, Misc. *UNITED STATES EX REL. THOMPSON v. PRICE, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied. *Joseph H. Ridge* for petitioner. *Frank P. Lawley, Jr.*, Deputy Attorney General of Pennsylvania, for respondents. Reported below: 258 F. 2d 918.

No. 348, Misc. *MILES v. NEW YORK*. County Court of Suffolk County, New York. Certiorari denied.

No. 2, Misc. *WILSON v. FLORIDA*. Petition for writ of certiorari to the Supreme Court of Florida denied without prejudice to an application for writ of habeas corpus in the appropriate United States District Court. Petitioner *pro se*. *Richard W. Ervin*, Attorney General of Florida, and *David U. Tumin*, Assistant Attorney General, for respondent.

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No. 357, Misc. TUCKER *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 367, Misc. SPAIN *v.* KENT COUNTY CIRCUIT COURT. Supreme Court of Michigan. Certiorari denied.

No. 13, Misc. JACKSON *v.* BANMILLER, SUPERINTENDENT, EASTERN STATE PENITENTIARY. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied without prejudice to an application for writ of habeas corpus in the appropriate United States District Court.

No. 3, Misc. LOTZ *v.* OHIO. Petition for writ of certiorari to the Supreme Court of Ohio and for other relief denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application.

No. 110, Misc. TABOR *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Anderson and Beatrice Rosenberg* for the United States.

Rehearing Denied.

No. 12, Original. CALIFORNIA *v.* WASHINGTON, *ante*, p. 64;

No. 320. BRASIER *v.* JEARY ET AL., *ante*, p. 867;

No. 372. GINSBURG *v.* SULLIVAN, U. S. DISTRICT JUDGE, ET AL., *ante*, p. 882;

No. 376. IN RE TEITELBAUM, *ante*, p. 881; and

No. 85, Misc. BELL *v.* UNITED STATES, *ante*, p. 885. Petitions for rehearing denied.

January 6, 9, 12, 1959.

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JANUARY 6, 1959.

Dismissal Under Rule 60.

No. 445. *BERNSTEIN ET AL. v. UNITED STATES*. 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. *Morrison Shafroth* and *Charles Rosenbaum* were on the stipulation for petitioners. With them on the petition was *Raymond R. Dickey*. *Solicitor General Rankin* for the United States. Reported below: 256 F. 2d 697.

JANUARY 9, 1959.

Dismissal Under Rule 60.

No. 432. *FUGIANI v. BARBER, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE*. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *Joseph S. Hertogs* for petitioner. *Solicitor General Rankin* for respondent. Reported below: 261 F. 2d 709.

JANUARY 12, 1959.*

Miscellaneous Orders.

No. 13, Original. *NEW YORK v. NEW JERSEY ET AL.* The motion for leave to file bill of complaint is denied. *Louis J. Lefkowitz*, Attorney General, *Paxton Blair*, Solicitor General, and *Ruth Kessler Toch*, Assistant Solicitor General, for the State of New York, plaintiff. *David D. Furman*, Attorney General, and *Charles J. Kehoe*, Deputy Attorney General, for the State of New Jersey, and *William S. Gaud* for the American Express Co., defendants.

*MR. JUSTICE FRANKFURTER took no part in the consideration or decision of cases in which orders were filed with the Clerk on this day and were not announced.

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January 12, 1959.

No. 203, Misc. *EX PARTE LAMKIN, ALIAS LAMKINS*. Court of Criminal Appeals of Texas. The petitioner's motion to dismiss the petition for writ of certiorari is granted. *Arthur Mitchell* for petitioner. Reported below: 165 Tex. Cr. R. 11, 312 S. W. 2d 670.

No. 466. *COOKE ET AL. v. NORTH CAROLINA*. Appeal from the Supreme Court of North Carolina. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits. *J. Alston Atkins, C. O. Pearson, Carter W. Wesley* and *James M. Nabrit, Jr.* for appellants. *Malcolm B. Seawell*, Attorney General of North Carolina, and *Ralph Moody*, Assistant Attorney General, for appellee. Reported below: 248 N. C. 485, 103 S. E. 2d 846.

No. 499. *KOTSAMPAS ET AL. v. UNITED STATES*. Motion for leave to proceed on typewritten papers granted. Motion to defer consideration of petition for certiorari and petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. MR. JUSTICE STEWART took no part in the consideration or decision of these applications. Petitioners *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. Reported below: 257 F. 2d 64.

No. 346, Misc. *MULLREED v. BANNAN, WARDEN*;

No. 354, Misc. *CARUSO v. MURPHY, WARDEN*;

No. 376, Misc. *WATKINS v. DOWD, WARDEN*;

No. 380, Misc. *SHANE v. RAGEN, WARDEN*;

No. 400, Misc. *RYAN v. TINSLEY, WARDEN*; and

No. 401, Misc. *HAUGABROK v. RANDOLPH, WARDEN*.

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

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Probable Jurisdiction Noted.

No. 519. *SMITH v. CALIFORNIA*. Appeal from the Appellate Department of the Superior Court of California, Los Angeles County. Probable jurisdiction noted. *Stanley Fleishman* and *Sam Rosenwein* for appellant. *Roger Arnebergh* and *Philip E. Grey* for appellee. Reported below: 161 Cal. App. 2d Supp. 860, 327 P. 2d 636.

Certiorari Granted. (See also No. 515 and Misc. Nos. 185 and 192, ante, pp. 280, 281, 276.)

No. 518. *ATLANTIC REFINING CO. ET AL. v. PUBLIC SERVICE COMMISSION OF NEW YORK ET AL.*; and

No. 536. *TENNESSEE GAS TRANSMISSION CO. v. PUBLIC SERVICE COMMISSION OF NEW YORK ET AL.* C. A. 3d Cir. Certiorari granted. *Charles B. Ellard* and *Bernard A. Foster, Jr.* for the Atlantic Refining Co., *Gentry Lee* and *Mr. Foster* for the Cities Service Production Co., *Gene M. Woodfin* for the Continental Oil Co., and *Robert O. Koch* and *Mr. Woodfin* for the Tidewater Oil Co., petitioners in No. 518. *William C. Braden, Jr.*, *Harry S. Littman* and *Jack Werner* for petitioner in No. 536. *Kent H. Brown* for the Public Service Commission of New York, *Edward S. Kirby* for the Public Service Electric & Gas Co., and *David K. Kadane* for the Long Island Lighting Co., respondents. Reported below: 257 F. 2d 717.

No. 540. *UNITED STATES v. SEABOARD AIR LINE RAILROAD Co.* C. A. 4th Cir. Certiorari granted. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *J. F. Bishop* for the United States. *Eppa Hunton, IV*, and *Lewis Thomas Booker* for respondent. Reported below: 258 F. 2d 262.

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No. 439. *MAGENAU, ADMINISTRATOR, v. AETNA FREIGHT LINES, INC.* C. A. 3d Cir. Certiorari granted. *Harry L. Shniderman* and *William W. Knox* for petitioner. *John E. Britton* and *William F. Illig* for respondent. Reported below: 257 F. 2d 445.

Certiorari Denied. (See also Nos. 495 and 499, ante, pp. 278, 925.)

No. 472. *BOWLEY v. NEW JERSEY TURNPIKE AUTHORITY.* Supreme Court of New Jersey. Certiorari denied. *James M. Davis, Jr.* for petitioner. *Grover C. Richman, Jr.* for respondent. Reported below: 27 N. J. 549, 143 A. 2d 558.

No. 474. *GARDNER v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. *Jack Hart* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. Reported below: 257 F. 2d 559.

No. 493. *REISTROFFER ET AL. v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. *Morris A. Shenker, Sidney M. Glazer* and *Bernard J. Mellman* for petitioners. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg* and *Theodore G. Gilinsky* for the United States. Reported below: 258 F. 2d 379.

No. 494. *PURITAN CHURCH BUILDING FUND ET AL. v. UNITED STATES ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioners *pro se.* *Solicitor General Rankin, Assistant Attorney General Rice* and *I. Henry Kutz* for respondents. Reported below: 103 U. S. App. D. C. 174, 256 F. 2d 888.

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No. 492. COLEMAN ET AL. *v.* MOUNTAIN MESA URANIUM CORP. C. A. 10th Cir. Certiorari denied. *Albert W. Dilling* for petitioners. Reported below: 257 F. 2d 382.

No. 497. KORTE *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Hayden C. Covington* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson and Beatrice Rosenberg* for the United States. Reported below: 260 F. 2d 633.

No. 498. STEDMAN MANUFACTURING CO. *v.* REDMAN ET AL. C. A. 4th Cir. Certiorari denied. *John Vaughan Groner, W. Brown Morton, Jr., Welch Jordan and Marvin E. Frankel* for petitioner. *Dexter N. Shaw, Telford Taylor and Thornton H. Brooks* for respondents. Reported below: 257 F. 2d 867.

No. 500. CROWELL-COLLIER PUBLISHING CO. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. *Jay O. Kramer* for petitioner. *Solicitor General Rankin, Lee A. Jackson and Harry Marselli* for respondent. Reported below: 259 F. 2d 860.

No. 502. LABORDE ET AL. *v.* TEXAS & PACIFIC RAILWAY Co. C. A. 5th Cir. Certiorari denied. *Camille F. Gravel, Jr.* for petitioners. *Frank H. Peterman* for respondent. Reported below: 257 F. 2d 587.

No. 505. COHEN *v.* PUBLIC HOUSING ADMINISTRATION ET AL. C. A. 5th Cir. Certiorari denied. *Thurgood Marshall, Constance Baker Motley and A. T. Walden* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub and Alan S. Rosenthal* for the Public Housing Administration, and *Shelby Myrick, Sr.* for the Housing Authority of Savannah, respondents. Reported below: 257 F. 2d 73.

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No. 507. *ROSENBLOOM v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Joseph F. Goetten* for the United States. Reported below: 259 F. 2d 500.

No. 508. *MARKS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *David G. Housman* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Jerome M. Feit* for the United States. Reported below: 260 F. 2d 377.

No. 509. *H. ROUW Co. v. MISSOURI PACIFIC RAILROAD Co.* C. A. 5th Cir. Certiorari denied. *Sawnie B. Smith* for petitioner. *Harry L. Hall* for respondent. Reported below: 258 F. 2d 445.

No. 510. *SYRES ET AL. v. OIL WORKERS INTERNATIONAL UNION, LOCAL NO. 23, ET AL.* C. A. 5th Cir. Certiorari denied. *Roberson L. King* for petitioners. *Chris Dixie* for the Oil Workers International Union, Local 23, et al., and *Joseph H. Sperry*, *Quentin Keith* and *John E. Bailey* for the Gulf Oil Corporation, respondents. Reported below: 257 F. 2d 479.

No. 513. *COURTNEY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Maurice Edelbaum* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 257 F. 2d 944.

No. 523. *BECKER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Bruno Schachner* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Joseph F. Goetten* and *Lawrence K. Bailey* for the United States. Reported below: 259 F. 2d 869.

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No. 516. *SPRINGFIELD TELEVISION BROADCASTING CORP. ET AL. v. UNITED STATES ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *James A. McKenna, Jr.* and *Vernon L. Wilkinson* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Hansen*, *Charles H. Weston*, *John L. Fitzgerald* and *Richard A. Solomon* for the United States and the Federal Communications Commission, and *Percy H. Russell* and *Aloysius B. McCabe* for the Travelers Broadcasting Service Corporation, respondents. Reported below: 104 U. S. App. D. C. 13, 259 F. 2d 170.

No. 517. *WINNEBAGO TELEVISION CORP. v. UNITED STATES ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *James A. McKenna, Jr.* and *Vernon L. Wilkinson* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Hansen*, *Charles H. Weston*, *John L. Fitzgerald* and *Richard A. Solomon* for the United States and the Federal Communications Commission, and *Arthur W. Scharfeld* for Radio Wisconsin, Inc., respondents. Reported below: 103 U. S. App. D. C. 311, 258 F. 2d 163.

No. 529. *ALABAMA BY-PRODUCTS CORP. v. PATTERSON, DISTRICT DIRECTOR OF INTERNAL REVENUE.* C. A. 5th Cir. Certiorari denied. *William Bew White* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Harry Baum* for respondent. Reported below: 258 F. 2d 892.

No. 534. *QUINN v. CALIFORNIA.* Appellate Department of the Superior Court of California, County of Los Angeles. Certiorari denied. *A. L. Wirin*, *Fred Okrand* and *Jack B. Tenney* for petitioner.

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No. 522. UNITED STATES EX REL. THOMPSON *v.* LENNOX, SHERIFF. C. A. 3d Cir. Certiorari denied. *Landon Gerald Dowdey* for petitioner. *David Berger* for respondent. *David D. Furman*, Attorney General, and *William L. Boyan*, Deputy Attorney General, filed a brief for the State of New Jersey, as *amicus curiae*, in support of the petition for a writ of certiorari. Reported below: 258 F. 2d 320.

No. 530. GOFF *v.* SEARS, ROEBUCK & Co. C. A. 7th Cir. Certiorari denied. *Louis G. Davidson*, *Brainerd Currie* and *Philip B. Kurland* for petitioner. *Robert B. Johnstone* for respondent. Reported below: 257 F. 2d 418.

No. 533. TANDARIC *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Pearl M. Hart* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 257 F. 2d 895.

No. 538. WEBB ET UX. *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Morton* and *S. Billingsley Hill* for the United States. Reported below: 256 F. 2d 669.

No. 539. INDUSTRIAL WAXES, INC., *v.* BROWN. C. A. 2d Cir. Certiorari denied. *Milton B. Ignatius* for petitioner. *Daniel L. Stonebridge* and *Wilbur E. Dow, Jr.* for respondent. Reported below: 258 F. 2d 800.

No. 547. BOHN *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Carl W. Cummins, Sr.* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 260 F. 2d 773.

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No. 542. *MEDBERRY v. PATTERSON, WARDEN, ET AL.* Supreme Court of Colorado. Certiorari denied. *Samuel D. Menin* for petitioner. *Duke W. Dunbar*, Attorney General of Colorado, *Frank E. Hickey*, Deputy Attorney General, and *John W. Patterson*, Assistant Attorney General, for respondents.

No. 544. *SEABOARD MACHINERY CORP. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Leo L. Foster* and *Charles M. Trammell* for petitioner. *Solicitor General Rankin*, Assistant Attorney General *Doub* and *Samuel D. Slade* for the United States. Reported below: 256 F. 2d 166.

No. 548. *BARTA ET AL. v. OGLALA SIOUX TRIBE, PINE RIDGE RESERVATION, SOUTH DAKOTA, ET AL.* C. A. 8th Cir. Certiorari denied. *Hubbard F. Fellows*, *John C. Farrar* and *Robert W. Gunderson* for petitioners. *Solicitor General Rankin*, Assistant Attorney General *Morton* and *Roger P. Marquis* for the United States, and *Richard Schifter* and *Eugene Gressman* for the Oglala Sioux Tribe et al., respondents. Reported below: 259 F. 2d 553.

No. 592. *WABASH RAILROAD CO. v. WEHRLI.* Supreme Court of Missouri. Certiorari denied. *Richard Wayne Ely* for petitioner. *Mark D. Eagleton* and *Eugene K. Buckley* for respondent. Reported below: 315 S. W. 2d 765.

No. 475. *FRANKO v. MAHONING COUNTY BAR ASSOCIATION.* Supreme Court of Ohio. Certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application. *Eugene Gressman* for petitioner. *John H. Ranz* for respondent. Reported below: 168 Ohio St. 17, 151 N. E. 2d 17.

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No. 503. *GYNN v. GYNN*. Supreme Court of Ohio. Certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application. *De Long Harris* for petitioner. *J. Virgil Cory* for respondent. Reported below: 168 Ohio St. 164, 151 N. E. 2d 560.

No. 511. *DEEP SEA TANKERS, LTD., ET AL. v. THE LONG BRANCH ET AL.* Motion of Canadian Shipowners Association for leave to file brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. *Charles S. Haight, Robert M. Julian* and *MacDonald Deming* for petitioners. *Vincent E. McGowan* for the Central Railroad Co. of New Jersey, and *Leo F. Hanan* for the Metropolitan Sand & Gravel Corporation, respondents. *Walter A. Darby, Jr.* filed a brief for the Canadian Shipowners Association, as *amicus curiae*, urging that a petition for writ of certiorari be granted. Reported below: 258 F. 2d 757.

No. 514. *STATES STEAMSHIP CO. v. UNITED STATES ET AL.* Motion of American Mail Line et al. for leave to file brief, as *amici curiae*, denied. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. *Erskine Wood, Erskine B. Wood, Stanley B. Long* and *Eugene Gressman* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Samuel D. Slade* for the United States, *Henry N. Longley, John Gordon Gearin* and *George Buland Campbell* for the Atlantic Mutual Insurance Co. et al., and *Charles B. Howard* for the Dominion of Canada, respondents. Reported below: 259 F. 2d 458.

No. 282, Misc. *BILLS v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. *Herbert K. Hyde* for petitioner.

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No. 564. METROPOLITAN SAND & GRAVEL CORP. *v.* DEEP SEA TANKERS, LTD., ET AL. C. A. 2d Cir. Certiorari denied. *Leo F. Hanan* for petitioner. *Charles S. Haight, Robert M. Julian* and *MacDonald Deming* for respondents. Reported below: 258 F. 2d 757.

No. 527. SCHINE ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. MR. JUSTICE CLARK took no part in the consideration or decision of this application. *Frank G. Raichle* and *David C. Diefendorf* for petitioners. *Solicitor General Rankin, Assistant Attorney General Hansen, Daniel M. Friedman* and *Henry Geller* for the United States. Reported below: 260 F. 2d 552.

No. 231, Misc. JAMES *v.* MINNESOTA. Supreme Court of Minnesota. Certiorari denied. Petitioner *pro se.* *Miles Lord*, Attorney General of Minnesota, and *Charles E. Houston*, Solicitor General, for respondent. Reported below: 252 Minn. 243, 89 N. W. 2d 904.

No. 236, Misc. MOORE *v.* VIRGINIA. Supreme Court of Appeals of Virginia. Certiorari denied. Petitioner *pro se.* *Thomas M. Miller*, Assistant Attorney General of Virginia, for respondent.

No. 240, Misc. MASON *v.* ALABAMA. Court of Appeals of Alabama. Certiorari denied. *Glen T. Bashore* for petitioner. *John Patterson*, Attorney General of Alabama, *Bernard F. Sykes*, Assistant Attorney General, and *George Young*, Special Assistant Attorney General, for respondent. Reported below: 39 Ala. App. 1, 103 So. 2d 337.

No. 287, Misc. VAN ELLA *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied. Petitioner *pro se.* *Ralph De Vita* for respondent.

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No. 290, Misc. *McDERMOTT v. JOHN HANCOCK MUTUAL LIFE INSURANCE Co.* C. A. 3d Cir. Certiorari denied. *Philip Dorfman* for petitioner. Reported below: 255 F. 2d 562.

No. 299, Misc. *RITCHIE v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied.

No. 301, Misc. *CARRAWAY v. NEW YORK.* Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 309, Misc. *RIVERA v. NEW YORK.* Court of Appeals of New York. Certiorari denied.

No. 319, Misc. *UNITED STATES EX REL. CUOMO v. FAY, WARDEN, ET AL.* C. A. 2d Cir. Certiorari denied. Petitioner *pro se.* *Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, *Samuel A. Hirshowitz*, Assistant Solicitor General, and *George K. Bernstein*, Assistant Attorney General, for respondents. Reported below: 257 F. 2d 438.

No. 329, Misc. *CARRIER v. ELLIS, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 335, Misc. *DECOTEAU v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin* for the United States.

No. 339, Misc. *CRISPELL v. NEW YORK.* Court of Appeals of New York. Certiorari denied.

No. 353, Misc. *IN RE MORRIS.* Supreme Court of California. Certiorari denied.

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No. 360, Misc. *WISEMAN 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, *John W. Patterson* and *John B. Barnard, Jr.*, Assistant Attorneys General, for respondent.

No. 368, Misc. *HUNT v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *James J. Laughlin* and *Albert J. Ahern, Jr.* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. Reported below: 103 U. S. App. D. C. 309, 258 F. 2d 161.

No. 371, Misc. *SEARS v. KLINGER, SUPERINTENDENT, CALIFORNIA MEN'S COLONY*. Supreme Court of California. Certiorari denied.

No. 373, Misc. *ROLIE v. RANDOLPH, WARDEN*. Supreme Court of Illinois. Certiorari denied.

No. 375, Misc. *SHEPHERD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin* for the United States.

No. 382, Misc. *MOMAN v. RAGEN, WARDEN, ET AL.* Criminal Court of Cook County, Illinois. Certiorari denied.

No. 383, Misc. *NEAL v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied.

No. 384, Misc. *BLAIR v. HEINZE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

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No. 394, Misc. *KYLE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Robert Satter* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. Reported below: 257 F. 2d 559.

No. 395, Misc. *GARDNER v. BANNAN, WARDEN, ET AL.* Supreme Court of Michigan. Certiorari denied.

No. 396, Misc. *NEAL v. UFFELMAN, SUPERINTENDENT, ILLINOIS SECURITY HOSPITAL*. Circuit Court of Randolph County, Illinois. Certiorari denied.

No. 398, Misc. *WILSON v. HEINZE, WARDEN, ET AL.* Supreme Court of California. Certiorari denied.

No. 459, Misc. *BRUNER v. ADAMS, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 84, Misc. *BURMAN v. FLORIDA ET AL.* Petition for writ of certiorari to the Supreme Court of Florida denied without prejudice to an application for writ of habeas corpus in the appropriate United States District Court. Petitioner *pro se*. *Richard W. Ervin*, Attorney General of Florida, and *Edward S. Jaffry*, Assistant Attorney General, for respondents.

No. 355, Misc. *JACKSON v. ALVIS, WARDEN*. C. A. 6th Cir. Certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application.

Rehearing Denied.

No. 13. *FEDERAL HOUSING ADMINISTRATION v. THE DARLINGTON, INC., ante*, p. 84. Rehearing denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application.

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No. 28. HINKLE, ADMINISTRATRIX, ET AL. *v.* NEW ENGLAND MUTUAL LIFE INSURANCE COMPANY OF BOSTON, MASSACHUSETTS, *ante*, p. 65;

No. 334. SCIENTIFIC LIVING, INC., *v.* FEDERAL TRADE COMMISSION, *ante*, p. 867;

No. 407. SULENTICH *v.* INTERLAKE STEAMSHIP CO., *ante*, p. 885;

No. 415. GASTON ET AL. *v.* UNITED STATES, *ante*, p. 898;

No. 434. UNIVERSAL TRADES, INC., *v.* PENNSYLVANIA, *ante*, p. 129;

No. 227, Misc. FISHER *v.* UNITED STATES, *ante*, p. 895;

No. 230, Misc. BIZZELL *v.* BIZZELL, *ante*, p. 888;

No. 248, Misc. LIVESAY *v.* TEXAS, *ante*, p. 888; and

No. 294, Misc. MORALES ET AL. *v.* UNITED STATES, *ante*, p. 900. Petitions for rehearing denied.

No. 143. SPECTOR *v.* PETE ET AL., *ante*, p. 822. Motion of Lorene Welmas McGlamary for leave to file brief and amended brief, as *amicus curiae*, in support of petition for rehearing granted. Petition for rehearing denied. MR. JUSTICE STEWART took no part in the consideration or decision of this motion and application.

No. 760, Misc., October Term, 1957. SCHUMACHER *v.* GAYNOR, EXECUTOR, ET AL., 357 U. S. 941. Motion for leave to file petition for rehearing denied. MR. JUSTICE STEWART took no part in the consideration or decision of this motion.

No. 816, October Term, 1957. NEW YORKER MAGAZINE, INC., *v.* GEROSA, COMPTROLLER OF THE CITY OF NEW YORK, ET AL., 356 U. S. 339. Motion for leave to file a second petition for rehearing denied. MR. JUSTICE STEWART took no part in the consideration or decision of this motion.

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No. 77. EVARTS *v.* WESTERN METAL FINISHING CO., *ante*, p. 815; and

No. 296. BURNS, DOING BUSINESS AS INTERNATIONAL ADVERTISING AGENCY, *v.* JAFFE ET AL., *ante*, p. 838. Motions for leave to file petitions for rehearing denied. MR. JUSTICE STEWART took no part in the consideration or decision of these motions.

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Miscellaneous Orders.

No. 451. ROSENBERG *v.* UNITED STATES. Certiorari, 358 U. S. 904, to the United States Court of Appeals for the Third Circuit. The motion to withdraw the appearance of *Bernard Tompkins, Esquire*, as counsel for petitioner is granted. Reported below: 257 F. 2d 760.

No. 457. INGRAM ET AL. *v.* UNITED STATES. Certiorari, 358 U. S. 905, to the United States Court of Appeals for the Fifth Circuit. The motion to dispense with printing the record is granted. *Wesley R. Asinof* for movants-petitioners. Reported below: 259 F. 2d 886.

No. 581. BURNS *v.* OHIO. Certiorari, 358 U. S. 919, to the Supreme Court of Ohio. The motion for the appointment of counsel is granted and it is ordered that *Helen G. Washington*, of Washington, D. C., a member of the Bar of this Court, be, and she is hereby, appointed to serve as counsel for petitioner in this case. MR. JUSTICE STEWART took no part in the consideration or decision of this application.

No. 345, Misc. IN RE FIELD. Motion for leave to file petition for writ of habeas corpus denied.

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Certiorari Granted.

No. 553. COMMISSIONER OF INTERNAL REVENUE *v.* ACKER. C. A. 6th Cir. Certiorari granted. *Solicitor General Rankin, Assistant Attorney General Rice and Robert N. Anderson* for petitioner. Reported below: 258 F. 2d 568.

No. 558. UNITED STATES *v.* ROBINSON ET AL. Motion of respondents for leave to proceed on typewritten papers granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Julia Cooper* for the United States. *I. William Stempel* for respondents. Reported below: 104 U. S. App. D. C. 200, 260 F. 2d 718.

Certiorari Denied. (See also Nos. 520, 521 and 537, ante, pp. 305, 306.)

No. 543. HARMSSEN *v.* FIZZELL ET AL. Supreme Court of Michigan. Certiorari denied. Reported below: 351 Mich. 86, 354 Mich. 60, 87 N. W. 2d 161, 92 N. W. 2d 631.

No. 545. ACKER *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 6th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin, Charles K. Rice and Robert N. Anderson* for respondent. Reported below: 258 F. 2d 568.

No. 550. FUNKHOUSER *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin, Assistant Attorney General Rice, Joseph F. Goetten and Jack M. Cotton* for the United States. Reported below: 260 F. 2d 86.

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No. 565. DITTMEIER *v.* MISSOURI REAL ESTATE COMMISSION. Supreme Court of Missouri. Certiorari denied. *Malcolm I. Frank* for petitioner. *John M. Dalton*, Attorney General of Missouri, and *Robert R. Welborn*, Assistant Attorney General, for respondent. Reported below: 316 S. W. 2d 1.

No. 199, Misc. CLINTON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Samuel D. Slade* for the United States. Reported below: 254 F. 2d 409.

No. 313, Misc. WILLIAMSON *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Eugene L. Grimm* for the United States. Reported below: 255 F. 2d 512.

No. 358, Misc. HEFLIN *v.* ELLIS, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS. Court of Criminal Appeals of Texas. Certiorari denied.

No. 408, Misc. HENDRIX *v.* NASH, WARDEN. Supreme Court of Missouri. Certiorari denied.

No. 412, Misc. ALVAREZ *v.* NEW YORK. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 416, Misc. GLENNON *v.* MURPHY, WARDEN. Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied. Reported below: 6 App. Div. 2d 1023, 178 N. Y. S. 2d 943.

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No. 413, Misc. GLENN *v.* MISSOURI. Supreme Court of Missouri. Certiorari denied. Reported below: 317 S. W. 2d 403.

No. 437, Misc. WILLIAMS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 261 F. 2d 224.

No. 469, Misc. FLOWERS *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Reported below: 14 Ill. 2d 406, 152 N. E. 2d 838.

Rehearing Denied.

No. 23. UNITED GAS PIPE LINE CO. *v.* MEMPHIS LIGHT, GAS AND WATER DIVISION ET AL.;

No. 25. FEDERAL POWER COMMISSION *v.* MEMPHIS LIGHT, GAS AND WATER DIVISION ET AL.; and

No. 26. TEXAS GAS TRANSMISSION CORP. ET AL. *v.* MEMPHIS LIGHT, GAS AND WATER DIVISION ET AL., *ante*, p. 103. Rehearing denied. MR. JUSTICE CLARK took no part in the consideration or decision of this application.

No. 351. BROWN PAPER MILL Co., INC., *v.* COMMISSIONER OF INTERNAL REVENUE, *ante*, p. 906; and

No. 289, Misc. IN RE STAFFORD, *ante*, p. 913. Petitions for rehearing denied. MR. JUSTICE FRANKFURTER took no part in the consideration or decision of these applications.

No. 461. FISHER ET AL. *v.* PRINTING DEVELOPMENTS, INC., *ante*, p. 908. Petition for rehearing and for other relief denied. MR. JUSTICE FRANKFURTER took no part in the consideration or decision of this application.

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Miscellaneous Orders.

An order of THE CHIEF JUSTICE designating and assigning MR. JUSTICE BURTON (retired) to perform judicial duties in the United States Court of Appeals for the District of Columbia Circuit beginning February 2, 1959, and ending June 30, 1959, 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. 581. *BURNS v. OHIO*. Certiorari, 358 U. S. 919, to the Supreme Court of Ohio. The order of this Court of December 15, 1958, granting the petition for writ of certiorari is modified so as to limit the review in this Court to the question presented on page 2 of the petition for writ of certiorari which reads as follows:

"Whether in a prosecution for Burglary, the Due Process Clause, And The Equal Protection Clause, of the Fourteenth (14) Amendment to the United States Constitution are violated by the refusal of the Supreme Court of Ohio, to file the aforementioned legal proceedings, because Petitioner was unable to secure the costs."

MR. JUSTICE STEWART took no part in the consideration or decision of this case.

No. 575. *MEMORIAL NATIONAL HOME FOUNDATION v. BROWN, ATTORNEY GENERAL OF CALIFORNIA, ET AL.* On petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District. The motion of petitioner for leave to proceed on typewritten papers is granted. Pursuant to a stipulation of the parties, Stanley Mosk, present Attorney General of Cali-

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fornia, is substituted as a party respondent for Brown. The petition for writ of certiorari in this case is denied. On the stipulation were *Dudley K. Wright* for petitioner, and *Stanley Mosk*, Attorney General of California, and *George M. Goffin*, Deputy Attorney General, for *Mosk*, and *George E. Wise* for the American Gold Star Mothers, Inc., respondents. Reported below: 158 Cal. App. 2d 448, 322 P. 2d 600.

No. 276, Misc. *McWHORTER v. UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO ET AL.* Motion for leave to file petition for writ of mandamus denied. Petitioner *pro se*. *Solicitor General Rankin* for respondents.

Probable Jurisdiction Noted.

No. 556. *UNITED STATES v. DEGE ET VIR.* Appeal from the United States District Court for the Southern District of California. Probable jurisdiction noted. *Solicitor General Rankin*, *Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States.

Certiorari Granted. (See also Nos. 468 and 572, ante, pp. 331, 332.)

No. 557. *NATIONAL LABOR RELATIONS BOARD v. INSURANCE AGENTS INTERNATIONAL UNION, AFL-CIO.* United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Solicitor General Rankin*, *Jerome D. Fenton*, *Thomas J. McDermott*, *Dominick L. Manoli* and *Frederick U. Reel* for petitioner. *Isaac N. Groner* for respondent. *Nahum A. Bernstein* filed a brief for the Prudential Insurance Company of America, as *amicus curiae*, urging that the petition for writ of certiorari be granted. Reported below: 104 U. S. App. D. C. 218, 260 F. 2d 736.

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No. 573. UNITED STATES *v.* 93.970 ACRES OF LAND, MORE OR LESS, IN COOK COUNTY, ILLINOIS, ET AL. C. A. 7th Cir. Certiorari granted. *Solicitor General Rankin*, *Assistant Attorney General Morton*, *Roger P. Marquis* and *S. Billingsley Hill* for the United States. *J. Herzl Segal* for respondents. Reported below: 258 F. 2d 17.

Certiorari Denied. (See also No. 575, *supra.*)

No. 554. PREFORMED LINE PRODUCTS CO. *v.* WATSON, COMMISSIONER OF PATENTS. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Patrick H. Hume* and *C. Willard Hayes* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Samuel D. Slade* for respondent. Reported below: 103 U. S. App. D. C. 286, 257 F. 2d 664.

No. 566. LAUGHLIN *v.* HARRINGTON, COMMISSIONER OF INTERNAL REVENUE. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Albert J. Ahern, Jr.* and *James J. Laughlin* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Joseph F. Goetten* for respondent. Reported below: 103 U. S. App. D. C. 179, 256 F. 2d 893.

No. 574. KOCH ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Max Fink* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *I. Henry Kutz* for the United States. Reported below: 264 F. 2d 334.

No. 496, Misc. UNITED STATES EX REL. ECKWERTH *v.* DENNO, WARDEN. C. A. 2d Cir. Certiorari denied. *Stephen C. Vladeck* for petitioner. Reported below: 261 F. 2d 511.

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No. 371. NATIONAL BROADCASTING Co., INC., *v.* PHILCO CORPORATION. The motion of Gerity Broadcasting Co. for leave to file brief, as *amicus curiae*, is denied. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit also denied. *John F. Sonnett, Bernard G. Segal* and *Thomas E. Ervin* for petitioner. *Henry B. Weaver, Jr.* for respondent. At the invitation of the Court, 358 U. S. 876, *Solicitor General Rankin* filed a memorandum for the United States setting forth the views of the Federal Communications Commission in this case. Reported below: 103 U. S. App. D. C. 278, 257 F. 2d 656.

No. 497, Misc. CHAVEZ *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. *A. L. Wirin* and *Fred Okrand* for petitioner. *Edmund G. Brown*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Norman H. Sokolow*, Deputy Attorney General, for respondent. Reported below: 50 Cal. 2d 778, 329 P. 2d 907.

No. 498, Misc. MOORE *v.* ARKANSAS. Supreme Court of Arkansas. Certiorari denied. *W. Harold Flowers* for petitioner. Reported below: — Ark. —, 315 S. W. 2d 907.

No. 525. LEIFER ET AL. *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Hayden C. Covington* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Eugene L. Grimm* for the United States.

No. 568. INTERNATIO-ROTTERDAM, INC., *v.* RIVER BRAND RICE MILLS, INC. C. A. 2d Cir. Certiorari denied. *Frank Marcellino* for petitioner. *Phil E. Gilbert, Jr.* for respondent. Reported below: 259 F. 2d 137.

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No. 577. 93.970 ACRES OF LAND, MORE OR LESS, IN COOK COUNTY, ILLINOIS, ET AL. *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *J. Herzl Segal* for petitioners. *Solicitor General Rankin, Assistant Attorney General Morton, Roger P. Marquis and S. Billingsley Hill* for the United States. Reported below: 258 F. 2d 17.

No. 629. LOCAL 107, HIGHWAY TRUCK DRIVERS AND HELPERS UNION, INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS OF AMERICA, *v.* McCLELLAN ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Edward L. Carey and Walter E. Gillcrist* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub, Samuel D. Slade and John G. Laughlin, Jr.* for respondents.

No. 569. GENERAL FOODS CORP. ET AL. *v.* STATE WHOLESALE GROCERS ET AL. The motion of the Great Atlantic & Pacific Tea Co. for leave to file brief, as *amicus curiae*, is granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. *Edward R. Adams* for the General Foods Corporation et al., and *Lloyd M. McBride and John P. Ryan*, . for the Morton Salt Co., petitioners. *Robert Marks and William S. Kaplan* for respondents. *John T. Cahill, Lawrence J. McKay, Jerrold G. Van Cise and Thomas R. Mulroy* filed a brief for the Great Atlantic & Pacific Tea Co., as *amicus curiae*, in support of the petition for writ of certiorari. Reported below: 258 F. 2d 831.

No. 300, Misc. TRUMBLAY *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 256 F. 2d 615.

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No. 611. *DELAWARE v. CURRAN ET AL.* The motion of respondents for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. *Joseph Donald Craven*, Attorney General of Delaware, and *Richard J. Baker*, Deputy Attorney General, for petitioner. *Irving Morris* for respondents. Reported below: 259 F. 2d 707.

Rehearing Denied.

No. 27. *FLEMMING, SECRETARY OF HEALTH, EDUCATION, AND WELFARE, v. FLORIDA CITRUS EXCHANGE ET AL.*, *ante*, p. 153. Rehearing denied.

No. 453. *BRIGGS, DOING BUSINESS AS WALT'S AUTO PARKS & GARAGES, v. CITY OF LOS ANGELES ET AL.*, *ante*, p. 205; and

No. 483. *LADREY v. COMMISSION ON LICENSURE TO PRACTICE THE HEALING ART IN THE DISTRICT OF COLUMBIA*, *ante*, p. 920. Petitions for rehearing denied. Mr. JUSTICE FRANKFURTER took no part in the consideration or decision of these applications.

FEBRUARY 20, 1959.

Dismissal Under Rule 60.

No. 288. *OKLAHOMA NATURAL GAS CO. v. FEDERAL POWER COMMISSION ET AL.* Certiorari, 358 U. S. 877, to the United States Court of Appeals for the District of Columbia Circuit. Writ of certiorari dismissed on motion of petitioner pursuant to Rule 60 of the Rules of this Court. *John S. Carlson*, *Norman A. Flaningam* and *Melvin Richter* for petitioner. Reported below: 103 U. S. App. D. C. 256, 257 F. 2d 634.