

ORDERS FROM FEBRUARY 24 THROUGH  
JUNE 1, 1959.

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FEBRUARY 24, 1959.

*Miscellaneous Orders.*

No. 10, Original. UNITED STATES *v.* LOUISIANA ET AL. This case is set for argument on Monday, October 12, 1959, on the motion of the United States for judgment, the answers thereto, and on the motion to dismiss the cross-bill of the State of Alabama. THE CHIEF JUSTICE and MR. JUSTICE CLARK took no part in the consideration or entry of this order.

For previous order and counsel in this case, see 358 U. S. 902.

No. 504. TAYLOR *v.* McELROY ET AL. Certiorari, 358 U. S. 918, to the United States Court of Appeals for the District of Columbia Circuit. Further consideration of the respondents' suggestion of mootness is postponed to the hearing of the case on the merits. *Solicitor General Rankin* for respondents. *Joseph L. Rauh, Jr., John Silard, Harold A. Cranefield and Richard Lipsitz* for petitioner.

No. 339. SPEVACK *v.* STRAUSS ET AL. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. The motion of petitioner for leave to add John A. McCone as a party respondent is granted. *Carleton U. Edwards, II, Joseph Y. Houghton and Bernard Margolius* for petitioner.

No. 372. GINSBURG *v.* SULLIVAN, U. S. DISTRICT JUDGE, ET AL., 358 U. S. 882, 923. The motion to remand and for other relief is denied. *Paul Ginsburg, pro se.*

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

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

No. 4, Original. NEW YORK *v.* ILLINOIS ET AL. The motion to allow and fix time for filing plaintiffs' reply brief is granted and the time is extended to and including March 31, 1959. The defendants are allowed to and including March 31, 1959, to reply to the brief of the Solicitor General, if so advised. *John W. Reynolds*, Attorney General, and *Roy Tulane*, Assistant Attorney General, for the State of Wisconsin; *Miles Lord*, Attorney General, and *Raymond A. Haik*, Special Assistant Attorney General, for the State of Minnesota; *Mark McElroy*, Attorney General, *Robert E. Boyd*, Assistant Attorney General, and *Herbert H. Naujoks*, Special Assistant to the Attorneys General, for the State of Ohio; *Anne X. Alpern*, Attorney General, and *Lois G. Forer*, Deputy Attorney General, for the State of Pennsylvania; *Paul L. Adams*, Attorney General, *Samuel J. Torina*, Solicitor General, and *Nicholas V. Olds*, Assistant Attorney General, for the State of Michigan; and *Louis J. Lefkowitz*, Attorney General, and *Richard H. Shepp* and *Dunton F. Tynan*, Assistant Attorneys General, for the State of New York, complainants. *Latham Castle*, Attorney General of Illinois, *William C. Wines*, Assistant Attorney General, *George A. Lane*, *Lawrence J. Fenlon*, *Joseph B. Fleming*, *Joseph H. Pleck* and *Thomas M. Thomas* for the defendants.

No. 420, Misc. LEIGH *v.* REESE, SHERIFF;

No. 449, Misc. MORSE *v.* UNITED STATES ATTORNEY GENERAL;

No. 471, Misc. SAVAGE *v.* PEPERSACK, WARDEN; and

No. 539, Misc. JACKSON *v.* STEINER, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied. Movants *pro se*. Solicitor General Rankin for respondent in No. 449, Misc.

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No. 405, Misc. *CARPENTER v. LEDERLE*, CHIEF JUDGE, U. S. DISTRICT COURT, ET AL. Motion for leave to file petition for writ of mandamus and for other relief denied.

No. 392, Misc. *HOUSE v. GRIMES*, SHERIFF. Motion for leave to file petition for writ of habeas corpus and for other relief denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied.

No. —. *GIBSON ET AL. v. FLORIDA LEGISLATIVE INVESTIGATION COMMITTEE*. The application for a stay of the judgment of the Supreme Court of Florida and proceedings pursuant thereto, presented to MR. JUSTICE BLACK, and by him referred to the Court, is granted and the execution of such judgment and proceedings pursuant thereto is stayed pending the timely filing and disposition of a petition for certiorari. *Robert L. Carter* and *G. E. Graves, Jr.* for petitioners. *Mark R. Hawes* for the Florida Legislative Investigation Committee.

*Probable Jurisdiction Noted.*

No. 567. *UNITED STATES v. PARKE, DAVIS & Co.* Appeal from the United States District Court for the District of Columbia. Probable jurisdiction noted. *Solicitor General Rankin*, *Assistant Attorney General Hansen*, *Daniel M. Friedman* and *W. Louise Florencourt* for the United States. *Gerhard A. Gesell* and *Edward S. Reid, Jr.* for appellee. Reported below: 164 F. Supp. 827.

No. 571. *KINSELLA, WARDEN, v. UNITED STATES EX REL. SINGLETON*. Appeal from the United States District Court for the Southern District of West Virginia. Motion of the appellee for leave to proceed *in forma pauperis* granted. Probable jurisdiction noted. *Solicitor General Rankin*, *Assistant Attorney General White*,

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*Harold H. Greene and William A. Kehoe, Jr.* for the United States. *Frederick Bernays Wiener* for appellee. Reported below: 164 F. Supp. 707.

*Certiorari Granted.* (See also No. 234, Misc., 358 U. S. 645.)

No. 597. *HOFFMAN, U. S. DISTRICT JUDGE, v. BLASKI ET AL.* C. A. 7th Cir. *Certiorari granted.* *Charles J. Merriam and Samuel B. Smith* for petitioner. *Lloyd C. Root, Daniel V. O'Keeffe and John O'C. FitzGerald* for respondents. Reported below: 260 F. 2d 317.

No. 132. *AQUILINO ET AL., DOING BUSINESS AS HOME MAINTENANCE CO., ET AL. v. UNITED STATES ET AL.* Court of Appeals of New York. *Certiorari granted.* *Charles S. Friedman* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice and A. F. Prescott* for the United States. Reported below: 3 N. Y. 2d 511, 146 N. E. 2d 774.

No. 559. *HENRY v. UNITED STATES.* C. A. 7th Cir. *Certiorari granted.* *Edward J. Calihan, Jr.* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson and Beatrice Rosenberg* for the United States. Reported below: 259 F. 2d 725.

No. 570. *McELROY, SECRETARY OF DEFENSE, ET AL. v. UNITED STATES EX REL. GUAGLIARDO.* United States Court of Appeals for the District of Columbia Circuit. *Certiorari granted.* *Solicitor General Rankin, Assistant Attorney General White, Harold H. Greene and William A. Kehoe, Jr.* for petitioners. *Michael A. Schuchat* for respondent. Reported below: 104 U. S. App. D. C. 112, 259 F. 2d 927.



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No. 579. UNITED STATES *v.* DURHAM LUMBER CO. ET AL. C. A. 4th Cir. Certiorari granted. *Solicitor General Rankin, Assistant Attorney General Rice, A. F. Prescott and George F. Lynch* for the United States. *C. V. Jones* for Carter, respondent. Reported below: 257 F. 2d 570.

No. 562. LEWIS ET AL. *v.* BENEDICT COAL CORP. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted; and

No. 563. UNITED MINE WORKERS OF AMERICA ET AL. *v.* BENEDICT COAL CORP. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted limited to question 1 presented by the petition for the writ which reads as follows:

"1. Where (1) the settlement of disputes section of collective bargaining agreements antedating 1950 provided that Mine Workers shall not engage in a work stoppage pending settlement of disputes under grievance machinery procedures and such agreements contained other 'no strike' clauses, and (2) under the Labor Management Relations Act, 1947,<sup>4a</sup> the right to strike became a bargainable subject, and (3) in 1950 UMW and coal operators signatories to the National Bituminous Coal Wage Agreement of 1950, deleted such clauses therefrom and expressly covenanted that the 'no strike' clauses in prior agreements were rescinded and made null and void, and (4) signatories to such 1950 Agreement covenanted that stoppages, as well as disputes, shall be settled exclusively under grievance machinery procedures set forth in such contract, is a stoppage of work pending settlement of a dispute cognizable under the grievance machinery

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<sup>4a</sup> The Labor Management Relations Act, 1947, is herein called the "Act."

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procedures proscribed thereby and a violation of the 1950 Agreement so as to subject UMW and District 28 to damage actions under the Act's Section 301?"

MR. JUSTICE STEWART took no part in the consideration or decision of these applications.

*Val J. Mitch, Harold H. Bacon, E. H. Rayson, Charles E. McNabb and R. R. Kramer* for petitioners in No. 562. *Welly K. Hopkins, Harrison Combs, Willard P. Owens and M. E. Boiarsky* for petitioners in No. 563. *Fred B. Greear* for respondent. Reported below: 259 F. 2d 346.

No. 499, Misc. *WILSON v. BOHLANDER, COMMANDER, FITZSIMONS ARMY HOSPITAL*. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted. *Frederick Bernays Wiener* for petitioner. *Solicitor General Rankin* for respondent. Reported below: See 167 F. Supp. 791.

*Certiorari Denied.* (See also No. 549, 358 U. S. 642; No. 363, Misc., 358 U. S. 645; No. 427, Misc., 358 U. S. 643; No. 428, Misc., 358 U. S. 646; and No. 392, Misc., ante, p. 903.)

No. 531. *ALKER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Raymond J. Bradley, Frank F. Truscott and Jacob Kossman* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Joseph F. Goetten and Lawrence K. Bailey* for the United States. Reported below: 260 F. 2d 135.

No. 535. *KEYES ET AL. v. GLADEVIEW DRAINAGE DISTRICT, PALM BEACH COUNTY, FLORIDA*. C. A. 5th Cir. Certiorari denied. *J. Tweed McMullen* for petitioners. *Francis W. Sams* for respondent. Reported below: 258 F. 2d 273.

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No. 591. *GRIECO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Henry A. Lowenberg* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson and Beatrice Rosenberg* for the United States. Reported below: 261 F. 2d 414.

No. 593. *MILLER ET AL. v. UNITED STATES ET AL.* C. A. 7th Cir. Certiorari denied. *Lee A. Freeman, Brainerd Currie and Philip B. Kurland* for petitioners. *Solicitor General Rankin, Assistant Attorney General Hansen, Charles H. Weston, R. L. Farrington, Neil Brooks and Donald A. Campbell* for respondents. Reported below: 260 F. 2d 286.

No. 594. *LEWIS ET AL. v. STAMPOLIS*. Supreme Court of Pennsylvania, Western District. Certiorari denied. *John J. Wilson, A. E. Kountz and Val J. Mitch* for petitioners. *D. B. Tobe and Charles E. McKissock* for respondent. Reported below: See 186 Pa. Super. 285, 142 A. 2d 348.

No. 595. *DONOVAN v. ESSO SHIPPING CO.* C. A. 3d Cir. Certiorari denied. *T. James Tumulty* for petitioner. *Walter X. Connor* for respondent. Reported below: 259 F. 2d 65.

No. 598. *SOUTHERN CALIFORNIA GAS CO. v. CITY OF LOS ANGELES*. Supreme Court of California. Certiorari denied. *T. J. Reynolds, L. T. Rice and Bates Booth* for petitioner. *Roger Arnebergh and Bourke Jones* for respondent. Reported below: 50 Cal. 2d 713, 329 P. 2d 289.

No. 599. *PROHOROFF v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *J. B. Tietz* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Julia P. Cooper* for the United States. Reported below: 259 F. 2d 694.

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No. 590. CONSOLIDATED ELECTRIC LAMP CO. ET AL. v. MITCHELL, SECRETARY OF LABOR, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Gerard D. Reilly* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Samuel D. Slade*, *Stuart Rothman* and *Bessie Margolin* for the Secretary of Labor, respondent. Reported below: 104 U. S. App. D. C. 32, 259 F. 2d 189.

No. 603. BUCHNER v. UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *John R. Fitzpatrick* and *Edward J. Lynch* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. Reported below: 106 U. S. App. D. C. —, 268 F. 2d 891.

No. 627. HANNAHVILLE INDIAN COMMUNITY ET AL. v. PRAIRIE BAND OF POTAWATOMI INDIANS ET AL. Court of Claims. Certiorari denied. *Walter H. Maloney*, *James N. Beery* and *Paul M. Niebell* for petitioners. *O. R. McGuire*, *Howard D. Moses* and *Ivy Lee Buchanan* for the respondent Bands of Indians. *Solicitor General Rankin* for the United States. Reported below: 143 Ct. Cl. —, 165 F. Supp. 139.

No. 601. OROZ v. AMERICAN PRESIDENT LINES, LTD. C. A. 2d Cir. Certiorari denied. *Philip F. DiCostanzo* for petitioner. *William Garth Symmers* and *Frederick Fish* for respondent. Reported below: 259 F. 2d 636.

No. 602. PENNSYLVANIA RAILROAD CO. ET AL. v. McARDLE ET AL. C. A. 3d Cir. Certiorari denied. *Mahlon E. Lewis* and *Philip W. Amram* for petitioners. *Abraham E. Freedman* for respondents. Reported below: 258 F. 2d 945.



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No. 605. *JOHNSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Myer H. Gladstone* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 260 F. 2d 508.

No. 606. *DAVENPORT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Reuben G. Lenske* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Jerome M. Feit* for the United States. Reported below: 260 F. 2d 591.

No. 607. *BRADFORD MACHINE TOOL Co. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 6th Cir. Certiorari denied. *Philip J. Schneider and Morison R. Waite* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Lee A. Jackson and Harry Marselli* for respondent. Reported below: 260 F. 2d 950.

No. 608. *RANDOLPH v. STOKES ET AL.* C. A. 8th Cir. Certiorari denied. *Sherman Landau* for petitioner. *John S. Marsalek* for garnishee-respondent. Reported below: 260 F. 2d 461.

No. 609. *STANDARD AMERICAN LIFE v. SHEEHAN, COMMISSIONER OF INSURANCE*. Supreme Court of Minnesota. Certiorari denied. *Daniel S. Feidt* for petitioner. *Miles Lord*, Attorney General of Minnesota, for respondent. Reported below: 253 Minn. 462, 93 N. W. 2d 1.

No. 615. *MEREDITH v. JOHN DEERE PLOW Co.* C. A. 8th Cir. Certiorari denied. *Merritt M. Meredith, pro se. Raymond A. Smith* for respondent. Reported below: 261 F. 2d 121.

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No. 610. *MCDONALD v. O'MEARA ET AL.* C. A. 5th Cir. Certiorari denied. *Robert Weinstein* for petitioner. *John L. Toler* for the First City National Bank of Houston et al., and *M. Truman Woodward, Jr.* for the Louisiana Land & Exploration Co., respondents. Reported below: 259 F. 2d 425.

No. 613. *ST. REGIS TRIBE OF MOHAWK INDIANS v. NEW YORK.* Court of Appeals of New York. Certiorari denied. *James Craig Peacock, Paul F. Myers* and *Edward J. Gosier* for petitioner. *Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, and *Julius L. Sackman* for respondent. Reported below: 5 N. Y. 2d 24, 152 N. E. 2d 411.

No. 614. *O'CONNOR ET AL. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 6th Cir. Certiorari denied. *John C. O'Connor* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Harry Baum* and *Joseph Kovner* for respondent. Reported below: 260 F. 2d 358.

No. 617. *PETER PAUL, INC., ET AL. v. REDERI A/B PULP ET AL.* C. A. 2d Cir. Certiorari denied. *Henry N. Longley* and *John W. R. Zisgen* for petitioners. *James McKown, Jr.* and *Charles S. Haight* for respondents. Reported below: 258 F. 2d 901.

No. 618. *UNITED STATES LINES Co. v. ST. PAUL FIRE & MARINE INSURANCE Co.* C. A. 2d Cir. Certiorari denied. *Michael F. Whalen* and *James McGarry* for petitioner. *Martin P. Detels* for respondent. Reported below: 258 F. 2d 374.

No. 669. *THOMAS ET AL. v. BROADWAY BAPTIST CHURCH.* Court of Appeals of Kentucky. Certiorari denied. *J. W. Jones* for petitioners. *James W. Stites* for respondent. Reported below: 316 S. W. 2d 698.

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No. 623. *SWIFT & Co. v. JOHN DOE ET AL.* St. Louis Court of Appeals of Missouri. Certiorari denied. *Walter R. Mayne* and *Earl G. Spiker* for petitioner. *Harry H. Craig* and *J. T. Wiley, Jr.* for respondents. Reported below: 315 S. W. 2d 465.

No. 626. *DANNING, TRUSTEE IN BANKRUPTCY, v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Martin Gendel* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Samuel D. Slade* for the United States. Reported below: 259 F. 2d 305.

No. 632. *SOUTHERN BLEACHERY & PRINT WORKS, INC., v. NATIONAL LABOR RELATIONS BOARD.* C. A. 4th Cir. Certiorari denied. *Frank A. Constangy, M. A. Prowell* and *Fred W. Elarbee, Jr.* for petitioner. *Solicitor General Rankin*, *Jerome D. Fenton*, *Thomas J. McDermott* and *Dominick L. Manoli* for respondent. Reported below: 257 F. 2d 235.

No. 635. *LADUE & Co. v. ROGERS, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN.* C. A. 7th Cir. Certiorari denied. *Nathan Shefner* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Townsend*, *George B. Searls* and *Irwin A. Seibel* for respondent. Reported below: 259 F. 2d 905.

No. 636. *PACIFIC EMPLOYERS INSURANCE Co. v. INDUSTRIAL ACCIDENT COMMISSION OF CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied. *W. N. Mullen* for petitioner. *Everett A. Corten* for the Industrial Accident Commission of California, and *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Morton Hollander* and *Herbert E. Morris* for the Veterans Administration, respondents.

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No. 628. PEWEE COAL CO., INC., *v.* UNITED STATES. Court of Claims. Certiorari denied. *Martin Emilius Carlson* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Samuel D. Slade* for the United States. Reported below: 142 Ct. Cl. 796, 161 F. Supp. 952.

No. 639. SEABOARD & WESTERN AIRLINES, INC., *v.* CIVIL AERONAUTICS BOARD ET AL.; and

No. 645. CIVIL AERONAUTICS BOARD *v.* PAN AMERICAN WORLD AIRWAYS, INC., ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Hardy K. Maclay* and *Walter D. Hansen* for petitioner in No. 639. *Solicitor General Rankin*, *Assistant Attorney General Hansen*, *Franklin M. Stone* and *O. D. Ozment* for petitioner in No. 645. *Henry J. Friendly* for Pan American World Airways, Inc., and *Charles Pickett* and *William Caverly* for Trans World Airlines, Inc., respondents. Reported below: 104 U. S. App. D. C. 288, 261 F. 2d 754.

No. 647. GICHNER IRON WORKS, INC., *v.* HANNA ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Richard W. Galiher* and *William E. Stewart, Jr.* for petitioner. *Paul R. Connolly* and *Hugh Lynch, Jr.* for respondents. Reported below: 104 U. S. App. D. C. 246, 261 F. 2d 75.

No. 378, Misc. LLOYD *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* and *Beatrice Rosenberg* for the United States. Reported below: 104 U. S. App. D. C. 48, 259 F. 2d 334.



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No. 631. JULES S. SOTTNEK CO., INC., ET AL. *v.* CENTRAL RAILROAD CO. OF NEW JERSEY. C. A. 2d Cir. Certiorari denied. *Raymond E. Stefferson* for petitioners. *Vincent E. McGowan* and *Theodore A. Kelly* for respondent. Reported below: 258 F. 2d 85.

No. 637. MERCHANTS WAREHOUSE CO., INC., *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 6th Cir. Certiorari denied. *William Waller* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Melva M. Graney* and *Grant W. Wiprud* for respondent. Reported below: 261 F. 2d 277.

No. 638. HYMAN *v.* CONTINENTAL ILLINOIS NATIONAL BANK ET AL. C. A. 5th Cir. Certiorari denied. *Samuel H. Horne* for petitioner. *Floyd E. Thompson* and *Walter Humkey* for respondents. Reported below: 258 F. 2d 502.

No. 641. CHASE MANHATTAN BANK *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 5th Cir. Certiorari denied. *C. W. Wellen* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Robert N. Anderson* and *L. W. Post* for respondent. Reported below: 259 F. 2d 231.

No. 642. LOEB *v.* LOEB. Court of Appeals of New York and/or Supreme Court of New York, New York County. Certiorari denied. *Benjamin H. Sullivan* for petitioner. *Alexis C. Coudert* for respondent. Reported below: 4 N. Y. 2d 542, 152 N. E. 2d 36.

No. 651. BEVIL ET AL. *v.* O'BOYLE ET AL. C. A. 5th Cir. Certiorari denied. *William Hamlet Blades* for petitioners. *Hugh G. Freeland* for respondents. Reported below: 259 F. 2d 506.

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No. 501. DREIS, EXECUTOR, *v.* BISHOP, ADMINISTRATRIX. C. A. 3d Cir. Motion to dispense with printing response to petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. *Osmond K. Fraenkel* for petitioner. *Croxtton Williams* for respondent. Reported below: 257 F. 2d 495.

No. 596. STELLA *v.* GRAHAM-PAIGE MOTORS CORP. ET AL. Motion to use the certified record in case No. 164, October Term, 1956, as a part of the record granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. *Lewis M. Dabney, Jr.* and *Murray C. Bernays* for petitioner. *Ambrose V. McCall* for Graham-Paige Motors Corp., respondent. Reported below: 259 F. 2d 476.

No. 600. HART ET AL. *v.* SELECTED INVESTMENTS TRUST FUND, LINWOOD O. NEAL, TRUSTEE, ET AL. Motion to substitute W. M. Harrison as a party respondent in the place of Paul C. Duncan, resigned, granted. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. *George Zolotar* for petitioners. *George E. Soule, James D. Fellers* and *Luther Bohanon* for Harrison, respondent. *Solicitor General Rankin, Thomas G. Meeker, David Ferber* and *Arthur Blasberg, Jr.* for the Securities and Exchange Commission in opposition. Reported below: 260 F. 2d 918.

No. 630. GEUDER, PAESCHKE & FREY CO. *v.* J. R. CLARK CO. ET AL. C. A. 7th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Maxwell H. Herriott* for petitioner. *Andrew E. Carlsen* for respondents. Reported below: 259 F. 2d 737.

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No. 604. SKIBS, "A/S MARIE BAKKE," v. OTIS McALISTER & Co. Motions of American President Lines, Ltd., Grace Line Inc., et al., and Lykes Bros. Steamship Co., Inc., et al. for leave to file briefs, as *amici curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. *Ira S. Lillick* and *Tom Killefer* for petitioner. *Lloyd M. Tweedt* for respondent. *William Garth Symmers*, *Frederick Fish* and *William Warner* for American President Lines, Ltd., *L. deGrove Potter* and *James McGarry* for Grace Line Inc., et al., and *Joseph M. Rault* for Lykes Bros. Steamship Co., Inc., et al., as *amici curiae*, in support of the petition. Reported below: 260 F. 2d 181.

No. 640. MISSOURI PACIFIC RAILROAD CO. v. JOHN DOE ET AL. St. Louis Court of Appeals of Missouri. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *George W. Holmes* for petitioner. *Harry H. Craig* and *J. T. Wiley, Jr.* for respondents. Reported below: 315 S. W. 2d 465.

No. 225, Misc. DEFILLO ET AL. v. UNITED STATES. C. A. 2d Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Jerome M. Feit* for the United States. Reported below: 257 F. 2d 835.

No. 304, Misc. MCGUINN v. UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Carl H. Imlay* for the United States.

No. 306, Misc. NERWINSKI v. CAVELL, WARDEN. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

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No. 310, Misc. *GOSTOVICH v. VALORE*, ADJUDICATION OFFICER, VETERANS ADMINISTRATION. C. A. 3d Cir. Certiorari denied. *Louis C. Glasso* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Samuel D. Slade* and *Herbert E. Morris* for respondent. Reported below: 257 F. 2d 144.

No. 338, Misc. *TENORIO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Richard L. Walsh* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. Reported below: 258 F. 2d 816.

No. 361, Misc. *HAMER 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: 259 F. 2d 274.

No. 364, Misc. *HARRIS v. ADAMS*, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 365, Misc. *UNITED STATES EX REL. COBB v. CAVELL*, WARDEN. C. A. 3d Cir. Certiorari denied. Reported below: 258 F. 2d 946.

No. 374, Misc. *BOGGS v. McLEOD*, WARDEN. Criminal Court of Appeals of Oklahoma. Certiorari denied.

No. 381, Misc. *LANDMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 386, Misc. *LUTTRELL v. RHAY*, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied. Petitioner *pro se*. *John J. O'Connell*, Attorney General of Washington, for respondent.



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No. 379, Misc. GREEN *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Jean F. Dwyer* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Kirby W. Patterson* for the United States. Reported below: 104 U. S. App. D. C. 23, 259 F. 2d 180.

No. 387, Misc. KETCHUM *v.* UNITED STATES. C. A. 5th 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: 259 F. 2d 434.

No. 388, Misc. HICKS *v.* OREGON. Supreme Court of Oregon. Certiorari denied. Reported below: 213 Ore. 619, 325 P. 2d 794.

No. 389, Misc. HOWARD *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. 390, Misc. WATKINS *v.* CAVELL, WARDEN. Supreme Court of Pennsylvania, Western District. Certiorari denied.

No. 391, Misc. YOUNG ET UX. *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Rankin, Assistant Attorney General Anderson and Beatrice Rosenberg* for the United States. Reported below: 259 F. 2d 641.

No. 431, Misc. JACKSON *v.* WARDEN, MARYLAND HOUSE OF CORRECTION. Court of Appeals of Maryland. Certiorari denied. Reported below: 218 Md. 652, 658, 146 A. 2d 438, 442.

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No. 399, Misc. *HART v. UNITED STATES*. C. A. 8th 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 646.

No. 402, Misc. *WILLIAMS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 260 F. 2d 125.

No. 403, Misc. *TRICE v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 406, Misc. *STEVENS v. RAGEN, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 411, Misc. *CANFORA, ALIAS PENZY, ALIAS RAYMONDI, v. NEW YORK*. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 417, Misc. *AMBROSINI 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. 418, Misc. *GROVE v. SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY*. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 419, Misc. *GORSI v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin* for the United States.

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No. 422, Misc. *CHAPMAN v. NEW YORK*. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 430, Misc. *JACKSON, ALIAS WILLIAMS, v. CULVER, STATE PRISON CUSTODIAN*. Supreme Court of Florida. Certiorari denied.

No. 434, Misc. *DASHOSH v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 439, Misc. *PETERSON v. NEW YORK*. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 441, Misc. *BOONE v. NEW YORK*. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 443, Misc. *ROBERTS v. ELLIS, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 444, Misc. *JACKSON v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied.

No. 448, Misc. *HENSLEY v. NORTH CAROLINA*. Supreme Court of North Carolina. Certiorari denied.

No. 452, Misc. *AARON v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 456, Misc. *CRONIN v. CONBOY, SUPERINTENDENT OF GREAT MEADOW CORRECTIONAL INSTITUTION, ET AL.* Court of Appeals of New York. Certiorari denied.



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No. 464, Misc. JACKSON *v.* STEINER, WARDEN. C. A. 4th Cir. Certiorari denied. Reported below: 261 F. 2d 447.

No. 475, Misc. SEWELL *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. 480, Misc. PITTS *v.* KEENAN, WARDEN. Supreme Court of Pennsylvania, Western District. Certiorari denied.

No. 481, Misc. MAJEWSKI *v.* ELLIS, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS, ET AL. Court of Criminal Appeals of Texas. Certiorari denied.

No. 484, Misc. JEFFERSON *v.* PENNSYLVANIA. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 485, Misc. SUIT *v.* ELLIS, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS. Court of Criminal Appeals of Texas. Certiorari denied.

No. 134, Misc. DEESE *v.* CULVER, DIRECTOR OF CORRECTIONS. Petition for writ of certiorari to the Supreme Court of Florida denied without prejudice to an application for a writ of habeas corpus in an appropriate United States District Court. Petitioner *pro se.* *Richard W. Ervin*, Attorney General of Florida, for respondent.

No. 206, Misc. FLOWERS *v.* TRAVELERS INSURANCE CO. C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Joe H. Tonahill* for petitioner. *Bryan F. Williams, Jr.* for respondent. Reported below: 258 F. 2d 220.



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No. 349, Misc. DAVIS *v.* OHIO ET AL. Supreme Court of Ohio. Certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application.

*Rehearing Denied.*

No. 5. HOTEL EMPLOYEES UNION, LOCAL No. 255, ET AL. *v.* SAX ENTERPRISES, INC., ET AL., 358 U. S. 270;

No. 6. HOTEL EMPLOYEES UNION, LOCAL No. 255, ET AL. *v.* LEVY ET AL., DOING BUSINESS AS SHERRY FRONTENAC HOTEL, ET AL., 358 U. S. 270;

No. 443. G & G FISHING MAGNETS, INC., ET AL. *v.* K & G OIL TOOL & SERVICE CO., INC., ET AL., 358 U. S. 898; and

No. 543. HARMSSEN *v.* FIZZELL ET AL., 358 U. S. 940. Petitions for rehearing denied.

No. 52. HAHN *v.* ROSS ISLAND SAND & GRAVEL CO., 358 U. S. 272. Rehearing denied. THE CHIEF JUSTICE and MR. JUSTICE FRANKFURTER took no part in the consideration or decision of this application.

No. 494. PURITAN CHURCH BUILDING FUND ET AL. *v.* UNITED STATES ET AL., 358 U. S. 927;

No. 511. DEEP SEA TANKERS, LTD., ET AL. *v.* THE LONG BRANCH ET AL., 358 U. S. 933;

No. 514. STATES STEAMSHIP CO. *v.* UNITED STATES ET AL., 358 U. S. 933;

No. 522. UNITED STATES EX REL. THOMPSON *v.* LENNOX, SHERIFF, 358 U. S. 931;

No. 375, Misc. SHEPHERD *v.* UNITED STATES, 358 U. S. 936; and

No. 459, Misc. BRUNER *v.* ADAMS, WARDEN, 358 U. S. 937. Petitions for rehearing denied. MR. JUSTICE FRANKFURTER took no part in the consideration or decision of these applications.

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No. 88, Misc. HAMPTON *v.* DEBLAAY ET AL., 358 U. S. 850. Motion for leave to file petition for rehearing denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application.

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*Miscellaneous Orders.*

No. 41. NEW YORK CENTRAL RAILROAD CO. *v.* BOARD OF PUBLIC UTILITY COMMISSIONERS OF NEW JERSEY ET AL. Appeal from the United States District Court for the District of New Jersey. (Probable jurisdiction noted, 357 U. S. 917.) The motion to continue and for other relief is denied. *Thomas E. Dewey* and *Gerald E. Dwyer* for appellant-movant. *William A. Roberts* and *Milton T. Lasher* for appellees in opposition. Reported below: 158 F. Supp. 98.

No. 178. THE MONROSA ET AL. *v.* CARBON BLACK EXPORT, INC. Certiorari, 358 U. S. 809, to the United States Court of Appeals for the Fifth Circuit. The motion of American Institute of Marine Underwriters for leave to file brief, as *amicus curiae*, is granted. *Henry N. Longley* for movant. Reported below: 254 F. 2d 297.

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, 358 U. S. 807.) The motion to substitute David L. Lawrence and Park H. Martin in the place of George M. Leader and Lewis M. Stevens as parties appellant is granted. *Anne X. Alpern*, Attorney General of Pennsylvania, for movant. Reported below: 160 F. Supp. 404.

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No. 378. ANONYMOUS NOS. 6 AND 7 *v.* ARKWRIGHT, JUSTICE OF THE SUPREME COURT OF NEW YORK. Appeal from the Court of Appeals of New York. The motion to substitute Edward G. Baker in the place of George A. Arkwright, retired, as the party appellee is granted. *Raphael H. Weissman* for movant. Reported below: 4 N. Y. 2d 1034, 152 N. E. 2d 651.

No. 415, Misc. MOORE *v.* MCNEILL, SUPERINTENDENT, MATTEAWAN STATE HOSPITAL; and

No. 436, Misc. MORRISON *v.* CAVELL, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied.

No. 490, Misc. KURTH *v.* BENNETT, 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.

*Certiorari Granted.* (See also No. 36, ante, p. 25, and No. 424, ante, p. 26.)

No. 307. GOETT, ADMINISTRATRIX, *v.* UNION CARBIDE CORP. ET AL. C. A. 4th Cir. Certiorari granted. *Ernest Franklin Pauley* for petitioner. Reported below: 256 F. 2d 449.

No. 438. HESS, ADMINISTRATOR, *v.* UNITED STATES. C. A. 9th Cir. Certiorari granted. *Cleveland C. Cory* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Alan S. Rosenthal* for the United States. Reported below: 259 F. 2d 285.

No. 448. SENTILLES *v.* INTER-CARIBBEAN SHIPPING CORP. C. A. 5th Cir. Certiorari granted. *Milton Kelner* for petitioner. *George F. Gilleland* for respondent. Reported below: 256 F. 2d 156.



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No. 541. *WEST v. UNITED STATES ET AL.* C. A. 3d Cir. Certiorari granted. *Abraham E. Freedman* and *Joseph Weiner* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Samuel D. Slade* for the United States. *Thomson F. Edwards* for Atlantic Port Contractors, Inc., respondent-impleaded. Reported below: 256 F. 2d 671.

No. 350, Misc. *PARKER v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM.* Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

*Certiorari Denied.* (See also No. 490, Misc., *supra*, and No. 142, *ante*, p. 28.)

No. 48. *CITY OF TALLAHASSEE v. OLAN MILLS INCORPORATED.* Supreme Court of Florida. Certiorari denied. *James Messer, Jr.* for petitioner. *Robert C. Hunt* for respondent. Reported below: 100 So. 2d 164.

No. 643. *NOE ET AL., DOING BUSINESS AS JAMES A. NOE & Co., v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Warren Woods* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Hansen*, *John L. Fitzgerald* and *Richard A. Solomon* for the Federal Communications Commission, and *Paul M. Segal* and *Robert A. Marmet* for Loyola University, respondents. Reported below: 104 U. S. App. D. C. 221, 260 F. 2d 739.

No. 644. *CHAPIN ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Louis R. Baker* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Morton Hollander* for the United States. Reported below: 258 F. 2d 465.



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No. 588. *AMERICAN GILSONITE Co. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 10th Cir. Certiorari denied. *Allan E. Mecham* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Heffron, Harry Baum and Marvin W. Weinstein* for respondent. Reported below: 259 F. 2d 654.

No. 646. *FIREMAN'S FUND INSURANCE Co. v. WILBURN BOAT Co. ET AL.* C. A. 5th Cir. Certiorari denied. *Edward B. Hayes and Joe A. Keith* for petitioner. *Hobert Price and T. G. Schirmeyer* for respondents. Reported below: 259 F. 2d 662.

No. 648. *TAMARKIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Leonard Edward Abel* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 260 F. 2d 436.

No. 650. *HANKINSON v. VAN DUSEN ET AL.* C. A. 3d Cir. Certiorari denied. *Seymour I. Toll* for petitioner. *Bernard G. Segal and Edward W. Mullinix* for respondents. *Solicitor General Rankin, Assistant Attorney General Doub, Samuel D. Slade and Lionel Kestenbaum* for the United States in opposition.

No. 652. *GEORGE SOLLITT CONSTRUCTION Co. v. GATEWAY ERECTORS, INC.* C. A. 7th Cir. Certiorari denied. *Robert B. Johnstone* for petitioner. Reported below: 260 F. 2d 165.

No. 654. *FARACO v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 4th Cir. Certiorari denied. *David R. Shelton* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice and Melva M. Graney* for respondent. Reported below: 261 F. 2d 387.

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No. 653. BYRD ET AL. *v.* STEIN ET AL. C. A. 5th Cir. Certiorari denied. *Frank E. Everett, Jr.* for petitioners. Reported below: 258 F. 2d 168.

No. 658. BALDWIN ET AL. *v.* BOARD OF TAX ROLL CORRECTIONS OF OKLAHOMA COUNTY ET AL. Supreme Court of Oklahoma. Certiorari denied. *Luther Bohanon* and *Leon S. Hirsh* for petitioners. *M. M. Thomas* for respondents. Reported below: 331 P. 2d 412.

No. 662. CALIFORNIA TANKER CO. *v.* REARDON. C. A. 2d Cir. Certiorari denied. *C. Dickerman Williams* for petitioner. *Louis R. Harolds* for respondent. Reported below: 260 F. 2d 369.

No. 666. BUTLER ET AL. *v.* WATTS. District Court of Appeal of Florida, Third Appellate District. Certiorari denied. *George F. Gilleland* for petitioners. *William S. Frates* for respondent. Reported below: 103 So. 2d 123.

No. 667. CITY AND COUNTY OF DENVER ET AL. *v.* DAVIDSON CHEVROLET, INC., ET AL. Supreme Court of Colorado. Certiorari denied. *John C. Banks* for petitioners. *Abe Krash* for respondents. Reported below: 137 Colo. 575, 328 P. 2d 377.

No. 695. APPALACHIAN ELECTRIC POWER CO. *v.* MCKINNEY. C. A. 4th Cir. Certiorari denied. *George Richardson, Jr.* for petitioner. Reported below: 261 F. 2d 292.

No. 267, Misc. SMITH *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 257 F. 2d 432.

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No. 147. *HILL, ADMINISTRATRIX, v. WATERMAN STEAMSHIP CORP.* C. A. 3d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Abraham E. Freedman, Milton M. Borowsky and Martin J. Vigderman* for petitioner. *Thomas F. Mount and J. Welles Henderson, Jr.* for respondent. Reported below: 251 F. 2d 655.

No. 487. *FILIPEK v. MOORE-McCORMACK LINES, INC., ET AL.* C. A. 2d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *James W. Forsyth* for petitioner. *Walter X. Connor, Thomas F. Feeney and Charles N. Fiddler* for Moore-McCormack Lines, Inc., respondent. Reported below: 258 F. 2d 734.

No. 585. *FERRAILOLO v. NEWMAN.* C. A. 6th Cir. Certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application. *Ralph Rudd and Morris J. Levy* for petitioner. *Louis Loss* for respondent. *Solicitor General Rankin, Thomas G. Meeker and David Ferber* filed a brief for the Securities and Exchange Commission, as *amicus curiae*, in support of petitioner. Reported below: 259 F. 2d 342.

No. 612. *KAPLAN TRUCKING CO. v. BOWERS, TAX COMMISSIONER OF OHIO.* Supreme Court of Ohio. Certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application. *John P. McMahon* for petitioner. *Mark McElroy*, Attorney General of Ohio, and *John M. Tobin*, Assistant Attorney General, for respondent. Reported below: 168 Ohio St. 141, 151 N. E. 2d 654.

No. 328, Misc. *CRAIN v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied.



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No. 351, Misc. HAYES *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin* for the United States. Reported below: 258 F. 2d 400.

No. 393, Misc. LOOMIS *v.* ROGERS, ATTORNEY GENERAL, ET AL., GARNISHEES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Townsend*, *George B. Searls* and *Irwin A. Seibel* for respondents. Reported below: 103 U. S. App. D. C. 84, 254 F. 2d 941.

No. 409, Misc. LEMASTER *v.* ELLIS, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS, ET AL. Court of Criminal Appeals of Texas. Certiorari denied.

No. 414, Misc. BOYKIN *v.* ELLIS, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS, ET AL. Court of Criminal Appeals of Texas. Certiorari denied.

No. 421, Misc. HAMM *v.* MANSFIELD, COMMONWEALTH'S ATTORNEY, ET AL. Court of Appeals of Kentucky. Certiorari denied. Reported below: 317 S. W. 2d 172.

No. 423, Misc. UNITED STATES EX REL. WILLIAMS *v.* McMANN, ACTING WARDEN, ET AL. C. A. 2d Cir. Certiorari denied.

No. 424, Misc. ORTEGA *v.* RAGEN, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 425, Misc. CARNEY *v.* JACKSON, WARDEN. C. A. 2d Cir. Certiorari denied.



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No. 432, Misc. *LAMPE 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. 435, Misc. *DI SILVESTRO v. UNITED STATES VETERANS ADMINISTRATION*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin* for respondent.

No. 440, Misc. *FRECCIA v. MARTIN, WARDEN*. Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied. Petitioner *pro se*. *Louis J. Lefkowitz*, Attorney General of New York, and *Paxton Blair*, Solicitor General, for respondent. Reported below: 6 App. Div. 2d 770, 174 N. Y. S. 2d 464.

No. 445, Misc. *WELLS v. ADAMS, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 447, Misc. *ST. LAWRENCE v. CLEMMER, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General White*, *Harold H. Greene* and *William A. Kehoe, Jr.* for respondent. Reported below: 260 F. 2d 470.

No. 450, Misc. *COURTNEY v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied.

No. 451, Misc. *CROMWELL v. DULLES, SECRETARY OF STATE, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Alan S. Rosenthal* for respondents.

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No. 438, Misc. *SHIVERS v. PEPERSACK, WARDEN*. Court of Appeals of Maryland. Certiorari denied. Reported below: 218 Md. 635, 145 A. 2d 240.

No. 442, Misc. *JAMES 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: 104 U. S. App. D. C. 263, 261 F. 2d 381.

No. 453, Misc. *JOHNSON v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Reported below: 15 Ill. 2d 244, 154 N. E. 2d 274.

No. 473, Misc. *COVINGTON 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. 478, Misc. *WILLIAMS v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. *Clyde W. Woody* for petitioner. Reported below: 164 Tex. Cr. R. 347, 321 S. W. 2d 72.

No. 486, Misc. *BEGHTEL v. CALIFORNIA*. District Court of Appeal of California, Second Appellate District. Certiorari denied. Reported below: 164 Cal. App. 2d 294, 330 P. 2d 444.

No. 530, Misc. *LEE v. ARKANSAS*. Supreme Court of Arkansas. Certiorari denied. *Leon B. Catlett* for petitioner. Reported below: — Ark. —, 315 S. W. 2d 916.

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No. 454, Misc. SHANE *v.* RAGEN, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 474, Misc. SCOTT *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. 487, Misc. MORGAN *v.* HEINZE, WARDEN, ET AL. Supreme Court of California. Certiorari denied.

No. 488, Misc. DECKHART *v.* CAVELL, WARDEN. Supreme Court of Pennsylvania, Western District. Certiorari denied.

No. 489, Misc. EDWARDS *v.* SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 492, Misc. DEFOE *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 493, Misc. CONERLY *v.* NEWELL, JUDGE, SUPERIOR COURT, LOS ANGELES COUNTY. District Court of Appeal of California, Second Appellate District. Certiorari denied.

No. 321, Misc. SAMPEDRO *v.* PUERTO RICO. C. A. 1st Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Gerardo Ortiz del Rivero* for petitioner. *J. B. Fernandez Badillo*, Attorney General of Puerto Rico, and *Arturo Estrella*, Assistant Attorney General, for respondent.

No. 426, Misc. OWENS *v.* CALIFORNIA ET AL. Petition for writ of certiorari to the Supreme Court of California and for other relief denied.

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*Rehearing Denied.*

No. 532. LANZA *v.* NEW JERSEY, 358 U. S. 333; and

No. 537. SECOND FEDERAL SAVINGS & LOAN ASSOCIATION OF CLEVELAND *v.* BOWERS, TAX COMMISSIONER OF OHIO, 358 U. S. 305. Petitions for rehearing denied.

No. 283, Misc. McDANIEL *v.* CALIFORNIA, 358 U. S. 282. Petition for rehearing denied. MR. JUSTICE FRANKFURTER took no part in the consideration or decision of this application.

No. 509. H. ROUW Co. *v.* MISSOURI PACIFIC RAILROAD Co., 358 U. S. 929. The motion to join or substitute parties plaintiff is denied. Petition for rehearing denied. MR. JUSTICE FRANKFURTER took no part in the consideration or decision of this motion and application.

MARCH 9, 1959.

*Miscellaneous Orders.*

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

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

No. 4, Original. NEW YORK *v.* ILLINOIS ET AL. The motion of the Solicitor General for an extension of time to file a brief in these cases is granted and the time is extended to and including April 15, 1959. The plaintiffs are allowed to and including April 30, 1959, to file their reply brief to the answer of the defendants and to reply to the brief of the Solicitor General, if so advised. Defendants are allowed to and including April 30, 1959, to reply to the brief of the Solicitor General, if so advised.

*Solicitor General Rankin* on the motion.

No. 461, Misc. FORSYTHE *v.* NEW JERSEY; and

No. 519, Misc. JOHNSON *v.* KEARNEY, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied.



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*Probable Jurisdiction Noted.*

No. 649. *MACKEY, COMMISSIONER OF IMMIGRATION AND NATURALIZATION, ET AL. v. MENDOZA-MARTINEZ.* Appeal from the United States District Court for the Southern District of California. Probable jurisdiction noted. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Jerome M. Feit* for appellants.

No. 552. *MINNEAPOLIS & ST. LOUIS RAILWAY Co. v. UNITED STATES ET AL.;*

No. 620. *SOUTH DAKOTA ET AL. v. UNITED STATES ET AL.;* and

No. 633. *MINNESOTA ET AL. v. UNITED STATES ET AL.* Appeals from the United States District Court for the District of Minnesota. Probable jurisdiction noted. *Max Swiren and Richard Musenbrock* for appellant in No. 552. *Phil Saunders*, Attorney General of South Dakota, *Herman L. Bode*, Assistant Attorney General, and *Ernest W. Stephens* for appellants in No. 620. *Miles Lord*, Attorney General of Minnesota, and *Harold J. Soderberg*, Assistant Attorney General, for appellants in No. 633. *Solicitor General Rankin, Assistant Attorney General Hansen, Charles H. Weston, Robert W. Ginnane* and *B. Franklin Taylor, Jr.* for the United States and the Interstate Commerce Commission, appellees. *Latham Castle*, Attorney General of Illinois, and *Harry R. Begley*, Special Assistant Attorney General, for the State of Illinois, appellee. *Starr Thomas* and *Edwin A. Lucas* for the Atchison, Topeka & Santa Fe Railway Co. et al., appellees. *Robert H. Walker* and *Max J. Lipkin* for Intervening Appellees. Reported below: 165 F. Supp. 893.

*Certiorari Granted.* (See No. 552, Misc., ante, p. 64.)

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*Certiorari Denied.*

No. 657. *ADAMS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *M. R. Nachman, Jr.* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Alan S. Rosenthal* for the United States. Reported below: 260 F. 2d 467.

No. 659. *BARY ET AL. v. UNITED STATES ET AL.* C. A. 10th Cir. Certiorari denied. *William A. Bryans III* and *Austin W. Scott, Jr.* for petitioners. *Solicitor General Rankin* and *Acting Assistant Attorney General Yeagley* for the United States.

No. 660. *DOHERTY v. BRESS*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Cornelius H. Doherty* for petitioner. Reported below: 104 U. S. App. D. C. 308, 262 F. 2d 20.

No. 663. *ZIPP ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 6th Cir. Certiorari denied. *Fred H. Mandel* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, Robert N. Anderson* and *George F. Lynch* for respondent. Reported below: 259 F. 2d 119.

No. 664. *UNITED STATES v. KIOWA, COMANCHE AND APACHE TRIBES OF INDIANS*; and

No. 665. *KIOWA, COMANCHE AND APACHE TRIBES OF INDIANS v. UNITED STATES*. Court of Claims. Certiorari denied. *Solicitor General Rankin, Assistant Attorney General Morton* and *Roger P. Marquis* for the United States. *J. Roy Thompson, Jr.* and *W. C. Lewis* for the Tribes of Indians. Reported below: 143 Ct. Cl. —, 166 F. Supp. 939.

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No. 674. *DAWLEY v. CITY OF NORFOLK ET AL.* C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Leonard S. Davis* and *Virgil S. Gore, Jr.* for respondents. Reported below: 260 F. 2d 647.

No. 676. *MERCHANT'S FAST MOTOR LINES, INC., v. LANE ET AL.* C. A. 5th Cir. Certiorari denied. *Reagan Sayers* for petitioner. *Dorsey B. Hardeman* for respondents. Reported below: 259 F. 2d 336.

No. 560. *OLIPHANT ET AL. v. BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINEMEN ET AL.* In view of the abstract context in which the questions sought to be raised are presented by this record, the petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit is denied. *Joseph L. Rauh, Jr.* and *John Silard* for petitioners. *Harold C. Heiss, Russell B. Day* and *Milton Kramer* for respondents. Reported below: 262 F. 2d 359.

No. 668. *LEIGHTON v. ROGERS, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN, ET AL.* The motion to use the record in No. 348, October Term, 1957, is granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Townsend, George B. Searls, Irving Jaffe* and *Paul E. McGraw* for the Attorney General, respondent.

No. 672. *ZACARIAS v. UNITED STATES.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. *Carroll v. United States*, 354 U. S. 394. *Daniel Y. Garbern* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. Reported below: 261 F. 2d 416.



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No. 655. *BEACHVIEW BROADCASTING CORP. v. FEDERAL COMMUNICATIONS COMMISSION*. The motion for leave to add Tidewater Teleradio, Inc., as a party respondent is granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. *Edward P. Morgan* and *Herbert E. Forrest* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Hansen*, *John L. FitzGerald*, *Richard A. Solomon* and *Jerry M. Hamovit* for respondent. *Paul Porter* and *Harry M. Plotkin* for Tidewater Teleradio, Inc. Reported below: 104 U. S. App. D. C. 377, 262 F. 2d 688.

No. 266, Misc. *LEYVAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 264 F. 2d 272.

No. 491, Misc. *GREEN v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *John J. Dwyer* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. Reported below: 105 U. S. App. D. C. 342, 267 F. 2d 619.

No. 397, Misc. *STARR v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Edward T. Cheyfitz* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Jerome M. Feit* for the United States. Reported below: 105 U. S. App. D. C. 91, 264 F. 2d 377.

No. 457, Misc. *BOHME v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.



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No. 49, Misc. *KELLEY v. RANDOLPH, WARDEN*. Circuit Court of Macon County, Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, and *William C. Wines*, Assistant Attorney General, for respondent.

No. 261, Misc. *GARNES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, Assistant Attorney General *Anderson*, *Beatrice Rosenberg* and *Carl H. Imlay* for the United States. Reported below: 258 F. 2d 530.

No. 302, Misc. *NOBLE v. PERSONNEL BOARD OF JEFFERSON COUNTY, ALABAMA*. Supreme Court of Alabama. Certiorari denied. *J. Edmund Odum* for petitioner. *J. Reese Johnston, Jr.* for respondent. Reported below: 267 Ala. 488, 102 So. 2d 902.

No. 337, Misc. *WHITT v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Nathan M. Brown* for petitioner. *Solicitor General Rankin*, Assistant Attorney General *Anderson*, *Beatrice Rosenberg* and *Jerome M. Feit* for the United States.

No. 462, Misc. *HAWKS v. RANDOLPH, WARDEN*. Circuit Court of Winnebago County, Illinois. Certiorari denied.

No. 472, Misc. *LYONS v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 494, Misc. *DAILEY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Chester E. Wallace* for petitioner. *Solicitor General Rankin*, Assistant Attorney General *Anderson*, *Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 259 F. 2d 433.

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No. 503, Misc. *SPACK v. NEW YORK*. Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

No. 505, Misc. *YOUNG v. ELLIS, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 508, Misc. *POWELL v. CAVELL, WARDEN*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 509, Misc. *BERRY v. HEINZE, WARDEN*. Supreme Court of California. Certiorari denied.

No. 510, Misc. *GALLARELLI v. UNITED STATES*. C. A. 1st 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: 260 F. 2d 259.

No. 516, Misc. *KIRBY v. WARDEN, MARYLAND PENITENTIARY*. C. A. 4th Cir. Certiorari denied.

No. 518, Misc. *WILLIAMS 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. 522, Misc. *DIXON v. BARTLEY, JUDGE OF THE CIRCUIT COURT OF WILL COUNTY*. Supreme Court of Illinois. Certiorari denied.

No. 526, Misc. *MURDAUGH v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

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No. 325, Misc. *JUZWIAK v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *William E. Willis* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson and Beatrice Rosenberg* for the United States. Reported below: 258 F. 2d 844.

No. 366, Misc. *KING v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Julia P. Cooper* for the United States. Reported below: 258 F. 2d 754.

No. 369, Misc. *DEVENY v. UNITED STATES*. The motion to add American Casualty Company of Reading, Pennsylvania, as a party respondent is granted. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Petitioner *pro se*. *Solicitor General Rankin* for the United States. *Harry P. Thomson, Jr.* for the Casualty Company. Reported below: 257 F. 2d 814.

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*Miscellaneous Orders.*

No. 467, Misc. *STEWART v. GREEN, SUPERINTENDENT, MARION CORRECTIONAL INSTITUTION, ET AL.*; and

No. 541, Misc. *COSTELLO v. KLINGER, SUPERINTENDENT, CALIFORNIA MEN'S COLONY*. 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. 263. ABEL, ALIAS "MARK," ALIAS COLLINS, ALIAS GOLDFUS, *v.* UNITED STATES. Certiorari, 358 U. S. 813, to the United States Court of Appeals for the Second Circuit. Argued February 24-25, 1959.

It is ordered that this case be set for reargument on October 12, 1959, at the head of the calendar for that date. Upon reargument counsel are requested to discuss in their further briefs and oral arguments, in addition to other issues, the following questions:

1. Whether under the laws and Constitution of the United States (a) the administrative warrant of the New York Acting District Director of the Immigration and Naturalization Service was validly issued, (b) such administrative warrant constituted a valid basis for arresting petitioner or taking him into custody, and (c) such warrant furnished a valid basis for the searches and seizures affecting his person, luggage, and the room occupied by him at the Hotel Latham.

2. Whether, independently of such administrative warrant, petitioner's arrest, and the searches and seizures affecting his person, luggage, and the room occupied by him at the Hotel Latham, were valid under the laws and Constitution of the United States.

3. Whether on the record before us the issues involved in Questions "1 (a)," "1 (b)," and "2" are properly before the Court.

*James B. Donovan* argued the cause for petitioner. With him on the brief was *Thomas M. Debevoise, II.* *Solicitor General Rankin* argued the cause for the United States. With him on the brief were *Acting Assistant Attorney General Yeagley*, *William F. Tompkins* and *Kevin T. Maroney*. Reported below: 258 F. 2d 485.

No. 520, Misc. STEFANICH *v.* CIRCUIT COURT OF RANDOLPH COUNTY, ILLINOIS, ET AL. Motion for leave to file petition for writ of mandamus denied.



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No. 15, Original. *ILLINOIS v. MICHIGAN ET AL.* The motion of the States of Michigan, Ohio and Pennsylvania for an extension of time to answer the motion for leave to file the complaint is granted and the time is extended to and including March 31, 1959. *Paul L. Adams*, Attorney General, *Samuel J. Torina*, Solicitor General, and *Nicholas V. Olds*, Assistant Attorney General, for the State of Michigan; *Mark McElroy*, Attorney General, and *Harold Read*, First Assistant Attorney General, for the State of Ohio; and *Anne X. Alpern*, Attorney General, and *Lois G. Forer*, Deputy Attorney General, for the State of Pennsylvania, movants. *Latham Castle*, Attorney General of Illinois, *William C. Wines*, Assistant Attorney General, and *George E. Billett*, *Charles A. Bane* and *Calvin D. Trowbridge*, Special Assistant Attorneys General, for complainant.

No. 532, Misc. *BYERS v. KANSAS*;

No. 540, Misc. *ORTEGA v. RAGEN, WARDEN*;

No. 554, Misc. *ALLEN v. SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY*; and

No. 585, Misc. *MOORE v. UNITED STATES*. Motions for leave to file petitions for writs of habeas corpus denied.

*Certiorari Granted.* (See also No. 578, ante, p. 120, and No. 155, Misc., ante, p. 116.)

No. 64, Misc. *YANCY v. UNITED STATES*. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted. MR. JUSTICE STEWART took no part in the consideration or decision of these applications. *Seymour B. Goldman* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Robert S. Erdahl* and *J. F. Bishop* for the United States. Reported below: 252 F. 2d 554.

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*Certiorari Denied.* (See also No. 336, Misc., ante, p. 120, and Misc. Nos. 467 and 541, supra.)

No. 555. NEZ PERCE TRIBE OF INDIANS ET AL. v. SEATON, SECRETARY OF THE INTERIOR. United States Court of Appeals for the District of Columbia Circuit. *Certiorari denied.* *Richard Schifter* and *Eugene Gressman* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Morton*, *Roger P. Marquis* and *Harold S. Harrison* for respondent. Reported below: 103 U. S. App. D. C. 202, 257 F. 2d 206.

No. 661. UNITED STATES v. WIGGINS. C. A. 5th Cir. *Certiorari denied.* *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. *Victor V. Blackwell* and *Hayden C. Covington* for respondent. Reported below: 261 F. 2d 113.

No. 670. PADELL v. UNITED STATES. C. A. 2d Cir. *Certiorari denied.* *Osmond K. Fraenkel* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Jerome M. Feit* for the United States. Reported below: 262 F. 2d 357.

No. 671. A. D. JUILLIARD & Co., INC., v. JOHNSON, COLLECTOR OF INTERNAL REVENUE. C. A. 2d Cir. *Certiorari denied.* *Stephen Ailes*, *Paul F. Mickey* and *William C. Hill* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Robert N. Anderson* and *L. W. Post* for respondent. Reported below: 259 F. 2d 837.

No. 679. WEIN v. CALIFORNIA. Supreme Court of California. *Certiorari denied.* *Russell E. Parsons* and *Richard Gladstein* for petitioner.

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No. 624. ARNFELD ET AL. *v.* UNITED STATES. Court of Claims. Certiorari denied. *J. Marvin Haynes, N. Barr Miller, Joseph H. Sheppard* and *Arthur H. Adams* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, I. Henry Kutz* and *Myron C. Baum* for the United States. Reported below: 143 Ct. Cl. —, 163 F. Supp. 865.

No. 673. WINTERS ET AL. *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *James R. Ryan* and *Samuel Hess Crossland* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, A. F. Prescott* and *Meyer Rothwacks* for the United States. Reported below: 261 F. 2d 675.

No. 680. SEERY *v.* UNITED STATES. Court of Claims. Certiorari denied. *Gustave I. Jahr* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Samuel D. Slade* for the United States. Reported below: 142 Ct. Cl. 234, 161 F. Supp. 395.

No. 694. ORBO THEATRE CORP. *v.* LOEW'S, INC., ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Joseph G. Dooley* for petitioner. *John F. Caskey, William R. Glendon* and *Joseph T. Childs* for respondents. Reported below: 104 U. S. App. D. C. 262, 261 F. 2d 380.

No. 702. HINTON *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Bryce Rea, Jr.* and *Edgar Watkins* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. Reported below: 104 U. S. App. D. C. 324, 262 F. 2d 36.



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No. 677. REAVES *v.* ARKANSAS. Supreme Court of Arkansas. Certiorari denied. *Jack Holt and Jack Holt, Jr.* for petitioner. Reported below: — Ark. —, 316 S. W. 2d 824.

No. 682. COOPER ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 10th Cir. Certiorari denied. *R. L. Letton* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice* and *Robert N. Anderson* for respondent. Reported below: 262 F. 2d 530.

No. 683. SIMPSON *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *John E. Skilling, Paul F. Myers, James Craig Peacock, Robert Holt Myers, John Holt Myers* and *James W. Quiggle* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice* and *Melva M. Graney* for the United States. Reported below: 261 F. 2d 497.

No. 686. TAITEL ET AL., DOING BUSINESS AS I. TAITEL & SON, *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 7th Cir. Certiorari denied. *Thomas M. Quinn* for petitioner. *Solicitor General Rankin, Jerome D. Fenton, Thomas J. McDermott* and *Dominick L. Manoli* for respondent. Reported below: 261 F. 2d 1.

No. 689. GROGAN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Wesley R. Asinof* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 261 F. 2d 86.

No. 681. MOORE *v.* OHIO. Supreme Court of Ohio. Certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application. *C. C. Lipps* for petitioner.

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No. 701. CLUCK ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 5th Cir. Certiorari denied. *Arthur Glover* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *A. F. Prescott* and *Carolyn R. Just* for respondent. Reported below: 261 F. 2d 267.

No. 625. GANS ET AL. *v.* OHIO. Supreme Court of Ohio. Certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application. *Curtis F. McClane* and *Donald J. Lett* for petitioners. *John D. Sears, Jr.* for respondent. Reported below: 168 Ohio St. 174, 151 N. E. 2d 709.

No. 685. ROYCE *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Louis Eisenstein* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *A. F. Prescott* and *Helen A. Buckley* for respondent.

No. 698. DEEN *v.* GULF, COLORADO & SANTA FE RAILWAY Co. Supreme Court of Texas. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *David C. McCord* and *Robert Lee Guthrie* for petitioner. *Luther Hudson* for respondent.

No. 410, Misc. WARD *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Stanley Mosk*, Attorney General of California, and *William E. James*, Assistant Attorney General, for respondent. Reported below: 50 Cal. 2d 702, 328 P. 2d 777.

No. 455, Misc. MYERS *v.* MARYLAND. Court of Appeals of Maryland. Certiorari denied. Reported below: 218 Md. 49, 145 A. 2d 228.

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No. 458, Misc. *CRANSTON v. BALTIMORE & OHIO RAILROAD Co.* C. A. 3d Cir. Certiorari denied. *Louis C. Glasso* for petitioner. *Vincent M. Casey* for respondent. Reported below: 258 F. 2d 630.

No. 460, Misc. *RICH v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 261 F. 2d 536.

No. 463, Misc. *COLEMAN v. SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY.* C. A. 4th Cir. Certiorari denied. Reported below: 260 F. 2d 518.

No. 465, Misc. *DIXON v. SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY.* Supreme Court of Appeals of Virginia. Certiorari denied.

No. 468, Misc. *BARNES v. AMERICAN BROADCASTING Co. ET AL.* C. A. 7th Cir. Certiorari denied. Petitioner *pro se.* *Perry S. Patterson* and *Don H. Reuben* for the Mutual Broadcasting System, Inc., respondent. Reported below: 259 F. 2d 858.

No. 477, Misc. *WILLIAMS v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied.

No. 495, Misc. *FRANICH, BY HIS GUARDIAN AD LITEM, v. GREAT NORTHERN RAILWAY Co.* C. A. 9th Cir. Certiorari denied. *Joseph P. Monaghan* for petitioner. *Edwin S. Booth* and *John J. Burke, Jr.* for respondent. Reported below: 260 F. 2d 599.

No. 500, Misc. *PURCILLA v. BANNAN, WARDEN.* C. A. 6th Cir. Certiorari denied.



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No. 501, Misc. *LEE v. SMYTH*, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY. C. A. 4th Cir. Certiorari denied. Reported below: 262 F. 2d 53.

No. 502, Misc. UNITED STATES EX REL. *KING v. McNEILL*, DIRECTOR, MATTEAWAN STATE HOSPITAL, ET AL. C. A. 2d Cir. Certiorari denied.

No. 506, Misc. *FLOYD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, Assistant Attorney General *Anderson*, *Beatrice Rosenberg* and *Jerome M. Feit* for the United States. Reported below: 260 F. 2d 910.

No. 507, Misc. *HALL v. UNITED STATES*. C. A. 8th 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 430.

No. 511, Misc. *GILLIAM 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. 181, 257 F. 2d 185.

No. 513, Misc. *LA BOSTRIE v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Reported below: 14 Ill. 2d 617, 153 N. E. 2d 570.

No. 514, Misc. *DELGADO DE JESUS v. SMYTH*, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY. Supreme Court of Appeals of Virginia. Certiorari denied.

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No. 515, Misc. NIENDORF *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. *Edward T. Mancuso* for petitioner.

No. 523, Misc. VERCELES *v.* RANDOLPH, WARDEN. Circuit Court of Randolph County, Illinois. Certiorari denied.

No. 524, Misc. CHILDS *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 and Beatrice Rosenberg* for the United States. Reported below: 105 U. S. App. D. C. 342, 267 F. 2d 619.

No. 525, Misc. CLINTON *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Theodore George Gilinsky* for the United States. Reported below: 260 F. 2d 824.

No. 527, Misc. WILLIAMS *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 531, Misc. LOVE *v.* RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied.

No. 533, Misc. BARBER *v.* GLADDEN, WARDEN. Supreme Court of Oregon. Certiorari denied. Reported below: 210 Ore. 46, 309 P. 2d 192.

No. 534, Misc. LAUGHTON *v.* RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied.

No. 535, Misc. WILLIAMS *v.* HEINZE, WARDEN. Supreme Court of California. Certiorari denied.

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No. 536, Misc. VRANIAK *v.* RANDOLPH, WARDEN. C. A. 7th Cir. Certiorari denied. Reported below: 261 F. 2d 234.

No. 544, Misc. GALLAWAY *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 545, Misc. BARNES *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. 550, Misc. RODDY *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Theodore George Gilinsky* for the United States. Reported below: 262 F. 2d 308.

No. 551, Misc. PETHOUD *v.* WASHINGTON. Supreme Court of Washington. Certiorari denied. Reported below: 153 Wash. 2d 262, 332 P. 2d 1092.

No. 553, Misc. JOHNSON *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Reported below: 15 Ill. 2d 239, 154 N. E. 2d 274.

No. 555, Misc. FATA *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 557, Misc. LANGLEY *v.* HEINZE, WARDEN, ET AL. Supreme Court of California. Certiorari denied.

No. 559, Misc. BOLLING *v.* SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY. Supreme Court of Appeals of Virginia. Certiorari denied.



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No. 561, Misc. *MARSHALL 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* and *Beatrice Rosenberg* for the United States. Reported below: 104 U. S. App. D. C. 359, 262 F. 2d 456.

No. 562, Misc. *MESSER v. PENNSYLVANIA THRESHERMEN & FARMERS' MUTUAL CASUALTY INSURANCE CO.* C. A. 4th Cir. Certiorari denied. *Archie Elledge* and *Clyde C. Randolph, Jr.*, for petitioner. *Welch Jordan* for respondent. Reported below: 259 F. 2d 389.

No. 563, Misc. *CRAWFORD v. KING ET AL.* C. A. 6th Cir. Certiorari denied.

No. 566, Misc. *ARMSTRONG v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 571, Misc. *BUNDY ET AL. v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied.

No. 575, Misc. *KISSINGER v. E. I. DU PONT DE NEMOURS & Co.* C. A. 5th Cir. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *Robert S. Vance* for petitioner. *Frank M. Dixon* for respondent. Reported below: 259 F. 2d 411.

*Rehearing Denied.*

No. 531. *ALKER v. UNITED STATES*, 358 U. S. 817;

No. 622. *COUNTY OF BERGEN ET AL. v. UNITED STATES ET AL.*, *ante*, p. 27; and

No. 435, Misc. *DI SILVESTRO v. UNITED STATES VETERANS ADMINISTRATION*, *ante*, p. 929. Petitions for rehearing denied.

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*Dismissal Under Rule 60.*

No. 479, Misc. *LAWLOR ET AL., TRADING AS INDEPENDENT POSTER EXCHANGE, v. NATIONAL SCREEN SERVICE CORP. ET AL.* On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. Dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *Francis T. Anderson* for petitioners. *Louis Nizer, Abraham L. Freedman, Louis J. Goffman, W. Bradley Ward and Edward W. Mullinix* for respondents.

MARCH 30, 1959.

*Miscellaneous Orders.*

No. 466. *COOKE ET AL. v. NORTH CAROLINA.* Appeal from the Supreme Court of North Carolina. Upon consideration of the suggestion of death the appeal of Phillip Cooke is dismissed as abated. Reported below: 248 N. C. 485, 103 S. E. 2d 846.

No. 743. *PARKER v. ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM.* On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. The motion for the appointment of counsel is granted and it is ordered that *Frank M. Wozencraft, Esquire*, of Houston, Texas, a member of the Bar of this Court be, and he is hereby, appointed to serve as counsel for petitioner in this case.

No. 700. *UNITED STATES v. MERSKY ET AL.* Appeal from the United States District Court for the Southern District of New York. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Eugene L. Grimm* for the United States. *Julius L. Schapira* for appellees. Reported below: 261 F. 2d 40.

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No. 210. UNITED STATES *v.* ATLANTIC REFINING CO. ET AL. The motion to remand is granted and the cause is remanded to the United States District Court for the District of Columbia insofar as it pertains to the orders of said court of March 26, 1958, involving the Tidal Pipe Line Company, Tidewater Oil Company, Service Pipe Line Company, and Standard Oil Company (Indiana). MR. JUSTICE CLARK and MR. JUSTICE HARLAN took no part in the consideration or decision of this motion. *Solicitor General Rankin* on the motion.

*Certiorari Granted.*

No. 706. BRAEN *v.* PFEIFFER OIL TRANSPORT CO., INC. C. A. 2d Cir. Certiorari granted. *Arthur N. Seiff* for petitioner. *Edmund F. Lamb* for respondent. Reported below: 263 F. 2d 147.

*Certiorari Denied.* (See also No. 678, ante, p. 206.)

No. 687. RUSHLIGHT ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Dwight L. Schwab* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Morton Hollander* and *Herbert E. Morris* for the United States. Reported below: 259 F. 2d 658.

No. 690. BALTIMORE BUILDING AND CONSTRUCTION TRADES COUNCIL *v.* SELBY-BATTERSBY & CO. ET AL. C. A. 4th Cir. Certiorari denied. *Claude L. Callegary* for petitioner. *Earle K. Shawe* and *Wilson K. Barnes* for respondents. *Solicitor General Rankin* filed a memorandum of the National Labor Relations Board. Reported below: 259 F. 2d 151.

No. 691. BLUM *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. *William F. Walsh* for petitioner. Reported below: 317 S. W. 2d 931.



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No. 693. *BERCUT-VANDERVOORT & Co., INC., v. UNITED STATES*. United States Court of Customs and Patent Appeals. Certiorari denied. *John R. Benney* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Alan S. Rosenthal* for the United States.

No. 696. ANONYMOUS (No. 1) *v. HART, JUSTICE OF THE SUPREME COURT OF NEW YORK, ET AL.* Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied. *David F. Price* for petitioner. *Denis M. Hurley* and *Michael A. Castaldi* for respondents.

No. 697. *D'AGOSTINO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Morris Lavine* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States. Reported below: 261 F. 2d 154.

No. 703. *ENZOR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Wesley R. Asinof* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 262 F. 2d 172.

No. 707. *BEITER v. ERB ET AL.* C. A. 7th Cir. Certiorari denied. *George S. Geffs* for petitioner. *Hector A. Brouillet* for respondents. Reported below: 259 F. 2d 911.

No. 708. *KRAFT ET AL. v. CITY OF LOUISVILLE*. Court of Appeals of Kentucky. Certiorari denied. *Wilbur O. Fields* for petitioners. *William E. Berry* and *Herman E. Frick* for respondent. Reported below: 317 S. W. 2d 161.

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No. 347, Misc. *DUNCAN 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 Julia P. Cooper* for the United States.

No. 476, Misc. *BLACK 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.

No. 521, Misc. *NEALEY v. FLORIDA*. Supreme Court of Florida. Certiorari denied.

No. 538, Misc. *COLLINS v. ILLINOIS*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 546, Misc. *HESS v. PETRILLO ET AL.* C. A. 7th Cir. Certiorari denied. *Thomas M. Quinn* for petitioner. *Henry Kaiser* for New et al., respondents. Reported below: 259 F. 2d 735.

No. 547, Misc. *VISCONTI 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: 261 F. 2d 215.

No. 560, Misc. *DEAN, ALIAS LEE, v. SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY*. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 567, Misc. *PIASCIK v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied.

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No. 568, Misc. *CURRIE v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 574, Misc. *BOWEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Chester E. Wallace* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 260 F. 2d 266.

No. 576, Misc. *CARROLL v. NEW YORK*. Supreme Court of New York, Appellate Division, First Judicial Department. Certiorari denied.

No. 577, Misc. *SMITH v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 580, Misc. *MINTON v. ELLIS, GENERAL MANAGER, TEXAS DEPARTMENT OF CORRECTIONS*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 588, Misc. *GRANT 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. 589, Misc. *WORLEY, ADMINISTRATRIX, ET AL. v. DUNN, TRUSTEE IN BANKRUPTCY, ET AL.* C. A. 6th Cir. Certiorari denied. Petitioners *pro se*. *Charles C. Traub, Jr.* for the Trustee in Bankruptcy, and *F. A. Berry* for the First American National Bank of Nashville, respondents. Reported below: 260 F. 2d 355.

No. 591, Misc. *TURNER v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.



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No. 595, Misc. *SLAUGHTER v. GEORGIA*. Court of Appeals of Georgia. Certiorari denied.

No. 597, Misc. *BAKER v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 598, Misc. *JUDKINS v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 611, Misc. *EDDE v. COLUMBIA UNIVERSITY ET AL.* Supreme Court of New York, New York County. Certiorari denied. Petitioner *pro se*. *Edward D. Burns*, *John A. Kiser* and *Martin Fogelman* for Columbia University, and *Charles A. Brind, Jr.* for the Commissioner of Education of New York, respondents. Reported below: See 8 Misc. 2d 795, 168 N. Y. Supp. 2d 643.

*Rehearing Denied.*

No. 124. *WILLIAMS v. OKLAHOMA*, 358 U. S. 576;

No. 528. *BASS v. UNITED STATES ET AL.*, 358 U. S. 333;

No. 206, Misc. *FLOWERS v. TRAVELERS INSURANCE Co.*, *ante*, p. 920;

No. 365, Misc. *UNITED STATES EX REL. COBB v. CAVELL, WARDEN*, *ante*, p. 916;

No. 387, Misc. *KETCHUM v. UNITED STATES*, *ante*, p. 917;

No. 417, Misc. *AMBROSINI v. UNITED STATES*, *ante*, p. 918; and

No. 423, Misc. *UNITED STATES EX REL. WILLIAMS v. McMANN, ACTING WARDEN, ET AL.*, *ante*, p. 928. Petitions for rehearing denied.

No. 494. *PURITAN CHURCH BUILDING FUND ET AL. v. UNITED STATES ET AL.*, 358 U. S. 927. Motion for leave to file second petition for rehearing denied. Mr. JUSTICE FRANKFURTER took no part in the consideration or decision of this application.

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*Miscellaneous Orders.*

No. 47. ERIE RAILROAD CO. *v.* BOARD OF PUBLIC UTILITY COMMISSIONERS OF NEW JERSEY ET AL.; and

No. 55. NEW YORK, SUSQUEHANNA & WESTERN RAILROAD CO. *v.* BOARD OF PUBLIC UTILITY COMMISSIONERS OF NEW JERSEY ET AL. Appeals from the United States District Court for the District of New Jersey. (Probable jurisdiction noted, 357 U. S. 917.) The motion to vacate the decree is granted and the cases are remanded to the United States District Court for the District of New Jersey with directions to dismiss the complaint as moot. On the motion were *Charles W. Hutchinson* and *Raymond J. Lamb* for the Erie Railroad Co., appellant in No. 47, and *Leon Leighton* for the New York, Susquehanna & Western Railroad Co., appellant in No. 55. Reported below: 158 F. Supp. 104.

No. 553. COMMISSIONER OF INTERNAL REVENUE *v.* ACKER. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. The motion of *George Olshausen* for leave to file brief, as *amicus curiae*, is denied.

No. 569, Misc. SEARS *v.* KLINGER, SUPERINTENDENT, CALIFORNIA MEN'S COLONY. Motion for leave to file petition for writ of habeas corpus denied.

No. 385, Misc. CHESSMAN *v.* DICKSON, WARDEN. Motion for leave to file petition for writ of habeas corpus denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application.

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*Certiorari Granted.*

No. 711. MITCHELL, SECRETARY OF LABOR, *v.* OREGON FROZEN FOODS CO. ET AL. C. A. 9th Cir. Certiorari granted. *Solicitor General Rankin, Stuart Rothman, Bessie Margolin and Sylvia S. Ellison* for petitioner. Reported below: 254 F. 2d 116.

No. 724. INMAN *v.* BALTIMORE & OHIO RAILROAD CO. Supreme Court of Ohio. Certiorari granted. *Raymond J. McGowan* for petitioner. *C. G. Roetzel and John L. Rogers, Jr.* for respondent. Reported below: 168 Ohio St. 335, 154 N. E. 2d 442.

*Certiorari Denied.* (See also No. 704 and No. 581, Misc., ante, p. 230.)

No. 684. EASTERN COAL CORP. *v.* RELIFORD ET AL. C. A. 6th Cir. Certiorari denied. *George Richardson, Jr.* for petitioner. *Dan Jack Combs* for respondents. Reported below: 260 F. 2d 447.

No. 709. ROGERS ET AL. *v.* HOLLOWAY ET AL. Court of Appeals of Kentucky. Certiorari denied. *Richard C. Oldham* for petitioners. Reported below: 316 S. W. 2d 352.

No. 714. MADISON FUND, INC., ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 3d Cir. Certiorari denied. *William R. Spofford and Charles I. Thompson, Jr.* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice and A. F. Prescott* for respondent. Reported below: 261 F. 2d 325.

No. 716. PECKHAM *v.* CASALDUC, TRUSTEE OF RONRICO CORPORATION, ET AL. C. A. 1st Cir. Certiorari denied. *Jay E. Darlington* for petitioner. *Harold A. Segall* for respondents. Reported below: 261 F. 2d 120.



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No. 715. *HICKS v. SUMMERFIELD, POSTMASTER GENERAL, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Richard A. Mehler* and *George J. Goldsborough, Jr.* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Morton Hollander* for respondents. Reported below: 104 U. S. App. D. C. 286, 261 F. 2d 752.

No. 720. *LEWIS v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Curtis P. Mitchell* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 105 U. S. App. D. C. 15, 263 F. 2d 265.

No. 758. *SCHMIDT v. SHELL ET AL.* The motion to use the record in No. 456, October Term, 1954, is granted. The petition for writ of certiorari to the District Court of Appeal of California, First Appellate District, is denied. *George Olshausen* and *James W. Harvey* for petitioner. *Ingemar E. Hoberg* for respondents. Reported below: 164 Cal. App. 2d 350, 330 P. 2d 817.

No. 543, Misc. *MOORE v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Paul F. Mickey* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. Reported below: 104 U. S. App. D. C. 327, 262 F. 2d 216.

No. 549, Misc. *HEIDEMAN v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Walter E. Gillcrist* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg* and *Eugene L. Grimm* for the United States. Reported below: 104 U. S. App. D. C. 128, 259 F. 2d 943.

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No. 729. PENNSYLVANIA RAILROAD CO. *v.* BYRNE, ADMINISTRATRIX. C. A. 3d Cir. Certiorari denied. *Philip Price* and *Theodore Voorhees* for petitioner. *B. Nathaniel Richter* and *Seymour I. Toll* for respondent. Reported below: 262 F. 2d 906.

No. 736. BRIGHT LEAF INDUSTRIES, INC., *v.* STABLER ET AL. C. A. 5th Cir. Certiorari denied. *Paul B. Eaton* for petitioner. *Edwin Pearce* for respondents. Reported below: 261 F. 2d 383.

No. 377, Misc. GREEN *v.* SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY. Supreme Court of Appeals of Virginia. Certiorari denied. Petitioner *pro se.* *A. S. Harrison, Jr.*, Attorney General of Virginia, for respondent.

No. 429, Misc. TABLE *v.* SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY. Supreme Court of Appeals of Virginia. Certiorari denied. Petitioner *pro se.* *A. S. Harrison, Jr.*, Attorney General of Virginia, for respondent.

No. 483, Misc. BROWN *v.* DRAVO CORPORATION. C. A. 3d Cir. Certiorari denied. *Louis C. Glassco* for petitioner. Reported below: 258 F. 2d 704.

No. 542, Misc. JUDE *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 262 F. 2d 117.

No. 565, Misc. CHAPMAN *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin* for the United States.

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No. 573, Misc. FREDERICKS *v.* HEINZE, WARDEN, ET AL. Supreme Court of California. Certiorari denied.

No. 578, Misc. JONES ET AL. *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 605, Misc. BAKER *v.* RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied.

No. 609, Misc. IN RE WILLIAMS. C. A. 5th Cir. Certiorari denied.

No. 616, Misc. FISHER *v.* PENNSYLVANIA. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 617, Misc. COOK *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. 618, Misc. RAPACKI *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 620, Misc. MITCHELL *v.* NEW YORK. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 654. STEWART *v.* SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 655, Misc. CRAWFORD *v.* SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY. Supreme Court of Appeals of Virginia. Certiorari denied.



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*Rehearing Denied.*

No. 3. ROMERO *v.* INTERNATIONAL TERMINAL OPERATING CO. ET AL., 358 U. S. 354;

No. 147. HILL, ADMINISTRATRIX, *v.* WATERMAN STEAMSHIP CORP., *ante*, p. 927;

No. 267. KELLY *v.* KOSUGA, 358 U. S. 516;

No. 560. OLIPHANT ET AL. *v.* BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINEMEN ET AL., *ante*, p. 935;

No. 599. PROHOROFF *v.* UNITED STATES, *ante*, p. 907;

No. 234, Misc. KLEIN *v.* McDONALD, ADJUDICATION OFFICER, ET AL., 358 U. S. 645; and

No. 361, Misc. HAMER *v.* UNITED STATES, *ante*, p. 916.  
Petitions for rehearing denied.

APRIL 10, 1959.

*Dismissal Under Rule 60.*

No. 760. LOCAL 259, UNITED ELECTRICAL, RADIO AND MACHINE WORKERS OF AMERICA, ET AL. *v.* LEE, CHAIRMAN OF THE SUBVERSIVE ACTIVITIES CONTROL BOARD, ET AL. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Petition for writ of certiorari dismissed per stipulation pursuant to Rule 60 of the Rules of this Court. *Allan R. Rosenberg* for petitioners. *Solicitor General Rankin* for respondents. Reported below: 104 U. S. App. D. C. 339, 262 F. 2d 228.

APRIL 20, 1959.

*Miscellaneous Orders.*

No. 625, Misc. GARRISON *v.* WOODRUFF, WARDEN;

No. 631, Misc. THOMPSON *v.* CAVELL, WARDEN; and

No. 641, Misc. WYERS *v.* BANNAN, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 15, Original. *ILLINOIS v. MICHIGAN ET AL.* The motion to advance and for summary judgment is denied. The case is set for argument on the motion for leave to file the complaint for declaratory judgment and assigned for hearing at the end of the calendar for the week of May 18th. Two hours are allowed for oral argument. The Solicitor General is invited to file a brief and participate in the oral argument if he is so advised and 30 additional minutes are allowed for that purpose. *Latham Castle*, Attorney General of Illinois, *William C. Wines*, Assistant Attorney General, and *George E. Billett* for complainant.

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 Roger W. Jones in the place of Harris Ellsworth, resigned, as a party respondent is granted. *Henry E. Sprogell* for appellant. *Solicitor General Rankin* for respondents. Reported below: 102 U. S. App. D. C. 316, 253 F. 2d 338.

No. 398. *LOUISIANA POWER & LIGHT Co. v. CITY OF THIBODAUX.* Certiorari, 358 U. S. 893, to the United States Court of Appeals for the Fifth Circuit. The motion of the respondent for leave to file supplemental brief is granted. *Louis Fenner Claiborne* for respondent. Reported below: 255 F. 2d 774.

No. 454. *TERRITO ET AL. v. UNITED STATES ET AL.* The motion to recall the judgment and to reinstate the appeal is denied. MR. JUSTICE FRANKFURTER took no part in the consideration or decision of this motion. *Francis J. Ortman* for appellants. For previous decision, see 358 U. S. 279.

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No. 597. *HOFFMAN*, U. S. DISTRICT JUDGE, *v.* *BLASKI ET AL.* Certiorari, 359 U. S. 904, to the United States Court of Appeals for the Seventh Circuit. The motion to require certification of an additional part of the record is denied. *Charles J. Merriam* and *Samuel B. Smith* for petitioner-movant. Reported below: 260 F. 2d 317.

No. 652, Misc. *HOUSE v. MAYO*, STATE PRISON CUSTODIAN. Motion for leave to file petition for writ of habeas corpus and for other relief denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied.

No. 517, Misc. *POWELL v. OHIO*. The motion for leave to file petition for writ of certiorari is denied. Treating the motion as a petition for writ of certiorari to the Supreme Court of Ohio, certiorari is denied without prejudice to an application for a writ of habeas corpus in the appropriate United States District Court. MR. JUSTICE STEWART took no part in the consideration or decision of this motion. Petitioner *pro se.* *C. Watson Hover* for respondent.

*Certiorari Granted.*

No. 746. *MITCHELL*, SECRETARY OF LABOR, *v.* *ROBERT DEMARIO JEWELRY, INC., ET AL.* C. A. 5th Cir. Certiorari granted. *Solicitor General Rankin*, *Stuart Rothman*, *Bessie Margolin* and *Jacob I. Karro* for petitioner. Reported below: 260 F. 2d 929.

No. 512, Misc. *DAVIS v. VIRGINIAN RAILWAY CO.* Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Appeals of Virginia granted. *R. Arthur Jett* for petitioner. *W. R. C. Cocke* for respondent.



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No. 717. NATIONAL LABOR RELATIONS BOARD *v.* DRIVERS, CHAUFFEURS, HELPERS, LOCAL UNION No. 639, INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS OF AMERICA. 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 Norton J. Come* for petitioner. *Herbert S. Thatcher* for respondent. Reported below: — U. S. App. D. C. —, — F. 2d —.

No. 40, Misc. RIOS *v.* UNITED STATES. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted limited to the following questions:

1. Independently of the state court's determination, was the evidence used against petitioner in the federal prosecution obtained in violation of his rights under the Constitution of the United States?

2. If the evidence was unlawfully obtained, was such evidence admissible in the federal prosecution of petitioner because it was obtained by state officers without federal participation?

*Clore Warne* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Eugene L. Grimm* for the United States. Reported below: 256 F. 2d 173.

*Certiorari Denied.* (See also Nos. 712, *ante*, p. 310; 726, *ante*, p. 312; 740, *ante*, p. 313; 747, *ante*, p. 310; and Misc. Nos. 623, *ante*, p. 311; 636, *ante*, p. 312; 517, *ante*, p. 964; 652, *ante*, p. 964; and 659, *ante*, p. 313.)

No. 727. WASHBURN *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. *William F. Walsh* for petitioner. Reported below: 166 Tex. Cr. R. —, 318 S. W. 2d 627.

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No. 705. KEA STEAMSHIP CORP. *v.* MESLE ET AL. C. A. 3d Cir. Certiorari denied. *Thomas F. Mount* and *J. Welles Henderson* for petitioner. *T. E. Byrne, Jr.* for Haenn Ship Ceiling & Refitting Corp., respondent. Reported below: 260 F. 2d 747.

No. 728. CORPSTEIN ET AL. *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Petitioner *Joseph Corpstein pro se*. *Solicitor General Rankin*, *Assistant Attorney General Hansen*, *Richard A. Solomon*, *Robert L. Farrington*, *Neil Brooks* and *Donald A. Campbell* for the United States. Reported below: 262 F. 2d 200.

No. 730. CAMPBELL, ADMINISTRATRIX, ET AL. *v.* MATTEUCCI, ADMINISTRATOR. C. A. 10th Cir. Certiorari denied. *Edgar Allyn Buttle* and *Edmund H. H. Caddy* for petitioners. *William A. Sloan* for respondent. Reported below: 261 F. 2d 225.

No. 731. KLAMATH MEDICAL SERVICE BUREAU *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. *Robert T. Mautz* and *James R. Moore* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Robert N. Anderson* for respondent. Reported below: 261 F. 2d 842.

No. 734. CORY ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. *Watson Washburn* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Joseph F. Goetten* and *George F. Lynch* for respondent. Reported below: 261 F. 2d 702.

No. 738. SEVEN-UP CO. *v.* BLUE NOTE, INC. C. A. 7th Cir. Certiorari denied. *Beverly W. Pattishall* for petitioner. *Sidney R. Zatz* and *Jack H. Oppenheim* for respondent. Reported below: 260 F. 2d 584.

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No. 735. *ROGERS 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: 263 F. 2d 283.

No. 739. *THOMPSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Mary M. Kaufman* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Yeagley and Philip R. Monahan* for the United States. Reported below: 261 F. 2d 809.

No. 748. *PALERMO v. STOCKTON THEATRES, INC.* Supreme Court of California. Certiorari denied. *Forrest E. Macomber* for petitioner. Reported below: 51 Cal. 2d 346, 333 P. 2d 10.

No. 750. *DAVID v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *James C. Herndon, Sam D. Bartlo and Alan Y. Cole* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice and Joseph F. Goetten* for the United States.

No. 754. *TAFT HOTEL CORP. v. HOUSING AND HOME FINANCE AGENCY ET AL.* C. A. 2d Cir. Certiorari denied. *Leo E. Sherman* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub and Samuel D. Slade* for the Housing and Home Finance Agency et al., and *William R. Murphy* for O'Brien et al., respondents. Reported below: 262 F. 2d 307.

No. 755. *HAGANS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *J. Sewell Elliott* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson and Beatrice Rosenberg* for the United States. Reported below: 261 F. 2d 924.



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No. 713. *SMOOT SAND & GRAVEL CORP. v. DISTRICT OF COLUMBIA*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *David R. Shelton* for petitioner. *Chester H. Gray, Milton D. Korman* and *Henry E. Wixon* for respondent. Reported below: 104 U. S. App. D. C. 292, 261 F. 2d 758.

No. 741. *UNION TRANSFER CO. ET AL. v. UNITED STATES*;

No. 742. *HUGHES TRANSPORTATION, INC., v. UNITED STATES*; and

No. 744. *KENTUCKY v. UNITED STATES*. Petitions for writs of certiorari to the Court of Claims denied. *Robert A. Nelson* for petitioners in No. 741. *Daryal A. Myse* for petitioner in No. 742. *Jo M. Ferguson*, Attorney General of Kentucky, and *George M. Catlett*, Special Assistant Attorney General, for the Commonwealth of Kentucky, petitioner in No. 744. *Solicitor General Rankin*, Assistant Attorney General *Doub* and *Morton Hollander* for the United States. Reported below: No. 741, — Ct. Cl. —, 168 F. Supp. 217; Nos. 742 and 744, — Ct. Cl. —, 168 F. Supp. 219.

No. 752. *McDERMOTT v. JAMULA ET AL.* Superior Court of Massachusetts. Certiorari denied. *Frederick M. Myers*, for petitioner. *Louis Sherman* and *Joseph M. Stone* for respondents. Reported below: 338 Mass. —, 154 N. E. 2d 595.

No. 777. *JIMENEZ ET AL. v. FLORES*. Supreme Court of Texas. Certiorari denied. *Gerald Weatherly* for petitioners. *Will Wilson*, Attorney General of Texas, *W. V. Geppert* and *Riley Eugene Fletcher*, Assistant Attorneys General, for respondent. Reported below: 317 S. W. 2d 189.

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No. 759. STERN ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Eberhard P. Deutsch* and *René H. Himel, Jr.* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Harry Baum* for the United States. Reported below: 262 F. 2d 957.

No. 762. WILLIAMS ET AL. *v.* BABCOCK & WILCOX Co. ET AL. C. A. 3d Cir. Certiorari denied. *Loyal H. Gregg* and *William H. Parmelee* for petitioners. *Inzer B. Wyatt*, *Marvin Schwartz* and *Robert L. Kirkpatrick* for respondents. Reported below: 262 F. 2d 253.

No. 751. DAILEY *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Walter B. Fincher* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States. Reported below: 261 F. 2d 870.

No. 352, Misc. WAHRHAFTIG *v.* RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied. Petitioner *pro se.* *John J. O'Connell*, Attorney General of Washington, and *Lawrence Ross*, Assistant Attorney General, for respondent.

No. 404, Misc. BASS *v.* GEORGIA. Supreme Court of Georgia. Certiorari denied. Petitioner *pro se.* *Eugene Cook*, Attorney General of Georgia, *E. Freeman Leverett*, Assistant Attorney General, *Paul Webb*, Solicitor General, and *Eugene L. Tiller*, Assistant Solicitor General, for respondent.

No. 572, Misc. NEWSOM *v.* SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY. C. A. 4th Cir. Certiorari denied. Reported below: 261 F. 2d 452.

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No. 446, Misc. *LESTER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Kirby W. Patterson* for the United States.

No. 528, Misc. *TURNER v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Petitioner *pro se*. *Frank D. O'Connor and Benj. J. Jacobson* for respondent. Reported below: 5 N. Y. 2d 787, 180 N. Y. S. 2d 314.

No. 529, Misc. *DAWKINS v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Petitioner *pro se*. *Frank D. O'Connor and Benj. J. Jacobson* for respondent. Reported below: 4 N. Y. 2d 967, 177 N. Y. S. 2d 495.

No. 548, Misc. *FAVORS v. ADAMS, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 584, Misc. *VLCKO v. BENNETT, WARDEN*. Supreme Court of Iowa. Certiorari denied. Petitioner *pro se*. *Norman A. Erbe, Attorney General of Iowa*, for respondent.

No. 586, Misc. *KNOX v. LOUISIANA*. Supreme Court of Louisiana. Certiorari denied. *Horace R. Alexius, Jr.* for petitioner. Reported below: 236 La. 461, 107 So. 2d 719.

No. 590, Misc. *RODRIGUEZ 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: 261 F. 2d 128.



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No. 582, Misc. *HOLLIS v. ELLIS, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS*. C. A. 5th Cir. Certiorari denied. Reported below: 261 F. 2d 230.

No. 592, Misc. *WILLIAMSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Howard R. Lonergan* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg* and *Eugene L. Grimm* for the United States. Reported below: 262 F. 2d 476.

No. 593, Misc. *SPEARS v. HUMBLE OIL & REFINING Co.* C. A. 5th Cir. Certiorari denied. Reported below: 261 F. 2d 231.

No. 596, Misc. *VAN SLYKE v. WALLACK, WARDEN*. Court of Appeals of New York. Certiorari denied.

No. 599, Misc. *JOHNSON v. RAGEN, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 606, Misc. *PRINCELER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Sutherland G. Taylor* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson* and *Beatrice Rosenberg* for the United States.

No. 612, Misc. *PEDEN 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. 613, Misc. *MULLEN ET AL. v. DISTRICT OF COLUMBIA*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioners *pro se*. *Chester H. Gray, Milton D. Korman* and *Hubert B. Pair* for respondent.

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No. 610, Misc. *HORNBECK v. JACKSON*, WARDEN. Appellate Division of the Supreme Court of New York, Third Judicial Department. Certiorari denied. Petitioner *pro se*. *Louis J. Lefkowitz*, Attorney General of New York, and *Paxton Blair*, Solicitor General, for respondent.

No. 614, Misc. *POLLACK v. ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK ET AL.* Court of Appeals of New York. Certiorari denied. Petitioner *pro se*. *Frank H. Gordon* for the Association of the Bar of the City of New York, *Jacob Burns* for the New York County Lawyers Association, and *David M. Potts* for the Bronx County Bar Association, respondents.

No. 619, Misc. *WORKMAN v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 621, Misc. *JONES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 624, Misc. *CHAMBERS v. ILLINOIS*. Criminal Court of Cook County, Illinois. Certiorari denied. Reported below: See 9 Ill. 2d 83, 136 N. E. 2d 812.

No. 626, Misc. *YATES 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. 629, Misc. *UPSHAW v. PEGELOW ET AL.* C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin* for the United States.

No. 630, Misc. *MULHOLLEN v. JOHNSTON*, SUPERINTENDENT, STATE PENITENTIARY, ET AL. Supreme Court of Pennsylvania, Western District. Certiorari denied.

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No. 603, Misc. VAN BOGART *v.* ARIZONA. Supreme Court of Arizona. Certiorari denied. Reported below: 85 Ariz. 63, 331 P. 2d 597.

No. 628, Misc. SAUER *v.* CALIFORNIA. District Court of Appeal of California, Third Appellate District. Certiorari denied. Reported below: 163 Cal. App. 2d 740, 329 P. 2d 962.

No. 632, Misc. GRIGG *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Cyril S. Lawrence* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson and Beatrice Rosenberg* for the United States. Reported below: 104 U. S. App. D. C. 308, 262 F. 2d 20.

No. 633, Misc. SMITH *v.* UNITED STATES VETERANS' ADMINISTRATION. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se. Solicitor General Rankin* for the United States.

No. 634, Misc. COLE *v.* RANDOLPH, WARDEN. Circuit Court of Randolph County, Illinois. Certiorari denied.

No. 635, Misc. LEGG *v.* MUTUAL BENEFIT HEALTH & ACCIDENT ASSOCIATION ET AL. District Court of Appeal of California, Second Appellate District. Certiorari denied.

No. 651, Misc. CASH *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. Reported below: 105 U. S. App. D. C. 154, 265 F. 2d 346.



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No. 638, Misc. MOUNTS *v.* ADAMS, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 639, Misc. FLUERY *v.* HEINZE, WARDEN, ET AL. Supreme Court of California. Certiorari denied.

No. 640, Misc. STONE *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 642, Misc. CONTRERAS *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 643, Misc. FLETCHER *v.* LOUISIANA. Supreme Court of Louisiana. Certiorari denied. *Eugene Stanley* for petitioner.

No. 644, Misc. MCGANN *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Anderson and Beatrice Rosenberg* for the United States. Reported below: 261 F. 2d 956.

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

No. 661, Misc. TYNE *v.* VENETUCCI ET AL. C. A. 7th Cir. Certiorari denied. *Benjamin Wham and John E. Owens* for petitioner. *Charles F. Grimes, Daniel S. Wentworth, L. A. Wescott and Eugene A. Tappy* for Oak Park National Bank, respondent. Reported below: 261 F. 2d 249.

No. 665, Misc. UNITED STATES EX REL. WOJCULEWICZ *v.* RICHMOND, WARDEN. C. A. 2d Cir. Certiorari denied. *Frederick J. Rundbaken* for petitioner. *Albert S. Bill* for respondent. Reported below: 263 F. 2d 604.

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No. 666, Misc. CARRIGAN *v.* SUNLAND-TUJUNGA TELEPHONE CO. ET AL. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *J. Thomason Phelps* for the Public Utilities Commission of California, appellee. Reported below: 263 F. 2d 568.

No. 668, Misc. MEYERS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 260 F. 2d 956.

No. 670, Misc. TART *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Henry Lincoln Johnson, Jr.* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 263 F. 2d 272.

No. 671, Misc. McLENAGHAN, ADMINISTRATOR, *v.* BILLOW. C. A. 3d Cir. Certiorari denied. *Benjamin Pomerantz* for petitioner. *Richard W. Galiher* for respondent. Reported below: 260 F. 2d 360.

No. 676, Misc. DAVIS *v.* ELLIS, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS. Court of Criminal Appeals of Texas. Certiorari denied.

No. 678, Misc. MILLS *v.* McGEE, DIRECTOR, CALIFORNIA STATE DEPARTMENT OF CORRECTIONS, ET AL. Supreme Court of California. Certiorari denied.

No. 587, Misc. CULVER *v.* GOODMAN, WARDEN. Supreme Court of New Jersey. Certiorari denied. MR. JUSTICE BRENNAN took no part in the consideration or decision of this application.

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No. 708, Misc. COLEY *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 715, Misc. FRANKLIN *v.* BOSLOW, DIRECTOR, PATUXENT INSTITUTION. Circuit Court of Wicomico County, Maryland. Certiorari denied.

No. 730, Misc. UNITED STATES EX REL. McCONNELL *v.* RAGEN, WARDEN, ET AL. C. A. 7th Cir. Certiorari denied.

No. 615, Misc. BURDETTE *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. Reported below: 254 F. 2d 610.

*Rehearing Denied.*

No. 4. BROWN *v.* UNITED STATES, *ante*, p. 41;

No. 11. HARRIS *v.* UNITED STATES, *ante*, p. 19;

No. 153. GANGER ET AL. *v.* CITY OF MIAMI, *ante*, p. 64;

No. 524. E T & W N C TRANSPORTATION CO. *v.* CURRIE, COMMISSIONER OF REVENUE OF NORTH CAROLINA, *ante*, p. 28;

No. 644. CHAPIN ET AL. *v.* UNITED STATES, *ante*, p. 924;

No. 646. FIREMAN'S FUND INSURANCE CO. *v.* WILBURN BOAT CO. ET AL., *ante*, p. 925;

No. 648. TAMARKIN *v.* UNITED STATES, *ante*, p. 925;

No. 661. UNITED STATES *v.* WIGGINS, *ante*, p. 942;

No. 686. TAITEL ET AL., DOING BUSINESS AS I. TAITEL & SON, *v.* NATIONAL LABOR RELATIONS BOARD, *ante*, p. 944;

No. 451, Misc. CROMWELL *v.* DULLES, SECRETARY OF STATE, ET AL., *ante*, p. 929; and

No. 585, Misc. MOORE *v.* UNITED STATES, *ante*, p. 941. Petitions for rehearing denied.



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No. 760, Misc., October Term, 1957. *SCHUMACHER v. GAYNOR, EXECUTOR, ET AL.*, 357 U. S. 941. Motion for leave to file second petition for rehearing denied. MR. JUSTICE FRANKFURTER and MR. JUSTICE STEWART took no part in the consideration or decision of this application.

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*Miscellaneous Orders.*

No. 380. *COMMISSIONER OF INTERNAL REVENUE v. HANSEN ET UX.* Certiorari, 358 U. S. 879, to the United States Court of Appeals for the Ninth Circuit;

No. 381. *COMMISSIONER OF INTERNAL REVENUE v. GLOVER.* Certiorari, 358 U. S. 879, to the United States Court of Appeals for the Eighth Circuit; and

No. 512. *BAIRD ET UX. v. COMMISSIONER OF INTERNAL REVENUE.* Certiorari, 358 U. S. 918, to the United States Court of Appeals for the Seventh Circuit. The motion of Vance L. Wiley et al. for leave to file brief, as *amici curiae*, is granted. *William Waller* for movants.

No. 587. *UNITED STATES v. HALEY.* The motion to vacate the judgment (358 U. S. 644) and for other relief is denied. *William F. Billings, James P. Donovan* and *Daniel L. O'Connor* for appellee-movant.

No. 681, Misc. *ROBINSON v. SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY*; and

No. 821, Misc. *THOMPSON v. BOYLE, DISTRICT ATTORNEY, ALLEGHENY COUNTY, PENNSYLVANIA.* Motions for leave to file petitions for writs of habeas corpus denied.

No. 673, Misc. *MORICONI v. BANNAN, WARDEN, ET AL.* Motion for leave to file petition for writ of habeas corpus and for other relief denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied.

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*Certiorari Granted.*

No. 722. *STIRONE v. UNITED STATES*. C. A. 3d Cir. Certiorari granted. *Vincent M. Casey* for petitioner. *Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Theodore George Gilinsky* for the United States.

No. 622, Misc. *GRISHAM v. TAYLOR, WARDEN*. Motions for leave to proceed *in forma pauperis* and to substitute Charles R. Hagan, Warden, in the place of John C. Taylor, Warden, as the party respondent granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted. *H. Clay Espey* for petitioner. *Solicitor General Rankin* for respondent. Reported below: 261 F. 2d 204.

*Certiorari Denied.* (See also No. 719, ante, p. 341, and No. 673, Misc., supra.)

No. 771. *GART ET AL. v. COLE, ADMINISTRATOR, FEDERAL HOUSING AND HOME FINANCE AGENCY, ET AL.* C. A. 2d Cir. Certiorari denied. Mr. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Harris L. Present* for petitioners. *Solicitor General Rankin, Assistant Attorney General Doub and Alan S. Rosenthal* for Cole et al., *Edward D. Burns, Porter R. Chandler and Martin Fogelman* for Fordham University, *William Eldred Jackson and Rebecca M. Cutler* for Lincoln Center for the Performing Arts, Inc., *Leo A. Larkin, Pauline K. Berger, Benjamin Offner and Anthony Curreri* for Wagner et al., and *Samuel I. Rosenman and Max Freund* for Webb & Knapp Lincoln Square Corporation, respondents. Reported below: 263 F. 2d 244.

No. 601, Misc. *HYYPPA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

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No. 737. *WRIGHT v. CINCINNATI, NEW ORLEANS & TEXAS PACIFIC RAILWAY Co.* Court of Appeals of Ohio, Hamilton County. Certiorari denied. *Otto F. Putnick* and *Jerome Goldman* for petitioner. *Henry Burton Street* for respondent. Reported below: 107 Ohio App. 310, 152 N. E. 2d 421.

No. 764. *EISTRAT v. WESTERN HARDWOOD LUMBER Co.* District Court of Appeal of California, Second Appellate District. Certiorari denied. Reported below: 164 Cal. App. 2d 374, 330 P. 2d 629.

No. 765. *GREGORY ET AL. v. COLUMBIA GAS SYSTEM, INC., ET AL.*;

No. 766. *KERN v. COLUMBIA GAS SYSTEM, INC., ET AL.*;  
and

No. 774. *ALLEN ET AL. v. COLUMBIA GAS SYSTEM, INC., ET AL.* C. A. 6th Cir. Certiorari denied. MR. JUSTICE CLARK took no part in the consideration or decision of these applications. *Walter H. Brown, Jr.*, *John L. Smith* and *George W. Jaques* for petitioners in No. 765. *George Zolotar* and *Leo T. Wolford* for petitioner in No. 766. *Robert S. Spilman, Jr.* for petitioners in No. 774. *Edward S. Pinney* for the Columbia Gas System, Inc., *Oscar S. Rosner* for the Independent Committee for American Fuel Noteholders, *James Park* for Harbison, Trustee, and *Selden S. McNeer* and *Robert K. Emerson* for Williamson, Trustee, respondents. *Solicitor General Rankin*, *Thomas G. Meeker*, *David Ferber* and *Arthur Blasberg, Jr.* for the Securities and Exchange Commission, in support of the petitions for writs of certiorari. Reported below: 262 F. 2d 510.

No. 650, Misc. *GRANGER v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 262 F. 2d 802.



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No. 775. *ORLANDO v. ROBINSON*, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 7th Cir. Certiorari denied. *Anna R. Lavin* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Carl H. Imlay* for respondent. Reported below: 262 F. 2d 850.

No. 466, Misc. *PERRONI v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se*. *Latham Castle*, Attorney General of Illinois, for respondent. Reported below: 14 Ill. 2d 581, 153 N. E. 2d 578.

No. 570, Misc. *FULTON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States. Reported below: 260 F. 2d 957.

No. 646, Misc. *BONDS v. REID*, SUPERINTENDENT OF DISTRICT OF COLUMBIA JAIL, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Edward J. Skeens* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General White* and *Harold H. Greene* for respondents.

No. 657, Misc. *CARRIGAN v. CALIFORNIA STATE LEGISLATURE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 263 F. 2d 560.

No. 660, Misc. *LOTT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 262 F. 2d 332.

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No. 658, Misc. CEPERO *v.* PAN AMERICAN AIRWAYS, INC. C. A. 1st Cir. Certiorari denied. Petitioner *pro se*. Robert C. Barnard for respondent.

No. 663, Misc. CARTER *v.* SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 667, Misc. TUCKER *v.* NEW YORK. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 669, Misc. COWAN *v.* ILLINOIS. Circuit Court of Will County, Illinois. Certiorari denied.

No. 697, Misc. DAVIS *v.* WASHINGTON. Supreme Court of Washington. Certiorari denied.

No. 698, Misc. HICKS *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 699, Misc. TANNER *v.* CALIFORNIA ET AL. Supreme Court of California. Certiorari denied.

*Rehearing Denied.*

No. 587. UNITED STATES *v.* HALEY, 358 U. S. 644;

No. 707. BEITER *v.* ERB ET AL., *ante*, p. 953;

No. 511, Misc. GILLIAM *v.* UNITED STATES, *ante*, p. 947;

No. 525, Misc. CLINTON *v.* UNITED STATES, *ante*, p. 948;

No. 538, Misc. COLLINS *v.* ILLINOIS, *ante*, p. 954; and

No. 588, Misc. GRANT *v.* UNITED STATES, *ante*, p. 955.  
Petitions for rehearing denied.

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*Miscellaneous Orders.*

No. 41. NEW YORK CENTRAL RAILROAD CO. v. BOARD OF PUBLIC UTILITY COMMISSIONERS OF NEW JERSEY ET AL. Appeal from the United States District Court for the District of New Jersey. (Probable jurisdiction noted, 357 U. S. 917.) The motion to vacate the decree is granted and the case is remanded to the United States District Court for the District of New Jersey with directions to dismiss the complaint as moot. *Thomas E. Dewey* and *Gerald E. Dwyer* for the New York Central Railroad Co., appellant-movant. On a stipulation of the parties for dismissal of the case as moot were *Thomas E. Dewey* for the New York Central Railroad Co., appellant; and *David D. Furman* for the Board of Public Utility Commissioners of New Jersey et al., *William A. Roberts* for Bergen County et al., *Solicitor General Rankin* for the United States, and *Robert W. Ginnane* for the Interstate Commerce Commission, appellees. Reported below: 158 F. Supp. 98.

No. 776. LOCAL NO. 8-6, OIL, CHEMICAL AND ATOMIC WORKERS INTERNATIONAL UNION, AFL-CIO, ET AL. v. MISSOURI. Appeal from the Supreme Court of Missouri. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits. *Mozart G. Ratner* and *Morris J. Levin* for appellants. Reported below: 317 S. W. 2d 309.

*Certiorari Granted.* (See also No. 169, ante, p. 434.)

No. 779. FORMAN v. UNITED STATES. C. A. 9th Cir. *Certiorari* granted. *Solomon J. Bischoff* and *George W. Mead* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Joseph F. Goetten* for the United States. Reported below: 259 F. 2d 128, 261 F. 2d 181, 264 F. 2d 955.



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No. 790. NATIONAL LABOR RELATIONS BOARD *v.* DEENA ARTWARE, INC., ET AL. C. A. 6th Cir. Certiorari granted. MR. JUSTICE STEWART took no part in the consideration or decision of this application. *Solicitor General Rankin, Ralph S. Spritzer, Jerome D. Fenton, Thomas J. McDermott, Dominick L. Manoli and Irving M. Herman* for petitioner. *James G. Wheeler, Mervin N. Bachman, Thomas J. Marshall, Jr. and Sidney R. Zatz* for respondents. Reported below: 261 F. 2d 503.

No. 32, Misc. ARNOLD *v.* BEN KANOWSKY, INC. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted. *Arthur J. Riggs and Charles R. Cravens, Jr.* for petitioner. *G. H. Kelsoe, Jr.* for respondent. *Solicitor General Rankin, Stuart Rothman, Bessie Margolin and Sylvia S. Ellison* for the Secretary of Labor, as *amicus curiae*, in support of the petition. Reported below: 250 F. 2d 47, 252 F. 2d 787.

*Certiorari Denied.* (See also No. 749, ante, p. 435, and No. 767, ante, p. 436.)

No. 723. DAVID DAVIES, INC., *v.* SENSENBRENNER ET AL. Supreme Court of Ohio. Certiorari denied. *John L. Davies, Jr.* for petitioner. *Russell Leach* for the City of Columbus, Ohio, respondent. Reported below: 168 Ohio St. 356, 154 N. E. 2d 822.

No. 781. MERCER *v.* THERIOT. C. A. 5th Cir. Certiorari denied. *Warren E. Miller* for petitioner. *Robert G. Hughes* for respondent. Reported below: 262 F. 2d 754.

No. 689, Misc. HERGE *v.* BANMILLER, SUPERINTENDENT, EASTERN STATE PENITENTIARY. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

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No. 782. *GOLDMAN ET AL. v. H. HARRIS & Co., INC., ET AL.* C. A. 1st Cir. Certiorari denied. *Sigmund Timberg* for petitioners. *Richard Maguire* and *John L. Saltonstall, Jr.* for respondents. Reported below: 260 F. 2d 958.

No. 785. *HARTSHORN v. DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *David E. Hartshorn pro se.* *Solicitor General Rankin*, *Assistant Attorney General Morton* and *Roger P. Marquis* for the United States.

No. 788. *HENSLEE v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Joseph W. Cash* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Carl H. Imlay* for the United States. Reported below: 262 F. 2d 750.

No. 807. *INTERNATIONAL SHOE CO. v. FONTENOT, COLLECTOR OF REVENUE.* Supreme Court of Louisiana. Certiorari denied. *C. V. Porter*, *L. W. Brooks*, *F. W. Middleton, Jr.* and *B. B. Taylor, Jr.* for petitioner. *Robert L. Roland* for respondent. Reported below: 236 La. 279, 107 So. 2d 640.

No. 789. *EATON ET AL. v. BOARD OF MANAGERS OF THE JAMES WALKER MEMORIAL HOSPITAL ET AL.* C. A. 4th Cir. Certiorari denied. THE CHIEF JUSTICE, MR. JUSTICE DOUGLAS, and MR. JUSTICE BRENNAN are of the opinion that certiorari should be granted. *Thurgood Marshall*, *Jack Greenberg* and *Conrad O. Pearson* for petitioners. *Louis J. Poisson, Jr.* for the James Walker Memorial Hospital, and *I. Beverly Lake* and *James B. Swails* for the City of Wilmington, N. C., et al., respondents. Reported below: 261 F. 2d 521.

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No. 710. PALMER *v.* WATERMAN STEAMSHIP CORP. Supreme Court of Washington. Certiorari denied. *Edwin J. Friedman* for petitioner. *Francis L. Tetreault* for respondent. Reported below: 52 Wash. 2d 604, 328 P. 2d 169.

No. 778. BROTT *v.* UNITED STATES. Motion to dispense with printing petition for writ of certiorari granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. *Henry K. Chapman* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Joseph F. Goetten* for the United States. Reported below: 264 F. 2d 433.

No. 684, Misc. CLEMENTS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 266 F. 2d 397.

*Rehearing Denied.*

No. 675. FRIEDMAN *v.* UNITED STATES ET AL., *ante*, p. 205; and

No. 545, Misc. BARNES *v.* UNITED STATES, *ante*, p. 949. Petitions for rehearing denied.

No. 135. WOODY *v.* UNITED STATES, *ante*, p. 118. Petition for rehearing denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application.

No. 215. GOLDSTEIN *v.* UNITED STATES, 358 U. S. 830. Motion for leave to file petition for rehearing out of time denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application.



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*Dismissal Under Rule 60.*

No. 792, Misc. *BROWN v. NEW YORK*. On petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department. Petition dismissed pursuant to Rule 60 of the Rules of this Court. Petitioner *pro se*.

MAY 18, 1959.

*Miscellaneous Orders.*

No. 252. *SAFEWAY STORES, INC., v. OKLAHOMA RETAIL GROCERS ASSOCIATION, INC., ET AL.* Appeal from the Supreme Court of Oklahoma. The motion of the National Association of Tobacco Distributors, Inc., for leave to file brief, as *amicus curiae*, is granted. MR. JUSTICE CLARK took no part in the consideration or decision of this motion. *Chester Inwald* on the motion. Reported below: 322 P. 2d 179.

No. 380. *COMMISSIONER OF INTERNAL REVENUE v. HANSEN ET UX.* Certiorari, 358 U. S. 879, to the United States Court of Appeals for the Ninth Circuit;

No. 381. *COMMISSIONER OF INTERNAL REVENUE v. GLOVER.* Certiorari, 358 U. S. 879, to the United States Court of Appeals for the Eighth Circuit; and

No. 512. *BAIRD ET UX. v. COMMISSIONER OF INTERNAL REVENUE.* Certiorari, 358 U. S. 918, to the United States Court of Appeals for the Seventh Circuit. The motion of Vance L. Wiley et al. for leave to file supplemental brief, as *amici curiae*, is granted. *William Waller* for movants.

No. 703, Misc. *DAVIS v. PEGELOW, SUPERINTENDENT, DISTRICT OF COLUMBIA REFORMATORY.* Motion for leave to file petition for writ of habeas corpus and for other relief denied.

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No. 398. LOUISIANA POWER & LIGHT Co. *v.* CITY OF THIBODAUX. Certiorari, 358 U. S. 893, to the United States Court of Appeals for the Fifth Circuit. The motion of petitioner for leave to file reply brief to respondent's supplemental brief is granted. *J. Blanc Monroe, Monte M. Lemann, J. Raburn Monroe, Malcolm L. Monroe and Andrew P. Carter* for petitioner. Reported below: 255 F. 2d 774.

No. 604, Misc. RAMIREZ *v.* UNITED STATES ATTORNEY GENERAL. Motion for leave to file petition for writ of habeas corpus denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General White and Harold H. Greene* for respondent.

No. 685, Misc. MORSE *v.* MOORE, CHIEF JUDGE; and

No. 763, Misc. SIMUNICH *v.* SUPREME COURT OF ILLINOIS ET AL. Motions for leave to file petitions for writs of mandamus denied. Petitioners *pro se*. *Solicitor General Rankin* for respondent in No. 685, Misc.

No. 770, Misc. AMERICAN OIL Co. *v.* UNITED STATES ET AL. Motion for leave to file petition for writ of mandamus or other relief denied. *Perry S. Patterson and Herbert J. Miller, Jr.* for petitioner. *Solicitor General Rankin, Assistant Attorney General Morton and Roger P. Marquis* for respondents. Reported below: See 169 F. Supp. 904.

*Probable Jurisdiction Noted.*

No. 769. PHILLIPS CHEMICAL Co. *v.* DUMAS INDEPENDENT SCHOOL DISTRICT. Appeal from the Supreme Court of Texas. Probable jurisdiction noted. The Solicitor General is invited to file a brief setting forth the views of the United States. *Clark M. Clifford, Carson M. Glass, Rayburn L. Foster, Harry D. Turner and C. J.*

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*Roberts* for appellant. *James W. Witherspoon* and *Earnest L. Langley* for appellee. *Solicitor General Rankin* and *Assistant Attorney General Rice* for the United States, as *amicus curiae*, in opposition to the motion of appellee to dismiss. Reported below: 159 Tex. —, 316 S. W. 2d 382.

*Certiorari Granted.* (See also No. 67, ante, p. 499, and No. 551, ante, p. 498.)

No. 770. *BATES ET AL. v. CITY OF LITTLE ROCK ET AL.* Supreme Court of Arkansas. *Certiorari* granted. *Robert L. Carter* and *Frank D. Reeves* for petitioners. *Joseph C. Kemp* for the City of Little Rock, respondent. Reported below: — Ark. —, 319 S. W. 2d 37.

No. 809. *UNITED STATES v. PRICE.* C. A. 9th Cir. *Certiorari* granted. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Ralph S. Spritzer*, *A. F. Prescott* and *George F. Lynch* for the United States. *W. Lee McLane, Jr.* for respondent. Reported below: 263 F. 2d 382.

No. 836. *FEDERAL TRADE COMMISSION v. TRAVELERS HEALTH ASSOCIATION.* C. A. 8th Cir. *Certiorari* granted. *Acting Solicitor General Davis*, *Assistant Attorney General Hansen*, *Richard A. Solomon*, *Earl W. Kintner* and *James E. Corkey* for petitioner. *C. C. Fraizer* for respondent. Reported below: 262 F. 2d 241.

No. 627, Misc. *JONES v. UNITED STATES.* Motion for leave to proceed *in forma pauperis* and petition for writ of *certiorari* to the United States Court of Appeals for the District of Columbia Circuit granted. *Herbert S. Marks* and *Louis Henkin* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *Carl H. Imlay* for the United States. Reported below: 104 U. S. App. D. C. 345, 262 F. 2d 234.



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*Certiorari Denied.* (See also No. 718, Misc., ante, p. 499.)

No. 732. *BERMAN ET AL. v. UNITED STATES*; and

No. 733. *FABRIC GARMENT CO., INC., ET AL. v. UNITED STATES.* C. A. 2d Cir. *Certiorari denied.* *Milton C. Weisman* and *Harry I. Rand* for petitioners in No. 732. *Simon H. Rifkind* for petitioners in No. 733. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Robert S. Erdahl* and *Eugene L. Grimm* for the United States. Reported below: 262 F. 2d 631.

No. 794. *TITLE v. UNITED STATES.* C. A. 9th Cir. *Certiorari denied.* *Joseph Forer*, *David Rein* and *Daniel G. Marshall* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 263 F. 2d 28.

No. 795. *DE SOUZA v. BARBER, DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE.* C. A. 9th Cir. *Certiorari denied.* *Dora Berres* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Robert G. Maysack* for respondent. Reported below: 263 F. 2d 470.

No. 796. *COHEN ET AL. v. UNITED STATES ET AL.* C. A. 3d Cir. *Certiorari denied.* *Richard H. Markowitz* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *A. F. Prescott* and *Meyer Rothwacks* for respondents. Reported below: 263 F. 2d 466.

No. 797. *CATO BROS., INC., ET AL. v. UNITED STATES.* C. A. 4th Cir. *Certiorari denied.* *A. C. Epps* and *Charles W. Laughlin* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Alan S. Rosenthal* for the United States. Reported below: 263 F. 2d 697.

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No. 798. *SHAFFER v. EVANS*. C. A. 10th Cir. Certiorari denied. *Clinton R. Barry* and *D. L. Grace* for petitioner. Reported below: 263 F. 2d 134.

No. 800. *BURGER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *John T. Sapienza*, *Don O. Russell* and *Robert L. Randall* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Joseph F. Goetten* for the United States. Reported below: 262 F. 2d 946.

No. 801. *DOUGLAS v. DOUGLAS*. District Court of Appeal of California, Second Appellate District. Certiorari denied. *Manuel Ruiz, Jr.* for petitioner. Reported below: 164 Cal. App. 2d 230, 330 P. 2d 659.

No. 802. *CRABTREE v. OKLAHOMA*. Criminal Court of Appeals of Oklahoma. Certiorari denied. *Edward L. Carey* and *Walter E. Gillcrist* for petitioner.

No. 804. *COUCH ET VIR v. CITY OF RICHARDSON ET AL.* Supreme Court of Texas. Certiorari denied. *James P. Donovan* and *William F. Billings* for petitioners. *Lewis B. Lefkowitz*, *John Plath Green* and *William H. Shook* for Gillespie, respondent.

No. 808. *NEW YORK CENTRAL RAILROAD CO. ET AL. v. CITY OF DETROIT*. Supreme Court of Michigan. Certiorari denied. *George H. Wyatt* for petitioners. *Nathaniel H. Goldstick* and *Julius C. Pliskow* for respondent. Reported below: 354 Mich. 637, 93 N. W. 2d 481.

No. 812. *GORSKA v. PENNSYLVANIA RAILROAD CO.* C. A. 2d Cir. Certiorari denied. *Jacob Rassner* for petitioner. *Edward F. Butler*, *Joseph P. Allen* and *Herbert J. Kaplow* for respondent. Reported below: 262 F. 2d 198.

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No. 810. VAN BEUREN ET AL. *v.* McLoughlin (Former Acting Collector of Internal Revenue) ET AL. C. A. 1st Cir. Certiorari denied. *William R. Spofford* and *Sherwin T. McDowell* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Harry Baum* for respondent. Reported below: 262 F. 2d 315.

No. 811. MID-SOUTHERN FOUNDATION *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 6th Cir. Certiorari denied. *Robert A. Littleton* and *John R. Stivers* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Harry Baum* for respondent. Reported below: 262 F. 2d 134.

No. 813. HEXAGON LABORATORIES, INC., *v.* ROGERS, ATTORNEY GENERAL, ET AL. C. A. 3d Cir. Certiorari denied. *Allan L. Tumarkin*, *Montrose H. Massler* and *Theodore R. Kupferman* for petitioner. *Anthony T. Augelli*, *Irving H. Jurow* and *William D. Denson* for Schering Corporation, respondent. Reported below: 262 F. 2d 180.

No. 814. UNITED STATES *v.* MERCHANTS MATRIX CUT SYNDICATE, INC. C. A. 7th Cir. Certiorari denied. *Solicitor General Rankin*, *Assistant Attorney General Morton* and *Roger P. Marquis* for the United States. *Robert N. Burchmore* for respondent. Reported below: 259 F. 2d 747.

No. 817. AMERICAN OIL CO. *v.* UNITED STATES ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Perry S. Patterson* and *Herbert J. Miller, Jr.* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Morton* and *Roger P. Marquis* for respondents.



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No. 815. DARLINGTON *v.* STUDEBAKER-PACKARD CORP. C. A. 7th Cir. Certiorari denied. *Owen W. Crumpacker* for petitioner. *Wayne B. Easton* for respondent. Reported below: 261 F. 2d 903.

No. 816. GULF OIL CORP. *v.* INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL NO. 715, AFL-CIO. C. A. 5th Cir. Certiorari denied. *Chas. J. Murray*, *David W. Stephens* and *David T. Searls* for petitioner.

No. 822. ERRINGTON *v.* MISSOURI EX REL. COLLET, PROSECUTING ATTORNEY. Supreme Court of Missouri. Certiorari denied. *Robt. M. Murray* for petitioner. *Phineas Rosenberg* for respondent. Reported below: 317 S. W. 2d 326.

No. 844. WEIN *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. *Russell E. Parsons* and *Richard Gladstein* for petitioner.

No. 470, Misc. KENDALL *v.* RAGEN, WARDEN. Criminal Court of Cook County, Illinois. Certiorari denied. Petitioner *pro se.* *Latham Castle*, Attorney General of Illinois, for respondent.

No. 504, Misc. GRESSETTE *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 Wilkey*, *Beatrice Rosenberg* and *J. F. Bishop* for the United States.

No. 537, Misc. CLARK *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se.* *Latham Castle*, Attorney General of Illinois, and *William C. Wines*, Assistant Attorney General, for respondent.

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No. 558, Misc. GRAY *v.* KEENAN, WARDEN. Supreme Court of Pennsylvania, Western District. Certiorari denied. Petitioner *pro se.* Edward C. Boyle for respondent.

No. 607, Misc. HADLEY *v.* OREGON. Supreme Court of Oregon. Certiorari denied. Petitioner *pro se.* Thomas W. Hansen for respondent.

No. 637, Misc. STRADER *v.* ADAMS, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 649, Misc. BIFIELD ET AL. *v.* HALBERT, U. S. DISTRICT JUDGE, ET AL. C. A. 9th Cir. Certiorari denied.

No. 672, Misc. BRANCH *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Petitioner *pro se.* Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg for the United States. Reported below: 261 F. 2d 530.

No. 675, Misc. TORRES *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 679, Misc. TURNER *v.* ELLIS, GENERAL MANAGER, TEXAS PRISON SYSTEM. Court of Criminal Appeals of Texas. Certiorari denied.

No. 680, Misc. BATES *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. Ruth Jacobs for petitioner. Stanley Mosk, 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.

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No. 682, Misc. *KENNEDY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Jerome M. Feit* for the United States. Reported below: 259 F. 2d 883.

No. 683, Misc. *GILMORE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *William F. Walsh* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Theodore George Gilinsky* for the United States. Reported below: 264 F. 2d 44.

No. 687, Misc. *ROGERS 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 Wilkey, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 105 U. S. App. D. C. 65, 263 F. 2d 902.

No. 690, Misc. *SCHERER v. WYOMING*. Supreme Court of Wyoming. Certiorari denied.

No. 693, Misc. *BAUMGART v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 694, Misc. *MEIKLE v. NEW YORK*. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 696, Misc. *MAY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Joseph P. Jenkins* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Kirby W. Patterson* for the United States. Reported below: 261 F. 2d 629.



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No. 700, Misc. SHANNON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for the United States. Reported below: 263 F. 2d 596.

No. 701, Misc. PELIO *v.* NEW YORK. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied. Petitioner *pro se*. *Benj. J. Jacobson* for respondent.

No. 702, Misc. UNITED STATES EX REL. ALLEN *v.* MURPHY, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 704, Misc. GILLIAM *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 705, Misc. MOORELAND *v.* CAVELL, WARDEN. Supreme Court of Pennsylvania, Western District. Certiorari denied.

No. 711, Misc. JONES *v.* COMMISSIONERS OF THE DISTRICT OF COLUMBIA. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 712, Misc. LEWIS *v.* OKLAHOMA. Criminal Court of Appeals of Oklahoma. Certiorari denied.

No. 713, Misc. GRANT *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 714, Misc. MORGAN *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 727, Misc. UNITED STATES EX REL. FARROW *v.* BANMILLER, WARDEN. C. A. 3d Cir. Certiorari denied.

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No. 716, Misc. UNITED STATES EX REL. CHASE *v.* KEENAN, WARDEN, ET AL. C. A. 3d Cir. Certiorari denied.

No. 717, Misc. VALENTINE *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 719, Misc. HOLLMAN *v.* MANNING, WARDEN. C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Daniel R. McLeod*, Attorney General of South Carolina, *William F. Austin*, Assistant Attorney General, and *Julian S. Wolfe* for respondent. Reported below: 262 F. 2d 656.

No. 720, Misc. GATENS *v.* BANMILLER, WARDEN. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 722, Misc. BARANOWSKI *v.* CAVELL, WARDEN. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 726, Misc. TILLERY *v.* CAVELL, WARDEN. Court of Common Pleas of Allegheny County, Pennsylvania. Certiorari denied.

No. 728, Misc. STREIT *v.* BENNETT, WARDEN. District Court of Lee County, Iowa. Certiorari denied. Petitioner *pro se*. *Norman A. Erbe*, Attorney General of Iowa, for respondent.

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

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No. 729, Misc. SHERIDAN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 264 F. 2d 237.

No. 739, Misc. RAKES *v.* ADAMS, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 741, Misc. CALDERON *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 742, Misc. BYOMIN *v.* OHIO. Supreme Court of Ohio. Certiorari denied. Petitioner *pro se*. *Paul J. Mikus and Adrian F. Betleski* for respondent. Reported below: 168 Ohio St. 256, 153 N. E. 2d 672.

No. 743, Misc. CRENSHAW *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 748, Misc. DUFFY *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. Petitioner *pro se*. *Edward S. Silver* for respondent.

No. 753, Misc. KESSLER *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 754, Misc. METCALFE *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 758, Misc. JAMES *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 768, Misc. PULASKI *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.



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No. 769, Misc. *ECKWERTH v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 766, Misc. *LAUGHTON v. RHAY*, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied.

No. 787, Misc. *JENKINS v. LOUISIANA*. Supreme Court of Louisiana. Certiorari denied. *George H. Fust* for petitioner. Reported below: 236 La. 256, 107 So. 2d 632.

No. 853, Misc. *KEITH v. NEW YORK*. Court of Appeals of New York. Certiorari denied. *Nancy Carley* for petitioner. *Irving Anolik* for respondent.

No. 600, Misc. *KING v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Anderson*, *Beatrice Rosenberg* and *J. F. Bishop* for the United States.

No. 707, Misc. *ELLIS v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Kingdon Gould, Jr.* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 105 U. S. App. D. C. 86, 264 F. 2d 372.

No. 648, Misc. *SCHLETTE v. HALBERT, JUDGE, ET AL.* Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit and for other relief denied.

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May 18, 22, 25, 1959.

*Rehearing Denied.*

No. 178. *THE MONROSA ET AL. v. CARBON BLACK EXPORT, INC.*, *ante*, p. 180;

No. 716. *PECKHAM v. CASALDUC, TRUSTEE OF RONRICO CORPORATION, ET AL.*, *ante*, p. 958;

No. 736. *BRIGHT LEAF INDUSTRIES, INC., v. STABLER ET AL.*, *ante*, p. 960;

No. 397, Misc. *STARR v. UNITED STATES*, *ante*, p. 936;

No. 580, Misc. *MINTON v. ELLIS, GENERAL MANAGER, TEXAS DEPARTMENT OF CORRECTIONS*, *ante*, p. 955;

No. 582, Misc. *HOLLIS v. ELLIS, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS*, *ante*, p. 971; and

No. 589, Misc. *WORLEY, ADMINISTRATRIX, ET AL. v. DUNN, TRUSTEE IN BANKRUPTCY, ET AL.*, *ante*, p. 955. Petitions for rehearing denied.

No. 581, Misc. *BRISTOL ET AL. v. HEATON ET AL.*, *ante*, p. 230. Petition for rehearing denied. MR. JUSTICE DOUGLAS is of the opinion that a rehearing should be granted.

MAY 22, 1959.

*Rehearing Denied.*

No. 874, Misc., October Term, 1957. *RISER v. TEETS, WARDEN*, 357 U. S. 944. The motion for leave to file a petition for rehearing and recall of order denying certiorari is denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application. *George T. Davis* for petitioner. Reported below: 253 F. 2d 844.

MAY 25, 1959.

*Miscellaneous Orders.*

No. 894, Misc. *DUNCAN v. CALIFORNIA*. Motion for leave to file petition for writ of habeas corpus denied.

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No. 252. *SAFEWAY STORES, INC., v. OKLAHOMA RETAIL GROCERS ASSOCIATION, INC., ET AL.* Appeal from the Supreme Court of Oklahoma. (Probable jurisdiction noted, 358 U. S. 807.) The motion of the State of Oklahoma for leave to file brief, as *amicus curiae*, is granted. MR. JUSTICE CLARK took no part in the consideration or decision of this motion. *Mac Q. Williamson*, Attorney General of Oklahoma, movant. Reported below: 322 P. 2d 179.

*Certiorari Denied.* (See also No. 803, ante, p. 533, and No. 805, ante, p. 531.)

No. 745. *DE LUCIA v. UNITED STATES.* C. A. 7th Cir. *Certiorari* denied. *Wm. Scott Stewart* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Joseph F. Goetten* for the United States. Reported below: 262 F. 2d 610.

No. 818. *KIRKPATRICK ET AL. v. SANDERS*, DISTRICT DIRECTOR OF INTERNAL REVENUE. C. A. 4th Cir. *Certiorari* denied. *Raymond Kyle Hayes* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Melva M. Graney* and *L. W. Post* for respondent. Reported below: 261 F. 2d 480.

No. 819. *GREENBERG ET AL. v. NEW YORK.* Court of Appeals of New York. *Certiorari* denied. *Thomas Cartelli* for petitioners.

No. 821. *REVARD v. OKLAHOMA.* Court of Criminal Appeals of Oklahoma. *Certiorari* denied. *O. B. Martin* for petitioner. Reported below: 332 P. 2d 967.

No. 823. *UNIVERSE TANKSHIPS, INC., v. BARTHOLOMEW.* C. A. 2d Cir. *Certiorari* denied. *Victor S. Cichanowicz* for petitioner. *Morton M. Shreck* for respondent. Reported below: 263 F. 2d 437.



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May 25, 1959.

No. 692. CONSOLIDATED FREIGHTWAYS, INC., *v.* UNITED TRUCK LINES, INC. Supreme Court of Oregon. Certiorari denied. *Donald A. Schafer* for petitioner. *James A. Williams* for respondent. Reported below: — Ore. —, 330 P. 2d 522.

No. 834. COUNTY OF LOS ANGELES ET AL. *v.* FLYING TIGER LINE, INC. Supreme Court of California. Certiorari denied. *Harold W. Kennedy* for petitioners. *Carl A. Stutsman, Jr.* for respondent. Reported below: 51 Cal. 2d 314, 333 P. 2d 323.

No. 835. HALTOM CITY STATE BANK OF FORT WORTH *v.* SEABOARD SURETY CO. ET AL. Court of Claims. Certiorari denied. *Leo Brewster* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Alan S. Rosenthal* for the United States, respondent. Reported below: — Ct. Cl. —.

No. 839. WRIGHT ET AL. *v.* UNITED STATES. Court of Claims. Certiorari denied. *Otis Mark Waters* for petitioners. *Solicitor General Rankin, Assistant Attorney General Doub, Samuel D. Slade* and *Bernard Cedarbaum* for the United States. Reported below: — Ct. Cl. —, — F. Supp. —.

No. 845. HARDY ET AL. *v.* IVINS. Supreme Court of Montana. Certiorari denied. *Wellington D. Rankin* for Hardy, petitioner. *Howard A. Johnson* for respondent. Reported below: — Mont. —, 333 P. 2d 471, 334 P. 2d 721.

No. 751, Misc. GOLDENBERG *v.* MASSACHUSETTS. Superior Court of Massachusetts, Bristol County. Certiorari denied. *Melvin S. Louison* and *Leonard Louison* for petitioner. Reported below: 338 Mass. —, 155 N. E. 2d 187.

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No. 725, Misc. WASHINGTON *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *John H. Pickering* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg* and *Eugene L. Grimm* for the United States. Reported below: 105 U. S. App. D. C. 58, 263 F. 2d 742.

No. 740, Misc. WILKINS *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 Wilkey, Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 104 U. S. App. D. C. 337, 262 F. 2d 226.

No. 824. VANT ET AL. *v.* MUTUAL BENEFIT LIFE INSURANCE Co. C. A. 3d Cir. Certiorari denied. *Paul Ginsburg* for petitioners. *Carl E. Glock* for respondent. Reported below: 262 F. 2d 803.

No. 825. FLEISCHER, TRUSTEE, *v.* BENJAMIN ET AL. C. A. 2d Cir. Certiorari denied. *Gustave B. Garfield* for petitioner. *Louis Nizer* for Paramount Pictures, Inc., et al., *Simon H. Rifkind* for Benjamin et al., and *Frank A. Bull* and *Daniel Huttenbrauck* for A. A. P., Inc., et al., respondents. Reported below: 264 F. 2d 515.

No. 826. WENGENROTH ET AL. *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. *Floyd Duke James* for petitioners.

No. 827. GILBERT ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. *Fredrick R. Tansill* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice* and *Harry Baum* for respondent. Reported below: 262 F. 2d 512.

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No. 829. *WILSON v. MILES ET AL.* Court of Appeals of New York. Certiorari denied. *Sydney Snitow* and *Melvel W. Snitow* for petitioner. *Solomon Z. Ferziger* and *Herbert H. Pensig* for respondents. Reported below: 5 N. Y. 2d 822, 929, 181 N. Y. S. 2d 501, 183 N. Y. S. 2d 289.

No. 832. *DUBILIER v. UNITED STATES.* Court of Claims. Certiorari denied. *Samuel Ostrolenk* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Morton Hollander* and *Bernard Cedarbaum* for the United States. Reported below: 169 F. Supp. 489.

No. 837. *RUTHERFORD v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Murray M. Chotiner* and *Russell E. Parsons* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 264 F. 2d 180.

No. 843. *BIDART BROS. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *W. E. James* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *A. F. Prescott* and *Louise Foster* for the United States. Reported below: 262 F. 2d 607.

No. 634. *SHEPTUR v. PROCTER & GAMBLE DISTRIBUTING Co.* C. A. 6th Cir. Certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application. Reported below: 261 F. 2d 221.

No. 709, Misc. *RILEY v. RANDOLPH, WARDEN.* Criminal Court of Cook County, Illinois. Certiorari denied.

No. 737, Misc. *WILSON v. BANMILLER, WARDEN.* C. A. 3d Cir. Certiorari denied.



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No. 746. *BARAY v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 747, Misc. *WILLIAMS v. ALABAMA*. Supreme Court of Alabama. Certiorari denied.

No. 755, Misc. *MAULT v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 757, Misc. *MULVANEY v. GOODMAN, WARDEN*. Supreme Court of New Jersey. Certiorari denied.

No. 759, Misc. *UNITED STATES EX REL. DOPKOWSKI v. RANDOLPH, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 262 F. 2d 10.

No. 762, Misc. *UNITED STATES EX REL. JANOSKO v. MURPHY, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 764, Misc. *BLACKSHEAR 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. 765, Misc. *VEECH v. SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY*. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 782, Misc. *PENNSYLVANIA EX REL. LEON v. BAN-MILLER, WARDEN*. Supreme Court of Pennsylvania, Eastern District. Certiorari denied.

No. 784, Misc. *BUTCHER v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 785, Misc. *PERRONI v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

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No. 786, Misc. JONES *v.* SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 799, Misc. BAKER *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. 801, Misc. WHEAT ET AL. *v.* BALTIMORE & OHIO RAILROAD Co. C. A. 7th Cir. Certiorari denied. Clarence E. Clifton and Charles C. Montgomery for petitioners. Kenneth E. Ekin for respondent. Reported below: 262 F. 2d 289.

No. 802, Misc. GREGORY *v.* NEW YORK. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 804, Misc. WITHERSPOON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg for the United States.

No. 752, Misc. THOMAS *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Gerald W. Getty and James J. Doherty for petitioner.

*Rehearing Denied.*

No. 713. SMOOT SAND & GRAVEL CORP. *v.* DISTRICT OF COLUMBIA, *ante*, p. 968;

No. 466, Misc. PERRONI *v.* ILLINOIS, *ante*, p. 980;

No. 650, Misc. GRANGER *v.* UNITED STATES, *ante*, p. 979; and

No. 658, Misc. CEPERO *v.* PAN AMERICAN AIRWAYS, INC., *ante*, p. 981. Petitions for rehearing denied.

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No. 261. AMERICAN NATIONAL BANK OF JACKSONVILLE *v.* UNITED STATES ET AL., 358 U. S. 835. Motion for leave to file petition for rehearing denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application.

*Dismissal Under Rule 14.*

ALMOND ET AL. *v.* JAMES ET AL. Appeal from the United States District Court for the Eastern District of Virginia. Appeal dismissed pursuant to stipulation under Rule 14 of the Rules of this Court. *J. Lindsay Almond, Jr.*, Governor of Virginia, *Albertis S. Harrison, Jr.*, Attorney General of Virginia, and *Walter E. Rogers*, Special Assistant Attorney General, for appellants. *Edmund D. Campbell* for appellees.

MAY 27, 1959.

*Dismissal Under Rule 14.*

CITY OF PASSAIC *v.* GENERAL ELECTRIC CO. ET AL. Appeal from the Supreme Court of New Jersey. Appeal dismissed pursuant to stipulation under Rule 14 of the Rules of this Court. *William N. Gurtman* for appellant. *John W. Hand* for the General Electric Co., and *David D. Furman*, Attorney General of New Jersey, and *Theodore I. Botter*, Deputy Attorney General, for the Division of Tax Appeals, Department of the Treasury of New Jersey, appellees.

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*Miscellaneous Orders.*

No. 794, Misc. ORTIZ *v.* NEW MEXICO; and

No. 815, Misc. JOINER *v.* SINCLAIR, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied.



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DOUGLAS, J., dissenting.

No. 594, Misc. IN RE DISBARMENT OF CROW. It having been reported to the Court that John Harvey Crow, of Urbana, State of Ohio, has been disbarred from the practice of law in all the courts of the State of Ohio by judgment of the Common Pleas Court, Champagne County, State of Ohio, duly entered on the 16th day of August, A. D. 1956, and this Court by order of March 23, 1959,\* having suspended the said John Harvey Crow from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued and served upon the respondent, who has filed a return thereto; now, upon consideration of the rule to show cause and the return aforesaid;

IT IS ORDERED that the said John Harvey Crow be, and he is hereby disbarred, and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

MR. JUSTICE STEWART took no part in the consideration or decision of this matter.

MR. JUSTICE DOUGLAS, with whom MR. JUSTICE BLACK concurs, dissenting.

The disposition made of this disbarment proceeding does not conform to our practice. While admission to membership in our Bar is dependent on membership in a Bar of a State or other like political unit (Rule 5), dis-

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\*[REPORTER'S NOTE: The order of March 23, 1959, referred to in the above order of the Court is as follows:

["No. 594, Misc. IN RE DISBARMENT OF CROW. IT IS ORDERED that John Harvey Crow, of Urbana, Ohio, be suspended from the practice of the law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of the law in this Court. MR. JUSTICE STEWART took no part in the consideration or decision of this case."]

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barment there does not automatically result in disbarment here. When a State disbars a lawyer, we suspend him and issue a rule to show cause why he should not be disbarred. He then has an opportunity to make a return, after which (or on expiration of 40 days if no response is made) "the court will enter an appropriate order." Rule 8.

If a return is made challenging the fairness of the state proceedings that resulted in his disbarment there, it is our practice to appoint a committee to make an inquiry into the matter and submit a report and recommendation to us. That was done in *In re Capshaw*. Journal, Supreme Court of the United States, February 12, 1945, p. 167; 65 Sup. Ct. 673. The committee there appointed reported and, acting on that report, we entered an order of disbarment. Journal, Supreme Court of the United States, May 19, 1947, p. 260; 67 Sup. Ct. 1345.

Crow has made a return in this case denying the charges against him, alleging they were "manufactured." He challenges the reliability of the witnesses who spoke against him; he insists that the testimony of some witnesses refutes the charges; he maintains that persons with dishonorable motives induced witnesses to testify falsely against him; he alleges that one of the judges who sat in the disbarment proceedings should have been disqualified.

Three of the charges relate to Crow's conduct in divorce proceedings. The fourth involves a charge that \$100 given him by a client for posting a bond was not so used and was never returned.

The charges are serious but no more so than those involved in the *Capshaw* case. It is for us to make our own determination as to the fitness of an attorney to remain on our rolls. State proceedings of disbarment, though presumptively correct, are not binding. See *Sell-*

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*ing v. Radford*, 243 U. S. 46. This is not the first time that state disbarment proceedings have been challenged as lacking in procedural due process. See *Isserman v. Ethics Committee*, 345 U. S. 927 (dissent). Sometimes we can act on the face of the record, as where no serious issues of fact are involved. See *In re Isserman*, 345 U. S. 286, rev'd, 348 U. S. 1. But the important questions presented here turn on factual issues. The return in this case contains allegations which, if proved, would suggest that the requirements of fair procedure, without which no citizen can be deprived of his livelihood, were not satisfied in the Ohio proceedings.

These complaints that Crow makes may prove to be as fanciful as he thinks the charges against him are. But we should act only after a report of a committee that reflects none of the feelings and prejudices of the community which has condemned Crow.

No. 841. ANONYMOUS No. 14 *v. ARKWRIGHT ET AL.* Motion to dispense with printing of the petition granted. Joint motion to substitute Edward G. Baker in the place of George A. Arkwright (retired) as a party respondent granted. Petition for writ of certiorari to the Court of Appeals of New York denied. *David T. Berman* for petitioner. *Denis M. Hurley, Michael A. Castaldi and Zevie B. Schizer* for respondents.

No. 842. ANONYMOUS NOS. 16 AND 17 *ET AL. v. ARKWRIGHT ET AL.* Motion to dispense with printing of the petition granted. Joint motion to substitute Edward G. Baker in the place of George A. Arkwright (retired) as a party respondent granted. Petition for writ of certiorari to the Court of Appeals of New York denied. *David T. Berman* for petitioners. *Denis M. Hurley, Michael A. Castaldi and Zevie B. Schizer* for respondents.



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No. 775, Misc. *CROSS v. SUPREME COURT OF CALIFORNIA ET AL.* Motion for leave to file petition for writ of mandamus denied. Petitioner *pro se*. *Stanley A. Mosk*, Attorney General of California, *Willard A. Shank* and *John Fourt*, Deputy Attorneys General, and *Spencer M. Williams* for respondents.

*Certiorari Granted.* (See also No. 851, ante, p. 552.)

No. 833. *BLACKBURN v. ALABAMA.* Court of Appeals of Alabama. *Certiorari* granted. *W. H. Mitchell, Jr.* and *Truman Hobbs* for petitioner. *MacDonald Gallion*, Attorney General of Alabama, and *Paul T. Gish, Jr.*, Assistant Attorney General, for respondent. Reported below: 40 Ala. App. —, 109 So. 2d 736.

No. 859. *UNITED STATES v. REPUBLIC STEEL CORP. ET AL.* C. A. 7th Cir. *Certiorari* granted. *Solicitor General Rankin*, *Assistant Attorney General Morton* and *Roger P. Marquis* for the United States. *Paul R. Conaghan* for Republic Steel Corp., *Peter A. Dammann* for International Harvester Co., and *Raymond T. Jackson*, *Warren Daane* and *Henry E. Seyfarth* for Interlake Iron Corp., respondents. Reported below: 264 F. 2d 289.

No. 858. *UNITED STATES v. KAISER.* C. A. 7th Cir. *Certiorari* granted. *Solicitor General Rankin* and *Assistant Attorney General Rice* for the United States. *Max Raskin*, *Harold A. Cranefield* and *Joseph L. Rauh, Jr.* for respondent. Reported below: 262 F. 2d 367.

*Certiorari Denied.* (See also No. 783, ante, p. 550; and Nos. 841 and 842, ante, p. 1009.)

No. 847. *CENTURY INDUSTRIES, INC., v. WIEBOLDT STORES, INC., ET AL.* C. A. 7th Cir. *Certiorari* denied. *James R. McKnight* for petitioner. *Warren C. Horton* for respondents. Reported below: 263 F. 2d 934.

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No. 838. NORTH AMERICAN VAN LINES, INC., *v.* UNITED STATES. Court of Claims. Certiorari denied. *Clifford J. Hynning* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Harry Baum* for the United States. Reported below: — Ct. Cl. —, 169 F. Supp. 252.

No. 862. MEMPHIS TRANSIT CO. *v.* TENNESSEE EX REL. LEECH, COMMISSIONER OF HIGHWAYS. Supreme Court of Tennessee, Middle Division. Certiorari denied. *George T. Lewis, Jr.* and *Carmack Cochran* for petitioner. *James M. Glasgow* and *Jack Wilson*, Assistant Attorneys General of Tennessee, for the State of Tennessee. Reported below: — Tenn. —, 319 S. W. 2d 90.

No. 869. NATIONAL BISCUIT DIVISION (BISCUIT COUNCIL, BAKERY AND CONFECTIONERY WORKERS' INTERNATIONAL UNION OF AMERICA) *v.* LEEDOM ET AL., CONSTITUTING THE NATIONAL LABOR RELATIONS BOARD. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Abraham J. Harris* and *James H. Heller* for petitioner. *Solicitor General Rankin*, *Jerome D. Fenton*, *Thomas J. McDermott*, *Dominick L. Manoli* and *Norton J. Come* for the National Labor Relations Board. Reported below: 105 U. S. App. D. C. 117, 265 F. 2d 101.

No. 894. STATE BOARD OF EQUALIZATION *v.* GOUGH INDUSTRIES, INC. Supreme Court of California. Certiorari denied. *Stanley Mosk*, Attorney General of California, *James E. Sabine*, Assistant Attorney General, and *Ernest P. Goodman*, Deputy Attorney General, for petitioner. *Francis R. Kirkham*, *Sigvald Nielson* and *Francis N. Marshall* for respondent. Reported below: 51 Cal. 2d 736, 336 P. 2d 161.

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No. 828. SIEGEL ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *William G. Mulligan* for petitioners. *Solicitor General Rankin* and *Acting Assistant Attorney General Yeagley* for the United States. Reported below: 263 F. 2d 530.

No. 840. HOLEMAN *v.* LOUISVILLE & NASHVILLE RAILROAD Co. Court of Appeals of Kentucky. Certiorari denied. *Parker W. Duncan* for petitioner. *R. P. Hobson* and *John P. Sandidge* for respondent. Reported below: 319 S. W. 2d 47.

No. 846. WORTHINGTON *v.* COMMODITY CREDIT CORPORATION. C. A. 4th Cir. Certiorari denied. *Edwin R. Denney* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Samuel D. Slade* and *Lionel Kestenbaum* for respondent. Reported below: 263 F. 2d 178.

No. 848. KELLER ET AL. *v.* SANGER. C. A. 7th Cir. Certiorari denied. *Sol A. Hoffman* for petitioners. *Frederick J. Hertz* and *A. Louis Flynn* for respondent.

No. 849. LOUISIANA STATE BOARD OF MEDICAL EXAMINERS ET AL. *v.* ENGLAND ET AL. C. A. 5th Cir. Certiorari denied. *Robert E. LeCorgne, Jr.* for petitioners. *Russell Morton Brown* for respondents. Reported below: 259 F. 2d 626, 263 F. 2d 661.

No. 850. NEW PRODUCTS CORPORATION *v.* OUTBOARD, MARINE & MANUFACTURING Co. C. A. 7th Cir. Certiorari denied. *Warren C. Horton* for petitioner. *S. L. Wheeler* for respondent. Reported below: 263 F. 2d 521.

No. 861. DAVIDITIS ET AL. *v.* NATIONAL BANK OF MATTOON ET AL. C. A. 7th Cir. Certiorari denied. Petitioners *pro se*. Reported below: 262 F. 2d 884.



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No. 863. MESSINA, ADMINISTRATRIX, *v.* CLARK EQUIPMENT Co. C. A. 2d Cir. Certiorari denied. *Julian Buchbinder* for petitioner. *John P. Smith* for respondent. Reported below: 263 F. 2d 291.

No. 864. PANNELL *v.* THE AMERICAN FLYER ETC. C. A. 2d Cir. Certiorari denied. *Arthur O. Louis, David L. Maloof and Joseph T. McGowan* for petitioner. *L. de Grove Potter* for respondent. Reported below: 263 F. 2d 497.

No. 853. UNITED MINE WORKERS OF AMERICA *v.* MEADOW CREEK COAL Co., INC. C. A. 6th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *R. R. Kramer, E. H. Rayson, Willard P. Owens and M. E. Boiarsky* for petitioner. *Lewis S. Pope* for respondent. Reported below: 263 F. 2d 52.

No. 482, Misc. LEACH *v.* OVERHOLSER, SUPERINTENDENT, ST. ELIZABETHS HOSPITAL. 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 respondent. Reported below: 103 U. S. App. D. C. 289, 257 F. 2d 667.

No. 583, Misc. TANNER *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se.* *Grenville Beardsley, Attorney General of Illinois, and William C. Wines, Assistant Attorney General,* for respondent.

No. 662, Misc. FULLEN *v.* WYOMING. Supreme Court of Wyoming. Certiorari denied. Petitioner *pro se.* *W. M. Haight, Assistant Attorney General of Wyoming,* for respondent.

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No. 692, Misc. EDELSON *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 732, Misc. WEAVER *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 263 F. 2d 577.

No. 774, Misc. CROSS *v.* TUSTIN, PERSONNEL DIRECTOR OF SANTA CLARA COUNTY, ET AL. District Court of Appeal of California, Third Appellate District. Certiorari denied. Petitioner *pro se*. *Stanley A. Mosk*, Attorney General of California, *Willard A. Shank* and *John Fourt*, Deputy Attorneys General, and *Spencer M. Williams* for respondents. Reported below: 165 Cal. App. 2d 146, 331 P. 2d 785.

No. 776, Misc. CURRY *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 778, Misc. MILBERGER *v.* NEW YORK. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 809, Misc. LLOYD *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: 219 Md. 343, 149 A. 2d 369.

No. 793, Misc. GLENN *v.* OKLAHOMA. Criminal Court of Appeals of Oklahoma. Certiorari denied.

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No. 780, Misc. REED *v.* SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 816, Misc. HELSEL *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 818, Misc. JOHNSON *v.* NEW YORK. Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

No. 824, Misc. MERKIE *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 921, Misc. GRIFFITH *v.* RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied.

*Rehearing Denied.*

No. 750. DAVID *v.* UNITED STATES, *ante*, p. 967;

No. 785. HARTSHORN *v.* DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY, *ante*, p. 984; and

No. 626, Misc. YATES *v.* UNITED STATES, *ante*, p. 972. Petitions for rehearing denied.

No. 221. COSTELLO *v.* UNITED STATES, 358 U. S. 830; and

No. 224. CANNELLA *v.* UNITED STATES, 358 U. S. 830. Motion for leave to file second petition for rehearing denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application.

No. 613. ST. REGIS TRIBE OF MOHAWK INDIANS *v.* NEW YORK, *ante*, p. 910. Motion for leave to file petition for rehearing denied.



