

ORDERS FROM OCTOBER 12, 1959, THROUGH
FEBRUARY 23, 1960.

OCTOBER 12, 1959.

Miscellaneous Orders.

An order of THE CHIEF JUSTICE designating and assigning MR. JUSTICE REED (retired) to perform judicial duties in the United States Court of Appeals for the District of Columbia Circuit beginning October 1, 1959, and ending June 30, 1960, and for such further time as may be required to complete unfinished business, pursuant to 28 U. S. C. § 294 (a), is ordered entered on the minutes of this Court, pursuant to 28 U. S. C. § 295.

An order of THE CHIEF JUSTICE designating and assigning MR. JUSTICE BURTON (retired) to perform judicial duties in the United States Court of Appeals for the District of Columbia Circuit beginning October 1, 1959, and ending June 30, 1960, and for such further time as may be required to complete unfinished business, pursuant to 28 U. S. C. § 294 (a), is ordered entered on the minutes of this Court, pursuant to 28 U. S. C. § 295.

No. 518, October Term, 1958. ATLANTIC REFINING CO. ET AL. *v.* PUBLIC SERVICE COMMISSION OF NEW YORK ET AL.; and

No. 536, October Term, 1958. TENNESSEE GAS TRANSMISSION CO. *v.* PUBLIC SERVICE COMMISSION OF NEW YORK ET AL., 360 U. S. 378. The motion of Long Island Lighting Company to recall and amend the judgment is denied. *David K. Kadane* and *Bertram D. Moll* for Long Island Lighting Co., respondent-movant. *William C. Braden*, *Harry S. Littman* and *Jack Werner* for Tennessee Gas Transmission Co., petitioner in No. 536, in opposition.

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No. 76. SUPERIOR COURT OF WASHINGTON FOR KING COUNTY ET AL. *v.* WASHINGTON EX REL. YELLOW CAB SERVICE, INC. On petition for writ of certiorari to the Supreme Court of Washington. The Solicitor General is invited to file a brief by November 16, 1959, setting forth the views of the National Labor Relations Board. Reported below: 53 Wash. 2d 644, 333 P. 2d 924.

No. 162. S. S. SILBERBLATT, INC., *v.* TAX COMMISSION OF NEW YORK. On petition for writ of certiorari to the Court of Appeals of New York. The Solicitor General is invited to file a brief setting forth his views as to the importance to the Federal Government of the issues involved. Reported below: 5 N. Y. 2d 635, 159 N. E. 2d 195.

No. 10, Original. UNITED STATES *v.* LOUISIANA ET AL. The motion of the State of Louisiana for leave to file a reply brief is granted. The motion of the State of Texas for leave to file a memorandum is granted. The motion of the United States for leave to file a supplemental memorandum is granted. THE CHIEF JUSTICE and MR. JUSTICE CLARK took no part in the consideration or decision of these motions. *Solicitor General Rankin* for the United States. *Jack P. F. Gremillion*, Attorney General of Louisiana, *W. Scott Wilkinson*, *Victor A. Sachse*, *Edward M. Carmouche*, *John L. Madden* and *Bailey Walsh*, Special Assistant Attorneys General, and *Hugh M. Wilkinson* and *Marc Dupuy, Jr.* for the State of Louisiana; *Price Daniel*, Governor of Texas, *Will Wilson*, Attorney General of Texas, *James N. Ludlum*, First Assistant Attorney General, *Houghton Brownlee, Jr.*, *James H. Rogers* and *John Flowers*, Assistant Attorneys General, *James P. Hart*, *J. Chrys Dougherty* and *Robert J. Hearon, Jr.* for the State of Texas, respondents.

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No. 67, October Term, 1958. *DYER ET AL. v. SECURITIES AND EXCHANGE COMMISSION ET AL.*, 359 U. S. 499. The motion to clarify the judgment is denied. The motion to retax costs is granted. The judgment of this Court of May 18, 1959, is recalled and the Clerk is directed to incorporate therein a reassessment of the costs so as to provide for the payment of one-half of the costs by the Union Electric Company. *J. Raymond Dyer* for petitioners-movants.

No. 824, October Term, 1958. *VANT ET AL. v. MUTUAL BENEFIT LIFE INSURANCE Co.*, 359 U. S. 1002. The motion to withdraw the motion for leave to file a motion to remand is granted. *Paul Ginsburg* for petitioners-movants.

No. 4. *JOHNSON, SUPERINTENDENT OF PUBLIC WORKS, v. TUSCARORA NATION OF INDIANS, ALSO KNOWN AS TUSCARORA INDIAN NATION*. Appeal from the United States Court of Appeals for the Second Circuit. The motion to substitute John Burch McMorran as the party appellant in the place of John W. Johnson is granted. *Louis J. Lefkowitz*, Attorney General of New York, for appellant. Reported below: 257 F. 2d 885.

No. 153. *MCGANN v. UNITED STATES*. Certiorari, 360 U. S. 929, to the United States Court of Appeals for the Second Circuit. The motion for the appointment of counsel is granted and it is ordered that *Thomas Homer Davis, Esquire*, of Leavenworth, Kansas, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for petitioner in this case.

No. —. *IN RE MALONE*. Joseph Malone, Jr., of Catskill, New York, having resigned as a member of the Bar of this Court, it is ordered that his name be stricken from the rolls of attorneys admitted to practice in this Court.

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- No. 66, Misc. ZIESEMER *v.* RIEDMAN, WARDEN;
No. 90, Misc. HART *v.* TAYLOR, WARDEN, ET AL.;
No. 92, Misc. MILLER *v.* WILKINSON, WARDEN;
No. 113, Misc. JEFFERSON *v.* BANMILLER, WARDEN;
No. 127, Misc. COLLINS *v.* ILLINOIS ET AL.;
No. 154, Misc. CASH *v.* CLEMMER, DIRECTOR, DEPT.
OF CORRECTIONS, D. C., ET AL.;
No. 155, Misc. BROADUS-BEY *v.* CLEMMER, DIRECTOR,
DEPT. OF CORRECTIONS, D. C., ET AL.;
No. 158, Misc. GLENN *v.* ROBERTSON;
No. 218, Misc. MAHURIN *v.* NASH, WARDEN;
No. 221, Misc. OTTEN *v.* MARYLAND;
No. 240, Misc. TELLEZ *v.* UNITED STATES; and
No. 246, Misc. ELLIS *v.* REID, SUPERINTENDENT, DIS-
TRICT OF COLUMBIA JAIL. Motions for leave to file peti-
tions for writs of habeas corpus denied.

No. 32, Misc. MILLER *v.* BENNETT, WARDEN. Motion for leave to file petition for writ of habeas corpus and for other relief denied. Petitioner *pro se.* Norman A. Erbe, Attorney General of Iowa, and Freeman H. Forrest, Assistant Attorney General, for respondent.

No. 156, Misc. ATLANTIC COAST LINE RAILROAD CO. ET AL. *v.* RISS & COMPANY, INC. Motion for leave to file petition for writ of certiorari denied. Francis M. Shea, Lawrence J. Latto, Richard T. Conway, Hugh B. Cox, James H. McGlothlin, Stuart S. Ball, Joseph H. Hays, Joseph D. Feeney, Jr., Prime F. Osborn, Charles T. Abeles, Henry L. Walker, Edwin H. Burgess, J. Raymond Hoover, H. Graham Morison, Newell A. Clapp, John D. Lane, Fred S. Gilbert, Jr., Martin A. Meyer, Jr., Edward K. Wheeler and Robert G. Seaks for petitioners. A. Alvis Layne, Lester M. Bridgeman and Robert L. Wright for respondent. Reported below: 170 F. Supp. 354.

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No. 85, Misc. *BASCELIO v. MAYO*, STATE PRISON CUSTODIAN; and

No. 210, Misc. *BARBER v. BANNAN*, WARDEN, ET AL. Motions for leave to file petitions for writs of habeas corpus and for other relief denied. Treating the papers submitted as petitions for writs of certiorari, certiorari is denied.

No. 104, Misc. *AKINS v. TINSLEY*;

No. 220, Misc. *MCCORKLE v. BANMILLER*, SUPERINTENDENT, EASTERN STATE PENITENTIARY; and

No. 241, Misc. *CULLEY v. MARYLAND*. 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.

No. 34, Misc. *EASTERN STATES PETROLEUM CORP. v. PRETTYMAN*, CHIEF JUDGE, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, ET AL.;

No. 112, Misc. *WORZ, INC., v. PRETTYMAN*, CHIEF JUDGE, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT, ET AL.;

No. 139, Misc. *ODUM v. ILLINOIS*; and

No. 172, Misc. *FOUTTY v. MARSHALL*, COMMON PLEAS COURT JUDGE, FRANKLIN COUNTY. Motions for leave to file petitions for writs of mandamus denied. *Gerard R. Moran* and *Edwin G. Martin* for petitioner in No. 34, Misc. *Eliot C. Lovett* for petitioner in No. 112, Misc. Petitioners *pro se* in Nos. 139, Misc., and 172, Misc. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Alan S. Rosenthal* and *Seymour Farber* for respondents in No. 34, Misc. *Solicitor General Rankin*, *Acting Assistant Attorney General Bicks*, *Richard A. Solomon*, *Ernest L. Folk III*, *John L. Fitzgerald* and *Max D. Paglin* for respondents and for the Federal Communications

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Commission in opposition in No. 112, Misc. Reported below: No. 34, Misc., 105 U. S. App. D. C. 219, 265 F. 2d 593; No. 112, Misc., 106 U. S. App. D. C. 14, 268 F. 2d 889.

Probable Jurisdiction Noted.

No. 71. *DE VEAU v. BRAISTED, DISTRICT ATTORNEY.* Appeal from the Court of Appeals of New York. Probable jurisdiction noted. *Thomas W. Gleason* for appellant. *Thomas R. Sullivan* for appellee. *Nanette Dembitz* filed a brief for the New York Civil Liberties Union, as *amicus curiae*, in support of appellant. Reported below: 5 N. Y. 2d 236, 157 N. E. 2d 165.

No. 74. *AMERICAN TRUCKING ASSOCIATIONS, INC., ET AL. v. UNITED STATES ET AL.* Appeal from the United States District Court for the District of Columbia. Probable jurisdiction noted. *Peter T. Beardsley* for appellants. *Robert W. Ginnane* for the Interstate Commerce Commission, *Edward M. Reidy, William Meinhold* and *Robert L. Pierce* for Pacific Motor Trucking Co., and *Henry M. Hogan, Walter R. Frizzell* and *Beverley S. Simms* for General Motors Corp., appellees. Reported below: 170 F. Supp. 38.

No. 86. *HURON PORTLAND CEMENT CO. v. CITY OF DETROIT ET AL.* Appeal from the Supreme Court of Michigan. Probable jurisdiction noted. *Alfred E. Lindbloom, Charles Wright, Jr.* and *Laurence A. Masselink* for appellant. *Nathaniel H. Goldstick* for appellees. Reported below: 355 Mich. 227, 93 N. W. 2d 888.

No. 80. *SCRIPTO, INC., v. CARSON, SHERIFF, ET AL.* Appeal from the Supreme Court of Florida. Probable jurisdiction noted. *Ernest P. Rogers* for appellant. Reported below: 105 So. 2d 775.

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No. 258. INTERNATIONAL ASSOCIATION OF MACHINISTS ET AL. *v.* STREET ET AL. Appeal from the Supreme Court of Georgia. Probable jurisdiction noted. *Milton Kramer, Lester P. Schoene and Cleburne E. Gregory, Jr.* for appellants. Reported below: 215 Ga. 27, 108 S. E. 2d 796.

No. 98. UNION PACIFIC RAILROAD Co. *v.* UNITED STATES. Appeal from the United States District Court for the Southern District of Iowa. Probable jurisdiction noted. *Elmer B. Collins and James H. Anderson* for appellant. *Solicitor General Rankin, Assistant Attorney General Doub, Morton Hollander and John G. Laughlin, Jr.* for the United States. Reported below: 173 F. Supp. 397.

Certiorari Granted. (See also No. 120, *ante*, p. 11; No. 2, *Misc.*, *ante*, p. 4; No. 12, *Misc.*, *ante*, p. 5; and No. 33, *Misc.*, *ante*, p. 13.)

No. 83. MITCHELL, SECRETARY OF LABOR, *v.* H. B. ZACHRY Co. C. A. 5th Cir. *Certiorari* granted. *Solicitor General Rankin, Stuart Rothman, Harold C. Nystrom, Bessie Margolin and Jacob I. Karro* for petitioner. *Chester H. Johnson and R. Dean Moorhead* for respondent. Reported below: 262 F. 2d 546.

No. 139. KIMM *v.* HOY, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 9th Cir. *Certiorari* granted. *Joseph Forer and David Rein* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Robert S. Erdahl and Robert G. Maysack* for respondent. Reported below: 263 F. 2d 773.

No. 156. MINER ET AL., JUDGES, U. S. DISTRICT COURT, *v.* ATLASS. C. A. 7th Cir. *Certiorari* granted. *Harold A. Liebenson and John E. Harris* for petitioners. *Edward B. Hayes* for respondent. Reported below: 265 F. 2d 312.

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No. 130. NIUKKANEN, ALIAS MACKIE, *v.* McALEXANDER, ACTING DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 9th Cir. Certiorari granted. *Reuben Lenske* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Robert S. Erdahl* and *Julia P. Cooper* for respondent. Reported below: 265 F. 2d 825.

No. 176. MITCHELL *v.* TRAWLER RACER, INC. C. A. 1st Cir. Certiorari granted. *Morris D. Katz* for petitioner. *Paul J. Kirby* for respondent. Reported below: 265 F. 2d 426.

No. 213. LEGERLOTZ *v.* ROGERS, ATTORNEY GENERAL. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. Counsel are directed to discuss in their briefs and oral arguments, among other questions, the question whether the amendment of a "Return Order," as opposed to a "Notice of Intention to Return," is permissible, under the pertinent regulations or otherwise, and, if not, the effect of such an amendment on the pertinent limitations period.* *Robert H. Reiter* for petitioner. *Solicitor General Rankin, Assistant Attorney General Townsend, George B. Searls* and *Irwin A. Seibel* for respondent. Reported below: 105 U. S. App. D. C. 256, 266 F. 2d 457.

No. 278. NEEDELMAN *v.* UNITED STATES. C. A. 5th Cir. Certiorari granted. *A. C. Dressler* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 261 F. 2d 802.

* [NOTE: This sentence was added by an order entered October 19, 1959.]

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No. 214. MILLER MUSIC CORP. *v.* CHARLES N. DANIELS, INC. C. A. 2d Cir. Certiorari granted. *Harold H. Corbin* for petitioner. *Milton A. Rudin* for respondent. Reported below: 265 F. 2d 925.

No. 26. SULLIVAN, CHIEF JUDGE, U. S. DISTRICT COURT, *v.* BEHIMER ET AL. C. A. 7th Cir. Certiorari granted. *John C. Butler* for petitioner. *Warren E. King* for respondents. Reported below: 261 F. 2d 467.

No. 100. ORDER OF RAILROAD TELEGRAPHERS ET AL. *v.* CHICAGO & NORTH WESTERN RAILWAY Co. Motion of Railway Labor Executives' Association for leave to file brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted. *Alex Elson*, *Lester P. Schoene*, *Brainerd Currie*, *Philip B. Kurland* and *Milton Kramer* for petitioners. *Carl McGowan* and *Jordan Jay Hillman* for respondent. *Clarence M. Mulholland*, *Edward J. Hickey, Jr.* and *James L. Highsaw, Jr.* for the Railway Labor Executives' Association. Reported below: 264 F. 2d 254.

No. 111. SCHAFFER ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari granted. *Jacob Kossman* and *Irving W. Coleman* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 266 F. 2d 435.

No. 122. KARP ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari granted. *Harris B. Steinberg* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 266 F. 2d 435.

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No. 126. *ELKINS ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari granted. *Frederick Bernays Wiener* and *Walter H. Evans, Jr.* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Robert S. Erdahl* and *Eugene L. Grimm* for the United States. Reported below: 266 F. 2d 588.

No. 141. *MASSEY MOTORS, INC., v. UNITED STATES*. C. A. 5th Cir. Certiorari granted. *James P. Hill* for petitioner. *Solicitor General Rankin* for the United States. Reported below: 264 F. 2d 552.

No. 165. *BROTHERHOOD OF LOCOMOTIVE ENGINEERS ET AL. v. MISSOURI-KANSAS-TEXAS RAILROAD CO. ET AL.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted limited to Question No. 1 presented by the petition which reads as follows:

"Whether a district court under circumstances where a dispute arising under the Railway Labor Act has been submitted by a railroad to the National Railroad Adjustment Board and an injunction against a strike by employees is sought on authority of *Brotherhood of Railroad Trainmen v. Chicago River and Ind. RR Co.*, 353 U. S. 30, may on the granting of an injunction impose reasonable conditions designed to protect the employees against a harmful change in working conditions during pendency of the dispute before the Adjustment Board by ordering that the railroad restore the status quo, or, in the alternative, pay the employees the amount they would have been paid had changes in working conditions giving rise to the dispute not been made."

J. Hart Willis, *Wayland K. Sullivan*, *Harold C. Heiss*, *Clarence E. Weisell* and *V. C. Shuttleworth* for petitioners. *M. E. Clinton* and *O. O. Touchstone* for respondents. Reported below: 266 F. 2d 335.

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No. 137. UNITED STATES *v.* BROSINAN ET AL. C. A. 3d Cir. Certiorari granted. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *A. F. Prescott* for the United States. Respondents *pro se*. Reported below: 264 F. 2d 762.

No. 167. TEXAS GAS TRANSMISSION CORP. ET AL. *v.* SHELL OIL Co.; and

No. 170. FEDERAL POWER COMMISSION *v.* SHELL OIL Co. C. A. 3d Cir. Certiorari granted. *Mathias F. Correa* for Texas Gas Transmission Corp., and *Gavin H. Cochran* for Louisville Gas & Electric Co. (*Lawrence W. Keepnews* of counsel), petitioners in No. 167. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Wayne G. Barnett*, *Samuel D. Slade*, *Willard W. Gatchell* and *Howard E. Wahrenbrock* for petitioner in No. 170. *William F. Kenney*, *Oliver L. Stone* and *George C. Schoenberger, Jr.* for respondent. Reported below: 263 F. 2d 223.

No. 183. BANK OF AMERICA NATIONAL TRUST & SAVINGS ASSOCIATION *v.* UNITED STATES. C. A. 9th Cir. Certiorari granted. *Samuel B. Stewart* and *Kenneth M. Johnson* for petitioner. *Solicitor General Rankin* for the United States. Reported below: 265 F. 2d 862.

No. 229. CONTINENTAL GRAIN Co. *v.* BARGE FBL-585 ET AL. C. A. 5th Cir. Certiorari granted. *Eberhard P. Deutsch*, *Malcolm W. Monroe* and *René H. Himel, Jr.* for petitioner. Reported below: 268 F. 2d 240.

No. 283. HERTZ CORPORATION (SUCCESSOR TO J. FRANK CONNOR, INC.) *v.* UNITED STATES. C. A. 3d Cir. Certiorari granted. *Roswell Magill* and *Harry N. Wyatt* for petitioner. *Solicitor General Rankin* for the United States. Reported below: 268 F. 2d 604.

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No. 21, Misc. *RODRIGUEZ v. NEW YORK*. On petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department; and

No. 161, Misc. *MOUNSEY v. NEW YORK*. On petition for writ of certiorari to the Court of Appeals of New York. Motions for leave to proceed *in forma pauperis* and petitions for writs of certiorari granted. Cases transferred to the appellate docket and counsel are directed in their briefs and oral arguments to discuss the case of *Burns v. Ohio*, 360 U. S. 252. *Walter Gellhorn, Esquire*, of New York, New York, is appointed to serve as counsel for petitioners in these cases. *Frank S. Hogan* for respondent in No. 21, Misc. *Paxton Blair*, Solicitor General of New York, for respondent in No. 161, Misc.

No. 143. *COMMISSIONER OF INTERNAL REVENUE v. EVANS ET UX.* C. A. 9th Cir. Certiorari granted. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *J. Dwight Evans, Jr.* and *Melva M. Graney* for petitioner. *Roswell Magill* and *Harry N. Wyatt* for respondents. Reported below: 264 F. 2d 502.

No. 270. *ARMSTRONG ET AL. v. UNITED STATES.* Court of Claims. Certiorari granted. *Solomon Dimond* and *Burton R. Thorman* for petitioners. *Solicitor General Rankin*, *Acting Assistant Attorney General Leonard*, *Samuel D. Slade* and *John G. Laughlin, Jr.* for the United States. Reported below: 144 Ct. Cl. 441, 169 F. Supp. 259.

No. 22, Misc. *HUDSON v. NORTH CAROLINA.* Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of North Carolina granted. Case transferred to the appellate docket. Peti-

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tioner *pro se*. *Malcolm B. Seawell*, Attorney General of North Carolina, *T. W. Bruton* and *Ralph Moody*, Assistant Attorneys General, for respondent.

No. 4, Misc. *NOTO 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 Second Circuit granted. Case transferred to the appellate docket. *John J. Abt* for petitioner. *Solicitor General Rankin* for the United States. Reported below: 262 F. 2d 501.

Certiorari Denied. (See also No. 104, *ante*, p. 8; No. 110, *ante*, p. 9; No. 117, *ante*, p. 10; No. 132, *ante*, p. 9; No. 140, *ante*, p. 2; No. 157, *ante*, p. 12; No. 253, *ante*, p. 12; No. 59, Misc., *ante*, p. 13; No. 162, Misc., *ante*, p. 14; No. 201, Misc., *ante*, p. 14; and Misc. Nos. 85, 104, 156, 210, 220 and 241, *supra*.)

No. 67. *UNITED STATES ET AL. v. FUNCTIONAL MUSIC, INC.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Solicitor General Rankin*, Acting Assistant Attorney General *Bicks*, *Richard A. Solomon*, *Ernest L. Folk III*, *John L. Fitzgerald* and *Max D. Paglin* for petitioners. *Paul A. Porter* and *George Bunn* for respondent. Reported below: 107 U. S. App. D. C. —, 274 F. 2d 543.

No. 77. *CALDER v. HAMMOND, ADMINISTRATOR*. Supreme Court of Utah. Certiorari denied. Petitioner *pro se*. Reported below: 8 Utah 2d 333, 334 P. 2d 562.

No. 79. *KAMMERER ET AL. v. JAMISON, ADMINISTRATOR*. C. A. 3d Cir. Certiorari denied. *Charles E. Pledger, Jr.*, *Justin L. Edgerton* and *Randolph C. Richardson* for petitioners. Reported below: 264 F. 2d 789.

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No. 78. *LOHR v. UNITED STATES ET AL.* C. A. 5th Cir. Certiorari denied. *Robert M. Brake* and *Benjamin W. Turner* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Morton Hollander* for the United States. Reported below: 264 F. 2d 619.

No. 82. *COMMUNICATIONS WORKERS OF AMERICA, AFL-CIO, v. OHIO BELL TELEPHONE CO.* C. A. 6th Cir. Certiorari denied. *Howard M. Metzenbaum* and *Charles V. Koons* for petitioner. *Ashley M. Van Duzer* for respondent. Reported below: 265 F. 2d 221.

No. 84. *MOHAWK REFINING CORP. ET AL. v. FEDERAL TRADE COMMISSION.* C. A. 3d Cir. Certiorari denied. *Seymour Friedman* for petitioners. *Solicitor General Rankin*, *Acting Assistant Attorney General Bicks*, *Richard A. Solomon* and *P. B. Morehouse* for respondent. Reported below: 263 F. 2d 818.

No. 87. *STATES MARINE CORPORATION OF DELAWARE v. ALDRIDGE.* C. A. 9th Cir. Certiorari denied. *Francis L. Tetreault* for petitioner. *Richard Gladstein* and *Norman Leonard* for respondent. Reported below: 265 F. 2d 554.

No. 88. *BERNSTEIN v. OHIO.* Supreme Court of Ohio. Certiorari denied. Petitioner *pro se.* *John T. Corrigan* for respondent.

No. 89. *DALLAS GENERAL DRIVERS, WAREHOUSEMEN & HELPERS, LOCAL NO. 745, v. NATIONAL LABOR RELATIONS BOARD.* C. A. 5th Cir. Certiorari denied. *L. N. D. Wells, Jr.*, *David Previant* and *Herbert Thatcher* for petitioner. *Solicitor General Rankin*, *Jerome D. Fenton*, *Thomas J. McDermott* and *Dominick L. Manoli* for respondent. Reported below: 264 F. 2d 642.

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No. 90. *MAGNOLIA MOTOR & LOGGING Co. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Philip C. Wilkins* and *Richard N. Little* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Robert S. Erdahl* and *Eugene L. Grimm* for the United States. Reported below: 264 F. 2d 950.

No. 91. *AUDETT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Thomas M. Jenkins* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 265 F. 2d 837.

No. 92. *SELBY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Jacob Rassner* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Samuel D. Slade* for the United States. Reported below: 264 F. 2d 632.

No. 93. *PEARSON ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *R. Kyle Hayes* and *T. R. Bryan* for petitioners. *Solicitor General Rankin, Assistant Attorney General Wilkey* and *Robert S. Erdahl* for the United States. Reported below: 265 F. 2d 167.

No. 94. *LEE, TRUSTEE IN BANKRUPTCY, v. FOX JEWELRY Co.* C. A. 5th Cir. Certiorari denied. *J. Kurt Holland* for petitioner. Reported below: 264 F. 2d 720.

No. 102. *JAMES BLACKSTONE MEMORIAL LIBRARY ASSOCIATION ET AL. v. GULF, MOBILE & OHIO RAILROAD Co.* C. A. 7th Cir. Certiorari denied. *Watson Washburn* for petitioners. *Kenneth F. Burgess, D. Robert Thomas, Walter J. Cummings, Jr.* and *Arthur R. Seder, Jr.* for respondent. Reported below: 264 F. 2d 445.

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No. 96. CUSTOM BUILT HOMES Co., INC., *v.* KANSAS STATE COMMISSION OF REVENUE AND TAXATION. Supreme Court of Kansas. Certiorari denied. *Paul Van Osdol, Jr.* for petitioner. *Clarence J. Malone* for respondent. Reported below: 184 Kan. 31, 334 P. 2d 808.

No. 99. NACIREMA OPERATING Co., INC., *v.* CALMAR STEAMSHIP CORP. C. A. 4th Cir. Certiorari denied. *William L. Marbury* and *Jesse Slingluff* for petitioner. *George W. P. Whip* and *Robert E. Coughlan, Jr.* for respondent. Reported below: 266 F. 2d 79.

No. 101. ADAIR *v.* STOKES. C. A. 4th Cir. Certiorari denied. *G. Kenneth Miller* for petitioner. Reported below: 265 F. 2d 662.

No. 103. FAR WEST ENGINEERING Co., INC., *v.* CRAIG ET AL. C. A. 9th Cir. Certiorari denied. *Victor R. Hansen* for petitioner. *Samuel Maidman* for respondents. Reported below: 265 F. 2d 251.

No. 105. INTERNATIONAL WOODWORKERS OF AMERICA, LOCAL UNION No. 13-433, AFL-CIO, *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 9th Cir. Certiorari denied. *John Halpin, Jr.* for petitioner. *Solicitor General Rankin*, *Stuart Rothman*, *Thomas L. McDermott*, *Dominick L. Manoli* and *Margaret M. Farmer* for respondent. Reported below: 264 F. 2d 649.

No. 108. MILL RIDGE COAL Co. *v.* PATTERSON, DISTRICT DIRECTOR OF INTERNAL REVENUE. C. A. 5th Cir. Certiorari denied. *William B. White* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *A. F. Prescott* for respondent. Reported below: 264 F. 2d 713.

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No. 107. MALFI *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *Jacob Kossman* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 264 F. 2d 147.

No. 109. ATWOOD ET AL. *v.* KERLIN. C. A. 2d Cir. Certiorari denied. Petitioners *pro se.* *MacIlburne Van Voorhies* for respondent. Reported below: 264 F. 2d 4.

No. 113. NATIONAL LABOR RELATIONS BOARD *v.* CLEAVER-BROOKS MFG. CORP. C. A. 7th Cir. Certiorari denied. *Solicitor General Rankin, Jerome D. Fenton, Thomas J. McDermott and Dominick L. Manoli* for petitioner. *Victor M. Harding* for respondent. Reported below: 264 F. 2d 637.

No. 116. LOUISIANA EX REL. HOLIFIELD *v.* SEWERAGE AND WATER BOARD OF NEW ORLEANS. Court of Appeal for the Parish of Orleans, Louisiana. Certiorari denied. *James B. O'Neill* for petitioner. Reported below: 108 So. 2d 277.

No. 118. GINSBURG *v.* STERN ET AL., JUSTICES OF THE SUPREME COURT OF PENNSYLVANIA, ET AL. C. A. 3d Cir. Certiorari denied. *Paul Ginsburg* for petitioner. *Anne X. Alpern, Attorney General of Pennsylvania, and Harry J. Rubin, Deputy Attorney General, for respondents. Elder W. Marshall and Carl E. Glock, Jr. for Stern et al., respondents.* Reported below: 263 F. 2d 457.

No. 121. 396 CORP. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Frank J. Donner, Arthur Kinoy and Marshall Perlin* for petitioner. *Solicitor General Rankin, Assistant Attorney General Morton, Roger P. Marquis and Harold S. Harrison* for the United States. Reported below: 264 F. 2d 704.

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No. 114. *HOLT ET AL. v. RALEIGH CITY BOARD OF EDUCATION*. C. A. 4th Cir. Certiorari denied. *Herman L. Taylor, Samuel S. Mitchell and James R. Walker, Jr.* for petitioners. *J. C. B. Ehringhaus, Jr.* for respondent. *Malcolm B. Seawell*, Attorney General of North Carolina, and *Ralph Moody*, Assistant Attorney General, for the State of North Carolina, as *amicus curiae*, in support of respondent. Reported below: 265 F. 2d 95.

No. 123. *HOSHMAN, TUTRIX, v. ESSO STANDARD OIL Co.* C. A. 5th Cir. Certiorari denied. *Warren E. Miller* and *H. Alva Brumfield* for petitioner. *Einar B. Paust* for respondent. Reported below: 263 F. 2d 499.

No. 125. *DOUBLE EAGLE REFINING Co. ET AL. v. FEDERAL TRADE COMMISSION*. C. A. 10th Cir. Certiorari denied. *Josh Lee* and *John Ogden* for petitioners. *Solicitor General Rankin, Acting Assistant Attorney General Bicks, Richard A. Solomon* and *P. B. Morehouse* for respondent. Reported below: 265 F. 2d 246.

No. 128. *OSTHEIMER ET AL. v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Bernard V. Lentz* and *Herbert W. Reisner* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, I. Henry Kutz* and *Myron C. Baum* for the United States. *Orrie P. Stevens* for the National Association of Life Underwriters, as *amicus curiae*, in support of the petition. Reported below: 264 F. 2d 789.

No. 134. *ALBAUGH v. ROGERS, ATTORNEY GENERAL*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *William A. Albaugh*, petitioner, *pro se*. *Solicitor General Rankin, Assistant Attorney General Doub* and *Samuel D. Slade* for respondent.

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No. 129. HOHENSEE *v.* FERGUSON ET AL. Supreme Court of Pennsylvania. Certiorari denied. *James C. Newton* for petitioner. *W. S. Moorhead, Jr.* for Ferguson, respondent.

No. 131. A. L. KORNMAN CO. *v.* AMALGAMATED CLOTHING WORKERS OF AMERICA. C. A. 6th Cir. Certiorari denied. *Cecil Sims* for petitioner. *William J. Isaacson* for respondent. Reported below: 264 F. 2d 733.

No. 133. D. C. TRANSIT SYSTEM, INC., *v.* SLINGLAND ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Frank F. Roberson* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub, Morton Hollander* and *Lionel Kestenbaum* for the United States, respondent. Reported below: 105 U. S. App. D. C. 264, 266 F. 2d 465.

No. 135. DEMPSTER ET AL. *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Charles D. Snepp* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, I. Henry Kutz* and *George F. Lynch* for the United States. Reported below: 265 F. 2d 666.

No. 136. DELAWARE, LACKAWANNA & WESTERN RAILROAD Co. *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *Rowland L. Davis, Jr.* and *Walter L. Hill, Jr.* for petitioner. *Solicitor General Rankin, Assistant Attorney General Morton, Roger P. Marquis* and *S. Billingsley Hill* for the United States. Reported below: 264 F. 2d 112.

No. 142. CHAS. PFIZER & Co., INC., *v.* G. D. SEARLE & Co. C. A. 7th Cir. Certiorari denied. *Arthur G. Connelly* for petitioner. *Stuart S. Ball* and *Wm. T. Woodson* for respondent. Reported below: 265 F. 2d 385.

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No. 144. *TISCH ET AL. v. ZABLE*. C. A. 5th Cir. Certiorari denied. *Robert C. Ward* and *William G. Ward* for petitioners. *Claude Pepper* and *Alfred I. Hopkins* for respondent.

No. 145. *GIGLIO ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Harold W. Wolfram* for petitioners. *Solicitor General Rankin, Acting Assistant Attorney General Heffron* and *Meyer Rothwacks* for the United States. Reported below: 263 F. 2d 410.

No. 146. *ILLINOIS CENTRAL RAILROAD CO. v. ANDRE*. C. A. 5th Cir. Certiorari denied. *H. Payne Breazeale, Joseph H. Wright* and *John W. Freels* for petitioner. *A. Leon Hebert* and *Percy J. Landry, Jr.* for respondent. Reported below: 267 F. 2d 372.

No. 147. *S. C. JOHNSON & SON, INC., v. JOHNSON ET AL., DOING BUSINESS AS JOHNSON PRODUCTS CO.* C. A. 6th Cir. Certiorari denied. *Francis C. Browne, William E. Schuyler, Jr., Andrew B. Beveridge* and *Walter P. Armstrong, Jr.* for petitioner. Reported below: 266 F. 2d 129.

No. 148. *PANHANDLE EASTERN PIPE LINE CO. v. THORNTON, U. S. DISTRICT JUDGE*. C. A. 6th Cir. Certiorari denied. *William E. Miller* and *Joseph J. Daniels* for petitioner. *Robert E. McKean* for respondent. Reported below: 267 F. 2d 459.

No. 151. *LIETZ v. FLEMMING, SECRETARY OF HEALTH, EDUCATION AND WELFARE*. C. A. 6th Cir. Certiorari denied. *Rowland W. Fixel* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Alan S. Rosenthal* for respondent. Reported below: 264 F. 2d 311.

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No. 149. CROOKHAM *v.* NEW YORK CENTRAL RAILROAD Co. Supreme Court of Appeals of West Virginia. Certiorari denied. *J. G. F. Johnson* and *Ernest Franklin Pauley* for petitioner. *Robert H. C. Kay* for respondent. Reported below: 144 W. Va. —, 107 S. E. 2d 516.

No. 158. PALMER ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. *John E. Marshall* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *I. Henry Kutz*, *Meyer Rothwacks* and *L. W. Post* for respondent. Reported below: 267 F. 2d 434.

No. 160. ARMOUR & CO. ET AL. *v.* UNITED STATES. Court of Claims. Certiorari denied. *Clarence E. Dawson* and *Weston Vernon, Jr.* for petitioners. *Solicitor General Rankin*, *Acting Assistant Attorney General Heffron*, *Meyer Rothwacks* and *Marvin W. Weinstein* for the United States. Reported below: 144 Ct. Cl. 697, 169 F. Supp. 521.

No. 174. APLINGTON, ADMINISTRATOR, *v.* UNITED STATES. Court of Claims. Certiorari denied. *J. Paul Aplington* and *Frederick W. Irion* for petitioner. *Solicitor General Rankin*, *Acting Assistant Attorney General Heffron*, *Harry Baum* and *Helen A. Buckley* for the United States. Reported below: 144 Ct. Cl. 683, 169 F. Supp. 815.

No. 180. DENTON *v.* UNITED STATES. Court of Claims. Certiorari denied. *Guy Emery* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Samuel D. Slade* for the United States. Reported below: 144 Ct. Cl. 840.

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No. 159. GELB, ALIAS GORDIN, *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Gertrude Gottlieb* and *Harry Salvan* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Robert S. Erdahl* and *Theodore George Gilinsky* for the United States. Reported below: 269 F. 2d 675.

No. 161. GRAYBAR ELECTRIC Co., INC., *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. *Paul L. Peyton* for petitioner. *Solicitor General Rankin*, *Acting Assistant Attorney General Heffron* and *Robert N. Anderson* for respondent. Reported below: 267 F. 2d 403.

No. 163. TERMINI *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Daniel H. Greenberg* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 267 F. 2d 18.

No. 168. FEDERAL BROADCASTING SYSTEM, INC., *v.* FEDERAL COMMUNICATIONS COMMISSION ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Charles F. O'Neill* and *Francis C. Brooke* for petitioner. *Solicitor General Rankin*, *Acting Assistant Attorney General Bicks*, *Richard A. Solomon*, *John L. Fitzgerald*, *Max D. Paglin* and *Ruth V. Reel* for the Federal Communications Commission, and *James A. McKenna, Jr.* and *Vernon L. Wilkinson* for WBBF, Inc., respondents. Reported below: 105 U. S. App. D. C. 324, 266 F. 2d 922.

No. 171. HANLON *v.* WATERMAN STEAMSHIP CORP. C. A. 2d Cir. Certiorari denied. *Jacob Rassner* for petitioner. *Leavenworth Colby* for respondent. Reported below: 265 F. 2d 206.

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No. 166. PENNSYLVANIA LABOR RELATIONS BOARD *v.* NAPOLI, DOING BUSINESS AS SEVEN-UP BOTTLING Co. Supreme Court of Pennsylvania. Certiorari denied. *Anne X. Alpern*, Attorney General of Pennsylvania, *Herbert N. Shenkin* and *Harry J. Rubin*, Deputy Attorneys General, for petitioner. *Jack J. Rosenberg* and *David E. Feller* for respondent. Reported below: 395 Pa. 301, 150 A. 2d 546.

No. 169. DIATOMITE CORPORATION OF AMERICA *v.* LEHIGH PORTLAND CEMENT Co. C. A. 5th Cir. Certiorari denied. *Walter Humkey* for petitioner. *Harry H. Mitchell* and *George F. Gilleland* for respondent. Reported below: 265 F. 2d 444.

No. 172. DUPREE *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *William J. Woolston* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Samuel D. Slade* and *John G. Laughlin, Jr.* for the United States. Reported below: 264 F. 2d 140, 266 F. 2d 373.

No. 173. LITTLE *v.* MISSOURI PACIFIC RAILROAD Co. Court of Civil Appeals of Texas, First Supreme Judicial District. Certiorari denied. *Albert P. Jones* for petitioner. *Howard S. Hoover* for respondent. Reported below: 319 S. W. 2d 785.

No. 175. BEACON FEDERAL SAVINGS & LOAN ASSN. *v.* FEDERAL HOME LOAN BANK BOARD. C. A. 7th Cir. Certiorari denied. *Horace Russell* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Samuel D. Slade* for respondent. Reported below: 266 F. 2d 246.

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No. 177. *HEATH v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. *Watson Washburn* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Heffron* and *Robert N. Anderson* for respondent. Reported below: 265 F. 2d 662.

No. 178. *PECKHAM ET AL. v. FAMILY LOAN CO. ET AL.* C. A. 5th Cir. Certiorari denied. *Jay E. Darlington* for petitioners. *William Gresham Ward* for Family Loan Co. et al., and *Louis S. Bonsteel* for Seaboard Finance Co., respondents. Reported below: 262 F. 2d 422.

No. 181. *ATHERHOLT v. A. & C. ENGINEERING CO.* Supreme Court of Michigan. Certiorari denied. *Max Dean* for petitioner. *Howard D. Cline, Francis J. George* and *Earl J. Cline* for respondent. Reported below: 355 Mich. 677, 95 N. W. 2d 871.

No. 185. *NATIONAL CANCER HOSPITAL OF AMERICA v. WEBSTER, RECEIVER, ET AL.* C. A. 2d Cir. Certiorari denied. *Albert Adams* for petitioner. *Louis J. Lefkowitz*, Attorney General of New York, and *Samuel A. Hirshowitz* for the State of New York, and *Whitman Knapp* for Webster, respondents.

No. 187. *MALLOY ET UX. v. FIRST FEDERAL SAVINGS & LOAN ASSN. OF WEST PALM BEACH.* Supreme Court of Florida. Certiorari denied. Petitioners *pro se*. *Theodore A. Miller* for respondent. Reported below: 109 So. 2d 574.

No. 191. *DUNCAN ET UX. v. DISTRICT COURT OF APPEAL OF CALIFORNIA, FOURTH APPELLATE DISTRICT, ET AL.* Supreme Court of California. Certiorari denied. *Morton Galane* for petitioners. *Henry F. Walker* for Garrett et al., respondents.

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No. 190. *ARMSTRONG ET AL. v. UNITED STATES*. Court of Claims. Certiorari denied. *Donald S. Dawson* for petitioners. *Solicitor General Rankin, Assistant Attorney General Doub* and *Samuel D. Slade* for the United States. Reported below: 144 Ct. Cl. 659.

No. 192. *SOMERSET MACHINE & TOOL CO. v. UNITED STATES*. Court of Claims. Certiorari denied. *Hugh M. Matchett* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Samuel D. Slade* for the United States. Reported below: 144 Ct. Cl. 481.

No. 221. *PHILCO CORPORATION v. UNITED STATES*. Court of Claims. Certiorari denied. *Henry B. Weaver, Jr.* and *Thomas M. Cooley II* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Lee A. Jackson* and *Joseph Kovner* for the United States. Reported below: — Ct. Cl. —.

No. 231. *KANSAS CITY SOUTHERN RAILWAY CO. v. ARKANSAS COMMERCE COMMISSION ET AL.* Supreme Court of Arkansas. Certiorari denied. *Joseph R. Brown* and *William E. Davis* for petitioner. *Harry E. McDermott, Jr.* for respondents. Reported below: — Ark. —, 323 S. W. 2d 193.

No. 243. *ROBERTS v. ROBERTS ET AL.* Supreme Court of Montana. Certiorari denied. *H. Cleveland Hall* for petitioner. *Julius J. Wuerthner* for respondents. Reported below: 135 Mont. 149, 338 P. 2d 719.

No. 198. *BLACKFORD, TRUSTEE IN BANKRUPTCY, v. COMMERCIAL CREDIT CORP.* C. A. 5th Cir. Certiorari denied. *Francis H. Hare* for petitioner. *Benjamin Leader, Berthold Muecke, Jr.* and *J. Francis Ireton* for respondent. Reported below: 263 F. 2d 97.

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No. 189. *IN RE CITROEN*. C. A. 2d Cir. Certiorari denied. *Henry A. Lowenberg* for petitioner. Reported below: 267 F. 2d 915.

No. 193. *STANDARD MOTOR PRODUCTS, INC., v. FEDERAL TRADE COMMISSION*. C. A. 2d Cir. Certiorari denied. *David M. Levitan* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Bicks, Richard A. Solomon* and *P. B. Morehouse* for respondent. Reported below: 265 F. 2d 674.

No. 194. *SAN SOUCIE ET AL. v. LETTS*, U. S. DISTRICT JUDGE. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *William Goffen* for petitioners. *Solicitor General Rankin, Assistant Attorney General Doub, Samuel D. Slade* and *Seymour Farber* for respondent.

No. 196. *BATEH v. FLORIDA*. Supreme Court of Florida. Certiorari denied. *Thomas A. Larkin* for petitioner. *Richard W. Ervin*, Attorney General of Florida, for respondent. Reported below: 110 So. 2d 7.

No. 197. *JOSEPH J. BRUNETTI CONSTRUCTION CO., INC., v. GRAY*. C. A. 3d Cir. Certiorari denied. *Aaron Heller* for petitioner. *Thomas P. Ford, Jr.* for respondent. Reported below: 266 F. 2d 809.

No. 200. *IN RE ESTATE OF PECK ET AL. v. BOARD OF TRUSTEES OF LELAND STANFORD JUNIOR UNIVERSITY*. Supreme Court of California; District Court of Appeal of California, First Appellate District; and Superior Court of California, County of San Francisco. Certiorari denied. *Aaron M. Sargent* for petitioners. *Walker W. Lowry* for respondent. Reported below: 168 Cal. App. 2d 25, 335 P. 2d 185.

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No. 201. *DE SIMONE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Emanuel Thebner* and *Abraham S. Robinson* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 267 F. 2d 741.

No. 203. *CONTINENTAL OIL CO. v. FEDERAL POWER COMMISSION*. C. A. 5th Cir. Certiorari denied. *Thomas Fletcher* and *Lloyd F. Thanhouser* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Samuel D. Slade*, *Willard W. Gatchell*, *Howard E. Warenbrock* and *Robert L. Russell* for respondent. Reported below: 266 F. 2d 208.

No. 204. *MISSISSIPPI RIVER FUEL CORP. v. KOEHLER ET AL.* C. A. 8th Cir. Certiorari denied. *Christian B. Peper* and *William A. Dougherty* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Robert N. Anderson* and *Helen A. Buckley* for respondents. Reported below: 266 F. 2d 190.

No. 205. *TEXAS MEXICAN RAILWAY Co. v. YECKES-EICHENBAUM INC. ET AL.* C. A. 5th Cir. Certiorari denied. *Hugh M. Patterson* for petitioner. Reported below: 263 F. 2d 791.

No. 207. *ROCHELLE, TRUSTEE IN BANKRUPTCY, v. CITY OF DALLAS*. C. A. 5th Cir. Certiorari denied. *Marvin S. Sloman* for petitioner. *H. P. Kucera* and *Ted P. MacMaster* for respondent. Reported below: 264 F. 2d 166.

No. 209. *CONTINENTAL TRADING, INC., v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. *Frederick R. Tansill* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Meyer Rothwacks* for respondent. Reported below: 265 F. 2d 40.

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No. 206. CARPENTERS UNION, LOCAL 131, ET AL. *v.* CISCO CONSTRUCTION Co. C. A. 9th Cir. Certiorari denied. *Samuel B. Bassett* for Carpenters Union, Local 131, et al., *L. Presley Gill* for Union of Operating Engineers, Local 302, and *Roy E. Jackson* for International Hod Carriers, Building and Common Laborers' Union of America, Local 440, petitioners. *McDannell Brown* for respondent. Reported below: 266 F. 2d 365.

No. 211. SOUTH EAST NATIONAL BANK *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Charles A. Bellows* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg* and *Jerome M. Feit* for the United States. Reported below: 265 F. 2d 734.

No. 212. MASS COMMUNICATORS, INC., *v.* FEDERAL COMMUNICATIONS COMMISSION. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Seymour M. Chase* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Bicks, Richard A. Solomon, Edgar W. Holtz* and *Max D. Paglin* for respondent. *Harry J. Daly* for Roberts, intervenor below, in opposition. Reported below: 105 U. S. App. D. C. 277, 266 F. 2d 681.

No. 215. DENTON & ANDERSON Co. ET AL. *v.* KAVANAGH, ADMINISTRATOR. C. A. 6th Cir. Certiorari denied. *H. H. Hoppe* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice* and *Lee A. Jackson* for respondent. Reported below: 265 F. 2d 930.

No. 217. CLINTON FOODS, INC., *v.* YOUNGS. C. A. 8th Cir. Certiorari denied. *Wayne G. Cook* and *Craig M. Cook* for petitioner. *Ben T. Reidy* for respondent. Reported below: 266 F. 2d 116.

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No. 216. TRADERS OIL CO. OF HOUSTON *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 5th Cir. Certiorari denied. *H. Fletcher Brown* for petitioner. *Solicitor General Rankin, Stuart Rothman, Thomas J. McDermott* and *Dominick L. Manoli* for respondent. Reported below: 263 F. 2d 835.

No. 218. IN RE ESTES. Supreme Court of Michigan. Certiorari denied. *Walter O. Estes pro se. Ernest C. Wunsch* for the State Bar of Michigan. Reported below: 355 Mich. 411, 94 N. W. 2d 916.

No. 219. ESTATE OF MCNICHOL *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 3d Cir. Certiorari denied. *James J. Regan, Jr.* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Lee A. Jackson* and *L. W. Post* for respondent. Reported below: 265 F. 2d 667.

No. 223. PENNSYLVANIA TURNPIKE COMMISSION *v.* MCGINNES, DISTRICT DIRECTOR OF INTERNAL REVENUE, ET AL. C. A. 3d Cir. Certiorari denied. *William T. Coleman, Jr.* and *Harold E. Kohn* for petitioner. *Frederick G. McGavin* for Manu-Mine Research & Development Co., and *Daniel Mungall, Jr.* for Seaboard Surety Co., respondents. Reported below: 268 F. 2d 65.

No. 225. ORDNANCE GAUGE CO. *v.* JACQUARD KNITTING MACHINE CO. C. A. 3d Cir. Certiorari denied. *Leonard L. Kalish* for petitioner. *H. Francis DeLone* for respondent. Reported below: 265 F. 2d 189.

No. 228. TAYLOR *v.* TRADEWIND TRANSPORTATION CO., LTD. C. A. 9th Cir. Certiorari denied. *Kenneth E. Young* for petitioner. *J. Russell Cades* for respondent. Reported below: 267 F. 2d 185.

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No. 224. *KEAHEY v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. *Grover C. Morris* for petitioner.

No. 226. *BRINSON ET UX. v. TOMLINSON, DIRECTOR OF INTERNAL REVENUE*. C. A. 5th Cir. Certiorari denied. *Michel G. Emmanuel* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice and Meyer Rothwacks* for respondent. Reported below: 264 F. 2d 30.

No. 227. *COUNTY SCHOOL BOARD OF PRINCE EDWARD COUNTY, VIRGINIA, ET AL. v. ALLEN ET AL.* C. A. 4th Cir. Certiorari denied. *Albertis S. Harrison, Jr.*, Attorney General of Virginia, and *Henry T. Wickham* for the Commonwealth of Virginia, and *Archibald G. Robertson, John W. Riely and T. Justin Moore, Jr.* for the Prince Edward County School Authorities, petitioners. Reported below: 266 F. 2d 507.

No. 230. *MOEBUS v. PAUL TISHMAN CO., INC., ET AL.* Court of Appeals of New York. Certiorari denied. *Rutherford P. Day* for petitioner. *John P. Smith* for Paul Tishman Co., Inc., et al., and *Harold Shapiro* for Horn Construction Co., respondents. Reported below: 5 N. Y. 2d 945, 156 N. E. 2d 919.

No. 232. *KOBLITZ v. BALTIMORE & OHIO RAILROAD Co.* C. A. 2d Cir. Certiorari denied. *Nathan B. Kogan* and *David M. Palley* for petitioner. *John D. Calhoun* for respondent. Reported below: 266 F. 2d 320.

No. 242. *PETERSON v. SEABOARD MARINE SERVICE CORP. ET AL.* C. A. 2d Cir. Certiorari denied. *Louis Bloch* for petitioner. *Charles G. Tierney* for respondents. Reported below: 266 F. 2d 822.

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No. 233. WILEY ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 6th Cir. Certiorari denied. *William Waller* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, Meyer Rothwacks and Carolyn R. Just* for respondent. Reported below: 266 F. 2d 48.

No. 236. STERN & STERN TEXTILES, INC. (SUCCESSOR IN INTEREST TO HUGUET FABRICS CORP.) *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. *Howe P. Cochran, Margaret F. Luers and Betty Cochran Stockvis* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Lee A. Jackson and Harry Marselli* for respondent. Reported below: 263 F. 2d 538.

No. 237. GIOVANNETTI, ADMINISTRATRIX, *v.* GEORGETOWN UNIVERSITY HOSPITAL ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *I. William Stempel* for petitioner. *Paul R. Connolly and H. Mason Welch* for respondents.

No. 238. PROCTOR ET AL. *v.* SAGAMORE BIG GAME CLUB ET AL. C. A. 3d Cir. Certiorari denied. *John E. Evans, Sr. and James C. Evans* for petitioners. *W. Pitt Gifford and J. Villard Frampton* for respondents. Reported below: 265 F. 2d 196.

No. 240. WOLIN ET UX. *v.* ZENITH HOMES, INC., ET AL. Court of Appeals of Maryland. Certiorari denied. *Walter J. Cahill* for petitioners.

No. 245. AFFILIATED MUSIC ENTERPRISES, INC., *v.* SESAC, INC. C. A. 2d Cir. Certiorari denied. *Irving Lemov and Michael Halperin* for petitioner. *Thomas F. Daly* for respondent. Reported below: 268 F. 2d 13.

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No. 239. BADGER MUTUAL INSURANCE CO. ET AL. *v.* SERIO, DOING BUSINESS AS MAGNOLIA CANNING CO. C. A. 5th Cir. Certiorari denied. *Thos. H. Watkins* and *Elizabeth Hulen Grayson* for petitioners. *Malcolm B. Montgomery* for respondent. Reported below: 266 F. 2d 418.

No. 244. ELMORE *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *James P. Mozingo III* and *John L. Nettles* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States. Reported below: 267 F. 2d 595.

No. 246. SYPERT *v.* MINER, U. S. DISTRICT JUDGE. C. A. 7th Cir. Certiorari denied. *James A. Dooley* for petitioner. *Albert M. Howard* and *Charles D. Snewind* for respondent. Reported below: 266 F. 2d 196.

No. 247. KRAFT FOODS CO. OF WISCONSIN ET AL. *v.* COMMODITY CREDIT CORP. C. A. 7th Cir. Certiorari denied. *John T. Chadwell*, *George E. Leonard, Jr.*, *Richard J. Faletti*, *Claude A. Roth* and *Stuart S. Ball* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Morton Hollander* for respondent. Reported below: 266 F. 2d 254.

No. 252. MASTERSON *v.* NEW YORK CENTRAL RAILROAD Co. C. A. 3d Cir. Certiorari denied. *Samuel T. Gaines* for petitioner. *William F. Illig* and *John E. Britton* for respondent. Reported below: 266 F. 2d 1.

No. 256. KAYE-MARTIN ET AL. *v.* BROOKS. C. A. 7th Cir. Certiorari denied. *Vernon R. Loucks* and *James L. Henry* for petitioners. *Paul B. O'Flaherty* and *Erwin M. Arnold* for respondent. Reported below: 267 F. 2d 394.

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No. 249. PERRY *v.* NORTH CAROLINA. Supreme Court of North Carolina. Certiorari denied. *Herman L. Taylor* and *Samuel S. Mitchell* for petitioner. *Malcolm B. Seawell*, Attorney General of North Carolina, and *Ralph Moody*, Assistant Attorney General, for respondent. Reported below: 250 N. C. 119, 108 S. E. 2d 447.

No. 250. GOULD, DOING BUSINESS AS ROBERT GOULD CO., *v.* LAKE ET AL. C. A. 7th Cir. Certiorari denied. *Robert S. Marx* and *Roy G. Holmes* for petitioner. *Clarence W. Heyl* and *Robert G. Day* for respondents. Reported below: 266 F. 2d 249.

No. 254. ROCK CREEK PLAZA, INC., *v.* ZIMMERMAN, COMMISSIONER OF THE FEDERAL HOUSING ADMINISTRATION. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Edward Bennett Williams* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Alan S. Rosenthal* for respondent. Reported below: 105 U. S. App. D. C. 291, 266 F. 2d 695.

No. 260. ROGERS ET AL. *v.* DOUGLAS TOBACCO BOARD OF TRADE, INC., ET AL. C. A. 5th Cir. Certiorari denied. *Norman M. Littell* and *Frederick Bernays Wiener* for petitioners. *William Simon* for respondents. Reported below: 266 F. 2d 636.

No. 266. CENTRAL STATES DRIVERS COUNCIL ET AL. *v.* NATIONAL LABOR RELATIONS BOARD. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *David Previant* and *David Leo Uelmen* for petitioners. *Solicitor General Rankin*, *Stuart Rothman*, *Thomas J. McDermott*, *Dominick L. Manoli* and *Herman M. Levy* for respondent. Reported below: 105 U. S. App. D. C. 338, 267 F. 2d 166.

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No. 262. *PADILLA 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: 267 F. 2d 351.

No. 263. *DIAMOND v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Louis A. Sabatino* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for the United States. Reported below: 267 F. 2d 23.

No. 267. *SCOTT v. LOUISIANA*. Supreme Court of Louisiana. Certiorari denied. *William T. Bennett* for petitioner. Reported below: 237 La. 71, 110 So. 2d 530.

No. 273. *LUPINO ET AL. v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Sydney W. Goff* for petitioners. *Solicitor General Rankin, Acting Assistant Attorney General Ryan, Harold H. Greene and William A. Kehoe, Jr.* for the United States. Reported below: 268 F. 2d 799.

No. 274. *ST. MAURICE, HELMKAMP & MUSSER v. NATIONAL LABOR RELATIONS BOARD*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Gilford G. Rowland, George O. Bahrs and Raymond S. Smethurst* for petitioner. *Solicitor General Rankin, Stuart Rothman, Thomas J. McDermott and Dominick L. Manoli* for respondent. Reported below: 105 U. S. App. D. C. 307, 266 F. 2d 905.

No. 276. *FINLEY v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 10th Cir. Certiorari denied. *C. E. Ram Morrison* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice and Robert N. Anderson* for respondent. Reported below: 265 F. 2d 885.

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No. 269. DYER ET AL. *v.* SECURITIES AND EXCHANGE COMMISSION ET AL. C. A. 8th Cir. Certiorari denied. *J. Raymond Dyer* for petitioners. *Solicitor General Rankin, Thomas G. Meeker, Solomon Freedman, Aaron Levy and Arthur Blasburg, Jr.* for the Securities and Exchange Commission, respondent. Reported below: 266 F. 2d 33.

No. 275. IN RE LOCAL 824, INTERNATIONAL LONGSHOREMEN'S ASSOCIATION (IND.), ET AL. *v.* WATERFRONT COMMISSION OF NEW YORK HARBOR. Court of Appeals of New York. Certiorari denied. *Henry A. Lowenberg* for petitioners. *William P. Sirignano, Harold X. McGowan and Irving Malchman* for respondent.

No. 277. DAVIS *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. *Roberson L. King* for petitioner.

No. 281. LOS ANGELES COUNTY FLOOD CONTROL DISTRICT *v.* SOUTHERN CALIFORNIA GAS CO. ET AL. District Court of Appeal of California, Second Appellate District. Certiorari denied. *Harold W. Kennedy and Baldo M. Kristovich* for petitioner. *T. J. Reynolds and L. T. Rice* for respondents. Reported below: 169 Cal. App. 2d 840, 338 P. 2d 29.

No. 286. DUCKWORTH ET AL. *v.* JAMES ET AL. C. A. 4th Cir. Certiorari denied. *Leonard H. Davis and W. R. C. Cocke* for petitioners. Reported below: 267 F. 2d 224.

No. 289. BAUSCH & LOMB OPTICAL CO. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. *Hugh Satterlee* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice and Lee A. Jackson* for respondent. Reported below: 267 F. 2d 75.

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No. 280. BLOCK ET AL. *v.* BAR ASSOCIATION OF ARKANSAS ET AL. Supreme Court of Arkansas. Certiorari denied. *Eugene R. Warren* and *Bruce T. Bullion* for petitioners. *Usco A. Gentry*, *John H. Lookadoo*, *J. M. Smallwood*, *Lamar Williamson*, *Terrell Marshall*, *Joe C. Barrett* and *Willis B. Smith* for respondents.

No. 290. 222 EAST CHESTNUT STREET CORP. *v.* LASSALLE NATIONAL BANK, TRUSTEE, ET AL. C. A. 7th Cir. Certiorari denied. *Joseph F. Elward* for petitioner. Reported below: 267 F. 2d 247.

No. 302. STATE CORPORATION COMMISSION OF KANSAS ET AL. *v.* CITIES SERVICE GAS CO. Supreme Court of Kansas. Certiorari denied. *J. Robert Wilson* and *Dale M. Stucky* for petitioners. *Conrad C. Mount*, *Joe Rolston*, *Robert R. McCracken* and *Mark H. Adams* for respondent. A brief of *amici curiae* in support of the petition was filed by *John Anderson, Jr.*, Attorney General of Kansas, *Bruce Bennett*, Attorney General of Arkansas, *Grenville Beardsley*, Attorney General of Illinois, *Jack P. F. Gremillion*, Attorney General of Louisiana, *Clarence S. Beck*, Attorney General of Nebraska, *Hilton A. Dickson, Jr.*, Attorney General of New Mexico, *Mac Q. Williamson*, Attorney General of Oklahoma, *Will Wilson*, Attorney General of Texas, *Thomas O. Miller*, Attorney General of Wyoming, *Wade Church*, Attorney General of Arizona, *Duke W. Dunbar*, Attorney General of Colorado, *Jo M. Ferguson*, Attorney General of Kentucky, *Paul L. Adams*, Attorney General of Michigan, *Roger Foley*, Attorney General of Nevada, *Leslie R. Burgum*, Attorney General of North Dakota, *Parnell J. Donohue*, Attorney General of South Dakota, and *Walter L. Budge*, Attorney General of Utah. Reported below: 184 Kan. 540, 337 P. 2d 640.

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No. 293. *BUFORD ET AL. v. TEXAS*. Court of Civil Appeals of Texas, Third Supreme Judicial District. Certiorari denied. *Dan Moody* and *Fred W. Moore* for petitioners. *Will Wilson*, Attorney General of Texas, and *L. P. Lollar* and *Howard W. Mays*, Assistant Attorneys General, for respondent. Reported below: 322 S. W. 2d 366.

No. 301. *VIRGINIAN RAILWAY CO. v. ROSE ET AL.* C. A. 4th Cir. Certiorari denied. *Francis S. Bensel* and *Hancock Griffin, Jr.* for petitioner. *W. A. Thornhill, Jr.* for respondents. Reported below: 267 F. 2d 312.

No. 309. *HANCOCK v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *David I. Shapiro* for petitioner. *Solicitor General Rankin* for the United States. Reported below: 268 F. 2d 205.

No. 332. *MURPHY v. WASHINGTON AMERICAN LEAGUE BASE BALL CLUB, INC., ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Daniel M. Gribbon*, *Joel Barlow* and *John B. Jones, Jr.* for petitioner. *John E. Powell*, *Arthur P. Drury*, *John M. Lynham*, *David C. Bastian* and *Henry H. Paige* for respondents. Reported below: 105 U. S. App. D. C. 378, 267 F. 2d 655.

No. 95. *HOFFLUND v. SEATON, SECRETARY OF THE INTERIOR, ET AL.* Motion to substitute Roger W. Jones as a party respondent in the place of Harry Ellsworth 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 Doub* and *Samuel D. Slade* for respondents. Reported below: 105 U. S. App. D. C. 171, 265 F. 2d 363.

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No. 85. RICHMAN BROTHERS CO. *v.* AMALGAMATED CLOTHING WORKERS OF AMERICA ET AL. Supreme Court of Ohio. Certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application. *Victor DeMarco* for petitioner. *William J. Isaacson* for respondents.

No. 97. MILLER ET AL. *v.* SULMEYER, TRUSTEE IN BANKRUPTCY. C. A. 9th Cir. Motion to supplement petitioners' reply brief granted. Certiorari denied. *Arthur B. Willis* for petitioners. *Francis F. Quittner* for respondent. Reported below: 263 F. 2d 513.

No. 112. HARPOLE, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY, *v.* UNITED STATES EX REL. GOLDSBY. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. *Joe T. Patterson*, Attorney General of Mississippi, *J. R. Griffin* and *John H. Price, Jr.*, Assistant Attorneys General, and *Ross R. Barnett* for petitioner. *George N. Leighton* for respondent. Reported below: 263 F. 2d 71.

No. 115. HAYS *v.* ANDERSON ET AL. Motion of American Federation of Government Employees for leave to file brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. *Warner W. Gardner*, *Alfred L. Scanlan*, *Samuel I. Sherwood* and *George Schwartz* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Samuel D. Slade* for respondents. *Edward L. Merrigan* for the American Federation of Government Employees, in support of petitioner. Reported below: 105 U. S. App. D. C. 3, 262 F. 2d 725.

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No. 124. PHILLIPS *v.* TEXAS. Motion for leave to file supplemental memorandum in support of petition for certiorari granted. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. *A. L. Wirin, Fred Okrand, Joe Tonahill, Melvin Belli* and *Julius Lucius Echeles* for petitioner.

No. 184. DINAN ET AL. *v.* NEW YORK. County Court of New York, Westchester County. Certiorari denied. THE CHIEF JUSTICE and MR. JUSTICE DOUGLAS are of the opinion certiorari should be granted. *George W. Scapolito* and *Walter B. Solinger II* for petitioners. *Warren J. Schneider* for respondent. Reported below: 6 N. Y. 2d 715, 158 N. E. 2d 501.

No. 186. WONG KWAI SING, BY HIS NEXT FRIEND, WONG LUM SANG, *v.* DULLES, SECRETARY OF STATE. Motion to dispense with printing the petition and motion to substitute Christian A. Herter in the place of John Foster Dulles, deceased, granted. Motion to prepare and circulate copies of the record denied. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. *Verne O. Warner* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg* and *Felicia Dubrovsky* for respondent. Reported below: 265 F. 2d 131.

No. 188. HOMAN MFG. CO., INC., *v.* ALL, DISTRICT DIRECTOR OF INTERNAL REVENUE. Motion to supplement the petition for writ of certiorari granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. *George B. Christensen* and *William T. Kirby* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice* and *Meyer Rothwacks* for respondent. Reported below: 264 F. 2d 158.

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No. 127. WALKER, TRUSTEE, ET AL. *v.* FELMONT OIL CORP. ET AL. C. A. 6th Cir. Certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application. *Henry B. Walker* and *Henry B. Walker, Jr.* for petitioners. Reported below: 262 F. 2d 163.

No. 195. UNITED STATES EX REL. TIE SING ENG *v.* ESPERDY, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. Motion to proceed on typewritten papers granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Abraham Lebenkoff* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for respondent. Reported below: 266 F. 2d 957.

No. 222. COVINGTON ET AL. *v.* EDWARDS, SUPERINTENDENT OF SCHOOLS OF MONTGOMERY COUNTY, N. C., ET AL. C. A. 4th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Conrad O. Pearson*, *Thurgood Marshall*, *Jack Greenberg*, *James M. Nabrit III*, *Frank D. Reeves* and *Spottswood W. Robinson III* for petitioners. *Malcolm B. Seawell*, Attorney General of North Carolina, *Ralph Moody*, Assistant Attorney General, and *J. C. B. Ehringhaus, Jr.* for respondents. Reported below: 264 F. 2d 780.

No. 248. FARMER, ADMINISTRATOR, ET AL. *v.* LOUISVILLE & NASHVILLE RAILROAD CO. Motion of petitioners to defer consideration of the petition for certiorari denied. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. *Fyke Farmer* for petitioners. *John J. Hooker* for respondent. Reported below: 264 F. 2d 248.

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No. 241. *LIEBMANN BREWERIES, INC., v. SUPERIOR COURT OF CALIFORNIA IN AND FOR THE COUNTY OF LOS ANGELES ET AL.* Petitioner's motion to strike portions of the record and respondents' brief denied. Petition for writ of certiorari to the District Court of Appeal of California, Second Appellate District, denied. *Leon M. Cooper* and *Walter H. Liebman* for petitioner. *Gordon E. Youngman* and *Glenn Warner* for respondents.

No. 251. *ANDERSON, ADMINISTRATRIX, v. ATLANTIC COAST LINE RAILROAD Co.* C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Thomas A. Larkin* and *William Mizelle Howell* for petitioner. *Louis Kurz* and *Clark W. Toole, Jr.* for respondent. Reported below: 267 F. 2d 329.

No. 17, Misc. *LAUGHLIN v. RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY.* Supreme Court of Washington. Certiorari denied. Petitioner *pro se.* *John J. O'Connell*, Attorney General of Washington, and *Stephen C. Way*, Assistant Attorney General, for respondent.

No. 25, Misc. *PEABODY 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.

No. 36, Misc. *JONES v. SUMMERFIELD, POSTMASTER GENERAL, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *William J. Woolston* for petitioner. *Solicitor General Rankin*, *Acting Assistant Attorney General Yeagley* and *Kevin T. Maroney* for respondents. Reported below: 105 U. S. App. D. C. 140, 265 F. 2d 124.

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No. 26, Misc. WILLIAMS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Felicia Dubrovsky* for the United States.

No. 29, Misc. GREEN *v.* NASH, WARDEN. Supreme Court of Missouri. Certiorari denied. Petitioner *pro se*. *John M. Dalton, Attorney General of Missouri, and Calvin K. Hamilton, Assistant Attorney General, for respondent.*

No. 31, Misc. MARINACCIO *v.* NEW YORK. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 37, Misc. UNITED STATES EX REL. FREY *v.* MARTIN, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 38, Misc. UNITED STATES EX REL. FERRARO *v.* RICHMOND, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 40, Misc. PHILLIPS *v.* ELLIS, GENERAL MANAGER, TEXAS DEPARTMENT OF CORRECTIONS. Court of Criminal Appeals of Texas. Certiorari denied.

No. 41, Misc. GEISE *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Edgar Paul Boyko* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for the United States. Reported below: 262 F. 2d 151, 265 F. 2d 659.

No. 43, Misc. WATKINS *v.* ELLIS, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS. Court of Criminal Appeals of Texas. Certiorari denied.

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No. 44, Misc. PANNELL *v.* SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 45, Misc. HENDERSHOT *v.* STEINER, WARDEN. Baltimore City Court of Maryland. Certiorari denied.

No. 47, Misc. GIOVENGO *v.* PENNSYLVANIA. Supreme Court of Pennsylvania. Certiorari denied.

No. 48, Misc. SMITH *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. 49, Misc. MAJESKE *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *A. L. Wirin* and *Fred Okrand* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Robert S. Erdahl* and *Theodore George Gilinsky* for the United States. Reported below: 266 F. 2d 947.

No. 50, Misc. CURTIS *v.* UNITED STATES. Court of Claims. Certiorari denied. *Arthur S. Curtis*, petitioner, *pro se.* *Solicitor General Rankin, Assistant Attorney General Doub* and *Samuel D. Slade* for the United States. Reported below: 144 Ct. Cl. 194, 168 F. Supp. 213.

No. 61, Misc. RODRIGUEZ *v.* CALIFORNIA. District Court of Appeal of California, Second Appellate District. Certiorari denied. *Fred Okrand* for petitioner. *Stanley Mosk*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Philip C. Griffin*, Deputy Attorney General, for respondent. Reported below: See 168 Cal. App. 2d 452, 336 P. 2d 266.

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No. 51, Misc. *ANDERSON v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *De Long Harris* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Robert G. Maysack* for the United States.

No. 53, Misc. *RAMOS v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 55, Misc. *BELL v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 56, Misc. *SISK v. TEXAS ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 62, Misc. *UNITED STATES EX REL. JACKSON v. MARTIN, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 63, Misc. *GILFORD v. MARTIN, WARDEN*. County Court of Wyoming County, New York. Certiorari denied.

No. 64, Misc. *WILSON v. PENNSYLVANIA*. Supreme Court of Pennsylvania. Certiorari denied.

No. 65, Misc. *SCHAEFER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Morris A. Shenker* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 265 F. 2d 750.

No. 68, Misc. *MERRIMAN v. STEWART ET AL.* C. A. 10th Cir. Certiorari denied. *Charles Evan Henderson* for petitioner. *Walter L. Budge, Attorney General of Utah*, for respondents.

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No. 69, Misc. DELEVAY *v.* SCOTT ET AL. C. A. 4th Cir. Certiorari denied.

No. 71, Misc. GORDON *v.* RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied.

No. 72, Misc. RUSSO *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 73, Misc. EDWARDS *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for the United States. Reported below: 265 F. 2d 909.

No. 74, Misc. HOYLAND *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Theodore George Gilinsky* for the United States. Reported below: 264 F. 2d 346.

No. 77, Misc. MCCARTNEY *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin* for the United States. Reported below: 264 F. 2d 628.

No. 78, Misc. BARKER *v.* OHIO. Supreme Court of Ohio. Certiorari denied.

No. 81, Misc. HOLLY *v.* SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 82, Misc. VANCE *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

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No. 84, Misc. IN RE BIFIELD ET AL. C. A. 2d Cir. Certiorari denied.

No. 86, Misc. SCHLETTE *v.* GIBSON, CHIEF JUSTICE, SUPREME COURT OF CALIFORNIA, ET AL. C. A. 9th Cir. Certiorari denied.

No. 87, Misc. MORGAN *v.* ANDERSON, SECRETARY OF THE TREASURY, 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 Samuel D. Slade* for respondents. Reported below: 105 U. S. App. D. C. 66, 263 F. 2d 903.

No. 89, Misc. ISAAC *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. 91, Misc. JONES *v.* TEXAS ET AL. Court of Criminal Appeals of Texas. Certiorari denied.

No. 93, Misc. LUCAS *v.* RANDOLPH, WARDEN. Supreme Court of Illinois. Certiorari denied.

No. 94, Misc. MCGUIRE *v.* TEXAS ET AL. Court of Criminal Appeals of Texas. Certiorari denied.

No. 95, Misc. TUCKER *v.* CALIFORNIA ADULT AUTHORITY. Supreme Court of California. Certiorari denied.

No. 96, Misc. TRINKLE *v.* HAND, WARDEN. Supreme Court of Kansas. Certiorari denied.

No. 97, Misc. BANGHART *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

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No. 98, Misc. *WHITE v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 99, Misc. *VIVONA v. CONBOY, SUPERINTENDENT, GREAT MEADOW CORRECTIONAL INSTITUTION*. Court of Appeals of New York. Certiorari denied.

No. 100, Misc. *PENNSYLVANIA EX REL. FLETCHER v. CAVELL, WARDEN*. Supreme Court of Pennsylvania. Certiorari denied. *Marjorie Hanson Matson* for petitioner. Reported below: 395 Pa. 134, 149 A. 2d 434.

No. 101, Misc. *TURPIN v. ALVIS, WARDEN*. Court of Appeals of Ohio, Franklin County. Certiorari denied.

No. 102, Misc. *BULLUCK v. PEPERSACK, WARDEN*. Court of Appeals of Maryland. Certiorari denied. Petitioner *pro se*. *C. Ferdinand Sybert*, Attorney General of Maryland, and *Joseph S. Kaufman*, Assistant Attorney General, for respondent. Reported below: 220 Md. 658, 152 A. 2d 184.

No. 103, Misc. *WILLIAMS v. FLORIDA*. Supreme Court of Florida. Certiorari denied. *Fred G. Minnis* for petitioner. Reported below: 110 So. 2d 654.

No. 105, Misc. *EARNSHAW 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.

No. 109, Misc. *SAM v. RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. Supreme Court of Washington. Certiorari denied.

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No. 106, Misc. SCHWITZENBERG *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 107, Misc. JEFFERY *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 108, Misc. FOWLER *v.* CALIFORNIA ET AL. Supreme Court of California. Certiorari denied.

No. 114, Misc. GIRONDA ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Selig Lenefsky* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Philip R. Monahan* for the United States. Reported below: 267 F. 2d 312.

No. 115, Misc. ROBERTSON *v.* NEW YORK. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 117, Misc. WISSENFELD *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 123, Misc. LAWSON *v.* CAVELL, WARDEN. Supreme Court of Pennsylvania. Certiorari denied.

No. 124, Misc. BOOKER *v.* DISTRICT ATTORNEY OF BRONX COUNTY. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 125, Misc. PRICE *v.* WARDEN. Court of Appeals of Maryland. Certiorari denied.

No. 136, Misc. LARSEN *v.* GIBSON, CHIEF JUSTICE, SUPREME COURT OF CALIFORNIA, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 267 F. 2d 386.

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No. 126, Misc. *BATES v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied.

No. 129, Misc. *JORDAN v. MARYLAND.* Court of Appeals of Maryland. Certiorari denied.

No. 131, Misc. *PRESCIMONE v. WARDEN.* Court of Appeals of Maryland. Certiorari denied.

No. 138, Misc. *DEMARIOS v. SINCLAIR, SUPERINTENDENT, FLORIDA STATE PENITENTIARY.* Supreme Court of Florida. Certiorari denied.

No. 140, Misc. *BALLARD v. TEXAS ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 141, Misc. *THOMAS v. MICHIGAN.* Supreme Court of Michigan. Certiorari denied.

No. 142, Misc. *DOZIER v. TEXAS ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 144, Misc. *BOSTICK 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 Wilkey* and *Beatrice Rosenberg* for the United States.

No. 147, Misc. *MCDONALD v. NEW JERSEY.* Supreme Court of New Jersey. Certiorari denied.

No. 148, Misc. *RAMOS ET AL. v. CALIFORNIA.* Appellate Department of the Superior Court of California, County of Los Angeles. Certiorari denied. *A. L. Wirin* and *Fred Okrand* for petitioners. *Roger Arnebergh* and *Philip E. Grey* for respondent.

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No. 149, Misc. JACKSON *v.* MARYLAND. Circuit Court of Washington County, Maryland. Certiorari denied.

No. 150, Misc. McCAMEY *v.* WYOMING. Supreme Court of Wyoming. Certiorari denied.

No. 151, Misc. BAILEY *v.* ALVIS, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 152, Misc. CHERRIE *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 159, Misc. LIGHTFRITZ *v.* OHIO. Supreme Court of Ohio. Certiorari denied.

No. 160, Misc. OUGHTON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin* for the United States.

No. 163, Misc. GOLDSBY *v.* HARPOLE, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY. C. A. 5th Cir. Certiorari denied. *William R. Ming, Jr.* and *George N. Leighton* for petitioner. *Joe T. Patterson*, Attorney General of Mississippi, *J. R. Griffin* and *John H. Price, Jr.*, Assistant Attorneys General, and *Ross R. Barnett* for respondent. Reported below: 263 F. 2d 71.

No. 164, Misc. RICKS *v.* SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 170, Misc. CARRIKER *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 269 F. 2d 31.

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No. 165, Misc. PATTERSON *v.* VIRGINIA ELECTRIC & POWER Co. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 168, Misc. TURNER, ADMINISTRATOR, *v.* HIWASSEE LAND Co. C. A. 6th Cir. Certiorari denied. *Harold Herbert Gearing* for petitioner. *Lawrence N. Spears* for respondent. Reported below: 265 F. 2d 929.

No. 169, Misc. BARAN *v.* MARTIN, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 171, Misc. DUNKLE *v.* CAVELL, WARDEN. Supreme Court of Pennsylvania. Certiorari denied.

No. 173, Misc. JACKSON *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 179, Misc. STUMP *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 181, Misc. GRANIERI *v.* CALIFORNIA. Appellate Department of the Superior Court of California, County of San Diego. Certiorari denied.

No. 183, Misc. WRIGHT *v.* MARYLAND. Court of Appeals of Maryland. Certiorari denied.

No. 188, Misc. BAKER *v.* CALIFORNIA ET AL. Supreme Court of California. Certiorari denied.

No. 189, Misc. CORONADO *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Clyde W. Woody* and *Carl E. F. Dally* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 266 F. 2d 719.

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No. 190, Misc. HANLON *v.* NEW YORK. Supreme Court of New York, Dutchess County. Certiorari denied.

No. 192, Misc. ROMANO *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 193, Misc. MANCINI *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 194, Misc. DAVIS *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Robert G. Maysack* for the United States.

No. 197, Misc. SHERWOOD *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *A. L. Wirin and Fred Okrand* for petitioner. *Solicitor General Rankin and Acting Assistant Attorney General Yeagley* for the United States.

No. 198, Misc. KAPATOS *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 200, Misc. FULLER *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 Wilkey, Beatrice Rosenberg and Julia P. Cooper* for the United States.

No. 202, Misc. MORGAN *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 203, Misc. POINDEXTER *v.* HEINZE, WARDEN. Supreme Court of California. Certiorari denied.

No. 206, Misc. ZIZZO *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

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No. 211, Misc. *SOSTRE v. NEW YORK*. 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. Reported below: 6 N. Y. 2d 706.

No. 213, Misc. *EVANS v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 214, Misc. *GRIFFIN v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 105 U. S. App. D. C. 264, 266 F. 2d 465.

No. 227, Misc. *MILLWOOD v. HEINZE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 229, Misc. *MUMMIANI v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 24, Misc. *MARTIN v. UNITED STATES*. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied because of mootness. Petitioner *pro se*. *Solicitor General Rankin* for the United States. Reported below: 105 U. S. App. D. C. 348, 267 F. 2d 625.

No. 60, Misc. *TAYLOR v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Erwin W. Roemer* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 266 F. 2d 310.

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No. 30, Misc. JOHNSON *v.* RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. Petitioner *pro se.* John J. O'Connell, Attorney General of Washington, for respondent.

No. 237, Misc. WITT *v.* NEW YORK. Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

No. 88, Misc. CARSWELL *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application.

No. 166, Misc. HILL *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application. Petitioner *pro se.* Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg for the United States. Reported below: 268 F. 2d 203.

No. 196, Misc. DECKHART *v.* CAVELL, WARDEN. Motion to substitute James F. Maroney as party respondent in the place of Angelo C. Cavell granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

Rehearing Denied.

No. 35, October Term, 1958. BARENBLATT *v.* UNITED STATES, 360 U. S. 109;

No. 57, October Term, 1958. HOWARD *v.* LYONS ET AL., 360 U. S. 593; and

No. 74, October Term, 1958. MILLS ET AL. *v.* LOUISIANA, 360 U. S. 230. Petitions for rehearing denied.

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No. 347, October Term, 1958. COUNTY OF ALLEGHENY *v.* FRANK MASHUDA Co. ET AL., 360 U. S. 185;

No. 350, October Term, 1958. BARR *v.* MATTEO ET AL., 360 U. S. 564;

No. 447, October Term, 1958. SIMPLICITY PATTERN Co., INC., *v.* FEDERAL TRADE COMMISSION, 360 U. S. 55;

No. 471, October Term, 1958. PALERMO *v.* UNITED STATES, 360 U. S. 343;

No. 489, October Term, 1958. PITTSBURGH PLATE GLASS Co. *v.* UNITED STATES, 360 U. S. 395;

No. 561, October Term, 1958. UNITED STATES ET AL. *v.* HINE PONTIAC ET AL., 360 U. S. 715;

No. 761, October Term, 1958. UNITED STATES *v.* COLONIAL CHEVROLET CORP. ET AL., 360 U. S. 716;

No. 799, October Term, 1958. ANDERSON ET AL. *v.* UNITED STATES, 360 U. S. 929;

No. 877, October Term, 1958. WOOLFSON *v.* DOYLE, TRUSTEE IN REORGANIZATION, ET AL., 360 U. S. 903;

No. 880, October Term, 1958. ZEDDIES *v.* COMMISSIONER OF INTERNAL REVENUE, 360 U. S. 910;

No. 883, October Term, 1958. EMBRY BROTHERS, INC., ET AL. *v.* DAVIS ET AL., 360 U. S. 910;

No. 897, October Term, 1958. WALKER *v.* WASHINGTON ET AL., 360 U. S. 911;

No. 901, October Term, 1958. CAGE *v.* TEXAS, 360 U. S. 917;

No. 902, October Term, 1958. GINSBURG *v.* MUTUAL LIFE INSURANCE COMPANY OF NEW YORK, 360 U. S. 917;

No. 922, October Term, 1958. MARCHESI *v.* UNITED STATES, 360 U. S. 930;

No. 944, October Term, 1958. HERSHEY MFG. Co. *v.* ADAMOWSKI ET AL., 360 U. S. 717;

No. 957, October Term, 1958. UNITED STATES STEEL CORP. *v.* GIGUERE, 360 U. S. 934; and

No. 966, October Term, 1958. KASPER *v.* UNITED STATES, 360 U. S. 932. Petitions for rehearing denied.

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No. 34, October Term, 1958. *UPHAUS v. WYMAN*, ATTORNEY GENERAL OF NEW HAMPSHIRE, 360 U. S. 72. Motions of Religious Freedom Committee, Inc., and American Civil Liberties Union for leave to file briefs, as *amici curiae*, granted. Petition for rehearing denied.

No. 435, October Term, 1958. *LEV v. UNITED STATES*, 360 U. S. 470;

No. 436, October Term, 1958. *WOOL v. UNITED STATES*, 360 U. S. 470;

No. 437, October Term, 1958. *RUBIN v. UNITED STATES*, 360 U. S. 470; and

No. 753, October Term, 1958. *NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE v. ALABAMA EX REL. PATTERSON*, 360 U. S. 240. Petitions for rehearing denied. MR. JUSTICE STEWART took no part in the consideration or decision of these applications.

No. 457, October Term, 1958. *INGRAM ET AL. v. UNITED STATES*, 360 U. S. 672. Petition for rehearing denied. MR. JUSTICE BLACK took no part in the consideration or decision of this application.

No. 493, October Term, 1958. *REISTROFFER ET AL. v. UNITED STATES*, 358 U. S. 927. Motion for leave to file petition for rehearing denied. MR. JUSTICE FRANKFURTER took no part in the consideration or decision of this application.

No. 733, Misc., October Term, 1958. *CORBETT v. COMMON PLEAS COURT OF STARK COUNTY, OHIO*, 360 U. S. 907. Petition for rehearing denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application.

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No. 876, October Term, 1958. *HELMS BAKERIES v. COMMISSIONER OF INTERNAL REVENUE*, 360 U. S. 903. Motion to supplement petition for rehearing granted. Petition for rehearing denied.

No. 7, Misc., October Term, 1958. *DEGREGORY v. WYMAN, ATTORNEY GENERAL OF NEW HAMPSHIRE*, 360 U. S. 717;

No. 706, Misc., October Term, 1958. *BAKER v. UNITED STATES*, 360 U. S. 934;

No. 749, Misc., October Term, 1958. *CHRISTY v. UNITED STATES*, 360 U. S. 919;

No. 774, Misc., October Term, 1958. *CROSS v. TUSTIN, PERSONNEL DIRECTOR OF SANTA CLARA COUNTY, ET AL.*, 359 U. S. 1014;

No. 775, Misc., October Term, 1958. *CROSS v. SUPREME COURT OF CALIFORNIA ET AL.*, 359 U. S. 1010;

No. 791, Misc., October Term, 1958. *PITTS v. UNITED STATES*, 360 U. S. 935;

No. 799, Misc., October Term, 1958. *BAKER v. UNITED STATES*, 359 U. S. 1005;

No. 803, Misc., October Term, 1958. *PITTS v. UNITED STATES*, 360 U. S. 919;

No. 835, Misc., October Term, 1958. *ALPAR v. PERPETUAL BUILDING ASSOCIATION ET AL.*, 360 U. S. 934;

No. 855, Misc., October Term, 1958. *WAGNER ET AL. v. UNITED STATES*, 360 U. S. 936;

No. 857, Misc., October Term, 1958. *BLACK v. CITY NATIONAL BANK & TRUST COMPANY OF KANSAS CITY, EXECUTOR*, 360 U. S. 920;

No. 858, Misc., October Term, 1958. *KELLEY v. CITY OF RICHMOND*, 360 U. S. 716; and

No. 912, Misc., October Term, 1958. *BARNES v. NEW YORK*, 360 U. S. 938. Petitions for rehearing denied.

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No. 806, October Term, 1958. BELLEW ET AL. *v.* MISSISSIPPI, 360 U. S. 473. Motion for leave to file supplemental and amended petition for rehearing granted. Petition for rehearing denied.

No. 613, Misc., October Term, 1958. MULLEN ET AL. *v.* DISTRICT OF COLUMBIA, 359 U. S. 971. Motion for leave to file second petition for rehearing denied.

No. 812, Misc., October Term, 1958. CONVERSE *v.* MENTAL HYGIENE DEPARTMENT OF CALIFORNIA ET AL., 360 U. S. 905. Motion for leave to file petition for rehearing denied.

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Miscellaneous Orders.

No. 1, October Term, 1957. UNITED STATES *v.* SHOTWELL MANUFACTURING CO. ET AL. The motion for leave to file motions to vacate orders of December 16, 1957, granting certiorari etc. and for other relief is denied. *George B. Christensen* for Shotwell Manufacturing Co. et al., and *William T. Kirby* for Sullivan, movants. *Solicitor General Rankin* for the United States in opposition. [See 355 U. S. 233, 352 U. S. 997.]

No. 187. MALOY ET UX. *v.* FIRST FEDERAL SAVINGS & LOAN ASSOCIATION OF WEST PALM BEACH. The application for stay of the issuance of the order denying petition for writ of certiorari (*ante*, p. 824) referred to the Court by Mr. JUSTICE BLACK is granted pending the timely filing and disposition of a petition for rehearing.

No. 330, Misc. SCHLETTE *v.* UNITED STATES DISTRICT COURT ET AL. Motion for leave to file petition for writ of certiorari and other relief denied.

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No. 19, Misc. *SHERWOOD v. GLADDEN, WARDEN*;
No. 271, Misc. *FINLEY v. UNITED STATES ET AL.*;
No. 287, Misc. *WARREN v. TAYLOR, WARDEN*; and
No. 334, Misc. *FAVORS v. ADAMS, WARDEN*. Motions
for leave to file petitions for writs of habeas corpus denied.
Petitioners *pro se*. *Robert Y. Thornton*, Attorney Gen-
eral of Oregon, and *Robert G. Danielson*, Assistant Attor-
ney General, for respondent in No. 19, Misc.

No. 278, Misc. *CLIFTON v. MYERS, SUPERINTENDENT
OF STATE PENITENTIARY*. Motion for leave to file peti-
tion for writ of habeas corpus denied. Treating the papers
submitted as a petition for writ of certiorari, certiorari is
denied.

No. 204, Misc. *MATEY v. MARSHALL, COMMON PLEAS
COURT JUDGE*;

No. 209, Misc. *JONES v. GOODMAN, U. S. DISTRICT
JUDGE*;

No. 242, Misc. *KING v. CLEMMER ET AL.*;

No. 243, Misc. *JOHNSON v. CLEMMER ET AL.*; and

No. 282, Misc. *DUMOULIN v. REYNOLDS, JUDGE*. Mo-
tions for leave to file petitions for writs of mandamus
denied.

No. 295. *ROHR AIRCRAFT CORP. v. COUNTY OF SAN
DIEGO ET AL.* Appeal from the Supreme Court of Cali-
fornia. Further consideration of the question of juris-
diction is postponed to the hearing of the case on the
merits and the case is transferred to the summary cal-
endar. *Leroy A. Wright* for appellant. *Carroll H. Smith*
and *Duane J. Carnes* for the County of San Diego,
appellee. Reported below: 51 Cal. 2d 759, 336 P. 2d
521.

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Probable Jurisdiction Noted.

NO. 297. GREAT NORTHERN RAILWAY CO. *v.* UNITED STATES ET AL. Appeal from the United States District Court for the District of Minnesota. Probable jurisdiction noted. *Louis E. Torinus, Jr.* and *Anthony Kane* for appellant. *Solicitor General Rankin, Acting Assistant Attorney General Bicks, Richard A. Solomon, John H. D. Wigger, Robert W. Ginnane* and *Francis A. Silver* for the United States et al., and *Samuel J. Wettrick* for Centennial Mills, Inc., appellees. Reported below: 172 F. Supp. 705.

Certiorari Granted. (See also No. 81, ante, p. 15; No. 328, ante, p. 29; and No. 58, Misc., ante, p. 34.)

NO. 164. LEVINE *v.* UNITED STATES. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted limited to Questions No. 1 and No. 2 presented by the petition which read as follows:

"1. Whether the secrecy of the proceedings, including the adjudication and sentence for contempt under Rule 42 (a) of the Federal Rules of Criminal Procedure, deprived petitioner of Due Process of Law in violation of the Fifth Amendment to the United States Constitution.

"2. Whether the secrecy of the proceedings and of the adjudication and sentence of petitioner for criminal contempt under Rule 42 (a) of the Federal Rules of Criminal Procedure deprived petitioner of a public trial as required by the Sixth Amendment to the United States Constitution."

Myron L. Shapiro and *J. Bertram Wegman* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey* and *Robert S. Erdahl* for the United States. Reported below: 267 F. 2d 335.

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No. 138. UNITED STATES *v.* AMERICAN-FOREIGN STEAMSHIP CORP. ET AL. C. A. 2d Cir. Certiorari granted. *Solicitor General Rankin, Assistant Attorney General Doub, Alan S. Rosenthal and Herbert E. Morris* for the United States. *Arthur M. Becker, Gerald B. Greenwald, John Cunningham, Israel Convisser and J. Franklin Fort* for respondents. Reported below: 265 F. 2d 136.

No. 76, Misc. WARD *v.* ATLANTIC COAST LINE RAILROAD Co. 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. Case transferred to the appellate docket and placed on the summary calendar. *Neal P. Rutledge* for petitioner. Reported below: 265 F. 2d 75.

Certiorari Denied. (See also Nos. 155, 279 and 291, *ante*, p. 30; No. 300, *ante*, p. 33; and No. 278, Misc., *supra*.)

No. 235. MISSOURI PACIFIC RAILROAD Co. *v.* MOORE ET AL. C. A. 5th Cir. Certiorari denied. *Howard S. Hoover* for petitioner. *Maurice M. Davis and James A. Copeland* for respondents. Reported below: 264 F. 2d 754.

No. 261. MACNEIL *v.* JULIAN. C. A. 1st Cir. Certiorari denied. *Angus M. MacNeil*, petitioner, *pro se*. *Solicitor General Rankin, Assistant Attorney General Doub, Morton Hollander and Seymour Farber* for respondent. Reported below: 266 F. 2d 167.

No. 264. SMITH *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied. *William Richter and Robert W. Hicks* for petitioner. *Guy W. Calissi* for respondent. Reported below: 29 N. J. 561, 150 A. 2d 769.

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No. 199. WILLIAMS, ADMINISTRATRIX, ET AL. *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Sol Goodman* and *Theodore M. Berry* for appellants. *Solicitor General Rankin, Acting Assistant Attorney General Sellers, A. F. Prescott* and *Carolyn R. Just* for the United States. Reported below: 264 F. 2d 227.

No. 220. O'DWYER ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 4th Cir. Certiorari denied. *Paul O'Dwyer* and *Howard N. Meyer* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, Lee A. Jackson* and *Myron C. Baum* for respondent. Reported below: 266 F. 2d 575.

No. 284. BAKER, OBERMEIER & ROSNER *v.* SURFACE TRANSIT, INC., ET AL.;

No. 285. SAXE, BACON & O'SHEA *v.* SURFACE TRANSIT, INC., ET AL.;

No. 374. HAYS, ST. JOHN, ABRAMSON & HEILBRON *v.* GARLOCK ET AL.;

No. 382. GANS *v.* SURFACE TRANSIT, INC., ET AL.; and

No. 384. GARLOCK *v.* SURFACE TRANSIT, INC., ET AL. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied. *Oscar S. Rosner* for petitioner in No. 284. *Ralph M. Carson, Thomas O'Gorman FitzGibbon* and *Philip C. Potter, Jr.* for petitioner in No. 285. *Osmond K. Fraenkel* and *Morris Shilensky* for petitioner in No. 374. *Hiram S. Gans*, petitioner in No. 382, *pro se.* *Edward M. Garlock*, petitioner in No. 384 and respondent in No. 374, *pro se.* *John A. Wilson, W. M. L. Robinson* and *M. Van Voorhies* for Surface Transit, Inc., et al., respondents. *Solicitor General Rankin, Thomas G. Meeker* and *David Ferber* (also *Arthur Blasberg, Jr.* in Nos. 284 and 382) for the Securities and Exchange Commission, in opposition. Reported below: 266 F. 2d 862.

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No. 234. *PUCO v. UNITED STATES*;
No. 257. *LESSA ET AL. v. UNITED STATES*;
No. 304. *STROMBERG ET AL. v. UNITED STATES*;
No. 305. *TEITELBAUM v. UNITED STATES*;
No. 308. *BEHRMAN v. UNITED STATES*;
No. 310. *MAIMONE v. UNITED STATES*; and
No. 313. *MIRRA ET AL. v. UNITED STATES*. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied. *Henry K. Chapman* for petitioners in Nos. 234 and 257. *Moses Polakoff, Samuel Mezansky and Sheldon Lowe* for petitioners in No. 304. *Daniel H. Greenberg* for petitioner in No. 305. *Maurice Edelbaum* for petitioner in No. 308. *Edward H. Levine* for petitioner in No. 310. *Joseph Leary Delaney* for petitioners in No. 313. *Solicitor General Rankin, Assistant Attorney General Wilkey and Philip R. Monahan* for the United States. Reported below: 268 F. 2d 256.

No. 292. *KEENAN ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Myer H. Gladstone* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice and Joseph M. Howard* for the United States. Reported below: 267 F. 2d 118.

No. 294. *GEILICH TANNING CO. v. AMALGAMATED MEAT CUTTERS & BUTCHER WORKMEN OF NORTH AMERICA, AFL-CIO, ET AL.* C. A. 1st Cir. Certiorari denied. *Harold Rosenwald* for petitioner. Reported below: 267 F. 2d 169.

No. 28, Misc. *KRAVARICK ET AL. v. COLORADO*. Supreme Court of Colorado. Certiorari denied. Petitioners *pro se*. *Duke W. Dunbar*, Attorney General of Colorado, *Frank E. Hickey*, Deputy Attorney General, and *Gerald Harrison*, Assistant Attorney General, for respondent.

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No. 298. BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINEMEN ET AL. *v.* ANACONDA COMPANY ET AL.; and

No. 311. BUTTE, ANACONDA & PACIFIC RAILWAY CO. *v.* BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINEMEN ET AL. C. A. 9th Cir. Certiorari denied. *David L. Holland, Russell B. Day* and *Harold C. Heiss* for petitioners in No. 298. *William N. Geagan* for petitioner in No. 311. *Nathan Witt* for International Union of Mine, Mill and Smelter Workers et al., respondents in No. 298. *David L. Holland* for respondents in No. 311. Reported below: 268 F. 2d 54.

No. 299. SCRIPTO, INC., *v.* FERBER CORPORATION. C. A. 3d Cir. Certiorari denied. *Ernest P. Rogers* for petitioner. *Maxwell E. Sparrow* for respondent. Reported below: 267 F. 2d 308.

No. 306. ILLINOIS EX REL. JAMES *v.* LYNCH, SHERIFF. Supreme Court of Illinois. Certiorari denied. *Charles A. Bellows* for petitioner. Reported below: 16 Ill. 2d 380, 158 N. E. 2d 60.

No. 307. ILLINOIS DISTRICT COUNCIL OF THE ASSEMBLY OF GOD *v.* OLD SALEM CHAUTAUQUA ASSOCIATION. Supreme Court of Illinois. Certiorari denied. *Matthew Steinberg* for petitioner. *Montgomery S. Winning* for respondent. Reported below: 16 Ill. 2d 470, 158 N. E. 2d 38.

No. 271. RETAIL CLERKS UNION, LOCAL No. 1364, AFL-CIO, ET AL. *v.* SUPERIOR COURT OF CALIFORNIA, IN AND FOR THE COUNTY OF TRINITY, ET AL. Supreme Court of California. Certiorari denied. MR. JUSTICE BLACK took no part in the consideration or decision of this application. *Charles P. Scully* and *Jack Halpin* for petitioners. *Nathan R. Berke* for Hood et al., respondents.

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No. 150. McCrary et al. v. Aladdin Radio Industries, Inc., et al. Motion to use record in No. 116, October Term, 1957, granted. Petition for writ of certiorari to the Court of Appeals of Tennessee, Middle Section, denied. MR. JUSTICE BLACK and MR. JUSTICE STEWART took no part in the consideration or decision of this motion and application. *Albert Williams, Cecil D. Branstetter and Jerome A. Cooper* for petitioners. *Dick L. Lansden and William Waller* for respondents. Reported below: — Tenn. App. —, 323 S. W. 2d 222.

No. 132, Misc. Leggett v. Henslee, Superintendent and Warden. Supreme Court of Arkansas. Certiorari denied. *Kenneth Coffelt* for petitioner. Reported below: — Ark. —, 321 S. W. 2d 764.

No. 184, Misc. Griffiths v. United States. Court of Claims. Certiorari denied. *William J. Woolston* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub and Morton Hollander* for the United States. Reported below: — Ct. Cl. —, 172 F. Supp. 691.

No. 216, Misc. Ruffin v. United States. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Frederic P. Lee and Floyd F. Toomey* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 106 U. S. App. D. C. 97, 269 F. 2d 544.

No. 228, Misc. Smith v. United States. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *J. Robert Walsh* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for the United States. Reported below: 106 U. S. App. D. C. 26, 269 F. 2d 217.

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No. 255. MISSOURI PACIFIC RAILROAD CO. *v.* COOK. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. *Josh H. Groce* for petitioner. Reported below: 263 F. 2d 954.

No. 287. DEWITT ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. THE CHIEF JUSTICE and MR. JUSTICE BLACK are of the opinion certiorari should be granted. *W. C. Peticolas* for petitioners. *Solicitor General Rankin, Assistant Attorney General Doub and Samuel D. Slade* for the United States. Reported below: 265 F. 2d 393.

No. 312. GENTRY *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Raymond Kyle Hayes* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 268 F. 2d 63.

No. 314. MATES *v.* UNITED STATES. The motion to proceed on typewritten petition is granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. MR. JUSTICE STEWART took no part in the consideration or decision of this motion and application. *Phillip Bartell* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for the United States.

No. 57, Misc. CARTER *v.* NEW YORK. County Court of Wyoming County, New York. Certiorari denied.

No. 79, Misc. AKERS *v.* GLADDEN, WARDEN. Supreme Court of Oregon. Certiorari denied.

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No. 35, Misc. WILSON *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, and Thomas M. Miller, Assistant Attorney General, for respondent.

No. 130, Misc. UNITED STATES EX REL. DAWKINS *v.* DENNO, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 153, 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 Wilkey, Beatrice Rosenberg and Robert G. Maysack for the United States.

No. 157, Misc. LINDEN *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 176, Misc. LINDEN *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 177, Misc. HARRISON *v.* NASH, WARDEN. Supreme Court of Missouri. Certiorari denied.

No. 180, Misc. WILLIAMS *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg for the United States. Reported below: 267 F. 2d 559.

No. 182, Misc. DAUGHARTY *v.* GLADDEN, WARDEN. Supreme Court of Oregon. Certiorari denied.

No. 185, Misc. COLE *v.* NORTH CAROLINA. Supreme Court of North Carolina. Certiorari denied.

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No. 195, Misc. *GRAY v. COLORADO*. Supreme Court of Colorado. Certiorari denied.

No. 205, Misc. *BIGGS v. CUMMINS ET AL.* Supreme Court of Illinois. Certiorari denied.

No. 207, Misc. *HUNTER v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 208, Misc. *IN RE MCDANIEL*. C. A. 9th Cir. Certiorari denied.

No. 215, Misc. *RICKETTS v. NEW YORK*. Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

No. 219, Misc. *SNEAD v. VIRGINIA*. Supreme Court of Appeals of Virginia. Certiorari denied. *William Alfred Hall, Jr.* for petitioner. *A. S. Harrison, Jr.*, Attorney General of Virginia, and *Reno S. Harp III*, Assistant Attorney General, for respondent. Reported below: 200 Va. 850, 108 S. E. 2d 399.

No. 225, Misc. *PRESNELL v. MANNING, WARDEN, ET AL.* Supreme Court of South Carolina. Certiorari denied.

No. 230, Misc. *EGAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 268 F. 2d 820.

No. 235, Misc. *DE SAVERIO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Henry K. Chapman* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Philip R. Monahan* for the United States.

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No. 226, Misc. ALEXANDER *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 236, Misc. MOORE *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 and Beatrice Rosenberg* for the United States.

No. 245, Misc. MCKINZIE *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied.

No. 247, Misc. BOIDAKOWSKI *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied.

No. 248, Misc. FORCE *v.* RANDOLPH, WARDEN. Supreme Court of Illinois. Certiorari denied.

No. 249, Misc. KONETZKE *v.* RANDOLPH, WARDEN. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 250, Misc. SAUNDERS *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. 256, Misc. MACOMBER *v.* GLADDEN, WARDEN. Supreme Court of Oregon. Certiorari denied.

No. 258, Misc. ANDERSON *v.* CALIFORNIA ET AL. Supreme Court of California. Certiorari denied.

No. 275, Misc. WALLACE, NEE GOLDBERG, *v.* STATE OF NEW YORK INSURANCE DEPARTMENT. Court of Appeals of New York. Certiorari denied.

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No. 257, Misc. *KYLE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Robert Satter* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 266 F. 2d 670.

No. 259, Misc. *FINLEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General White*, *Harold H. Greene* and *D. Robert Owen* for the United States. Reported below: 266 F. 2d 29.

No. 260, Misc. *MASSENGALE v. McMANN, ACTING 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, *Paxton Blair*, Solicitor General, and *Joseph J. Rose*, Assistant Attorney General, for respondent. Reported below: 6 N. Y. 2d 707.

No. 261, Misc. *FORSYTHE v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied.

No. 263, Misc. *BUNNER v. ADAMS, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 264, Misc. *ELMORE v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 276, Misc. *SOLOMON v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 291, Misc. *PALMA v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

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No. 290, Misc. *FORCE v. RANDOLPH, WARDEN*. Supreme Court of Illinois. Certiorari denied.

No. 299, Misc. *FREEMAN ET AL. v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 300, Misc. *WONTROBA v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 311, Misc. *SYPNIEWSKI v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 320, Misc. *SHAMPO v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

Rehearing Denied.

No. 619, October Term, 1958. *HARRIS ET AL. v. UNITED STATES*, 360 U. S. 933; and

No. 828, October Term, 1958. *SIEGEL ET AL. v. UNITED STATES*, 359 U. S. 1012. Petitions for rehearing denied.

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Dismissal Under Rule 60.

No. 345. *ABT v. UNITED STATES*. On petition for writ of certiorari to the Court of Claims. Petition dismissed pursuant to Rule 60 of the Rules of this Court. *Rowland W. Fixel* for petitioner. *Solicitor General Rankin* for the United States. Reported below: — Ct. Cl. —.

OCTOBER 21, 1959.

Stay of Execution.

No. —. *CHESSMAN v. CALIFORNIA*. The application for a stay of execution of the death penalty imposed upon the petitioner presented to MR. JUSTICE DOUGLAS, and by

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him referred to the Court, is granted pending the timely filing and consideration of a petition for certiorari. The application for extension of time to file such a petition for certiorari is denied. THE CHIEF JUSTICE took no part in the consideration or decision of these applications. *A. L. Wirin, Fred Okrand, Rosalie S. Asher and George T. Davis* for petitioner. *Stanley Mosk*, Attorney General of California, and *Arlo E. Smith*, Deputy Attorney General, for respondent.

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Miscellaneous Orders.

No. 10, Original. UNITED STATES *v.* LOUISIANA ET AL. The motion of the State of Texas for leave to file a supplemental brief is granted. THE CHIEF JUSTICE and MR. JUSTICE CLARK took no part in the consideration or decision of this motion. *Price Daniel*, Governor of Texas, *Will Wilson*, Attorney General of Texas, *James N. Ludlum*, First Assistant Attorney General, *Houghton Brownlee, Jr.*, *James H. Rogers* and *John Flowers*, Assistant Attorneys General, *James P. Hart*, *J. Chryst Dougherty* and *Robert J. Hearon, Jr.* for the State of Texas.

No. 15. NATIONAL LABOR RELATIONS BOARD *v.* INSURANCE AGENTS INTERNATIONAL UNION, AFL-CIO. Certiorari, 358 U. S. 944, to the United States Court of Appeals for the District of Columbia Circuit. The contentions raised by respondent's memorandum respecting abatement or mootness are overruled. The contingent motion of Insurance Workers International Union, AFL-CIO, for leave to file a brief is denied. Consideration of petitioner's motion to join Insurance Workers International Union, AFL-CIO, and respondent's contingent motion to delete it as a party respondent are postponed to the hearing of the case on the merits. The motion

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of the Prudential Insurance Company of America for leave to file a brief, as *amicus curiae*, is granted. *Solicitor General Rankin* and *Stuart Rothman* for petitioner. *Isaac N. Groner* for respondent and for Insurance Workers International Union, AFL-CIO. *Nahum A. Bernstein* and *Donald R. Seawell* for Prudential Insurance Company of America. Reported below: 104 U. S. App. D. C. 218, 260 F. 2d 736.

NO. 202. *DE SIMONE v. UNITED STATES*. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. In light of the Government's contention that the issues in this case are now moot, the Solicitor General is requested to advise the Court as promptly as possible whether the Government deems (1) the District Court's order of May 29, 1959, which directed petitioner to appear before the grand jury on July 30, 1959, (2) the order to show cause issued by the District Court on May 19, 1959, or (3) the writ of habeas corpus ad testificandum, to be presently outstanding, in that any of the above can possibly hereafter be made the foundation for contempt proceedings against petitioner. *Joseph K. Hertogs* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States.

Probable Jurisdiction Noted.

NO. 342. *NOSTRAND ET AL. v. BALMER ET AL., AS THE BOARD OF REGENTS OF THE UNIVERSITY OF WASHINGTON, ET AL.* Appeal from the Supreme Court of Washington. Probable jurisdiction noted. *Francis Hoague* for appellants. *John J. O'Connell*, Attorney General of Washington, and *Herbert H. Fuller*, Acting Chief Assistant Attorney General, for respondents. Reported below: 53 Wash. 2d 460, 335 P. 2d 10.

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Certiorari Granted. (See also No. 8, Misc., ante, p. 37; and No. 27, Misc., ante, p. 38.)

No. 319. SCHILLING *v.* ROGERS, ATTORNEY GENERAL. United States Court of Appeals for the District of Columbia Circuit. *Certiorari* granted. *Isadore G. Alk, Henry I. Fillman* and *Otto C. Sommerich* for petitioner. *Solicitor General Rankin, Assistant Attorney General Townsend, Irving Jaffe* and *George B. Searls* for respondent. Reported below: 106 U. S. App. D. C. 8, 268 F. 2d 584.

No. 349. CLAY *v.* SUN INSURANCE OFFICE LIMITED. C. A. 5th Cir. *Certiorari* granted. *W. Terry Gibson* for petitioner. *Eugene A. Leiman* for respondent. Reported below: 265 F. 2d 522.

No. 269, Misc. PHILLIPS *v.* NEW YORK. Motion for leave to proceed *in forma pauperis* granted. Petition for writ of *certiorari* to the Court of Appeals of New York granted limited to the question of the admissibility of the confession. Case transferred to the appellate docket. *Anthony T. Antinozzi* for petitioner. Reported below: 6 N. Y. 2d 788, 159 N. E. 2d 677.

Certiorari Denied. (See also No. 265, ante, p. 35; and No. 174, Misc., ante, p. 38.)

No. 282. SHAHADI ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 3d Cir. *Certiorari* denied. *George P. Walker* and *Robert M. Taylor* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, A. F. Prescott* and *Joseph Kovner* for respondent. Reported below: 266 F. 2d 495.

No. 303. ROTHFELDER *v.* SUPREME COURT OF MISSOURI. Supreme Court of Missouri. *Certiorari* denied. *John E. Downs* and *Theodore Kranitz* for petitioner. *Richmond C. Coburn* for respondent.

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No. 315. ROSS *v.* UNITED STATES. Court of Claims. Certiorari denied. *Robert H. Myers* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Heffron, Lee A. Jackson and Grant W. Wiprud* for the United States. Reported below: — Ct. Cl. —, 173 F. Supp. 793.

No. 318. SINASON TEICHER INTER AMERICAN GRAIN CORP. *v.* COMMODITY CREDIT CORP. C. A. 2d Cir. Certiorari denied. *Charles A. Ellis* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub and Alan S. Rosenthal* for respondent. Reported below: 267 F. 2d 493.

No. 320. HOWARD *v.* LOUISIANA. Supreme Court of Louisiana. Certiorari denied. *Russell Morton Brown* for petitioner.

No. 324. KENNEDY *v.* UNITED STATES; and

No. 325. MEYER ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Edward Bennett Williams and W. Sanders Gramling* for petitioner in No. 324. *W. G. Ward, Charles Bedell, George F. Gilleland and Harris B. Steinberg* for petitioners in No. 325. *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for the United States. Reported below: 266 F. 2d 747.

No. 330. BALANCIO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Morris Hirschhorn* for petitioner. *Solicitor General Rankin* for the United States. Reported below: 267 F. 2d 135.

No. 280, Misc. DARLING *v.* NEW YORK. Appellate Division of the Supreme Court of New York, Third Judicial Department. Certiorari denied.

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No. 331. SUPERIOR MANUFACTURING CORP. *v.* HESSLER MANUFACTURING CO. ET AL. C. A. 10th Cir. Certiorari denied. *Thomas K. Hudson* for petitioner. *William L. Bromberg* and *Edward Philip Kurz* for respondents. Reported below: 267 F. 2d 302.

No. 333. HASKELL, BY ALBERTS, GUARDIAN AD LITEM, *v.* HASKELL. Court of Appeals of New York. Certiorari denied. *I. Stanley Stein* for petitioner. *Irving I. Erdheim* for respondent. Reported below: 6 N. Y. 2d 79, 160 N. E. 2d 33.

No. 336. TAHIR *v.* LEHMANN, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 6th Cir. Certiorari denied. *Henry C. Lavine* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for respondent. Reported below: 264 F. 2d 892.

No. 343. STAMFORD TRANSIT CO. *v.* INTERNATIONAL BROTHERHOOD OF TEAMSTERS, LOCAL No. 145. Supreme Court of Errors of Connecticut. Certiorari denied. *Robert C. Bell, Jr.* for petitioner. Reported below: 146 Conn. 467, 152 A. 2d 502.

No. 344. FIDELITY & DEPOSIT COMPANY OF MARYLAND *v.* STUDDS. C. A. 4th Cir. Certiorari denied. *Barron F. Black* and *Hugh S. Meredith* for petitioner. *William L. Parker* for respondent. Reported below: 267 F. 2d 875.

No. 13, Misc. WESTON *v.* WALKER, WARDEN. Supreme Court of Louisiana. Certiorari denied. *Lemuel C. Parker* for petitioner. *Jack P. F. Gremillion*, Attorney General of Louisiana, *George M. Ponder*, First Assistant Attorney General, and *J. St. Clair Favrot* for respondent.

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No. 346. *HOLMES v. CONTINENTAL CASUALTY CO. ET AL.* C. A. 5th Cir. Certiorari denied. *Francis H. Hare* and *Truman M. Hobbs* for petitioner. *Reid B. Barnes* and *James A. Simpson* for Continental Casualty Co., respondent. Reported below: 266 F. 2d 269.

No. 348. *KLOTZ v. SEARS, ROEBUCK & Co.* C. A. 7th Cir. Certiorari denied. *Edward H. Norton* for petitioner. *Burton Y. Weitzenfeld* for respondent. Reported below: 267 F. 2d 53.

No. 234, Misc. *NELSON v. NEW MEXICO.* Supreme Court of New Mexico. Certiorari denied. Petitioner *pro se.* *Hilton A. Dickson, Jr.*, Attorney General of New Mexico, *Thomas O. Olson* and *Boston E. Witt*, Assistant Attorneys General, and *Dean S. Zinn* for respondent.

No. 270, Misc. *FAITH v. NEW JERSEY.* Supreme Court of New Jersey. Certiorari denied.

No. 316, Misc. *FENTON v. ARIZONA.* Supreme Court of Arizona. Certiorari denied. *W. Edward Morgan* for petitioner. *Wade Church*, Attorney General of Arizona, *Leslie C. Hardy*, Chief Assistant Attorney General, and *Franklin K. Gibson*, Assistant Attorney General, for respondent. Reported below: 86 Ariz. 111, 341 P. 2d 237.

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Miscellaneous Order.

No. 504. *UNITED STEELWORKERS OF AMERICA v. UNITED STATES.* The application of the Solicitor General to vacate stay of injunction unless petition for a writ of certiorari is filed by noon, October 29, 1959, is denied. *Solicitor General Rankin* for the United States. *Arthur J. Goldberg* for petitioner.

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Certiorari Granted; Injunction Stayed.

No. 504. UNITED STEELWORKERS OF AMERICA *v.* UNITED STATES. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. The petition for writ of certiorari is granted and the case is assigned for oral argument on Tuesday, November 3, 1959, at 11 a. m. All briefs must be on file by noon, Monday, November 2, 1959. The injunction issued by the United States District Court for the Western District of Pennsylvania on October 21, 1959, as modified by the United States Court of Appeals for the Third Circuit on October 22, 1959, is stayed pending the issuance of the judgment of this Court. *Arthur J. Goldberg, David E. Feller* and *Bernard Dunau* for petitioner. *Attorney General Rogers, Solicitor General Rankin, Assistant Attorney General Doub, Wayne G. Barnett, Samuel D. Slade, Seymour Farber* and *Herbert E. Morris* for the United States. Reported below: 271 F. 2d 676.

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Miscellaneous Orders.

No. 42. LOCAL No. 8-6, OIL, CHEMICAL AND ATOMIC WORKERS INTERNATIONAL UNION, AFL-CIO, ET AL. *v.* MISSOURI. Appeal from the Supreme Court of Missouri. The motion of the Chamber of Commerce of Metropolitan St. Louis for leave to file brief, as *amicus curiae*, is granted. The motion of the Missouri State Chamber of Commerce et al. for leave to file brief, as *amici curiae*, is granted. *Richmond C. Coburn* for the Chamber of Commerce of Metropolitan St. Louis. *Myron K. Ellison* for the Missouri State Chamber of Commerce et al. Reported below: 317 S. W. 2d 309.

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No. 61. FEDERAL TRADE COMMISSION *v.* HENRY BROCH & Co. Certiorari, 360 U. S. 908, to the United States Court of Appeals for the Seventh Circuit. The motion of the National Association of Retail Grocers of the United States for leave to file brief, as *amicus curiae*, is granted. *Henry J. Bison, Jr.* for movant. Reported below: 261 F. 2d 725.

No. 352. MAGNOLIA PETROLEUM Co. *v.* FEDERAL POWER COMMISSION. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. The motion to substitute Socony Mobil Oil Company, Inc., as the petitioner in place of Magnolia Petroleum Company is granted. *William S. Richardson, Frank C. Bolton, Jr.* and *John E. McClure* on the motion. Reported below: 266 F. 2d 234.

No. 466. HUDSON *v.* NORTH CAROLINA. On petition for writ of certiorari to the Supreme Court of North Carolina. The motion for appointment of counsel is granted and it is ordered that *William Joslin, Esquire*, of Raleigh, North Carolina, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for petitioner in this case.

No. 371, Misc. BROWN *v.* BOSLOW, DIRECTOR, PATUXENT INSTITUTION. Motion for leave to file petition for writ of habeas corpus denied.

No. 134, Misc. SHAW *v.* NEW JERSEY;

No. 328, Misc. HORTON *v.* BLALOCK; and

No. 348, Misc. RILEY *v.* NEW JERSEY. Motions for leave to file petitions for writs of habeas corpus denied. Treating the papers submitted as petitions for writs of certiorari, certiorari is denied. Petitioners *pro se*. *Norman Heine* for respondent in No. 134, Misc.

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No. 346, Misc. *LONG v. IOWA*; and
No. 379, Misc. *IN RE COON*. Motions for leave to file
petitions for writs of certiorari denied.

Probable Jurisdiction Noted.

No. 350. *UNITED STATES v. MANUFACTURERS NATIONAL BANK OF DETROIT, EXECUTOR*. Appeal from the United States District Court for the Eastern District of Michigan. Probable jurisdiction noted. *Solicitor General Rankin, Acting Assistant Attorney General Sellers, Myron C. Baum and L. W. Post* for the United States. *Henry I. Armstrong, Jr. and Louis F. Dahling* for appellee. Reported below: 175 F. Supp. 291.

Certiorari Granted.

No. 321. *SUN OIL CO. v. FEDERAL POWER COMMISSION*. C. A. 5th Cir. Certiorari granted. *Martin A. Row, Robert E. May and Omar L. Crook* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub, Samuel D. Slade, Willard W. Gatchell and Howard E. Wahrenbrock* for respondent. Reported below: 266 F. 2d 222.

No. 389. *FEDERAL TRADE COMMISSION v. ANHEUSER-BUSCH, INC.* C. A. 7th Cir. Certiorari granted. *Solicitor General Rankin, Acting Assistant Attorney General Bicks, Charles H. Weston and Alan B. Hobbes* for petitioner. *Charles M. Price, Robert C. Keck, Edgar Barton and Thomas J. Carroll* for respondent. Reported below: 265 F. 2d 677.

No. 335. *SUNRAY MID-CONTINENT OIL CO. v. FEDERAL POWER COMMISSION*. C. A. 10th Cir. Certiorari granted. *James C. Denton, Jr., M. Darwin Kirk and Dale E. Doty* for petitioner. *Solicitor General Rankin, Assistant Attor-*

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ney General Doub, Samuel D. Slade, Willard W. Gatchell and Howard E. Wahrenbrock for respondent. Reported below: 267 F. 2d 471.

No. 339. NEW HAMPSHIRE FIRE INSURANCE Co. *v.* SCANLON, DISTRICT DIRECTOR OF INTERNAL REVENUE, ET AL. C. A. 2d Cir. Certiorari granted. *Myron Engelman* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, A. F. Prescott and Joseph Kovner* for the District Director of Internal Revenue, respondent. Reported below: 267 F. 2d 941.

No. 359. COMMISSIONER OF INTERNAL REVENUE *v.* GILLETTE MOTOR TRANSPORT, INC. C. A. 5th Cir. Certiorari granted. *Solicitor General Rankin, Assistant Attorney General Rice and A. F. Prescott* for petitioner. *Joseph A. Maun and John A. Murray* for respondent. Reported below: 265 F. 2d 648.

No. 360. UNITED STEELWORKERS OF AMERICA *v.* AMERICAN MANUFACTURING Co. C. A. 6th Cir. Certiorari granted. MR. JUSTICE BLACK took no part in the consideration or decision of this application. *Arthur J. Goldberg and David E. Feller* for petitioner. *Harold M. Humphreys* for respondent. Reported below: 264 F. 2d 624.

Certiorari Denied. (See also No. 265, Misc., ante, p. 86; and Misc. Nos. 134, 328, 346, 348 and 379, supra.)

No. 317. INTERNATIONAL ASSOCIATION OF MACHINISTS, LOCAL LODGE No. 311, AFL-CIO, ET AL. *v.* NATIONAL LABOR RELATIONS BOARD. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Plato E. Papps and Bernard Dunau* for petitioners. *Solicitor General Rankin, Stuart Rothman, Thomas J. McDermott, Dominick L. Manoli and Norton J. Come* for respondent.

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No. 329. *NOVAK v. PENNSYLVANIA*. Supreme Court of Pennsylvania. Certiorari denied. *Walter Stein* and *Mervyn R. Turk* for petitioner. Reported below: 395 Pa. 199, 150 A. 2d 102.

No. 341. *TRANSAMERICAN FREIGHT LINES, INC., v. PENNSYLVANIA*. Supreme Court of Pennsylvania. Certiorari denied. *James M. Marsh* and *J. Harry LaBrum* for petitioner. *Anne X. Alpern*, Attorney General of Pennsylvania, and *Edward Friedman*, Deputy Attorney General, for respondent. Reported below: 396 Pa. 64, 151 A. 2d 630.

No. 347. *BORGMEIER v. FLEMING ET AL.* C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Ray M. Stroud* for Lake Delton Development Co. et al., respondents. Reported below: 267 F. 2d 254.

No. 354. *ALLEN ET AL. v. UNITED STATES*. Court of Claims. Certiorari denied. *Bernard Susman* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Morton Hollander* for the United States. Reported below: — Ct. Cl. —, 173 F. Supp. 358.

No. 355. *PAN ATLANTIC STEAMSHIP CORP. v. O/Y FINLAYSON-FORSSA A/B ET AL.* C. A. 5th Cir. Certiorari denied. *John W. Sims* and *T. K. Jackson, Jr.* for petitioner. *Leonard J. Matteson*, *Richard F. Shaw* and *Donald M. Waesche, Jr.* for respondents. Reported below: 259 F. 2d 11.

No. 357. *LARSEN v. IDAHO*. Supreme Court of Idaho. Certiorari denied. *J. M. Lampert* for petitioner. Reported below: 81 Idaho 90, 337 P. 2d 1.

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No. 353. *BEDAMI v. FLORIDA*. District Court of Appeal of Florida, Second District. Certiorari denied. *Pat Whitaker* for petitioner. Reported below: 112 So. 2d 284.

No. 356. *SPAULDING, DOING BUSINESS AS WHITEWAY MANUFACTURING Co., v. GUARDIAN LIGHT Co., INC.* C. A. 7th Cir. Certiorari denied. *J. Warren Kinney, Jr.* for petitioner. *Charles B. Cannon* and *Geo. H. Wallace* for respondent. Reported below: 267 F. 2d 111.

No. 358. *REEDEREI BLUMENFELD, G. M. B. H., v. HOLLEY, ADMINISTRATRIX*. C. A. 4th Cir. Certiorari denied. *Barron F. Black* and *Hugh S. Meredith* for petitioner. *Louis B. Fine* for respondent. Reported below: 269 F. 2d 317.

No. 361. *STOFFEL SEALS CORP. v. E. I. BROOKS Co.* C. A. 2d Cir. Certiorari denied. *Whitney North Seymour, A. Yates Dowell, Jr.* and *E. Barrett Prettyman, Jr.* for petitioner. *Henry R. Ashton* and *Francis J. Sullivan* for respondent. Reported below: 266 F. 2d 841.

No. 362. *WYBRANT SYSTEM PRODUCTS CORP. ET AL. v. FEDERAL TRADE COMMISSION*. C. A. 2d Cir. Certiorari denied. *Edward F. Howrey* and *John Bodner, Jr.* for petitioners. *Solicitor General Rankin, Acting Assistant Attorney General Bicks, Richard A. Solomon* and *Alan B. Hobbes* for respondent. Reported below: 266 F. 2d 571.

No. 365. *GUTHRIE v. SINCLAIR REFINING Co.* Court of Civil Appeals of Texas, First Supreme Judicial District. Certiorari denied. *Arthur J. Mandell* for petitioner. *Tom M. Davis* for respondent. Reported below: 320 S. W. 2d 396.

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No. 364. LOCAL LODGE 2040, INTERNATIONAL ASSOCIATION OF MACHINISTS, AFL-CIO, ET AL. *v.* SERVEL, INC. C. A. 7th Cir. Certiorari denied. *Plato E. Papps* and *Sydney L. Berger* for petitioners. *Kenneth F. Burgess* and *Walter J. Cummings, Jr.* for respondent. Reported below: 268 F. 2d 692.

No. 366. CARTER PRODUCTS, INC., *v.* FEDERAL TRADE COMMISSION. C. A. 9th Cir. Certiorari denied. *William L. Hanaway*, *Herman Phleger* and *Alvin J. Rockwell* for petitioner. *Solicitor General Rankin*, *Acting Assistant Attorney General Bicks*, *Richard A. Solomon* and *Alan B. Hobbes* for respondent. Reported below: 268 F. 2d 461.

No. 367. ELIZABETH HOSPITAL, INC., *v.* RICHARDSON ET AL. C. A. 8th Cir. Certiorari denied. *James R. Hale* for petitioner. *Eugene R. Warren* for respondents. Reported below: 269 F. 2d 167.

No. 369. GLAGOVSKY *v.* BOWCRAFT TRIMMING Co. ET AL. C. A. 1st Cir. Certiorari denied. *David Rines* and *Robert H. Rines* for petitioner. *Theodore S. Kenyon* for respondents. Reported below: 267 F. 2d 479.

No. 370. QUINTON ET AL. *v.* ROONEY. C. A. 5th Cir. Certiorari denied. Petitioners *pro se.* *Hervey Yancey* for respondent. Reported below: 267 F. 2d 142.

No. 372. VIEW CREST GARDEN APARTMENTS, INC., ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Lyle L. Iversen* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Alan S. Rosenthal* and *Seymour Farber* for the United States. Reported below: 268 F. 2d 380.

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No. 371. MANSFIELD HARDWOOD LUMBER CO. *v.* JOHNSON ET AL. C. A. 5th Cir. Certiorari denied. *Charles D. Egan* and *Benjamin C. King* for petitioner. *John M. Madison*, *Ned A. Stewart* and *Vernon W. Woods* for respondents. Reported below: 263 F. 2d 748, 268 F. 2d 317.

No. 373. NOLAND ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 4th Cir. Certiorari denied. *George D. Gibson* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *A. F. Prescott* and *Helen A. Buckley* for respondent. Reported below: 269 F. 2d 108.

No. 377. ROYSTER DRIVE-IN THEATRES, INC., *v.* AMERICAN BROADCASTING-PARAMOUNT THEATRES, INC., ET AL. C. A. 2d Cir. Certiorari denied. *Francis T. Anderson* and *Eugene Gressman* for petitioner. *Albert C. Bickford*, *John F. Caskey*, *E. Compton Timberlake* and *Myles J. Lane* for respondents. Reported below: 268 F. 2d 246.

No. 378. NATIONAL AIRLINES, INC., *v.* STILES; and

No. 437. STILES *v.* NATIONAL AIRLINES, INC. C. A. 5th Cir. Certiorari denied. *George Foster, Jr.* for National Airlines, Inc. *Eberhard P. Deutsch*, *R. Emmett Kerrigan* and *René H. Himel, Jr.* for Stiles. Reported below: 268 F. 2d 400.

No. 351. MORRIS *v.* UNITED STATES. Motion for leave to proceed on typewritten petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. *Henry A. Lowenberg* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 269 F. 2d 100.

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No. 380. AMERICAN SIGN AND INDICATOR CORP. *v.* SCHULENBURG ET AL., DOING BUSINESS AS TIME-O-MATIC COMPANY, ET AL. C. A. 7th Cir. Certiorari denied. *Albert Foster York* for petitioner. *Charles B. Spangenberg* for respondents. Reported below: 267 F. 2d 388.

No. 381. CONE MILLS CORP. *v.* TEXTILE WORKERS UNION OF AMERICA. C. A. 4th Cir. Certiorari denied. *Thornton H. Brooks* for petitioner. *Arthur J. Goldberg* and *David E. Feller* for respondent. Reported below: 268 F. 2d 920.

No. 385. UNION PACIFIC RAILROAD CO. ET AL. *v.* STRUCTURAL STEEL AND FORGE CO. ET AL. C. A. 10th Cir. Certiorari denied. *Elmer B. Collins, James H. Anderson, Bryan P. Leverich, A. U. Miner* and *Wood R. Worsley* for petitioners. *Calvin L. Rampton* for respondents. Reported below: 269 F. 2d 714.

No. 387. AMERICAN TRADING AND PRODUCTION CORP. *v.* RAILROAD COMMISSION OF TEXAS ET AL. Court of Civil Appeals of Texas, Third Supreme Judicial District. Certiorari denied. *Thurman Arnold, Abe Fortas, Robert E. Herzstein* and *Harry S. Pollard* for petitioner. *Will Wilson*, Attorney General of Texas, and *Houghton Brownlee, Jr.*, Assistant Attorney General, for the Railroad Commission of Texas, *Rayburn L. Foster* and *Harry D. Turner* for Phillips Petroleum Co., and *Raymond A. Lynch* for Baxter et al., respondents. Reported below: 323 S. W. 2d 474.

No. 392. ILLINOIS CENTRAL RAILROAD CO. *v.* CAIN. C. A. 5th Cir. Certiorari denied. *J. L. Byrd, Joseph H. Wright* and *John W. Freels* for petitioner. Reported below: 266 F. 2d 942.

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No. 388. APPALACHIAN POWER CO. ET AL. *v.* AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS ET AL. C. A. 2d Cir. Certiorari denied. *Whitney North Seymour* for petitioners. *Howard C. Westwood, Fontaine C. Bradley, Stanley L. Temko* and *Robert L. Randall* for respondents. Reported below: 268 F. 2d 844.

No. 390. WHITE *v.* SEATTLE LOCAL UNION No. 81, AMALGAMATED MEAT CUTTERS & BUTCHER WORKMEN OF NORTH AMERICA, ET AL. Supreme Court of Washington. Certiorari denied. *John J. Kennett* and *Joseph D. Holmes* for petitioner. *L. Presley Gill* for respondents. Reported below: 53 Wash. 2d 802, 337 P. 2d 289.

No. 394. CHRYSLER CORPORATION *v.* UNITED STATES. Court of Claims. Certiorari denied. *Hancock Griffin, Jr.* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Harry Baum* and *Myron C. Baum* for the United States. Reported below: — Ct. Cl. —.

No. 386. SMITH *v.* CALIFORNIA. Motion for relief from default re timeliness denied. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Los Angeles, denied. *Russell E. Parsons* for petitioner. *Roger Arnebergh* and *Philip E. Grey* for respondent.

No. 118, Misc. TOUCHSTONE *v.* SINCLAIR, SUPERINTENDENT, FLORIDA STATE PRISON. Supreme Court of Florida. Certiorari denied. Petitioner *pro se*. *Richard W. Ervin*, Attorney General of Florida, and *B. Clarke Nichols*, Assistant Attorney General, for respondent.

No. 137, Misc. FOX *v.* UNITED STATES. Court of Claims. Certiorari denied. Reported below: — Ct. Cl. —.

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No. 146, Misc. *WOOTEN v. BOMAR, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 267 F. 2d 900.

No. 212, Misc. *BROWN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for the United States.

No. 232, Misc. *REID v. RUTHAZER, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 233, Misc. *SMITH v. NEW YORK*. Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

No. 251, Misc. *TURNER v. BASS, TRUSTEE IN BANKRUPTCY*. C. A. 9th Cir. Certiorari denied. *Robert W. Driscoll* for petitioner. Reported below: 267 F. 2d 308.

No. 254, Misc. *HOLLEY 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. 351, 267 F. 2d 628.

No. 262, Misc. *RHEIM v. MURPHY, WARDEN*. Court of Appeals of New York. Certiorari denied.

No. 266, Misc. *ROBERTSON v. MYERS, WARDEN*. Supreme Court of Pennsylvania. Certiorari denied.

No. 268, Misc. *SIMS v. TEXAS & NEW ORLEANS RAILROAD Co.* C. A. 5th Cir. Certiorari denied. Reported below: 267 F. 2d 37.

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No. 274, Misc. CECIL ET AL. *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioners *pro se*. *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for the United States.

No. 281, Misc. DANIEL *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 283, Misc. PENNSYLVANIA EX REL. SHARP *v.* CAVELL, WARDEN. Supreme Court of Pennsylvania. Certiorari denied.

No. 293, Misc. CANTRELL *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 296, Misc. MORRIS *v.* NOWOTNY ET AL. Court of Civil Appeals of Texas, Third Supreme Judicial District, and Supreme Court of Texas. Certiorari denied. Reported below: 323 S. W. 2d 301.

No. 297, Misc. HESS *v.* ADAMS, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 305, Misc. SCOTT *v.* CALIFORNIA. C. A. 9th Cir. Certiorari denied.

No. 306, Misc. JOHNSON *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: 267 F. 2d 813.

No. 314, Misc. DABNEY *v.* PENNSYLVANIA. Supreme Court of Pennsylvania. Certiorari denied. *David H. Kubert* for petitioner.

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No. 315, Misc. *KUMITIS v. PENNSYLVANIA*. Supreme Court of Pennsylvania. Certiorari denied.

No. 326, Misc. *EDDY v. SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY*. Supreme Court of Appeals of Virginia. Certiorari denied. *William Alfred Hall, Jr.* for petitioner. *A. S. Harrison, Jr.*, Attorney General of Virginia, and *Thomas M. Miller*, Assistant Attorney General, for respondent.

No. 337, Misc. *THOMAS v. SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY*. Supreme Court of Appeals of Virginia. Certiorari denied. *William Alfred Hall, Jr.* for petitioner. *A. S. Harrison, Jr.*, Attorney General of Virginia, and *Thomas M. Miller*, Assistant Attorney General, for respondent.

No. 338, Misc. *TAYLOR v. KLINGER, SUPERINTENDENT, CALIFORNIA MEN'S COLONY*. Supreme Court of California. Certiorari denied.

No. 343, Misc. *UNITED STATES EX REL. EGITTO v. LAVALLEE, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 354, Misc. *WILSON v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 356, Misc. *LOTHRIDGE v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 357, Misc. *ALLEN v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 394, Misc. *FURTAk v. OREGON*. Supreme Court of Oregon. Certiorari denied.

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No. 116, Misc. *STURDEVANT v. SETTLE, WARDEN*. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit and other relief denied. Petitioner *pro se*. *Solicitor General Rankin, Acting Assistant Attorney General Ryan, Harold H. Greene* and *William A. Kehoe, Jr.* for respondent. Reported below: 264 F. 2d 827.

No. 120, Misc. *BURKE v. OKLAHOMA*. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied without prejudice to an application for a writ of habeas corpus in the appropriate United States District Court.

Rehearing Denied.

No. 190. *ARMSTRONG ET AL. v. UNITED STATES, ante*, p. 825. Rehearing denied.

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Miscellaneous Orders.

An order of THE CHIEF JUSTICE designating and assigning MR. JUSTICE REED (retired) to perform judicial duties in the United States Court of Claims beginning November 30, 1959, and ending June 30, 1960, and for such further time as may be required to complete unfinished business, pursuant to 28 U. S. C. § 294 (a), is ordered entered on the minutes of this Court, pursuant to 28 U. S. C. § 295.

No. 42. LOCAL NO. 8-6, OIL, CHEMICAL AND ATOMIC WORKERS INTERNATIONAL UNION, AFL-CIO, ET AL. *v. MISSOURI*. Appeal from the Supreme Court of Missouri. The motion of Kansas City Power & Light Company for leave to file brief, as *amicus curiae*, is granted. *Irvin Fane, Harry L. Browne* and *Howard F. Sachs* for movant. Reported below: 317 S. W. 2d 309.

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No. 66. POWER AUTHORITY OF THE STATE OF NEW YORK *v.* TUSCARORA INDIAN NATION. Certiorari, 360 U. S. 915, to the United States Court of Appeals for the District of Columbia Circuit. The motion to advance is granted and this case, together with the companion case of No. 63, is set for argument on Monday, December 7, 1959. *Thomas F. Moore, Jr.* for petitioner-movant. *Arthur Lazarus, Jr.* for respondent. Reported below: 105 U. S. App. D. C. 146, 265 F. 2d 338.

No. 448, Misc. CHESSMAN *v.* CALIFORNIA. On petition for writ of certiorari to the Supreme Court of California. The motion of the petitioner to certify designated portions of the record is granted limited to the certification by the Clerk of the Supreme Court of California of the original record now on file in that Court. THE CHIEF JUSTICE took no part in the consideration or decision of this motion. *A. L. Wirin, Fred Okrand, Rosalie S. Asher* and *George T. Davis* for petitioner. *Stanley Mosk*, Attorney General of California, and *Arlo E. Smith*, Deputy Attorney General, for respondent.

No. 303, Misc. LEWIS *v.* FLORIDA;
No. 377, Misc. HURLEY *v.* UNITED STATES ET AL.; and
No. 381, Misc. SANDS *v.* WARDEN, ATTICA PRISON,
ET AL. Motions for leave to file petitions for writs of habeas corpus denied.

No. 368, Misc. HANCOCK *v.* PENNSYLVANIA; and
No. 398, Misc. SUMPTER *v.* ALVIS, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied. Treating the papers submitted as petitions for writs of certiorari, certiorari is denied.

No. 399, Misc. FLOWERS *v.* IGOE, U. S. DISTRICT JUDGE. Motion for leave to file petition for writ of mandamus denied.

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Certiorari Granted.

No. 398. UNITED STATES *v.* ALABAMA ET AL. C. A. 5th Cir. Certiorari granted. *Solicitor General Rankin, Assistant Attorney General White, Ralph S. Spritzer, Harold H. Greene and J. Harold Flannery, Jr.* for the United States. *MacDonald Gallion, Attorney General of Alabama, Nicholas S. Hare and Gordon Madison, Assistant Attorneys General, and L. K. Andrews* for respondents. Reported below: 267 F. 2d 808.

No. 403. MARINE COOKS & STEWARDS, AFL, ET AL. *v.* PANAMA STEAMSHIP Co., LTD., ET AL. C. A. 9th Cir. Certiorari granted. *John Paul Jennings* for petitioners. *John D. Mosser and Charles B. Howard* for respondents. Reported below: 265 F. 2d 780.

No. 418. COMMUNICATIONS WORKERS OF AMERICA, AFL-CIO, ET AL. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 6th Cir. Certiorari granted. *Charles V. Koons, Thomas S. Adair and J. R. Goldthwaite, Jr.* for petitioners. *Solicitor General Rankin, Stuart Rothman, Thomas J. McDermott, Dominick L. Manoli and Herman M. Levy* for respondent. Reported below: 266 F. 2d 823.

Certiorari Denied. (See also Misc. Nos. 368 and 398, *supra.*)

No. 395. HUFFMAN ET AL. *v.* WILLARD. Supreme Court of North Carolina. Certiorari denied. *Thornton H. Brooks* for petitioners. Reported below: 250 N. C. 396, 109 S. E. 2d 233.

No. 404. KEMART CORPORATION *v.* PRINTING ARTS RESEARCH LABORATORIES, INC. C. A. 9th Cir. Certiorari denied. *Carl Hoppe and Henry Gifford Hardy* for petitioner. Reported below: 269 F. 2d 375.

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No. 399. MORRISON ET AL. *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *William Rosenberger, Jr., W. Graham Claytor, Jr. and Robert L. Randall* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice and Meyer Rothwacks* for the United States. Reported below: 270 F. 2d 1.

No. 400. HUKÉ, ADMINISTRATRIX, *v.* THE ANCILLA DOMINI SISTERS, AN INDIANA CORPORATION. C. A. 7th Cir. Certiorari denied. *Dominic P. Sevald* for petitioner. *Lester F. Murphy* for respondent. Reported below: 267 F. 2d 96.

No. 401. CALIFORNIA *v.* DICKENSON. Appellate Department, Superior Court of California, County of San Diego. Certiorari denied. *Aaron W. Reese and Frederick B. Holoboff* for petitioner. Reported below: 171 Cal. App. 2d Supp. 872, 343 P. 2d 809.

No. 402. BROOKS ET AL. *v.* SCHOOL DISTRICT OF THE CITY OF MOBERLY, MISSOURI, ET AL. C. A. 8th Cir. Certiorari denied. *Robert L. Carter* for petitioners. *Arthur M. O'Keefe* for respondents. Reported below: 267 F. 2d 733.

No. 411. BALDWIN-LIMA-HAMILTON CORP. ET AL. *v.* TATNALL MEASURING SYSTEMS CO. ET AL. C. A. 3d Cir. Certiorari denied. *Arthur Littleton and Walter J. Blenko* for petitioners. *Joseph W. Swain, Jr. and Dexter N. Shaw* for respondents. Reported below: 268 F. 2d 395.

No. 412. BADON *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Guy Johnson* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for the United States. Reported below: 269 F. 2d 75.

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No. 405. PAN AMERICAN PETROLEUM CORP. *v.* FEDERAL POWER COMMISSION. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *W. W. Heard, John F. Jones and William J. Grove* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub, Samuel D. Slade, Willard W. Gatchell and Howard E. Wahrenbrock* for respondent. Reported below: 106 U. S. App. D. C. 37, 269 F. 2d 228.

No. 407. FIRST NATIONAL CITY BANK OF NEW YORK *v.* SOUTHWESTERN SHIPPING CORP. Supreme Court of New York, New York County. Certiorari denied. *Chauncey B. Garver and Charles C. Parlin, Jr.* for petitioner. *Lloyd I. Isler* for respondent. Reported below: 6 N. Y. 2d 454, 160 N. E. 2d 836.

No. 410. NATIONAL AIRCRAFT MAINTENANCE CORP. *v.* UNITED STATES. Court of Claims. Certiorari denied. *Edward R. Finch, Jr.* for petitioner. *Solicitor General Rankin, Assistant Attorney General Morton and Roger P. Marquis* for the United States. Reported below: — Ct. Cl. —, 171 F. Supp. 946.

No. 414. COLLINS *v.* SOUTH CAROLINA. Supreme Court of South Carolina. Certiorari denied. *C. T. Graydon* for petitioner. Reported below: 235 S. C. 65, 110 S. E. 2d 270.

No. 421. GEAGAN ET AL. *v.* MASSACHUSETTS. Supreme Judicial Court of Massachusetts. Certiorari denied. *Paul T. Smith and Lawrence O'Donnell* for petitioners. *Edward J. McCormack, Jr., Attorney General of Massachusetts, John F. McAuliffe and George F. Hurley, Special Assistant Attorneys General,* for respondent. Reported below: 339 Mass. 487, 159 N. E. 2d 870.

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No. 408. GENERAL HOUSES, INC., *v.* RECONSTRUCTION FINANCE CORP. ET AL. C. A. 2d Cir. Certiorari denied. *Horace A. Young* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Alan S. Rosenthal* and *Marvin S. Shapiro* for Floete, Administrator of General Services, respondent. Reported below: 267 F. 2d 306.

No. 413. MORGAN DRIVE AWAY, INC., *v.* INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS OF AMERICA ET AL. C. A. 7th Cir. Certiorari denied. *Patrick J. Smith* and *Robert D. Morgan* for petitioner. *Edward J. Fillenwarth*, *Herbert S. Thatcher*, *David Previant* and *David Leo Uelmen* for the Brotherhood of Teamsters, respondent. Reported below: 268 F. 2d 871.

No. 417. REFINERY EMPLOYEES' UNION OF THE LAKE CHARLES AREA *v.* CONTINENTAL OIL Co. C. A. 5th Cir. Certiorari denied. *George W. Liskow* and *Russell T. Tritico* for petitioner. *William R. Tete* and *Keith W. Blinn* for respondent. Reported below: 268 F. 2d 447.

No. 420. LEATHERHIDE INDUSTRIES, INC., *v.* LIEBERMAN. C. A. 2d Cir. Certiorari denied. *Jacob W. Friedman* for petitioner. Reported below: 268 F. 2d 206.

No. 422. GILLIGAN, WILL & Co. ET AL. *v.* SECURITIES AND EXCHANGE COMMISSION. C. A. 2d Cir. Certiorari denied. *Francis J. Purcell* and *James T. Glavin* for petitioners. *Solicitor General Rankin*, *Thomas G. Meeker*, *Joseph B. Levin* and *Richard B. Pearl* for respondent. Reported below: 267 F. 2d 461.

No. 9, Misc. POPOVICH *v.* CLERK OF QUARTER SESSIONS COURT ET AL. Supreme Court of Pennsylvania. Certiorari denied.

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No. 383. CUNNINGHAM *v.* ENGLISH ET AL. The motion to correct or amend title to designate or confirm the Board of Monitors as a party respondent is denied. Leave to file brief of the Board of Monitors in opposition to the petition for certiorari is granted. The petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is denied.* *Jacques M. Schiffer* and *J. Benjamin Simmons* for petitioner. *Edward Bennett Williams, David Previant, Harold Ungar* and *Raymond W. Bergan* for English et al., respondents. *Martin F. O'Donoghue* for the Board of Monitors. Reported below: 106 U. S. App. D. C. 92, 269 F. 2d 539.

No. 415. ENGLISH ET AL. *v.* CUNNINGHAM ET AL. The motion to correct or amend the caption to designate or confirm the Board of Monitors as a party respondent is denied. Leave to file brief of the Board of Monitors in opposition to the petition for certiorari is granted. The application for a stay of the judgment and the motion of *Anthony J. Distinti*, Individually and as President of Local 277, I. B. T., et al., for leave to file brief, as *amici curiae*, are denied. The petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is also denied.* *Edward Bennett Williams, David Previant, Harold Ungar* and *Raymond W. Bergan* for petitioners. *Godfrey P. Schmidt* for respondents (except Cunningham). *Martin F. O'Donoghue* for the Board of Monitors. *Raymond R. Dickey* for Distinti et al. Reported below: 106 U. S. App. D. C. 70, 269 F. 2d 517.

No. 122, Misc. HILL *v.* TEXAS ET AL. Court of Criminal Appeals of Texas. Certiorari denied. Petitioner *pro se*. *Will Wilson*, Attorney General of Texas, and *W. V. Geppert* and *Geo. P. Blackburn*, Assistant Attorneys General, for respondents.

*[NOTE: These orders were amended December 7, 1959, *post*, p. 905.]

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No. 178, Misc. CREAGAN *v.* RIGG, WARDEN. Supreme Court of Minnesota. Certiorari denied. Petitioner *pro se*. Miles Lord, Attorney General of Minnesota, and Charles E. Houston, Solicitor General, for respondent.

No. 272, Misc. BOLISH *v.* BANMILLER, WARDEN. Supreme Court of Pennsylvania. Certiorari denied.

No. 335, Misc. RAY *v.* HEINZE, WARDEN. District Court of Appeal of California, Third Appellate District. Certiorari denied.

No. 336, Misc. MCCOLLIN *v.* CALIFORNIA ET AL. Supreme Court of California. Certiorari denied.

Rehearing Denied.

No. 118. GINSBURG *v.* STERN ET AL., JUSTICES OF THE SUPREME COURT OF PENNSYLVANIA, ET AL., *ante*, p. 817;

No. 173. LITTLE *v.* MISSOURI PACIFIC RAILROAD CO., *ante*, p. 823;

No. 187. MALOY ET UX. *v.* FIRST FEDERAL SAVINGS & LOAN ASSN. OF WEST PALM BEACH, *ante*, pp. 824, 858;

No. 262. PADILLA *v.* UNITED STATES, *ante*, p. 834;

No. 127, Misc. COLLINS *v.* ILLINOIS ET AL., *ante*, p. 804; and

No. 227, Misc. MILLWOOD *v.* HEINZE, WARDEN, ET AL., *ante*, p. 853. Petitions for rehearing denied.

NOVEMBER 23, 1959.

Miscellaneous Orders.

No. —. PAUL *v.* WASHINGTON. Appeal from the Supreme Court of Washington. The motion to dismiss under Rule 14 (2) is granted. John J. O'Connell, Attorney General of Washington, and E. P. Donnelly, Assistant Attorney General, for appellee-movant. Reported below: 53 Wash. 2d 789, 337 P. 2d 33.

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NO. 327. ORGANIZED VILLAGE OF KAKE ET AL. *v.* EGAN, GOVERNOR OF ALASKA. Appeal from the District Court for Alaska. The motion of *Edward G. Dobrin* to withdraw appearance as counsel for appellant is granted. Reported below: 18 Alaska —, 174 F. Supp. 500.

Certiorari Granted. (See also No. 24, *ante*, p. 116; No. 450, *ante*, p. 115; and No. 54, *Misc.*, *ante*, p. 117.)

NO. 416. GONZALES *v.* UNITED STATES. C. A. 10th Cir. *Certiorari* granted. *Hayden C. Covington* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 269 F. 2d 613.

NO. 436. CORY CORPORATION ET AL. *v.* SAUBER. C. A. 7th Cir. *Certiorari* granted. *Stanford Clinton* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *A. F. Prescott* and *Grant W. Wiprud* for respondent. Reported below: 266 F. 2d 58, 267 F. 2d 802.

NO. 441. HENDRICKS, ADMINISTRATRIX, *v.* SOUTHERN PACIFIC Co. Supreme Court of Arizona. *Certiorari* granted. *Alfred C. Marquez* for petitioner. *Harold C. Warnock* for respondent. Reported below: 85 Ariz. 373, 339 P. 2d 731.

Certiorari Denied. (See also No. 419, *ante*, p. 117.)

NO. 393. ORDER OF RAILWAY CONDUCTORS AND BRAKEMEN ET AL. *v.* SWITCHMEN'S UNION OF NORTH AMERICA ET AL. C. A. 5th Cir. *Certiorari* denied. *Benning M. Grice*, *V. Craven Shuttleworth*, *Harry E. Wilmarth* and *Wayland K. Sullivan* for petitioners. *Ralph L. Crawford*, *John B. Miller* and *Julian C. Sipple* for respondents. Reported below: 269 F. 2d 726.

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No. 424. *SPRUNT v. DENVER & RIO GRANDE WESTERN RAILROAD CO.* Supreme Court of Utah. Certiorari denied. *Ray R. Murdock* for petitioner. *Paul H. Ray* for respondent. Reported below: 9 Utah 2d 142, 340 P. 2d 85.

No. 426. *MORRISON v. CALIFORNIA.* District Court of Appeal of California, Second Appellate District. Certiorari denied. *David H. Caplow* for petitioner. Reported below: 168 Cal. App. 2d 235, 335 P. 2d 1022.

No. 427. *IN RE EASTERN SUPPLY CO.* C. A. 3d Cir. Certiorari denied. *Meyer W. Gordon* and *Leonard M. Mendelson* for petitioner. Reported below: 267 F. 2d 776.

No. 454. *SUSSMAN ET AL. v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. *Daniel H. Greenberg* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 270 F. 2d 122.

No. 470. *EVANS v. WATSON ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Al. Philip Kane* and *Charles V. Koons* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Samuel D. Slade* for respondents. Reported below: 106 U. S. App. D. C. 108, 269 F. 2d 775.

No. 431. *CITY OF CORINTH, MISSISSIPPI, v. FEDERAL POWER COMMISSION ET AL.* C. A. 5th Cir. Certiorari denied. *William L. Sharp* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Samuel D. Slade*, *Willard W. Gatchell*, *Howard E. Wahrenbrock* and *David J. Bardin* for the Federal Power Commission, and *Stanley M. Morley* for the Alabama-Tennessee Natural Gas Co., respondents. Reported below: 268 F. 2d 10.

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No. 428. COLUMBIA BOILER Co., INC., *v.* MANVILLE BOILER Co., INC. C. A. 4th Cir. Certiorari denied. *Ralph H. Hudson* and *Wirt P. Marks, Jr.* for petitioner. *Stanton T. Lawrence, Jr.* for respondent. Reported below: 269 F. 2d 600.

No. 429. AIR LINE STEWARDS AND STEWARDESSES ASSOCIATION, INTERNATIONAL, *v.* NORTHWEST AIRLINES, INC. C. A. 8th Cir. Certiorari denied. *Ruth Weyand* for petitioner. *Leland W. Scott* for respondent. Reported below: 267 F. 2d 170.

No. 433. ABNEY MILLS *v.* SCAPA DRYERS, INC. C. A. 5th Cir. Certiorari denied. *James B. Burke*, *Charles L. Gowen*, *J. Frederic Taylor* and *Harold W. Wolfram* for petitioner. *Robert B. Troutman*, *John W. Bennett* and *Laszlo Kormendi* for respondent. Reported below: 269 F. 2d 6.

No. 434. LEGGETT *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Joseph I. Bulger* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 269 F. 2d 35.

No. 439. MIHALCHAK *v.* AMERICAN DREDGING Co. C. A. 3d Cir. Certiorari denied. *Abraham E. Freedman* and *Wilfred R. Lorry* for petitioner. *Thomas E. Byrne, Jr.* for respondent. Reported below: 266 F. 2d 875.

No. 442. LOCAL No. 9, JOURNEYMEN BARBERS, HAIRDRESSERS AND COSMETOLOGISTS INTERNATIONAL UNION, ET AL. *v.* GRIMALDI. Supreme Court of Pennsylvania. Certiorari denied. *Richard H. Markowitz* for petitioners. *Drew J. T. O'Keefe* and *John Ryan* for respondent. Reported below: 397 Pa. 1, 153 A. 2d 214.

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No. 440. *AMERICAN SECURIT CO. v. SHATTERPROOF GLASS CORP.* C. A. 3d Cir. Certiorari denied. *Joseph W. Burns* and *John L. Seymour* for petitioner. *Wm. C. McCoy* and *Caleb S. Layton* for respondent. Reported below: 268 F. 2d 769.

No. 449. *GAUDIOSI ET AL. v. MELLON ET AL.* C. A. 3d Cir. Certiorari denied. *Joseph B. Hyman* for petitioners. *Philip Price* for respondents. Reported below: 269 F. 2d 873.

No. 452. *FORFARI v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *George Olshausen* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Morton Hollander* for the United States. Reported below: 268 F. 2d 29.

No. 455. *FUEDEMAN ET AL. v. PENNSYLVANIA.* Supreme Court of Pennsylvania. Certiorari denied. *Stanford Shmukler* for petitioners. *Anne X. Alpern*, Attorney General of Pennsylvania, and *Victor Wright*, Deputy Attorney General, for respondent. Reported below: 396 Pa. 236, 277, 152 A. 2d 428, 449.

No. 430. *CONNOLLY v. FARRELL LINES, INC.* Motion for leave to proceed on typewritten papers granted. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. *Paul Frederick* for petitioner. *Robert A. Lilly*, *William J. O'Neill* and *George W. Sullivan* for respondent. Reported below: 268 F. 2d 653.

No. 318, Misc. *WEST VIRGINIA EX REL. SIEMON v. ADAMS, WARDEN.* Supreme Court of Appeals of West Virginia. Certiorari denied.

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No. 435. KINNEAR-WEED CORPORATION *v.* HUMBLE OIL & REFINING Co. Motions of C. W. Kinnear for leave to file typewritten brief and supplemental brief, as *amicus curiae*, denied. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. *William E. Kinnear* for petitioner. *Nelson Jones* for respondent. Reported below: 259 F. 2d 398, 266 F. 2d 352.

No. 453. WALKER *v.* BANK OF AMERICA NATIONAL TRUST & SAVINGS ASSOCIATION ET AL. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Petitioner *pro se.* *Samuel B. Stewart, Kenneth M. Johnson* and *Robert T. Shinkle* for Bank of America National Trust and Savings Association, and *Christopher M. Jenks* for Transamerica Corporation, respondents. Reported below: 268 F. 2d 16.

No. 294, Misc. SMITH *v.* GLADDEN, WARDEN. Supreme Court of Oregon. Certiorari denied.

No. 329, Misc. ROBINSON *v.* CULVER, CUSTODIAN OF FLORIDA STATE PRISON. Supreme Court of Florida. Certiorari denied.

No. 378, Misc. CASTRO *v.* NEW YORK. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied.

Rehearing Denied.

No. 200. IN RE ESTATE OF PECK ET AL. *v.* BOARD OF TRUSTEES OF LELAND STANFORD JUNIOR UNIVERSITY, *ante*, p. 826. Motion for oral argument on petition for rehearing denied. Petition for rehearing denied.

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No. 96. CUSTOM BUILT HOMES Co., INC., *v.* KANSAS STATE COMMISSION OF REVENUE AND TAXATION, *ante*, p. 816;

No. 124. PHILLIPS *v.* TEXAS, *ante*, p. 839;

No. 149. CROOKHAM *v.* NEW YORK CENTRAL RAILROAD Co., *ante*, p. 821;

No. 182. BIRNEL *v.* TOWN OF FIRCREST, *ante*, p. 10;

No. 194. SAN SOUCIE ET AL. *v.* LETTS, U. S. DISTRICT JUDGE, *ante*, p. 826;

No. 195. UNITED STATES EX REL. TIE SING ENG *v.* ESPERDY, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE, *ante*, p. 840;

No. 224. KEAHEY *v.* TEXAS, *ante*, p. 830;

No. 251. ANDERSON, ADMINISTRATRIX, *v.* ATLANTIC COAST LINE RAILROAD Co., *ante*, p. 841;

No. 253. MISSOURI PACIFIC RAILROAD Co. *v.* DEERING, REGISTER OF DEEDS, ET AL., *ante*, p. 12;

No. 74, Misc. HOYLAND *v.* UNITED STATES, *ante*, p. 845;

No. 105, Misc. EARNSHAW *v.* UNITED STATES, *ante*, p. 847;

No. 165, Misc. PATTERSON *v.* VIRGINIA ELECTRIC & POWER Co., *ante*, p. 851; and

No. 258, Misc. ANDERSON *v.* CALIFORNIA ET AL., *ante*, p. 869. Petitions for rehearing denied.

No. 120. JONES MOTOR Co., INC., *v.* PENNSYLVANIA PUBLIC UTILITY COMMISSION ET AL., *ante*, p. 11. Petitions for reconsideration and clarification denied.

No. 551, Misc., October Term, 1957. MCGINTY *v.* BROWNELL ET AL., 356 U. S. 952. Motion for leave to file petition for rehearing denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application.

Memorandum of FRANKFURTER, J.

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Miscellaneous Orders.

No. 383. CUNNINGHAM v. ENGLISH ET AL. The order of this Court of November 16, 1959, *ante*, p. 897, is amended to read as follows: "The motion to correct or amend title to designate or confirm the Board of Monitors as a party respondent is denied. Leave to file brief of the Board of Monitors in opposition to the petition for certiorari is granted. The petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted."

No. 415. ENGLISH ET AL. v. CUNNINGHAM ET AL. The order of the Court of November 16, 1959, *ante*, p. 897, is amended to read as follows: "The motion to correct or amend the caption to designate or confirm the Board of Monitors as a party respondent is denied. Leave to file brief of the Board of Monitors in opposition to the petition for certiorari is granted. The application for a stay of the judgment and the motion of Anthony J. Distinti, Individually and as President of Local 277, I. B. T., et al., for leave to file brief, as *amici curiae*, are denied. The petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is also denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion certiorari should be granted. MR. JUSTICE FRANKFURTER has filed the following memorandum:

"For me, the reasons that govern the normal practice of the Court in not recording votes on dispositions of petitions for certiorari are controlling against departures from that practice. On appropriate occasions, however, I deem

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it desirable to indicate the issues presented by such a petition and the legal significance of its denial. Here, this will become manifest from the following memorandum in which on August 4, 1959, as a Circuit Justice, I denied the application for a stay of the judgment, review of which is sought in this petition for certiorari:

“ “This is an application for a stay of the decree entered on July 9, 1959, by the United States Court of Appeals for the District of Columbia Circuit against the International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers of America, hereafter called the Teamsters, and certain of their officers, who, together with the Teamsters, will be called defendants. The litigation was initiated by thirteen members of locals of the Teamsters (one of whom has dissociated himself from the rest), to be called plaintiffs. This application is in effect a review of the refusal of the Court of Appeals to grant such a stay.

“ “The basis of the application is to enable defendants to file a petition for certiorari to review the decree of the Court of Appeals, the validity of which they propose to challenge and the enforcement of which, pending potential review and potential reversal here, will, they claim, cause them irreparable damage. Since the contemplated petition for certiorari cannot be considered prior to the reconvening of this Court on October 5, 1959, the threshold question on this application is whether the issues which defendants plan to bring before the Court are not of such a legal nature that they may fairly be deemed so lacking in substantiality as to preclude a reasonable likelihood of satisfying the considerations governing review on certiorari, as guided by Rule 19 and the practice of the Court. Informed by the illuminating opinion of Judge Fahy and having had the advantage to hear elucidation of the issues by counsel for the parties and by the Chairman of the Board of Monitors appointed

by the United States District Court for the District of Columbia, as provided by a consent decree entered January 31, 1958 (the scope of which underlies the immediate litigation), I cannot say, on a balance of probabilities, that these issues may not commend themselves to at least four members of this Court as warranting review here of the decree below. I am confirmed in this view by the candid acknowledgment of the Chairman of the Board of Monitors and counsel for plaintiffs that serious legal questions are at stake.

“ “Accordingly, the matter before me is reduced to the very narrow question whether I should overrule the discretion exercised by the Court of Appeals in refusing a stay of its mandate until October 12, which is the earliest day when this Court, in the normal course of affairs, will determine whether to grant the prospective petition for certiorari (assuming that it will have duly come before the Court) and also determine, in case the petition be granted, that the decree to be reviewed is not to be enforced pending final adjudication.

“ “As already indicated, at the core of this litigation is the scope of a consent decree entered in the District Court on January 31, 1958, and the power of the District Court, in enforcing that decree, to order the defendants to carry out the specific directions defined by the Court of Appeals in its decree of July 9, 1959, in accordance with the procedure defined in that decree and in the opinion which gave rise to it, rendered on June 10, 1959. By the consent decree, the defendants, as officers of the Teamsters, undoubtedly assumed certain obligations judicially enforceable. Whatever may or may not have been the freedom of action of these officers prior to this consent decree, by it their freedom of action was circumscribed to the extent that the consent decree imposed upon them enforceable obligations. The legal issue growing out of this voluntary restriction of defendants' action is the validity

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of specific recommendations by the Board of Monitors as judicially defined and approved. Such orders, as they have been defined by the Court of Appeals, are concededly unconsented and are challenged as unwarranted, unilateral modifications of the consent decree.

“ “I have said that these specific commands, about half a dozen in number, restrict what is asserted to be the freedom of the power of officers of the Teamsters, claimed to be theirs under the constitution of the union. According to the Court of Appeals, these judicial commands upon the defendants are merely enforcement of the obligations which they undertook by the consent decree and are not one-sided modifications of it. This is the controversy to be raised by the petition for certiorari which the defendants plan to file. But, in any event, they claim that by denying a stay until the matter can duly come before this Court, the Court of Appeals has commanded them to take action of an irreparable nature claimed to be outside the scope of the consent decree and in derogation of the powers of the officers under the constitution of the Teamsters, before this Court has had an opportunity to pass on the petition for certiorari, with the derivative problem whether to keep matters in status quo until such a petition, if granted, could be disposed of on its merits.

“ “If it were clear that between now and October 12, which is the earliest day for the disposition of the proposed petition for certiorari, what the Court of Appeals has directed to be done would be capable of being carried out so as to change, irrevocably and adversely, the rights and powers claimed by defendants, before this Court had an opportunity to determine the validity of what the defendants have been ordered to do, I would feel constrained to grant the stay. It may well be that the Court of Appeals, after due consideration, on July 15, 1959, denied this stay on its forecast that its decree could

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Memorandum of FRANKFURTER, J.

not, in view of all the circumstances, be effectuated before this Court could pass on a petition for certiorari, with the ancillary question of a stay in case such petition were granted. In any event, my appreciation of the intrinsic elements in carrying out the various items of the decree still left in controversy (several of them have become either moot or taken out of contest by agreement) leads me to conclude that, in the setting of the immediate circumstances, they are not of a nature to cause irreparable harm between now and October 12. I am reinforced in this conclusion by the responsible assurances of the Chairman of the Board of Monitors regarding the course of events which will control such matters. The details of the half-dozen items in controversy are so specialized and technical that nothing would be gained by particularizing them.

““One thing more does need to be said.

““As is recognized by all concerned, judicial supervision of a union with a membership of 1,500,000 and some 800 locals through the agency of a mechanism like the Board of Monitors is an unusual manifestation of equity powers. Defendants seek to enlarge the significance of the immediate items in controversy by their anticipation of an expansion of the powers of the Board of Monitors and their resulting fear of disruption of forces within the Teamsters as well as a heavy drain on the Teamsters' treasury in the course of such far-flung judicial administration. These are matters not immediately involved in the decree of the Court of Appeals now before me. But I deem it appropriate to say that the Court of Appeals, in its decision of June 10, 1959, as well as on preliminary proceedings and in the procedure which it followed in formulating its decree of July 9, 1959, has manifested an alert understanding of the gravity of the litigation, and has made manifest its sense of the high importance of assuring the most protective procedure on the part of the Board of

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Monitors in making recommendations and of the District Court in issuing orders on the basis of such recommendations; it has been mindful of the importance of working out problems between the Monitors and the Teamsters on the basis of ample consultation, with full regard for the interests of the membership of the union of which, after all, the union is the collective expression. As to the fear of excessive drain on the Teamsters' treasury, one may safely rely on the Court of Appeals in affording a shining example in the spending of other people's money. A court should be the most sensitive of fiduciaries. In sanctioning fees and other expenditures it will be guided by frugality and not generosity." " "

No. 549. HANNAH ET AL. *v.* LARCHE ET AL. Appeal from the United States District Court for the Western District of Louisiana; and

No. 550. HANNAH ET AL. *v.* SLAWSON ET AL. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Upon consideration of the motion to advance filed by the Solicitor General wherein he states that his brief on the merits will be filed on or before December 15, 1959, the Court directs that on or before Wednesday, January 13, 1960, the appellees shall file any motion or motions responsive to the statement as to jurisdiction and on the merits of the case, the respondents shall file any brief relating to the granting or denying of the petition for writ of certiorari and on the merits of the case, and the cases are set for oral argument on Monday, January 18, 1960, on the petition for writ of certiorari, the jurisdiction on appeal, and on the merits of the cases. *Solicitor General Rankin, Acting Assistant Attorney General Ryan and Harold H. Greene* for appellants in No. 549 and petitioners in No. 550. *David Rubin* also for appellants in No. 549. Reported below: No. 549, 177 F. Supp. 816.

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No. 269. DYER ET AL. *v.* SECURITIES AND EXCHANGE COMMISSION ET AL., *ante*, p. 835. The motion to supplement the record and the petition for rehearing are denied. *J. Raymond Dyer* for petitioners.

No. 326. METLAKATLA INDIAN COMMUNITY, ANNETTE ISLAND RESERVE, *v.* EGAN, GOVERNOR OF ALASKA, ET AL.; and

No. 327. ORGANIZED VILLAGE OF KAKE ET AL. *v.* EGAN, GOVERNOR OF ALASKA. Appeals from the District Court for Alaska. Further consideration of the question of jurisdiction is postponed to the hearing of the cases on the merits. *Richard Schifter* for appellant in No. 326. *John W. Cragun* and *Frances L. Horn* for appellants in No. 327. *John L. Rader*, Attorney General of Alaska, *Douglas L. Gregg*, Assistant Attorney General, and *James M. Fitzgerald* for appellees. Reported below: 18 Alaska —, 174 F. Supp. 500.

No. 387, Misc. CREVIER *v.* HAND, WARDEN;

No. 388, Misc. MOORE *v.* LAVALLEE, WARDEN;

No. 407, Misc. COULTON *v.* OHIO;

No. 409, Misc. MCCARTHY *v.* NEW YORK;

No. 416, Misc. MCDANIEL *v.* CALIFORNIA ADULT AUTHORITY ET AL.;

No. 425, Misc. JONES *v.* NASH, WARDEN; and

No. 468, Misc. BURKS *v.* RAGEN, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied.

No. 408, Misc. BLEVINS *v.* STEINER, WARDEN; and

No. 411, Misc. MCFREDERICK *v.* COCHRAN, DIRECTOR, DIVISION OF CORRECTIONS. 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. 199, Misc. *GOING v. MISSOURI*. Motion for leave to file petition for writ of mandamus denied. Petitioner *pro se*. *John M. Dalton*, Attorney General of Missouri, for respondent.

Certiorari Granted. (See also No. 202, *ante*, p. 125, and No. 75, *Misc.*, *ante*, p. 126.)

No. 391. *PARR ET AL. v. UNITED STATES*. C. A. 5th Cir. *Certiorari* granted. *Abe Fortas*, *Paul A. Porter*, *Charles A. Reich* and *T. Gilbert Sharpe* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Edgar O. Bottler*, *Beatrice Rosenberg* and *Eugene L. Grimm* for the United States. Reported below: 265 F. 2d 894.

No. 443. *UNITED STEELWORKERS OF AMERICA v. WARRIOR & GULF NAVIGATION Co.* C. A. 5th Cir. *Certiorari* granted. MR. JUSTICE BLACK took no part in the consideration or decision of this application. *Arthur J. Goldberg* and *David E. Feller* for petitioner. *Richard C. Keenan* and *T. K. Jackson, Jr.* for respondent. Reported below: 269 F. 2d 633.

Certiorari Denied. (See also No. 432, *ante*, p. 128; No. 447, *ante*, p. 127; No. 397, *Misc.*, *ante*, p. 128; and *Misc. Nos. 408 and 411, supra.*)

No. 162. *S. S. SILBERBLATT, INC., v. TAX COMMISSION OF NEW YORK*. Court of Appeals of New York. *Certiorari* denied. *Harold A. Jerry* and *Clyde A. Lewis* for petitioner. *Louis J. Lefkowitz*, Attorney General of New York, and *Julius L. Sackman* for respondent. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Myron C. Baum* filed a memorandum for the United States, as *amicus curiae*. Reported below: 5 N. Y. 2d 635, 159 N. E. 2d 195.

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No. 397. MANAIA ET AL. *v.* POTOMAC ELECTRIC POWER Co. C. A. 4th Cir. Certiorari denied. *Sheldon E. Bernstein* and *Herbert M. Brune* for petitioners. *William B. Jones*, *Robert R. Bair* and *Cornelius Means* for respondent. Reported below: 268 F. 2d 793.

No. 461. ISELIN ET AL. *v.* MENG ET AL. C. A. 5th Cir. Certiorari denied. *L. Bryan Dabney* for petitioners. Reported below: 269 F. 2d 345.

No. 462. LEE *v.* JENKINS BROTHERS ET AL. C. A. 2d Cir. Certiorari denied. *Frank J. Donner* for petitioner. *Morgan P. Ames* and *Francis J. McNamara, Jr.* for respondents. Reported below: 268 F. 2d 357.

No. 472. RAUCH ET AL. *v.* STOCKINGER ET AL. C. A. 2d Cir. Certiorari denied. *Max J. LeBoyer* for petitioners. *Alexander Dreiband* filed a brief in opposition on behalf of the Attorney General of the Province of Ontario, Canada, as *amicus curiae*. Reported below: 269 F. 2d 681.

No. 475. MANUFACTURERS RECORD PUBLISHING Co. *v.* LAUER, EXECUTRIX, ET AL. C. A. 5th Cir. Certiorari denied. *W. Scott Wilkinson* and *John M. Madison* for petitioner. *Clem H. Sehr* and *Kalford K. Miazza* for respondents. Reported below: 268 F. 2d 187.

No. 476. BROCKMUELLER *v.* ARIZONA. Supreme Court of Arizona. Certiorari denied. Petitioner *pro se*. *Wade Church*, Attorney General of Arizona, *Leslie C. Hardy*, Chief Assistant Attorney General, and *Franklin K. Gibson*, Assistant Attorney General, for respondent. Reported below: 86 Ariz. 82, 340 P. 2d 992.

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No. 478. KIZZIAR ET UX. *v.* DOLLAR, DOING BUSINESS AS B. L. DOLLAR CONSTRUCTION Co. C. A. 10th Cir. Certiorari denied. *C. E. Hall* for petitioners. *Ross Rutherford* for respondent. Reported below: 268 F. 2d 914.

No. 480. LOCAL 135, INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS OF AMERICA, AFL-CIO, *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 7th Cir. Certiorari denied. *Edward J. Fillenwarth* for petitioner. *Solicitor General Rankin, Stuart Rothman, Thomas J. McDermott, Dominick L. Manoli* and *Herman M. Levy* for respondent. Reported below: 267 F. 2d 870.

No. 481. JOHNSON, DOING BUSINESS AS JOHNSON HAIR AND SCALP CLINIC, *v.* FEDERAL TRADE COMMISSION. C. A. 5th Cir. Certiorari denied. *James I. McCain* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Bicks, Richard A. Solomon, Daniel J. McCauley, Jr.* and *Alan B. Hobbes* for respondent. Reported below: 266 F. 2d 560.

No. 483. NATIONAL SURETY CORP. ET AL. *v.* LLEWELLYN MACHINERY CORP. C. A. 5th Cir. Certiorari denied. *Walter Humkey* and *Frank M. Harris* for petitioners. *Thomas H. Wakefield* for respondent. Reported below: 268 F. 2d 610.

No. 484. J. RAY McDERMOTT & Co., INC., *v.* DEPARTMENT OF HIGHWAYS, STATE OF LOUISIANA. C. A. 5th Cir. Certiorari denied. *C. Dickerman Williams* for petitioner. *Norman L. Sisson* for respondent. Reported below: 267 F. 2d 317.

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No. 486. SCHREIBER ET AL., TRADING AS SCHREIBER & GOLDBERG, *v.* AMERICAN SAFETY TABLE CO., INC. C. A. 2d Cir. Certiorari denied. Petitioners *pro se.* *Leon Edelson* for respondent. Reported below: 269 F. 2d 255.

No. 487. MARSHALL, DOING BUSINESS AS MARSHALL PIPE & SUPPLY CO., ET AL. *v.* STANDARD OIL CO. OF TEXAS ET AL. C. A. 5th Cir. Certiorari denied. *Neth L. Leachman* for petitioners. Reported below: 265 F. 2d 46.

No. 489. KIRK MANUFACTURING CO. *v.* CALDWELL MANUFACTURING CO. ET AL. C. A. 8th Cir. Certiorari denied. *Thomas E. Scofield* for petitioner. Reported below: 269 F. 2d 506.

No. 491. TATKO BROTHERS SLATE CO., INC., *v.* HANNON. C. A. 2d Cir. Certiorari denied. *J. Preston Swecker, Maxwell E. Sparrow* and *William L. Mathis* for petitioner. *John C. Blair* for respondent. Reported below: 270 F. 2d 571.

No. 493. SMITH *v.* GLIKIN, DOING BUSINESS AS BELTONE HEARING CENTER. C. A. 5th Cir. Certiorari denied. *J. Vincent Martin* for petitioner. *Will Freeman* for respondent. Reported below: 269 F. 2d 641.

No. 499. BARNES ET AL. *v.* CITY OF GADSDEN, ALABAMA, ET AL. C. A. 5th Cir. Certiorari denied. *Arthur Burns* for petitioners. *W. B. Dortch* and *John A. Lusk, Jr.* for respondents. Reported below: 268 F. 2d 593.

No. 500. FRUIT INDUSTRIES, INC., *v.* PETTY, ADMINISTRATRIX, ET AL. C. A. 5th Cir. Certiorari denied. *Robert H. Walker* and *Morris E. White* for petitioner. *R. W. Shackelford* for respondents. Reported below: 268 F. 2d 391.

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No. 463. WARREN ET AL. *v.* UNITED STATES. Court of Claims. Certiorari denied. *John E. McClure* and *William P. McClure* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Melva M. Graney* for the United States. Reported below: — Ct. Cl. —, 171 F. Supp. 846.

No. 474. HOWARD *v.* INTERNATIONAL TRUST CO., SPECIAL ADMINISTRATOR. Supreme Court of Colorado. Certiorari denied. *Arthur E. Neuman* for petitioner. *John Fleming Kelly* for respondent. Reported below: 139 Colo. 314, 338 P. 2d 689.

No. 494. ELLIS *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Henry Lincoln Johnson, Jr.* and *William B. Bryant* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 106 U. S. App. D. C. 145, 270 F. 2d 448.

No. 506. BOOKER ET AL. *v.* FIRST FEDERAL SAVINGS & LOAN ASSOCIATION, INC., ET AL. Supreme Court of Georgia. Certiorari denied. *Aaron Kravitch* and *Phyllis Kravitch* for petitioners. *E. Ormonde Hunter* for respondents. Reported below: 215 Ga. 277, 110 S. E. 2d 360.

No. 507. MACK ET AL. *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Nicholas J. Chase* and *Arthur J. Hilland* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States. Reported below: 107 U. S. App. D. C. —, 274 F. 2d 582.

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No. 498. QUAKER STATE OIL REFINING CORP. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 3d Cir. Certiorari denied. *John C. Bane, Jr.* and *Benjamin G. McFate* for petitioner. *Solicitor General Rankin, Stuart Rothman, Thomas J. McDermott, Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: 270 F. 2d 40.

No. 501. TRUCK DRIVERS AND HELPERS LOCAL UNION No. 728, I. B. T., *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 5th Cir. Certiorari denied. *Edwin Pearce* for petitioner. *Solicitor General Rankin, Stuart Rothman, Thomas J. McDermott, Dominick L. Manoli* and *Florian J. Bartosic* for respondent. Reported below: 265 F. 2d 439.

No. 502. LINCOLN NATIONAL LIFE INSURANCE CO. *v.* ROOSTH. C. A. 5th Cir. Certiorari denied. *Thos. B. Ramey* for petitioner. *Chas. F. Potter* for respondent. Reported below: 269 F. 2d 171.

No. 505. BRICE *v.* SUPERIOR COURT OF CALIFORNIA, IN AND FOR THE COUNTY OF LOS ANGELES. District Court of Appeal of California, Second Appellate District. Certiorari denied. *James C. Purcell* for petitioner. *Stanley Mosk*, Attorney General of California, *William E. James*, Assistant Attorney General, and *William B. McKesson* for respondent.

No. 496. COLUMBIA CASUALTY CO. *v.* LOCICERO ET AL. C. A. 5th Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion certiorari should be granted. *Ernest A. Carrere, Jr.* for petitioner. *Robert R. Rainold* for respondents. Reported below: 268 F. 2d 440.

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No. 444. *WORTHY v. HERTER, SECRETARY OF STATE.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE BLACK is of the opinion certiorari should be granted. MR. JUSTICE DOUGLAS took no part in the consideration or decision of this application. *William M. Kunstler* and *Walter E. Dillon, Jr.* for petitioner. *Solicitor General Rankin, Assistant Attorney General Yeagley, John F. Davis* and *Kevin T. Maroney* for respondent. Reported below: 106 U. S. App. D. C. 153, 270 F. 2d 905.

No. 445. *FRANK v. HERTER, SECRETARY OF STATE.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE BLACK is of the opinion certiorari should be granted. MR. JUSTICE DOUGLAS took no part in the consideration or decision of this application. *Leonard B. Boudin, Victor Rabinowitz* and *David Rein* for petitioner. *Solicitor General Rankin, Assistant Attorney General Yeagley, John F. Davis* and *Kevin T. Maroney* for respondent. Reported below: 106 U. S. App. D. C. 54, 269 F. 2d 245.

No. 488. *PORTER v. HERTER, SECRETARY OF STATE.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE BLACK is of the opinion certiorari should be granted. *Joseph L. Rauh, Jr.* and *John Silard* for petitioner. *Solicitor General Rankin* for respondent. Reported below: 107 U. S. App. D. C. —, 278 F. 2d 280.

No. 439, Misc. *CULLEY v. WARDEN.* Court of Appeals of Maryland. Certiorari denied. Reported below: 220 Md. 687, 154 A. 2d 813.

No. 441, Misc. *MALLORY v. BUCHKOE, WARDEN.* Supreme Court of Michigan. Certiorari denied.

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No. 456. DAVIS *v.* UNITED STATES. The motion for leave to file an amended petition for certiorari is granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion certiorari should be granted. *Frank J. Donner* for petitioner. *Solicitor General Rankin, Assistant Attorney General Yeagley and Kevin T. Maroney* for the United States. Reported below: 269 F. 2d 357.

No. 469. CITY OF MURFREESBORO, TENNESSEE, *v.* RUTHERFORD COUNTY, TENNESSEE. The motion to strike memorandum of Tennessee Valley Authority, as *amicus curiae*, is denied. Petition for writ of certiorari to the Supreme Court of Tennessee, Middle Division, denied. *Alfred B. Huddleston, Edwin F. Hunt and Joseph C. Swidler* for petitioner. *Granville S. Ridley and Granville S. Ridley Bouldin* for respondent. *Solicitor General Rankin and Charles J. McCarthy* filed a memorandum for the Tennessee Valley Authority, as *amicus curiae*. *John Frank Bryant, Walter Lee Price, Robert E. Banks and B. B. Fraker* filed a brief for the Cities of Johnson City, Elizabethton and Greeneville, Tennessee, as *amici curiae*, in support of the petition. Reported below: — Tenn. —, 326 S. W. 2d 653.

No. 83, Misc. HULLOM *v.* BURROWS ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 266 F. 2d 547.

No. 128, Misc. RUSSELL *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. 267, Misc. WILLIAMS *v.* NEW YORK ET AL. C. A. 2d Cir. Certiorari denied.

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No. 331, Misc. *MANCHESTER v. HEINZE, WARDEN, ET AL.* Supreme Court of California. Certiorari denied.

No. 339, Misc. *REBETTER v. CROUCH ET AL.* Appellate Department of the Superior Court of California, County of Los Angeles. Certiorari denied.

No. 344, Misc. *HAMILTON v. KANSAS.* Supreme Court of Kansas. Certiorari denied.

No. 350, Misc. *AHLET v. NEW YORK.* Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

No. 361, Misc. *FINK v. NEW YORK.* Appellate Division of the Supreme Court of New York, Third Judicial Department. Certiorari denied.

No. 365, Misc. *CAWLEY v. TEXAS.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 367, Misc. *McAULIFFE v. CALIFORNIA.* Supreme Court of California. Certiorari denied.

No. 375, Misc. *HARP v. ADAMS, WARDEN.* Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 385, Misc. *WILLIAMS v. NEW YORK.* Court of Appeals of New York. Certiorari denied. Reported below: 6 N. Y. 2d 18, 159 N. E. 2d 549.

No. 391, Misc. *WEBSTER v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied. Reported below: 17 Ill. 2d 177, 161 N. E. 2d 104.

No. 449, Misc. *MATERA v. NEW YORK.* Court of Appeals of New York. Certiorari denied.

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Rehearing Denied. (See also No. 269, ante, p. 911.)

No. 172. DUPREE *v.* UNITED STATES, ante, p. 823;

No. 292. KEENAN ET AL. *v.* UNITED STATES, ante, p. 863;

No. 312. GENTRY *v.* UNITED STATES, ante, p. 866;

No. 366. CARTER PRODUCTS, INC., *v.* FEDERAL TRADE COMMISSION, ante, p. 884;

No. 296, Misc. MORRIS *v.* NOWOTNY ET AL., ante, p. 889;

No. 306, Misc. JOHNSON *v.* UNITED STATES, ante, p. 889; and

No. 379, Misc. IN RE COON, ante, p. 880. Petitions for rehearing denied.

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Miscellaneous Order.

No. —. TWO GUYS FROM HARRISON-ALLENTOWN, INC., *v.* MCGINLEY, DISTRICT ATTORNEY, LEHIGH COUNTY, PENNSYLVANIA. The application for a stay or in the alternative for writ of injunction presented to MR. JUSTICE BRENNAN, and by him referred to the Court, is denied. The motion of Pennsylvania Retailers' Association for leave to file brief, as *amicus curiae*, is denied. *Harold E. Kohn, William T. Coleman, Jr. and Louis E. Levinthal* for the applicant. *Harry J. Rubin* in opposition. *W. James MacIntosh* for Pennsylvania Retailers' Association. Reported below: 179 F. Supp. 944.

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Miscellaneous Orders.

No. 445, Misc. JUSTUS *v.* NEW MEXICO; and

No. 472, Misc. SCHUITEN *v.* ATTORNEY GENERAL OF THE UNITED STATES. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 471, Misc. *BONILLA v. NEW YORK*. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied.

No. 187, Misc. *CHAPMAN v. WILSON, SUPERINTENDENT, CALIFORNIA STATE PRISON, ET AL.* Motion for leave to file petition for writ of habeas corpus and other relief denied. Petitioner *pro se*. *Stanley Mosk*, Attorney General of California, and *John S. McInerney* and *Arlo E. Smith*, Deputy Attorneys General, for respondents.

No. 20, Misc. *CHAPMAN v. WILSON, WARDEN, ET AL.*; and

No. 404, Misc. *STEWART v. MILLER, JUDGE, COURT OF APPEALS OF FRANKLIN COUNTY, OHIO, ET AL.* Motions for leave to file petitions for writs of mandamus denied. Petitioners *pro se*. *Stanley Mosk*, Attorney General of California, and *Arlo E. Smith*, Deputy Attorney General, for respondents in No. 20, Misc.

Certiorari Granted. (See also Nos. 459 and 473, ante, p. 195.)

No. 451. *PENNSYLVANIA RAILROAD Co. v. UNITED STATES*. Court of Claims. Certiorari granted. *Hugh B. Cox* and *William F. Zearfaus* for petitioner. *Solicitor General Rankin* for the United States. Reported below: — Ct. Cl. —.

No. 503. *UNITED STATES v. GRAND RIVER DAM AUTHORITY*. Court of Claims. Certiorari granted. *Solicitor General Rankin*, *Assistant Attorney General Morton* and *Roger P. Marquis* for the United States. *Q. B. Boydstun* for respondent. Reported below: — Ct. Cl. —, 175 F. Supp. 153.

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No. 513. UNITED STATES *v.* CANNELTON SEWER PIPE Co. C. A. 7th Cir. Certiorari granted. *Solicitor General Rankin, Acting Assistant Attorney General Heffron, Ralph S. Spritzer and Melva M. Graney* for the United States. *Howard P. Travis* for respondent. Reported below: 268 F. 2d 334.

No. 376. COMMISSIONER OF INTERNAL REVENUE *v.* DUBERSTEIN ET AL. C. A. 6th Cir. Certiorari granted. *Solicitor General Rankin, Assistant Attorney General Rice and Assistant Attorney General Barnett* for petitioner. *Sidney G. Kusworm* for respondents. Reported below: 265 F. 2d 28.

No. 546. STANTON ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari granted. *Basil O'Connor, John C. Farber and William F. Snyder* for petitioners. *Solicitor General Rankin* for the United States. Reported below: 268 F. 2d 727.

Certiorari Denied. (See also No. 273, Misc., ante, p. 198, and No. 471, Misc., supra.)

No. 268. LOHMAN *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *J. Paul Prear* for petitioner. *Solicitor General Rankin and Assistant Attorney General Yeagley* for the United States. Reported below: 266 F. 2d 3.

No. 509. P. LORILLARD CO. ET AL. *v.* FEDERAL TRADE COMMISSION. C. A. 3d Cir. Certiorari denied. *Cyrus Austin, Robert McCormack and John F. Dooling, Jr.* for petitioners. *Solicitor General Rankin, Acting Assistant Attorney General Bicks, Charles H. Weston, Daniel J. McCauley, Jr. and Alan B. Hobbes* for respondent. Reported below: 267 F. 2d 439.

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No. 508. *COLLINS v. RISNER, DOING BUSINESS AS CAPITAL TRUCKING Co.* C. A. 4th Cir. Certiorari denied. *Thomas E. McCutchen, Jr.* for petitioner. Reported below: 269 F. 2d 654.

No. 512. *MONACO ET AL. v. WATSON, COMMISSIONER OF PATENTS.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Harry A. Toulmin, Jr., F. E. Drummond* and *George W. Stengel* for petitioners. *Solicitor General Rankin* and *Assistant Attorney General Doub* for respondent. Reported below: 106 U. S. App. D. C. 142, 270 F. 2d 335.

No. 516. *MARCAL PULP & PAPER, INC., v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 3d Cir. Certiorari denied. *Richard W. Wilson* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Robert N. Anderson* and *Morton K. Rothschild* for respondent. Reported below: 268 F. 2d 739.

No. 477. *KELLEY ET AL. v. BOARD OF EDUCATION OF THE CITY OF NASHVILLE ET AL.* C. A. 6th Cir. Certiorari denied. THE CHIEF JUSTICE, MR. JUSTICE DOUGLAS and MR. JUSTICE BRENNAN, although cognizant that the District Court retained jurisdiction of the action during the transition, would grant the petition for certiorari limited to the fourth question: whether the provisions of paragraphs four and five of the plan are constitutionally invalid for the reason that they "explicitly recognized race as an absolute ground for the transfer of students between schools, thereby perpetuating rather than limiting racial discrimination." *Z. Alexander Looby, Thurgood Marshall, Jack Greenberg, Constance Baker Motley* and *James M. Nabrit III* for petitioners. *Edwin F. Hunt* for respondents. Reported below: 270 F. 2d 209.

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No. 288, Misc. *ASHCRAFT 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: — F. 2d —.

MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS, dissenting.

The Fifth Amendment provides that no person shall "be subject for the same offence to be twice put in jeopardy of life or limb" In this connection it seems appropriate to us to place on record the facts of this case in which certiorari is denied. Ashcraft was convicted of robbery in violation of California laws and given a sentence of five years to life imprisonment. Now the United States has convicted him of precisely the same robbery and sentenced him to prison for 25 years. We are still unable to believe such a second punishment for one crime is either fair or consistent with the Fifth Amendment's prohibition against double jeopardy. See the dissents in *Abbate v. United States*, 359 U. S. 187, 201; *Bartkus v. Illinois*, 359 U. S. 121, 150; *Gore v. United States*, 357 U. S. 386, 395-397.

No. 448, Misc. *CHESSMAN v. CALIFORNIA*. Supreme Court of California. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application. *A. L. Wirin, Fred Okrand, Rosalie S. Asher and George T. Davis* for petitioner. *Stanley Mosk*, Attorney General of California, and *Arlo E. Smith*, Deputy Attorney General, for respondent. *Loren Miller* filed a brief on behalf of the American Civil Liberties Union of Southern California, as *amicus curiae*, in support of the petition. Reported below: 52 Cal. 2d 467, 341 P. 2d 679.

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No. 285, Misc. NEW YORK EX REL. SMITH *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, Paxton Blair, Solicitor General, and Winifred C. Stanley, Assistant Attorney General, for respondent. Reported below: 8 App. Div. 1004, 191 N. Y. S. 2d 160.

No. 396, Misc. BROWNING *v.* HAND, WARDEN. Supreme Court of Kansas. Certiorari denied.

No. 432, Misc. RANDOLPH *v.* RHAY, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied.

Rehearing Denied.

No. 329. NOVAK *v.* PENNSYLVANIA, *ante*, p. 882;

No. 371. MANSFIELD HARDWOOD LUMBER Co. *v.* JOHNSON ET AL., *ante*, p. 885; and

No. 378. NATIONAL AIRLINES, INC., *v.* STILES, *ante*, p. 885. Petitions for rehearing denied.

No. 91. AUDETT *v.* UNITED STATES, *ante*, p. 815. Motion for leave to file petition for rehearing denied.

No. 187. MALOY ET UX. *v.* FIRST FEDERAL SAVINGS & LOAN ASSN. OF WEST PALM BEACH, *ante*, pp. 824, 858, 898. Motion for leave to file second petition for rehearing denied.

JANUARY 7, 1960.

Certiorari Denied.

No. 576, Misc. JONES *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. Petitioner *pro se.* Stanley Mosk, Attorney General of California, and Arlo E.

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Smith and *John S. McInerny*, Deputy Attorneys General, for respondent. Reported below: 52 Cal. 2d 636, 343 P. 2d 577.

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Miscellaneous Orders.

No. 4, Original. NEW YORK *v.* ILLINOIS ET AL. The motion for leave to file a supplemental and amended complaint and the response thereto are referred to the Special Master for an expression of his views as to the relationship of the matters presented therein to the issues in this cause. *Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, *Richard H. Shepp*, Assistant Attorney General, and *Randall J. Le Boeuf, Jr.* for complainant-movant. *William C. Wines*, Assistant Attorney General of Illinois, *Grenville Beardsley*, *Lawrence J. Fenlon*, *Peter G. Kuh*, *George A. Lane*, *Joseph B. Fleming*, *Joseph H. Pleck* and *Thomas M. Thomas* for defendants, in opposition. [See 360 U. S. 712.]

No. 62. MARYLAND AND VIRGINIA MILK PRODUCERS ASSOCIATION, INC., *v.* UNITED STATES; and

No. 73. UNITED STATES *v.* MARYLAND AND VIRGINIA MILK PRODUCERS ASSOCIATION, INC. Appeals from the United States District Court for the District of Columbia. The motion of *Daniel J. Freed* for leave to withdraw his appearance as counsel for the appellant in No. 62 and for the appellee in No. 73 is granted. Reported below: 167 F. Supp. 45, 799, 168 F. Supp. 880.

No. 362, Misc. YANCY *v.* RAGEN, WARDEN;
 No. 476, Misc. OUGHTON *v.* UNITED STATES;
 No. 492, Misc. BRABSON *v.* SILBERGLITT, WARDEN; and
 No. 527, Misc. McNALLY *v.* TEXAS ET AL. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 319. SCHILLING *v.* ROGERS, ATTORNEY GENERAL. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. The motion of Hannah von Bredow et al. for leave to file brief, as *amici curiae*, is denied. *Chisman Hanes* and *Gerald G. Schulsinger* for movants. Reported below: 106 U. S. App. D. C. 8, 268 F. 2d 584.

No. 368. HUMBLE OIL & REFINING CO. *v.* FEDERAL POWER COMMISSION. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. The motion to substitute Humble Oil & Refining Company, a Delaware corporation, in the place of Humble Oil & Refining Company, a Texas corporation, is granted. *Carl Illig, William J. Merrill* and *Bernard A. Foster, Jr.* were on the motion. Reported below: 266 F. 2d 235.

No. 495, Misc. HATLER, GENERAL CHAIRMAN OF GENERAL GRIEVANCE COMMITTEE OF THE BROTHERHOOD OF RAILROAD TRAINMEN, HUDSON & MANHATTAN RAILROAD CO., ET AL. *v.* DAWSON, U. S. DISTRICT JUDGE, ET AL. Motion for leave to file petition for writs of mandamus and certiorari denied. *Arnold B. Elkind* for Hatler, petitioner. *William W. Golub* for Stichman, Trustee, in opposition. Reported below: 172 F. Supp. 329; 178 F. Supp. 106.

No. 143, Misc. FIRSTAMERICA CORPORATION *v.* UNITED STATES; and

No. 491, Misc. HOLLAND FURNACE CO. *v.* FEDERAL TRADE COMMISSION. Motions for leave to file petitions for writs of certiorari denied. *Gerhard A. Gesell, Homer I. Mitchell, Hamilton Carothers* and *Warren M. Christopher* for petitioner in No. 143, Misc. *Stuart S. Ball* and *Robert H. Trenkamp* for petitioner in No. 491, Misc. *Solicitor General Rankin, Acting Assistant Attorney General*

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Bicks, Richard A. Solomon and Ernest L. Folk III for the United States in No. 143, Misc. Reported below: No. 491, Misc., 269 F. 2d 203.

Certiorari Granted.

No. 538. UNITED STEELWORKERS OF AMERICA *v.* ENTERPRISE WHEEL & CAR CORP. C. A. 4th Cir. Certiorari granted. *Arthur J. Goldberg* and *David E. Feller* for petitioner. *Jackson N. Huddleston* for respondent. Reported below: 269 F. 2d 327.

No. 539. MEYER ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari granted. *Alfred M. Saperston* for petitioners. *Solicitor General Rankin* for the United States. Reported below: 275 F. 2d 83.

Certiorari Denied. (See also No. 252, Misc., ante, p. 233.)

No. 446. E. INGRAHAM CO. *v.* BOARD OF TAX REVIEW OF THE TOWN AND CITY OF BRISTOL. Supreme Court of Errors of Connecticut. Certiorari denied. *Charles E. Pledger, Jr.* and *Justin L. Edgerton* for petitioner. *Edward C. Krawiecki* for respondent. Reported below: 146 Conn. 403, 151 A. 2d 700.

No. 482. KORHOLZ ET AL. *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *Philip B. Perlman* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 269 F. 2d 897.

No. 517. QUALITY COAL CORP. *v.* LEWIS ET AL., TRUSTEES. C. A. 7th Cir. Certiorari denied. *John R. Jett* and *N. George Nasser* for petitioner. *Val J. Mitch*, *Harold H. Bacon* and *M. E. Boiarsky* for respondents. Reported below: 270 F. 2d 140.

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No. 511. STEWART *v.* THOMAS ET AL. Supreme Court of Florida. Certiorari denied. *O. K. Reaves* and *Joseph A. McClain, Jr.* for petitioner. Reported below: — So. 2d —.

No. 521. CASELLA *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *Stanford Shmukler* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Eugene L. Grimm* for the United States. Reported below: 270 F. 2d 503.

No. 545. AIRCOACH TRANSPORT ASSOCIATION, INC., ET AL. *v.* ATCHISON, TOPEKA & SANTA FE RAILROAD CO. ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *David I. Shapiro* and *Gerhard P. Van Arkel* for petitioners. *Stephen Ailes*, *Hugh B. Cox*, *Douglas F. Smith* and *Edward K. Wheeler* for respondents. Reported below: 102 U. S. App. D. C. 355, 253 F. 2d 877; — U. S. App. D. C. —, — F. 2d —.

No. 547. SMITH ET AL. *v.* TENNESSEE. Supreme Court of Tennessee. Certiorari denied. *Cecil D. Branstetter*, *William A. Reynolds* and *G. Edward Friar* for petitioners. *George F. McCanless*, Attorney General of Tennessee, and *Thomas E. Fox*, Assistant Attorney General, for respondent. Reported below: — Tenn. —, 327 S. W. 2d 308.

No. 561. KASPER *v.* TENNESSEE. Supreme Court of Tennessee. Certiorari denied. *J. Benjamin Simmons* and *Herbert S. Ward* for petitioner. *George F. McCanless*, Attorney General of Tennessee, and *Thomas E. Fox*, Assistant Attorney General, for respondent. Reported below: — Tenn. —, 326 S. W. 2d 664.

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No. 514. *ROTH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Morris A. Shenker* and *Bernard J. Mellman* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 270 F. 2d 655.

No. 515. *BERSON ET AL. v. KAUFMAN ET AL.* C. A. 7th Cir. Certiorari denied. *Horace A. Young* for petitioners. *Leslie Hodson*, *William B. McIlvaine*, *Clarence E. Fox*, *Harold A. Smith*, *Charles R. Aiken*, *Richard F. Watt* and *A. Bradley Eben* for respondents. Reported below: 267 F. 2d 337.

No. 518. *POSNER ET AL., EXECUTORS, v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Morton Hollander* for the United States. Reported below: 269 F. 2d 742.

No. 519. *RITTENBERG ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Robert Weinstein* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Robert N. Anderson* for the United States. Reported below: 267 F. 2d 605.

No. 530. *BLUE MOUNTAIN CONSTRUCTION Co. v. WERNER ET AL.* C. A. 9th Cir. Certiorari denied. *Richard S. Munter* for petitioner. *Maurice E. Tarshis* for respondents. Reported below: 270 F. 2d 305.

No. 531. *PEORIA HOUSING AUTHORITY v. SECURITY INSURANCE Co. ET AL.* C. A. 7th Cir. Certiorari denied. *James T. McNelis* for petitioner. *John E. Cassidy, Sr.* for respondents. Reported below: 269 F. 2d 159.

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No. 520. HOLLAND FURNACE CO. *v.* FEDERAL TRADE COMMISSION. C. A. 7th Cir. Certiorari denied. *Stuart S. Ball* and *Robert H. Trenkamp* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Bicks, Richard A. Solomon, Henry Geller, Daniel J. McCauley, Jr. and Alan B. Hobbes* for respondent. Reported below: 269 F. 2d 203.

No. 522. SENCO PRODUCTS, INC., *v.* FASTENER CORPORATION ET AL. C. A. 7th Cir. Certiorari denied. *John W. Melville* and *William J. Stellman* for petitioner. *M. Hudson Rathburn* and *Walther E. Wyss* for respondents. Reported below: 269 F. 2d 33.

No. 524. PANICHELLA *v.* PENNSYLVANIA RAILROAD CO. ET AL. C. A. 3d Cir. Certiorari denied. *Abraham E. Freedman* for petitioner. *John David Rhodes, Robert L. Randall* and *Roberts B. Owen* for the Pennsylvania Railroad Co., respondent. Reported below: 268 F. 2d 72.

No. 525. SPRINGER ET AL. *v.* ALLSTATE INSURANCE CO. C. A. 6th Cir. Certiorari denied. *Fred Roland Allaben* for petitioners. *Alexis J. Rogoski* for respondent. Reported below: 269 F. 2d 805.

No. 529. SECURITY INSURANCE CO. ET AL. *v.* EDLIN ET AL. C. A. 7th Cir. Certiorari denied. *Donald N. Clausen, Herbert W. Hirsh* and *John P. Gorman* for petitioners. *John E. Cassidy, Sr.* for respondents. Reported below: 269 F. 2d 159.

No. 536. GREENBERG *v.* AMERICAN SURETY COMPANY OF NEW YORK. Supreme Court of New York, New York County. Certiorari denied. *Emanuel Harris* for petitioner. *Leo T. Kissam* and *Howard C. Wood* for respondent. Reported below: 8 App. Div. 2d 600, 185 N. Y. S. 2d 221.

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No. 543. PHILADELPHIA SAVING FUND SOCIETY *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *Charles J. Biddle, Frederick E. S. Morrison and Calvin H. Rankin* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, I. Henry Kutz and Helen A. Buckley* for the United States. Reported below: 269 F. 2d 853.

No. 548. HOLDER ET AL. *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Edgar Musgrave* for petitioners. *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for the United States. Reported below: 271 F. 2d 214.

No. 551. LAYCOCK *v.* KENNEY. C. A. 9th Cir. Certiorari denied. *Paul Bakewell, Jr. and Norman L. Easley* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub and Samuel D. Slade* for respondent. Reported below: 270 F. 2d 580.

No. 553. LA GLORIA OIL & GAS CO. ET AL. *v.* SCOFIELD, FORMERLY COLLECTOR OF INTERNAL REVENUE. C. A. 5th Cir. Certiorari denied. *Binford Arney and Clyde L. Wilson, Jr.* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice and Melva M. Graney* for respondent. Reported below: 268 F. 2d 699.

No. 558. VANCE *v.* AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS ET AL. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Maurice J. O'Sullivan and Thomas M. Sullivan* for respondents. Reported below: 271 F. 2d 204.

No. 560. PYRAMID LIFE INSURANCE CO. *v.* CURRY. C. A. 8th Cir. Certiorari denied. *Terence M. O'Brien* for petitioner. *Keith Martin* for respondent. Reported below: 271 F. 2d 1.

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No. 562. *DICKSON, WARDEN, v. CARMEN*. C. A. 9th Cir. Certiorari denied. *Stanley Mosk*, Attorney General of California, and *Arlo E. Smith*, Deputy Attorney General, for petitioner. *Mason A. Bailey* for respondent. Reported below: 270 F. 2d 809.

No. 577. *SHAVIN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Maurice J. Walsh* and *Anna R. Lavin* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States.

No. 566. *SKIBS A/S JOLUND v. AMERICAN SMELTING & REFINING CO. ET AL.*; and

No. 567. *BLACK DIAMOND STEAMSHIP CORP. v. AMERICAN SMELTING & REFINING CO. ET AL.* The motions of *Koninklijke Nederlandsche Reedersvereniging* (Royal Netherlands Shipowners' Association) et al. and the *Britannia Steam Ship Insurance Association, Ltd.*, et al., for leave to file briefs, as *amici curiae*, are granted. The motions of the *American Merchant Marine Institute, Inc.*, and *Norges Rederforbund* (the Norwegian Shipowners' Association) for leave to file briefs, as *amici curiae*, are granted. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied. *Warner Pyne* and *Dudley C. Smith* for petitioner in No. 566. *Daniel L. Stonebridge* and *John C. Crawley* for petitioner in No. 567. *Henry N. Longley* and *John W. R. Zisgen* for respondents. *Charles S. Haight* and *Charles S. Haight, Jr.* for *Koninklijke Nederlandsche Reedersvereniging* et al.; *L. de Grove Potter* and *James J. Higgins* for the *Britannia Steam Ship Insurance Association, Ltd.*, et al.; *Walter E. Maloney* for the *American Merchant Marine Institute, Inc.*; and *Eugene Underwood*, *Harold M. Kennedy* and *Hervey C. Allen* for *Norges Rederforbund*. Reported below: 269 F. 2d 68, 273 F. 2d 61.

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No. 460. *DYE v. MICHIGAN*. The motion for leave to file supplement to petition for certiorari is granted. Petition for writ of certiorari to the Supreme Court of Michigan denied. *Andrew J. Transue* for petitioner. Reported below: 356 Mich. 271, 96 N. W. 2d 788.

No. 18, Misc. *HECTOR v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Stanley Mosk*, Attorney General of California, and *Arlo E. Smith*, Deputy Attorney General, for respondents.

No. 70, Misc. *KLING v. NEW YORK*. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied. Petitioner *pro se*. *Frank D. O'Connor*, *Benj. J. Jacobson* and *Morton Greenspan* for respondent.

No. 121, Misc. *BRYANT v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied. Petitioner *pro se*. *Paul L. Adams*, Attorney General of Michigan, and *Samuel J. Torina*, Solicitor General, for respondent.

No. 175, Misc. *CARSON v. SMYTH, SUPERINTENDENT OF THE VIRGINIA STATE PENITENTIARY*. Supreme Court of Appeals of Virginia. Certiorari denied. Petitioner *pro se*. *A. S. Harrison, Jr.*, Attorney General of Virginia, and *Thomas M. Miller*, Assistant Attorney General, for respondent.

No. 222, Misc. *EVANS v. LEEDOM ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Joseph L. Rauh, Jr.* and *John Silard* for petitioner. *Solicitor General Rankin* and *Acting Assistant Attorney General Yeagley* for respondents. Reported below: 105 U. S. App. D. C. 141, 265 F. 2d 125.

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No. 110, Misc. ALLEN *v.* LOS ANGELES COUNTY DISTRICT COUNCIL OF CARPENTERS ET AL. Supreme Court of California. Certiorari denied. *A. L. Wirin* and *Fred Okrand* for petitioner. Reported below: 51 Cal. 2d 805, 337 P. 2d 457.

No. 295, Misc. KLETTER *v.* HERTER, SECRETARY OF STATE. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for respondent. Reported below: 106 U. S. App. D. C. 6, 268 F. 2d 582.

No. 313, Misc. BOMAR *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Edward J. Skeens* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 106 U. S. App. D. C. 136, 270 F. 2d 329.

No. 332, Misc. FULLER *v.* ALABAMA. Supreme Court of Alabama. Certiorari denied. *G. Ernest Jones, Jr.* for petitioner. *MacDonald Gallion*, Attorney General of Alabama, and *Bernard F. Sykes*, Assistant Attorney General, for respondent. Reported below: 269 Ala. 312, 113 So. 2d 153.

No. 14, Misc. BROWN *v.* INDIANA. Petition for writ of certiorari to the Supreme Court of Indiana denied without prejudice to an application for writ of habeas corpus in the appropriate United States District Court. Petitioner *pro se.* *Edwin K. Steers*, Attorney General of Indiana, for respondent. Reported below: — Ind. —, 154 N. E. 2d 720.

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No. 217, Misc. *GOODLOW v. BUCHKOE, WARDEN*. Supreme Court of Michigan. Certiorari denied.

No. 239, Misc. *BURT v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Stanley Mosk*, Attorney General of California, and *Arlo E. Smith*, Deputy Attorney General, for respondents.

No. 253, Misc. *AGNELLO v. LOHMAN, SHERIFF, ET AL.* C. A. 7th Cir. Certiorari denied.

No. 279, Misc. *CHAPMAN v. ALVIS, WARDEN*. Supreme Court of Ohio. Certiorari denied. Reported below: 169 Ohio St. 359, 159 N. E. 2d 453.

No. 286, Misc. *NIEDZIALKOWSKI v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied. Petitioner *pro se*. *Paul L. Adams*, Attorney General of Michigan, and *Samuel J. Torina*, Solicitor General, for respondent.

No. 298, Misc. *GLASS v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Reported below: 16 Ill. 2d 595, 158 N. E. 2d 639.

No. 301, Misc. *BURMAN v. FLORIDA ET AL.* Supreme Court of Florida. Certiorari denied. Petitioner *pro se*. *Richard W. Ervin*, Attorney General of Florida, and *Reeves Bowen*, Assistant Attorney General, for respondents.

No. 302, Misc. *LYONS v. OHIO*. Supreme Court of Ohio. Certiorari denied. Petitioner *pro se*. *John T. Corrigan* for respondent.

No. 322, Misc. *SCOTT v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

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No. 323, Misc. *BLACK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Julia P. Cooper* for the United States. Reported below: 269 F. 2d 38.

No. 327, Misc. *BROWN v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied.

No. 333, Misc. *SPADER v. MYERS, SUPERINTENDENT OF STATE PENITENTIARY*. Supreme Court of Pennsylvania. Certiorari denied.

No. 341, Misc. *HARRIS v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 351, Misc. *BARTLETT v. WEIMER*. C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Robert B. Gosline* for respondent. Reported below: 268 F. 2d 860.

No. 358, Misc. *DER HAGOPIAN v. ESKANDARIAN ET AL.* Supreme Court of Pennsylvania. Certiorari denied. *Paul W. Knox* for petitioner. Reported below: 396 Pa. 401, 153 A. 2d 897.

No. 369, Misc. *NEAL v. CALIFORNIA*. District Court of Appeal of California, Second Appellate District. Certiorari denied.

No. 374, Misc. *KEESLER v. MARONEY, WARDEN*. Supreme Court of Pennsylvania. Certiorari denied.

No. 386, Misc. *McCANTS v. NEW YORK*. Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

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No. 380, Misc. LEE *v.* HAND, WARDEN, ET AL. Supreme Court of Kansas. Certiorari denied.

No. 390, Misc. CARPENTER *v.* KLINGER ET AL. Supreme Court of California. Certiorari denied.

No. 412, Misc. COOPER *v.* LAVALLEE, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 421, Misc. WILSON *v.* FLORIDA. C. A. 5th Cir. Certiorari denied.

No. 427, Misc. BLAIR, ALIAS BROWN, *v.* OKLAHOMA. Criminal Court of Appeals of Oklahoma. Certiorari denied. Reported below: 344 P. 2d 282.

No. 442, Misc. BAILEY *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 Kirby W. Patterson* for the United States.

No. 443, Misc. UNITED STATES EX REL. CALDWELL *v.* MARTIN, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 444, Misc. CARAKER *v.* COCHRAN, DIRECTOR, DIVISION OF CORRECTIONS. Supreme Court of Florida. Certiorari denied.

No. 452, Misc. GROVE *v.* SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 454, Misc. WEST *v.* VIRGINIA ET AL. Supreme Court of Appeals of Virginia. Certiorari denied.

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No. 456, Misc. KENYON *v.* NEW YORK. Appellate Division of the Supreme Court of New York, Third Judicial Department. Certiorari denied.

No. 467, Misc. CRAWFORD *v.* BUCHKOE, WARDEN. Supreme Court of Michigan. Certiorari denied.

No. 478, Misc. ADAM *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 and Beatrice Rosenberg* for the United States.

No. 482, Misc. WILSON *v.* COCHRAN, DIRECTOR, DIVISION OF CORRECTIONS. Supreme Court of Florida. Certiorari denied.

No. 493, Misc. STAPLES *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 349, Misc. CARTER *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. MR. JUSTICE WHITTAKER took no part in the consideration or decision of this application. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 267 F. 2d 492.

Rehearing Denied.

No. 266. CENTRAL STATES DRIVERS COUNCIL ET AL. *v.* NATIONAL LABOR RELATIONS BOARD, *ante*, p. 833. Motion for leave to file petition for rehearing denied.

No. 426. MORRISON *v.* CALIFORNIA, *ante*, p. 900. Motion for leave to proceed further herein *in forma pauperis* granted. Petition for rehearing denied.

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No. 110. FIRESTONE TIRE & RUBBER Co. v. BOARD OF SUPERVISORS OF LOS ANGELES COUNTY ET AL., *ante*, p. 9;

No. 237. GIOVANNETTI, ADMINISTRATRIX, v. GEORGETOWN UNIVERSITY HOSPITAL ET AL., *ante*, p. 831;

No. 365. GUTHRIE v. SINCLAIR REFINING Co., *ante*, p. 883;

No. 434. LEGGETT v. UNITED STATES, *ante*, p. 901;

No. 453. WALKER v. BANK OF AMERICA NATIONAL TRUST & SAVINGS ASSOCIATION ET AL., *ante*, p. 903; and

No. 507. MACK ET AL. v. UNITED STATES, *ante*, p. 916.
Petitions for rehearing denied.

No. 803, October Term, 1958. IN RE SARNER, 359 U. S. 533. Motion for leave to file second petition for rehearing and for other relief denied.

No. 50, Misc. CURTIS v. UNITED STATES, *ante*, p. 843; and

No. 137, Misc. FOX v. UNITED STATES, *ante*, p. 887.
Petitions for rehearing denied.

No. 448, Misc. CHESSMAN v. CALIFORNIA, *ante*, p. 925.
Petition for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application.

JANUARY 15, 1960.

Dismissal Under Rule 60.

No. 441. HENDRICKS, ADMINISTRATRIX, v. SOUTHERN PACIFIC Co. Certiorari, 361 U. S. 899, to the Supreme Court of Arizona. Writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *Alfred C. Marquez* for petitioner. *Harold C. Warnock* for respondent. Reported below: 85 Ariz. 373, 339 P. 2d 731.

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JANUARY 18, 1960.

Miscellaneous Orders.

No. 30. OHIO EX REL. EATON *v.* PRICE, CHIEF OF POLICE. Appeal from the Supreme Court of Ohio. The motion of J. Harvey Crow for leave to present oral argument is denied. MR. JUSTICE STEWART took no part in the consideration or decision of this motion. Reported below: 168 Ohio St. 123, 151 N. E. 2d 523.

No. 165. BROTHERHOOD OF LOCOMOTIVE ENGINEERS ET AL. *v.* MISSOURI-KANSAS-TEXAS RAILROAD CO. ET AL. Certiorari, 361 U. S. 810, to the United States Court of Appeals for the Fifth Circuit. The motion to strike Items 1 and 2 of the cross-designation and amended cross-designation of parts of the record to be printed is granted. The motion to strike other portions of the cross-designation and amended cross-designation is denied without prejudice to such further order of the Court as to the taxation of costs as it may deem proper if it appears that the respondents have caused unnecessary parts of the record to be printed. Rule 36, Par. 7. *J. Hart Willis, Wayland K. Sullivan, Harold C. Heiss, Clarence E. Weisell* and *V. C. Shuttleworth* for petitioners-movants. Reported below: 266 F. 2d 335.

No. 594, Misc. NIBLETT *v.* STEINER, WARDEN; and

No. 595, Misc. BANKS *v.* STEINER, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied.

No. 573, Misc. GOLDBERG *v.* MCNEILL, SUPERINTENDENT OF MATTEAWAN STATE HOSPITAL. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied.

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Certiorari Denied. (See also No. 573, Misc., supra.)

No. 542. MARSHALL ET AL. *v.* BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINEMEN ET AL. C. A. 5th Cir. *Certiorari denied.* *Joseph L. Rauh, Jr.* and *John Silard* for petitioners. *Benning M. Grice, Russell B. Day* and *Harold C. Heiss* for the Brotherhood of Locomotive Firemen and Enginemen, respondent. Reported below: 268 F. 2d 445.

No. 559. NATIONAL LABOR RELATIONS BOARD *v.* PITTSBURGH PLATE GLASS CO. ET AL. C. A. 4th Cir. *Certiorari denied.* *Solicitor General Rankin, Stuart Rothman, Thomas J. McDermott, Dominick L. Manoli* and *Norton J. Come* for petitioner. *Milton C. Denbo, Leland Hazard* and *Joseph T. Owens* for Pittsburgh Plate Glass Co., and *Samuel L. Rothbard* and *Abraham L. Friedman* for United Glass & Ceramic Workers of North America, respondents. Reported below: 270 F. 2d 167.

No. 578. MANNINA *v.* INDUSTRIAL ACCIDENT COMMISSION OF CALIFORNIA ET AL. Supreme Court of California. *Certiorari denied.* *Arthur L. Johnson* for petitioner. *Everett A. Corten* for the Industrial Accident Commission of California, respondent.

No. 496, Misc. JOHNSON *v.* COLORADO. Supreme Court of Colorado. *Certiorari denied.* Reported below: 140 Colo. 256, 344 P. 2d 181.

No. 635, Misc. MERKOURIS *v.* CALIFORNIA. Supreme Court of California. *Certiorari denied.* *George T. Davis* 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: 52 Cal. 2d 672, 344 P. 2d 1.

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No. 570. DAQUINO ET AL. *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied. *Sam Weiss* for petitioners. Reported below: 30 N. J. 603, 154 A. 2d 675.

No. 284, Misc. GOULD *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied.

No. 309, Misc. SHERWOOD *v.* JACKSON COUNTY CIRCUIT COURT. Supreme Court of Oregon. Certiorari denied.

No. 325, Misc. SPAMPINATO ET UX. *v.* M. BREGER & CO. INC. ET AL. C. A. 2d Cir. Certiorari denied. Petitioners *pro se.* *James V. Masone* for M. Breger & Co. Inc. et al., and *Charles H. Tenney* for the City of New York et al., respondents. Reported below: 270 F. 2d 46.

No. 359, Misc. GLANCY *v.* KLINGER, SUPERINTENDENT, CALIFORNIA MEN'S COLONY, ET AL. Supreme Court of California. Certiorari denied.

No. 477, Misc. MURRAY *v.* VIRGINIA. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 499, Misc. WRIGHT *v.* RHAY, SUPERINTENDENT OF WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied.

No. 500, Misc. KELLY *v.* RHAY, SUPERINTENDENT OF WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied.

No. 506, Misc. WRIGHT *v.* RHAY, SUPERINTENDENT OF WASHINGTON STATE PENITENTIARY. Supreme Court of Washington. Certiorari denied.

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No. 561, Misc. SWANSON *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 167, Misc. BAILEY *v.* HENSLEE, SUPERINTENDENT OF ARKANSAS STATE PENITENTIARY. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied without prejudice to a further application for writ of habeas corpus in the appropriate United States District Court, on the question whether members of petitioner's race were deliberately and intentionally limited and excluded in the selection of petit jury panels, in violation of the Federal Constitution. Petitioner *pro se.* Bruce Bennett, Attorney General of Arkansas, and Thorp Thomas, Assistant Attorney General, for respondent. Reported below: 264 F. 2d 744.

Rehearing Denied.

No. 12. MINNEAPOLIS & ST. LOUIS RAILWAY Co. *v.* UNITED STATES ET AL., *ante*, p. 173;

No. 27. SOUTH DAKOTA ET AL. *v.* UNITED STATES ET AL., *ante*, p. 173;

No. 28. MINNESOTA ET AL. *v.* UNITED STATES ET AL., *ante*, p. 173;

No. 461. ISELIN ET AL. *v.* MENG ET AL., *ante*, p. 913; and

No. 480. LOCAL 135, INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS OF AMERICA, AFL-CIO, *v.* NATIONAL LABOR RELATIONS BOARD, *ante*, p. 914. Petitions for rehearing denied.

No. 707, Misc., October Term, 1958. ELLIS *v.* UNITED STATES, 359 U. S. 998. Motion for leave to file petition for rehearing denied.

January 21, 25, 1960.

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JANUARY 21, 1960.

Certiorari Denied.

No. 673, Misc. MERKOURIS *v.* DICKSON, WARDEN, ET AL. Supreme Court of California. Certiorari denied. *George T. Davis* and *Michael D. Konomos* for petitioner.

JANUARY 25, 1960.

Miscellaneous Orders.

No. 25. 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;

No. 26. SULLIVAN, CHIEF JUDGE, U. S. DISTRICT COURT, *v.* BEHIMER ET AL. Certiorari, 361 U. S. 809, to the United States Court of Appeals for the Seventh Circuit; and

No. 229. CONTINENTAL GRAIN Co. *v.* BARGE FBL-585 ET AL. Certiorari, 361 U. S. 811, to the United States Court of Appeals for the Fifth Circuit. The motion to postpone argument is granted. *Daniel V. O'Keeffe* on the motion.

No. 71. DE VEAU *v.* BRAISTED, DISTRICT ATTORNEY. Appeal from the Court of Appeals of New York. (Probable jurisdiction noted, *ante*, p. 806.) Consideration of the motion of appellee to dismiss the appeal as moot is postponed to the hearing of the case on the merits. *Thomas R. Sullivan* for appellee. *Thomas W. Gleason* for appellant. Reported below: 5 N. Y. 2d 236, 157 N. E. 2d 165.

No. 430, Misc. KOENIG *v.* POWELL, U. S. DISTRICT JUDGE, ET AL. Motion for leave to file petition for writ of mandamus and other relief denied.

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January 25, 1960.

NO. 130. NIUKKANEN, ALIAS MACKIE, *v.* McALEXANDER, ACTING DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. Certiorari, 361 U. S. 808, to the United States Court of Appeals for the Ninth Circuit. The motion of National Lawyers Guild for leave to file brief, as *amicus curiae*, is denied. *Osmond K. Fraenkel* and *Leonard B. Boudin* for movant. Reported below: 265 F. 2d 825.

Probable Jurisdiction Noted.

NO. 541. SHELTON ET AL. *v.* MCKINLEY ET AL. Appeal from the United States District Court for the Eastern District of Arkansas. Probable jurisdiction noted. *J. R. Booker, Robert L. Carter, George Howard, Jr.* and *Frank D. Reeves* for appellants. Reported below: 174 F. Supp. 351.

Certiorari Granted. (See No. 307, Misc., ante, p. 375.)

Certiorari Denied. (See also No. 544; ante, p. 374.)

NO. 569. RUSKIN, TRUSTEE UNDER COLLATERAL AGREEMENT, *v.* GRIFFITHS, TRUSTEE IN REORGANIZATION OF GENERAL STORES CORP.; and

NO. 592. GRIFFITHS, TRUSTEE IN REORGANIZATION OF GENERAL STORES CORP., *v.* RUSKIN, TRUSTEE UNDER COLLATERAL AGREEMENT. Petitions for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. *Harry H. Ruskin* and *Joseph Rosenbaum* for Ruskin, Trustee. *Arthur F. Gaynor* for Griffiths, Trustee. *Solicitor General Rankin, Thomas G. Meeker* and *David Ferber* filed a brief in No. 569 for the Securities and Exchange Commission in opposition. Reported below: 269 F. 2d 827.

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No. 575. FIRST NATIONAL CITY BANK OF NEW YORK *v.* INTERNAL REVENUE SERVICE. C. A. 2d Cir. Certiorari denied. *John A. Wilson, MacIlburne Van Voorhies* and *Michael J. DeSantis* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice* and *Meyer Rothwacks* for respondent. *Donald MacKinnon* filed a brief for the Chase Manhattan Bank, as *amicus curiae*, in support of the petition. Reported below: 271 F. 2d 616.

No. 576. TANNER *v.* ERVIN, EXECUTOR. Supreme Court of North Carolina. Certiorari denied. *Henry H. Edens* for petitioner. Reported below: 250 N. C. 602, 109 S. E. 2d 460.

No. 584. SHORT *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *George B. Grigsby* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 271 F. 2d 73.

No. 598. PACIFIC MUTUAL LIFE INSURANCE Co. *v.* DIXON. C. A. 2d Cir. Certiorari denied. *Henry I. Fillman* and *Otto C. Sommerich* for petitioner. *Samuel W. Sherman* for respondent. Reported below: 268 F. 2d 812.

No. 618. INTERNATIONAL BASIC ECONOMY CORP. *v.* BLANCO-LUGO. C. A. 1st Cir. Certiorari denied. *John T. Noonan* for petitioner. *Felix Ochoteco, Jr.* for respondent. Reported below: 271 F. 2d 437.

No. 224, Misc. HATCHER *v.* CULVER, STATE PRISON CUSTODIAN. Supreme Court of Florida. Certiorari denied. Petitioner *pro se*. *Richard W. Ervin*, Attorney General of Florida, and *Leonard R. Mellon*, Assistant Attorney General, for respondent.

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January 25, 1960.

No. 580. *DONNELLY v. DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Horace J. Donnelly, Jr.* and *Warren W. Grimes* for petitioner. *Solicitor General Rankin, Assistant Attorney General Morton, Roger P. Marquis* and *S. Billingsley Hill* for respondents. Reported below: 106 U. S. App. D. C. 99, 269 F. 2d 546.

No. 595. *GREAT NORTHERN RAILWAY Co. v. BRACY.* Supreme Court of Montana. Certiorari denied. *T. B. Weir* and *Edwin S. Booth* for petitioner. *George R. Maury* for respondent. Reported below: — Mont. —, 343 P. 2d 848.

No. 244, Misc. *WEST v. CLEMMER ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin, Acting Assistant Attorney General Ryan* and *Harold H. Greene* for respondents.

No. 340, Misc. *SPENCER v. CALIFORNIA.* District Court of Appeal of California, Fourth Appellate District. Certiorari denied. Reported below: 170 Cal. App. 2d 145, 338 P. 2d 484.

No. 277, Misc. *MENNELLI v. OKLAHOMA.* Court of Criminal Appeals of Oklahoma. Certiorari denied. Petitioner *pro se.* *Mac Q. Williamson*, Attorney General of Oklahoma, and *Sam H. Lattimore*, Assistant Attorney General, for respondent. Reported below : 341 P. 2d 921.

No. 419, Misc. *VAN HORN v. HOME OF THE AGED AND ORPHANS OF THE BALTIMORE CONFERENCE, METHODIST CHURCH, SOUTH, INC., ET AL.* Supreme Court of Appeals of Virginia. Certiorari denied.

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No. 591. LAVALLEE, WARDEN, ET AL. *v.* CORBO. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. *Irving Anolik* and *Walter E. Dillon* for petitioners. *M. Bernard Aidinoff* for respondent. Reported below: 270 F. 2d 513.

No. 308, Misc. CANNON *v.* GLADDEN, WARDEN. Supreme Court of Oregon. Certiorari denied. Petitioner *pro se.* *Robert Y. Thornton*, Attorney General of Oregon, and *Robert G. Danielson*, Assistant Attorney General, for respondent.

Rehearing Denied.

No. 9. SMITH *v.* CALIFORNIA, *ante*, p. 147; and

No. 383. CUNNINGHAM *v.* ENGLISH ET AL., *ante*, pp. 897, 905. Petitions for rehearing denied.

JANUARY 26, 1960.

No. —. UNITED STATES *v.* THOMAS, REGISTRAR OF VOTERS OF WASHINGTON PARISH, LOUISIANA, ET AL. On application to vacate order of the Court of Appeals granting stay of injunction pending appeal and to reinstate injunction issued by the District Court. *Per Curiam*: The application of the United States for an order vacating the stay order of the Court of Appeals entered January 21, 1960, and reinstating the decree of the District Court, together with the request of the Attorney General of Louisiana for argument thereon, has been considered by the Court.

1. It appears, as respondents pointed out in their application to the Court of Appeals for the stay herein, that the issues in No. 64, *United States v. Raines*, now pending on appeal in this Court, are pertinent to the disposition of this case. In view of this, and of the fact

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that the issues raised by this application are closely related to those involved on the merits of the controversy now before the Court of Appeals, the Court believes that the entire matter should be considered at one time. In light of the foregoing, and of the imminence of the State general election scheduled for April 19, 1960, the Court will entertain a petition for certiorari to review the judgment of the District Court, 28 U. S. C. §§ 1254 (1), 2101 (e), if filed by the Solicitor General on or before January 29, 1960. The petition may be filed in typewritten form. See the action of the Court as to *Bolling v. Sharpe*, 344 U. S., at 3.

2. In the event that such a petition is so filed, the Court will hear argument upon the present application, the petition, and the merits, on February 23, 1960, the case to be set at the head of the calendar for that day. See No. 549, *Hannah v. Larche*, and No. 550, *Hannah v. Slawson*, 361 U. S. 910, December 7, 1959.

3. The record, which may be filed in typewritten form, and the Government's brief on all matters will be filed on or before February 10, 1960, and the answering briefs of the respondents will be filed on or before February 20, 1960. The Government may file a reply brief on or before February 22, 1960.

Solicitor General Rankin for the United States. *Jack P. F. Gremillion*, Attorney General of Louisiana, for respondents. Reported below: 180 F. Supp. 10.

FEBRUARY 5, 1960.

Miscellaneous Orders.

No. 537. COMMUNIST PARTY OF THE UNITED STATES *v.* SUBVERSIVE ACTIVITIES CONTROL BOARD. Motion for leave to use as part of the record the printed record heretofore filed with this Court in No. 48, October Term, 1955,

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granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted. *John J. Abt* and *Joseph Forer* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Yeagley*, *Kevin T. Maroney*, *George B. Searls* and *Frank R. Hunter, Jr.* for respondent. Reported below: 107 U. S. App. D. C. —, 277 F. 2d 78.

No. 8. *SCALES v. UNITED STATES*. Certiorari, 358 U. S. 917, to the United States Court of Appeals for the Fourth Circuit, reported below, 260 F. 2d 21; and

No. 464. *NOTO v. UNITED STATES*. Certiorari, 361 U. S. 813, to the United States Court of Appeals for the Second Circuit, reported below, 262 F. 2d 501.

Telford Taylor and *McNeill Smith* for petitioner in No. 8. *John J. Abt* for petitioner in No. 464.

Solicitor General Rankin, *Assistant Attorney General Yeagley* and *Kevin T. Maroney* for the United States. *John F. Davis* also for the United States in No. 8.

These two cases were set for argument on February 23 next. In the meantime there intervened the filing of the petition in No. 537, which we have just granted. Nos. 8 and 464 arose under the Smith Act (Act of June 25, 1948, c. 645, § 2385, 62 Stat. 808) and No. 537 under Title I of the Internal Security Act of 1950 (Act of September 23, 1950, c. 1024, 64 Stat. 987). However, some of the constitutional and statutory issues raised by these two enactments are clearly interrelated and their determination in the two former cases may affect their determination in the latter case and *vice versa*. Accordingly, the Court deems it important that these three cases be heard and considered together. Since the Court's calendar for the remainder of the Term precludes this, Nos. 8 and 464 are reset for argument on Monday, October 10, 1960, to be followed immediately by the argument in No. 537.

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CLARK, J., dissenting.

MR. JUSTICE CLARK, dissenting.

This order, coming as it does in mid-Term with five months of sessions yet remaining, is without precedent. It delays for another year decisions on two important Acts of the Congress—the Smith Act and the Internal Security Act of 1950.

Scales' case has already been on our active docket for five successive Terms and has twice been fully argued. Petition for certiorari was first granted during the October Term 1955, 350 U. S. 992, and the first oral argument was on October 10, 1956 (October Term 1956). The case was held under advisement until June 3, 1957, when it was put over to the October Term 1957 for reargument. At that time, on motion of the Solicitor General, it was remanded on a subsidiary issue in the light of our opinion in *Jencks v. United States*, 353 U. S. 657, decided in the interim. 355 U. S. 1. On retrial, Scales was convicted again and the Court of Appeals affirmed, 260 F. 2d 21. We granted certiorari again on December 15, 1958, in our October Term 1958. 358 U. S. 917. It was argued the second time in 1959, and in June, over my objection, 360 U. S. 925, was reset for the October Term 1959. It was then set for November 19, but was put over to February 23, 1960, when certiorari was granted in *Noto*, 361 U. S. 813. The argument in the October Term 1960 will be the third argument. I have found no appellate case in the history of the Court that has been carried on the active docket so many consecutive Terms or argued so often. Ten hours' argument time here will have been given to it alone. *Noto* admittedly involves the same issue as *Scales*. It has already been here two successive Terms and this order will make the third, placing it next to the unprecedented position occupied by *Scales*.

Likewise the *Communist Party* case, No. 537, has been argued here on the merits once before.¹ This case seeks

¹ *Communist Party v. Control Board*, 351 U. S. 115 (1956).

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registration of the Communist Party under the Internal Security Act which was passed by the Congress in 1950. Four years ago this Court had full argument on it and remanded it to the Board for reconsideration of its factual determinations. I dissented from this action. 351 U. S., at 125.

Nor do the briefs in these cases raise any overlapping *constitutional* issues. As I read them, the only interrelation would be the effect on the Smith Act of § 4 (f) of the Internal Security Act.² Although Noto and the Communist Party have the same counsel, he has not pointed out any such overlapping or interrelation whatever, nor indicated in any way that the arguments should be set together. No such request has been made. In fact, by motion he has asked that the printed record used here on the previous argument in the *Communist Party* case be used again, as supplemented by the certified record made on remand. We have granted the petition for certiorari as well as this motion. This paves the way for argument in the case this Term. Available time could be had in late March to hear all three cases by merely switching other cases to the six-hour argument period of *Scales* and *Noto* now set for February 23. I think that this would be entirely appropriate. It would give the Communist Party some 60 days in which to prepare its briefs. This is ample time, since the issues in its case are the same as when the case was here before, the record for the most part is identical, and the lawyers who argued it then are handling the case again. Although in regular course the *Communist Party* case would not be reached until next Term, there is ample precedent for advancing the same and setting it in March. Likewise, if the argu-

² Sec. 4 (f). "Neither the holding of office nor membership in any Communist organization by any person shall constitute per se a violation of subsection (a) or subsection (c) of this section or of any other criminal statute. . . ."

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ment in the *Scales*, *Noto*, and *Communist Party* cases were set in March it would leave three months before our adjournment in which to prepare the opinions. This appears to me more than ample, since the cases have been argued and considered here before.

But whether the *Communist Party* case is advanced or not, I think we should hear *Scales* and *Noto* this Term. *Noto* has the same counsel in his case as does the Communist Party in its, and in the argument of *Noto* counsel will certainly cover in detail his position on § 4 (f). Six hours are assigned to these cases this month. If the Party's position conflicts with *Scales* and *Noto*, he could present both positions, just as he would do next October in any event. In fact, as I have said, the interpretation of § 4 (f) is a subsidiary point in the *Communist Party* case, being covered in its brief by only three paragraphs, while it may be decisive in the *Scales* and *Noto* cases. Any overlap would not reach the constitutionality of either the Smith Act or the Internal Security Act.

For these reasons I dissent.

FEBRUARY 17, 1960.

Miscellaneous Order.

No. —. CHESSMAN *v.* DICKSON, WARDEN. The motion for leave to file a petition for writ of habeas corpus is denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application. *Rosalie S. Asher* for petitioner.

FEBRUARY 23, 1960.

Miscellaneous Orders.

No. 639, Misc. CONNOLLY *v.* SETTLE, WARDEN; and
No. 664, Misc. HIAN *v.* SETTLE, WARDEN. Motions for leave to file petitions for writs of habeas corpus and for other relief denied.

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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. Upon
the suggestion of the defendants, the Metropolitan Sanitary District of Greater Chicago is substituted as a party defendant in these cases in the place of the Sanitary District of Chicago. *Grenville Beardsley*, Attorney General of Illinois, *William C. Wines*, Assistant Attorney General, *Lawrence J. Fenlon*, *Peter G. Kuh*, *George A. Lane*, *Joseph B. Fleming*, *Joseph H. Pleck* and *Thomas M. Thomas* for defendants.

No. 2, Original. WISCONSIN ET AL. *v.* ILLINOIS ET AL.;
No. 3, Original. MICHIGAN *v.* ILLINOIS ET AL.;
No. 4, Original. NEW YORK *v.* ILLINOIS ET AL.; and
No. 12, Original. ILLINOIS *v.* MICHIGAN ET AL. The motion of the United States for leave to intervene is granted and the parties are allowed 45 days within which to file responses to such petition of intervention. *Solicitor General Rankin*, *Assistant Attorney General Morton*, *David R. Warner* and *Walter Kiechel, Jr.* for the United States. Consent of the State of Illinois and the Metropolitan Sanitary District of Greater Chicago to intervention by the United States was filed by *Grenville Beardsley*, Attorney General of Illinois, *William C. Wines*, Assistant Attorney General, *Lawrence J. Fenlon*, *Peter G. Kuh*, *George A. Lane*, *Joseph B. Fleming*, *Joseph H. Pleck* and *Thomas M. Thomas*. Consent of the States of Wisconsin, Minnesota, Ohio, Pennsylvania, Michigan and New York to intervention by the United States was filed by *John W. Reynolds*, Attorney General of Wisconsin, and *Roy Tulane*, Assistant Attorney General; *Miles Lord*, Attorney General of Minnesota, and *Raymond A. Haik*, Special Assistant Attorney General; *Mark*

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McElroy, Attorney General of Ohio, and *Jay Flowers*, Assistant Attorney General; *Anne X. Alpern*, Attorney General of Pennsylvania, and *Lois G. Forer*, Deputy Attorney General; *Paul L. Adams*, Attorney General of Michigan, *Samuel J. Torina*, Solicitor General, and *Nicholas V. Olds*, Assistant Attorney General; *Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, *Richard H. Shepp*, Assistant Attorney General, and *Randall J. LeBoeuf, Jr.*, Special Assistant Attorney General; and *Herbert H. Naujoks*, Special Assistant to the Attorneys General.

No. 345, Misc. HARRIS *v.* NEW YORK ET AL.;

No. 526, Misc. CARPENTER *v.* COCHRAN, DIRECTOR, DIVISION OF CORRECTIONS;

No. 533, Misc. TAYLOR *v.* TAYLOR, WARDEN;

No. 548, Misc. IN RE HEATH ET AL.; and

No. 631, Misc. GRAY *v.* REID, SUPERINTENDENT, DISTRICT OF COLUMBIA JAIL. Motions for leave to file petitions for writs of habeas corpus denied.

No. 644, Misc. THRASH *v.* SACKS, WARDEN; and

No. 649, Misc. COLLINS *v.* DICKSON, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied. Treating the papers submitted as petitions for writs of certiorari, certiorari is denied.

No. 402, Misc. BARMORE *v.* MILES ET AL. Motion for leave to file petition for writ of mandamus and other relief denied.

No. 514, Misc. TAYLOR *v.* GRUBB, U. S. DISTRICT JUDGE. Motion for leave to file petition for writ of prohibition denied.

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Probable Jurisdiction Noted.

No. 565. UNITED STATES *v.* JOHN HANCOCK MUTUAL LIFE INSURANCE CO. ET AL. Appeal from the Supreme Court of Kansas. Probable jurisdiction noted. *Solicitor General Rankin, Assistant Attorney General Doub and Morton Hollander* for the United States. *Harry L. Hobson* for appellees. Reported below: 185 Kan. 274, 341 P. 2d 1002.

Certiorari Granted. (See also No. 111, Misc., ante, p. 537.)

No. 409. BOYNTON *v.* VIRGINIA. Supreme Court of Appeals of Virginia. *Certiorari* granted. *Martin A. Martin, Clarence W. Newsome, Thurgood Marshall, Constance Baker Motley and Jack Greenberg* for petitioner. *A. S. Harrison, Jr., Attorney General of Virginia, and R. D. McIlwaine III, Assistant Attorney General,* for respondent.

No. 631. POLITES *v.* UNITED STATES. C. A. 6th Cir. *Certiorari* granted. *Geo. W. Crockett, Jr.* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Jerome M. Feit* for the United States. Reported below: 272 F. 2d 709.

No. 603. KNETSCH ET AL. *v.* UNITED STATES. C. A. 9th Cir. *Certiorari* granted. *W. Lee McLane, Jr. and Nola M. McLane* for petitioners. *Solicitor General Rankin* for the United States. Reported below: 272 F. 2d 200.

No. 605. UNITED STATES *v.* HOUGHAM ET AL. C. A. 9th Cir. *Certiorari* granted. *Solicitor General Rankin, Assistant Attorney General Doub and Morton Hollander* for the United States. *W. E. James* for respondents. Reported below: 270 F. 2d 290.

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No. 552, Misc. *ROGERS v. RICHMOND, WARDEN*. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted. Case transferred to the appellate docket. *Louis H. Pollak* for petitioner. *Abraham S. Ullman* and *Arthur T. Gorman* for respondent. Reported below: 271 F. 2d 364.

No. 255, Misc. *McGRATH ET AL. v. RHAY, SUPERINTENDENT OF WASHINGTON STATE PENITENTIARY*. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Washington granted. Case transferred to the appellate docket. Petitioners *pro se*. *John J. O'Connell*, Attorney General of Washington, and *Stephen C. Way*, Assistant Attorney General, for respondent. Reported below: 54 Wash. 2d 508, 342 P. 2d 607.

No. 650, Misc. *IRVIN v. DOWD, WARDEN*. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted. Case transferred to the appellate docket. *James D. Lopp*, *Theodore Lockyear, Jr.* and *James D. Nafe* for petitioner. *Edwin K. Steers*, Attorney General of Indiana, and *Richard M. Givan*, Assistant Attorney General, for respondent. Reported below: 271 F. 2d 552.

Certiorari Denied. (See also No. 581, *ante*, p. 536; No. 594, *ante*, p. 537; No. 389, *Misc.*, *ante*, p. 538; and *Misc. Nos. 644 and 649, supra.*)

No. 523. *AB ELECTROLUX v. NATIONAL GAS APPLIANCE CORP.* C. A. 7th Cir. *Certiorari denied.* *Kenneth F. Burgess* and *Walter J. Cummings, Jr.* for petitioner. *John J. Kelly, Jr.*, *George G. Kelly* and *Francis B. Stine* for respondent. Reported below: 270 F. 2d 472.

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No. 457. *CASTIEL v. SUPERIOR COURT OF CALIFORNIA, IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO*. Supreme Court of California. Certiorari denied. *Harry P. Glassman* for petitioner. *Stanley Mosk*, Attorney General of California, and *Arlo E. Smith*, Deputy Attorney General, for respondent.

No. 534. *NATIONAL THEATRES CORP. v. BERTHA BUILDING CORP.* C. A. 2d Cir. Certiorari denied. *Frederick W. R. Pride* and *John F. Caskey* for petitioner. *Boris Kostelanetz* and *Eugene Gressman* for respondent. Reported below: 269 F. 2d 785.

No. 572. *GREGORY v. CAMPBELL, CHIEF JUDGE, U. S. DISTRICT COURT.* C. A. 7th Cir. Certiorari denied. *Anna R. Lavin*, *Edward J. Calihan, Jr.* and *Maurice J. Walsh* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Samuel D. Slade* for respondent. Reported below: — F. 2d —.

No. 583. *TOMLINSON FLEET CORP. v. HERBST.* C. A. 6th Cir. Certiorari denied. *Lawrence C. Spieth* for petitioner. *J. Harold Traverse* for respondent. Reported below: 268 F. 2d 642.

No. 588. *VALLESKEY ET AL. v. NELSON, DISTRICT DIRECTOR OF INTERNAL REVENUE.* C. A. 7th Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Rankin*, *Acting Assistant Attorney General Heffron*, *Robert N. Anderson* and *Carolyn R. Just* for respondent. Reported below: 271 F. 2d 6.

No. 596. *STEWART, EXECUTOR, v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *George H. Koster* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *A. F. Prescott* and *Helen A. Buckley* for the United States. Reported below: 270 F. 2d 894.

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No. 597. *MONTALVO ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Henry G. Singer* for petitioners. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg* and *Robert G. May-sack* for the United States. Reported below: 271 F. 2d 922.

No. 599. *WILLIAMS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Lucas T. Clarkston* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 271 F. 2d 434.

No. 600. *HODGE ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Clyde W. Atkinson* for petitioners. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 271 F. 2d 52.

No. 601. *HORTON & HORTON, INC., v. THE ROBERT E. HOPKINS ET AL.* C. A. 5th Cir. Certiorari denied. *Robert Eikel* for petitioner. *Warner Pyne* and *Sweeney J. Doehring* for respondents. *Solicitor General Rankin* for the United States. Reported below: 269 F. 2d 914.

No. 602. *HARMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Robert G. Doumar* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 272 F. 2d 478.

No. 606. *RICHFIELD OIL CORP. v. KARSEAL CORPORATION*. C. A. 9th Cir. Certiorari denied. *William W. Alsup, Warren M. Christopher* and *William J. De Martini* for petitioner. *Thomas G. Baggot* for respondent. Reported below: 271 F. 2d 709.

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No. 604. MURRELL ET AL. *v.* UNITED STATES ET AL. C. A. 5th Cir. Certiorari denied. *Sam E. Murrell, Sam E. Murrell, Jr. and Robert G. Murrell* for petitioners. *Solicitor General Rankin* for the United States, *William D. Jones, Jr.* for Youngblood, and *Stephen R. Magyar* for Magyar et al., respondents. Reported below: 269 F. 2d 458.

No. 607. CURTIS, TRUSTEE IN BANKRUPTCY, *v.* BAKER ET AL., DOING BUSINESS AS BAKER, MCKENZIE & HIGHTOWER. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se.* *Joseph H. Hinshaw* and *Oswell G. Treadway* for respondents. Reported below: See 21 Ill. App. 2d 196, 157 N. E. 2d 773.

No. 608. MONTFORD ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Zach H. Douglas* for petitioners. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 272 F. 2d 395.

No. 610. DELEGAL *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Ralph L. Crawford* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 271 F. 2d 279.

No. 611. MATTHIES *v.* SEYMOUR MANUFACTURING Co. ET AL. C. A. 2d Cir. Certiorari denied. *Dean Acheson* and *Stanley L. Temko* for petitioner. *James Wm. Moore, William H. Timbers, David Goldstein, Barry H. Garfinkel, John F. Spindler* and *John K. Holbrook* for respondents. Reported below: 270 F. 2d 365, 271 F. 2d 740.

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No. 609. ILLINOIS EX REL. HACKLER *v.* LOHMAN, SHERIFF. Supreme Court of Illinois. Certiorari denied. *Henry H. Koven* for petitioner. Reported below: 17 Ill. 2d 78, 160 N. E. 2d 792.

No. 612. CLIFF *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Zach H. Douglas* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice and Meyer Rothwacks* for the United States. Reported below: 271 F. 2d 126.

No. 613. THE DEUTSCH COMPANY *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 9th Cir. Certiorari denied. *Leon M. Cooper* for petitioner. *Solicitor General Rankin, Stuart Rothman, Thomas J. McDermott and Dominick L. Manoli* for respondent. Reported below: 265 F. 2d 473.

No. 614. STRICKER *v.* MORGAN ET AL. C. A. 5th Cir. Certiorari denied. *Gerard H. Brandon and Edwin Leland Richardson* for petitioner. *W. H. Talbot* for respondents. Reported below: 268 F. 2d 882.

No. 615. BRADFORD *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: 272 F. 2d 396.

No. 624. VAUGHN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Ralph L. Crawford* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Julia P. Cooper* for the United States. Reported below: 270 F. 2d 953.

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No. 616. BRIDGES *v.* FORBES, DISTRICT JUDGE, ET AL. C. A. 9th Cir. Certiorari denied. *Fred Crane* for petitioner. *John R. Connolly* for Alaska Housing Authority, intervenor. Reported below: 269 F. 2d 703.

No. 619. MASON & DIXON LINES, INC., *v.* GENERAL ELECTRIC Co. C. A. 4th Cir. Certiorari denied. *William B. Poff* for petitioner. *J. H. Doughty* for respondent. Reported below: 270 F. 2d 780, 272 F. 2d 624.

No. 623. TINNERMAN PRODUCTS, INC., *v.* PRESTOLE CORPORATION. C. A. 6th Cir. Certiorari denied. *Albert R. Teare* and *Jerome F. Kramer* for petitioner. *John A. Blair* for respondent. Reported below: 271 F. 2d 146.

No. 626. FIANO *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *L. Donald Jaffin* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 271 F. 2d 883.

No. 633. WRIGHT *v.* OHIO. Supreme Court of Ohio. Certiorari denied. *Melvin Edward Schaengold* for petitioner.

No. 634. BRASIER *v.* CITY OF TULSA, OKLAHOMA. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. *Charles E. Norman*, *Finis Smith* and *Darven L. Brown* for respondent. Reported below: 268 F. 2d 558.

No. 635. SLUSARZ *v.* CYGAN. Supreme Judicial Court of Massachusetts. Certiorari denied.

No. 636. BRAWNER *v.* BRAWNER. Supreme Court of Missouri. Certiorari denied. *Joseph Langworthy* for petitioner. *John S. Marsalek* for respondent. Reported below: 327 S. W. 2d 808.

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No. 625. AERONAUTICAL RADIO, INC., ET AL. *v.* UNITED STATES ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Donald C. Beelar, Herbert J. Miller, Jr., Joseph DuCoeur and John E. Stephen* for petitioners. *Solicitor General Rankin, Acting Assistant Attorney General Bicks, Richard A. Solomon, John L. Fitzgerald, Max D. Paglin and Ruth V. Reel* for the United States. Reported below: 106 U. S. App. D. C. 304, 272 F. 2d 533.

No. 627. MONDAY *v.* UNITED STATES. Court of Claims. Certiorari denied. *David M. Klinedinst* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub and Samuel D. Slade* for the United States. Reported below: — Ct. Cl. —.

No. 629. SOCIETE COTONNIERE DU TONKIN *v.* UNITED STATES. Court of Claims. Certiorari denied. *William T. Griffin, Herbert Burstein and Richard J. Cronan* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub and Alan S. Rosenthal* for the United States. Reported below: — Ct. Cl. —, 171 F. Supp. 951.

No. 630. IVES, FORMERLY ISENSTEIN, *v.* FRANKE, SECRETARY OF THE NAVY. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Charles H. Mayer* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub, Samuel D. Slade and David L. Rose* for respondent. Reported below: 106 U. S. App. D. C. 203, 271 F. 2d 469.

No. 646. MOON ET AL. *v.* CABOT SHOPS, INC., ET AL. C. A. 9th Cir. Certiorari denied. *Philip Subkow* for petitioners. *Herbert W. Kenway* for respondents. Reported below: 270 F. 2d 539.

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No. 638. *DEL CASTILLO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Jose del Castillo* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Morton Hollander* for the United States. Reported below: 272 F. 2d 326.

No. 639. *HAGY v. NORFOLK & WESTERN RAILWAY CO.* Supreme Court of Appeals of Virginia. Certiorari denied. *Israel Steingold* for petitioner. *Leonard G. Muse* for respondent. Reported below: 201 Va. 183, 110 S. E. 2d 177.

No. 643. *LOUISIANA & ARKANSAS RAILWAY CO. v. MULLINS*. Court of Civil Appeals of Texas, 6th Supreme Judicial District. Certiorari denied. *O. O. Touchstone, Jos. R. Brown* and *Grover Sellers* for petitioner. *Franklin Jones* for respondent. Reported below: 326 S. W. 2d 263.

No. 586. *STEIER v. NEW YORK STATE EDUCATION COMMISSIONER ET AL.* The motion for leave to proceed on a typewritten petition is granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Petitioner *pro se*. *Charles A. Brind* for the Commissioner of Education, and *Seymour B. Quel* for the New York City Board of Higher Education et al., respondents. Reported below: 271 F. 2d 13.

No. 587. *WILLIAMS v. SAHLI, DISTRICT DIRECTOR OF IMMIGRATION AND NATURALIZATION*. C. A. 6th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Geo. W. Crockett, Jr.* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for respondent. Reported below: 271 F. 2d 228.

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No. 590. CLAPPER *v.* ORIGINAL TRACTOR CAB CO., INC., ET AL.; and

No. 617. ORIGINAL TRACTOR CAB CO., INC., ET AL. *v.* CLAPPER. C. A. 7th Cir. Certiorari denied. MR. JUSTICE WHITTAKER took no part in the consideration or decision of these applications. *Thomas E. Scofield* for Clapper. *J. Preston Swecker* and *William L. Mathis* for Original Tractor Cab Co., Inc., et al. Reported below: 270 F. 2d 616.

No. 80, Misc. BUCK *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. Petitioner *pro se.* *Louis J. Lefkowitz*, Attorney General of New York, and *Paxton Blair*, Solicitor General, for respondent. Reported below: 6 App. Div. 2d 528, 179 N. Y. S. 2d 1007.

No. 191, Misc. BATTICE *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. *Ann Thacher Clarke* for petitioner. *Daniel V. Sullivan* and *Walter E. Dillon* for respondent. Reported below: 5 N. Y. 2d 946, 156 N. E. 2d 920, 6 N. Y. 2d 882, 160 N. E. 2d 129.

No. 238, Misc. MINNESOTA EX REL. REDENBAUGH, ALIAS HAMILTON, *v.* RIGG, WARDEN. Supreme Court of Minnesota. Certiorari denied. *Simon A. Weisman* for petitioner. *Miles Lord*, Attorney General of Minnesota, and *Charles E. Houston*, Solicitor General, for respondent. Reported below: 255 Minn. 281, 96 N. W. 2d 555.

No. 352, Misc. JACKSON *v.* CLEMMER ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 414, Misc. CAREY *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. Reported below: 171 Cal. App. 2d 531, 340 P. 2d 1048.

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No. 289, Misc. *IN RE WILLIAMS*. Court of Criminal Appeals of Oklahoma. Certiorari denied. Petitioner *pro se*. *Mac Q. Williamson*, Attorney General of Oklahoma, and *Sam H. Lattimore*, Assistant Attorney General, for respondent. Reported below: 341 P. 2d 652.

No. 347, Misc. *KING v. CARMICHAEL ET AL.* C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Andrew J. Transue* for respondents. Reported below: 268 F. 2d 305.

No. 373, Misc. *COOPER 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.

No. 383, Misc. *BELTOWSKI v. MINNESOTA*. Supreme Court of Minnesota. Certiorari denied.

No. 392, Misc. *KIRKSEY v. CLEMMER ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Acting Assistant Attorney General Ryan* and *Harold H. Greene* for respondents.

No. 401, Misc. *DANIEL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Morris Lavine* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Eugene L. Grimm* for the United States.

No. 435, Misc. *NELSON v. WARDEN, MARYLAND PENITENTIARY*. Court of Appeals of Maryland. Certiorari denied.

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No. 418, Misc. ADAME *v.* CALIFORNIA ET AL. Supreme Court of California. Certiorari denied.

No. 420, Misc. KELLEY *v.* CLEMMER. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Acting Assistant Attorney General Ryan and Harold H. Greene* for respondent.

No. 424, Misc. FREEZE *v.* SMYTH, SUPERINTENDENT, VIRGINIA STATE PENITENTIARY. Supreme Court of Appeals of Virginia. Certiorari denied. *William Alfred Hall, Jr.* for petitioner. *A. S. Harrison, Jr., Attorney General of Virginia, and Thomas M. Miller, Assistant Attorney General,* for respondent.

No. 431, Misc. McNUTT *v.* TEXAS ET AL. Court of Criminal Appeals of Texas. Certiorari denied.

No. 440, Misc. POLLOCK *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. *Nancy Carley* for petitioner.

No. 447, Misc. LINDEN *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Stanley Mosk, Attorney General of California, Arlo E. Smith and Albert W. Harris, Jr., Deputy Attorneys General,* for respondent.

No. 458, Misc. STEWART *v.* OHIO. Court of Appeals of Ohio, Cuyahoga County. Certiorari denied. Petitioner *pro se*. *Mark McElroy, Attorney General of Ohio, and Aubrey A. Wendt, Assistant Attorney General,* for respondent.

No. 511, Misc. PARSONS *v.* TEXAS ET AL. Court of Criminal Appeals of Texas. Certiorari denied.

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No. 462, Misc. JACKSON *v.* UNITED STATES CIVIL SERVICE COMMISSIONERS 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, Morton Hollander and David L. Rose* for respondents.

No. 463, Misc. PENNSYLVANIA EX REL. BURGE *v.* MARONEY, WARDEN. Supreme Court of Pennsylvania. Certiorari denied.

No. 470, Misc. JOHN *v.* GIBSON, CHIEF JUSTICE OF THE SUPREME COURT OF CALIFORNIA, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 270 F. 2d 36.

No. 498, Misc. DARDEN *v.* ELLIS, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS. Court of Criminal Appeals of Texas. Certiorari denied.

No. 501, Misc. JOHNSON *v.* MARTIN, WARDEN. Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

No. 509, Misc. RAGAN *v.* MADIGAN, WARDEN. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin, Acting Assistant Attorney General Ryan, Harold H. Greene and David Rubin* for respondent.

No. 516, Misc. WHITE *v.* ELLIS, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS, ET AL. Court of Criminal Appeals of Texas. Certiorari denied.

No. 544, Misc. RISH *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 272 F. 2d 60.

No. 564, Misc. KESSLER *v.* RAGEN, WARDEN. Circuit Court of Will County, Illinois. Certiorari denied.

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No. 473, Misc. *BORGES v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Albert J. Ahern, Jr.* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Jerome M. Feit* for the United States. Reported below: 106 U. S. App. D. C. 139, 270 F. 2d 332.

No. 475, Misc. *KOMINSKI v. DELAWARE*. Supreme Court of Delaware. Certiorari denied. Petitioner *pro se. Clement C. Wood*, Chief Deputy Attorney General of Delaware, for respondent. Reported below: 51 Del. 163, 154 A. 2d 691.

No. 479, Misc. *SMITH v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 524, Misc. *MISENHEIMER v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Hyman Nussbaum* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for the United States. Reported below: 106 U. S. App. D. C. 220, 271 F. 2d 486.

No. 530, Misc. *JUDY v. WARDEN, MARYLAND PENITENTIARY*. Court of Appeals of Maryland. Certiorari denied. Reported below: 220 Md. 670, 155 A. 2d 68.

No. 531, Misc. *INGRAM v. WARDEN, MARYLAND HOUSE OF CORRECTION*. Court of Appeals of Maryland. Certiorari denied.

No. 534, Misc. *STAVELY v. ELLIS, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS, ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

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No. 538, Misc. FLORES *v.* ELLIS, DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS, ET AL. Court of Criminal Appeals of Texas. Certiorari denied.

No. 560, Misc. GREEN *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Reported below: 17 Ill. 2d 35, 160 N. E. 2d 814.

No. 566, Misc. BAYS *v.* INDIANA. Supreme Court of Indiana. Certiorari denied. Reported below: — Ind. —, 159 N. E. 2d 393.

No. 570, Misc. THOMPSON ET AL. *v.* COLORADO. Supreme Court of Colorado. Certiorari denied. Petitioners *pro se.* Duke W. Dunbar, Attorney General of Colorado, Frank E. Hickey, Deputy Attorney General, and John W. Patterson, Assistant Attorney General, for respondent. Reported below: 139 Colo. 15, 336 P. 2d 93.

No. 585, Misc. PENNSYLVANIA EX REL. DANDY *v.* BANMILLER, WARDEN. Supreme Court of Pennsylvania. Certiorari denied. Reported below: 397 Pa. 312, 155 A. 2d 197.

No. 627, Misc. CUOMO *v.* LAVALLEE, 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, Paxton Blair, Solicitor General, and Joseph J. Rose, Assistant Attorney General, for respondent. Reported below: 9 App. Div. 2d 707, 191 N. Y. S. 2d 556.

No. 632, Misc. JORDAN *v.* MARYLAND. Court of Appeals of Maryland. Certiorari denied. Reported below: 221 Md. 134, 156 A. 2d 453.

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No. 567, Misc. PERRONI *v.* ILLINOIS. Circuit Court of Logan County, Illinois. Certiorari denied.

No. 437, Misc. SCHIEBELHUT ET AL. *v.* UNITED STATES. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit and other relief denied. Petitioners *pro se*. Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg for the United States.

No. 480, Misc. TOMKALSKI *v.* MARTIN, WARDEN. Court of Appeals of New York. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application.

Rehearing Denied.

No. 357. LARSEN *v.* IDAHO, *ante*, p. 882;

No. 547. SMITH ET AL. *v.* TENNESSEE, *ante*, p. 930;

No. 553. LAGLORIA OIL & GAS CO. ET AL. *v.* SCOFIELD, FORMERLY COLLECTOR OF INTERNAL REVENUE, *ante*, p. 933;

No. 562. DICKSON, WARDEN, *v.* CARMEN, *ante*, p. 934;

No. 577. SHAVIN *v.* UNITED STATES, *ante*, p. 934; and

No. 325, Misc. SPAMPINATO ET UX. *v.* M. BREGER & CO. INC. ET AL., *ante*, p. 944. Petitions for rehearing denied.

No. 440. AMERICAN SECURIT Co. *v.* SHATTERPROOF GLASS CORP., *ante*, p. 902. The motion of Smith, Bucklin and Associates, Inc., for leave to file brief, as *amicus curiae*, in support of petition for rehearing denied. Petition for rehearing denied.

No. 472. RAUCH ET AL. *v.* STOCKINGER ET AL., *ante*, p. 913. Motion for leave to file petition for rehearing denied.

