

ORDERS FROM JULY 7, 1960, THROUGH  
JANUARY 19, 1961.

---

PARTIES AND CASES DISMISSED IN VACATION.

No. 56. SAM FOX PUBLISHING Co., INC., ET AL. *v.* UNITED STATES ET AL. Appeal from the United States District Court for the Southern District of New York. July 7, 1960. The Movietone Music Corporation is dismissed as a party appellant pursuant to stipulation of counsel under Rule 60 of the Rules of this Court. *Charles A. Horsky* for appellants. *Solicitor General Rankin* for the United States, and *Howard T. Milman* for the American Society of Composers, Authors and Publishers, appellees.

No. 27. ROBERT LAWRENCE Co., INC., *v.* DEVONSHIRE FABRICS, INC. Certiorari, 362 U. S. 909, to the United States Court of Appeals for the Second Circuit. August 23, 1960. Writ of certiorari dismissed pursuant to stipulation of counsel under Rule 60 of the Rules of this Court. *Sigmund Timberg* for petitioner. *David L. Shivitz* for respondent. Reported below: 271 F. 2d 402.

No. 109, Misc. FULFORD *v.* COCHRAN, CORRECTIONS DIRECTOR. On petition for writ of certiorari to the Supreme Court of Florida. August 25, 1960. Petition dismissed pursuant to Rule 60 of the Rules of this Court.

No. 226, Misc. GREEN *v.* CLEMMER ET AL. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. September 19, 1960. Petition dismissed pursuant to stipulation of counsel under Rule 60 of the Rules of this Court. Petitioner *pro se*. *Solicitor General Rankin* for respondents.

September 1960.

364 U. S.

No. 35, Misc. *BOLDEN v. CLEMMER ET AL.* On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. September 21, 1960. Petition dismissed pursuant to stipulation of counsel under Rule 60 of the Rules of this Court. Petitioner *pro se*. *Solicitor General Rankin* for respondents.

No. 258, Misc. *JONES v. MARKWAY, SHERIFF.* On petition for writ of certiorari to the Supreme Court of Missouri. September 30, 1960. Petition dismissed pursuant to Rule 60 of the Rules of this Court.

## SEPTEMBER 1, 1960.\*

No. 336, October Term, 1960. *UPHAUS v. WYMAN, ATTORNEY GENERAL OF NEW HAMPSHIRE.* Appeal from the Supreme Court of New Hampshire. The application for bail presented to MR. JUSTICE DOUGLAS, and by him referred to the Court, is denied. THE CHIEF JUSTICE, MR. JUSTICE BLACK, and MR. JUSTICE DOUGLAS are of the opinion the application should be granted. *Louis Lusky, Marvin H. Morse, Grenville Clark, Dudley W. Orr, Royal W. France, Hugh H. Bownes and Leonard B. Boudin* for appellant. *Louis C. Wyman*, Attorney General of New Hampshire, for appellee. Reported below: 102 N. H. 461, 159 A. 2d 160.

No. —. *ENNIS ET AL. v. EVANS ET AL.* The application for a stay of the execution and enforcement of the judgments of the United States Court of Appeals for the Third Circuit presented to MR. JUSTICE BRENNAN, and by

---

\* [REPORTER'S NOTE: These orders were entered during the August Special Term, 1960, which was called to enable the Court to admit to practice a large number of lawyers attending the meeting of the American Bar Association in Washington, D. C. The Special Term commenced August 30 and ended September 1, 1960.]

364 U. S.                      September 1, October 3, 1960.

him referred to the Court, is denied. *Januar D. Bove, Jr.*, Attorney General of Delaware, and *James M. Tunnell, Jr.* for applicants. Reported below: 281 F. 2d 385.

No. —. HOUSTON INDEPENDENT SCHOOL DISTRICT *v.* ROSS ET AL. The application for a stay of the judgment of the United States District Court for the Southern District of Texas presented to MR. JUSTICE BLACK, and by him referred to the Court, is denied. *Joe H. Reynolds* and *Fentress Bracewell* for applicant. Reported below: 282 F. 2d 95.

No. —. ORLEANS PARISH SCHOOL BOARD ET AL. *v.* BUSH ET AL.; and

No. —. DAVIS, GOVERNOR OF LOUISIANA, ET AL. *v.* WILLIAMS ET AL. The application for a stay of the temporary injunction of the United States District Court for the Eastern District of Louisiana is denied. *Jack P. F. Gremillion*, Attorney General, for the State of Louisiana. *Thurgood Marshall*, *Constance Baker Motley* and *A. P. Tureaud* for Bush et al. Reported below: 187 F. Supp. 42.

No. —. BUSH ET AL. *v.* ORLEANS PARISH SCHOOL BOARD. The motion to vacate the order of the United States District Court for the Eastern District of Louisiana of August 31, 1960, is denied. *Thurgood Marshall*, *A. P. Tureaud* and *Constance B. Motley* for movants. *Lloyd J. Rittiner* and *James F. Redmond* for respondent.

OCTOBER 3, 1960.

*Assignment 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 3, 1960, and ending

October 3, 10, 1960.

364 U. S.

June 30, 1961, 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 3, 1960, and ending June 30, 1961, 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.

*Dismissal Under Rule 60.*

No. 51. BAILEY *v.* ALVIS, WARDEN. Certiorari, 362 U. S. 909, 363 U. S. 833, to the Supreme Court of Ohio. Writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *Milton H. Schmidt* for petitioner.

OCTOBER 10, 1960.

*Miscellaneous Orders.*

No. 60. POE ET AL. *v.* ULLMAN, STATE'S ATTORNEY; and  
No. 61. BUXTON *v.* ULLMAN, STATE'S ATTORNEY.  
Appeals from the Supreme Court of Errors of Connecticut. (Probable jurisdiction noted, 362 U. S. 987.) The motion to postpone the oral argument is granted. The motion of Planned Parenthood Federation of America, Inc., for leave to file brief, as *amicus curiae*, is granted. MR. JUSTICE FRANKFURTER took no part in the consideration or decision of these motions. *Albert L. Coles*, Attorney General of Connecticut, for appellee. *Morris L. Ernst*, *Harriet F. Pilpel* and *Nancy F. Wechsler* for Planned Parenthood Federation of America, Inc.

364 U. S.

October 10, 1960.

No. 342, October Term, 1959. *NOSTRAND ET AL. v. LITTLE ET AL.*, 362 U. S. 474. The motion to strike the motion to retax costs is denied. The motion to retax costs is also denied. *John J. O'Connell*, Attorney General of Washington, and *Herbert H. Fuller*, Chief Assistant Attorney General, for appellees, were on the motion to retax costs. *Francis Hoague* and *Solie Ringold*, for appellants, were on the motion to strike.

No. 4. *INTERNATIONAL ASSOCIATION OF MACHINISTS ET AL. v. STREET ET AL.* Appeal from the Supreme Court of Georgia. (Probable jurisdiction noted, 361 U. S. 807. Argued April 21, 1960. Set for reargument, 363 U. S. 825.) The motion of the United States for leave to intervene is granted. The motion of AFL-CIO for leave to participate in the oral argument, as *amicus curiae*, is denied. *Solicitor General Rankin* for the United States.

No. 34. *TIMES FILM CORP. v. CITY OF CHICAGO ET AL.* Certiorari, 362 U. S. 917, to the United States Court of Appeals for the Seventh Circuit. The motions of Motion Picture Association of America, Inc., American Civil Liberties Union, and Independent Film Importers and Distributors of America, Inc., for leave to file briefs, as *amici curiae*, are granted. *Sidney A. Schreiber* for Motion Picture Association of America, Inc. *Edgar Bernhard* and *Alex Elson* for American Civil Liberties Union.

No. 28. *KONIGSBERG v. STATE BAR OF CALIFORNIA ET AL.* Certiorari, 362 U. S. 910, to the Supreme Court of California. The motion of *Robert L. Brock et al.* for leave to file brief, as *amici curiae*, is granted. *Robert L. Brock*, *Pauline Epstein*, *Robert W. Kenny*, *Hugh R. Manes*, *Ben Margolis*, *Daniel G. Marshall*, *William B. Murrish*, *John McTernan*, *Maynard Omerberg*, *Alexander Shullman* and *David Sokol* for movants.

October 10, 1960.

364 U. S.

No. 28. *KONIGSBERG v. STATE BAR OF CALIFORNIA ET AL.* Certiorari, 362 U. S. 910, to the Supreme Court of California; and

No. 58. *IN RE ANASTAPLO.* Certiorari, 362 U. S. 968, to the Supreme Court of Illinois. The motion of National Lawyers Guild for leave to file brief, as *amicus curiae*, is granted. *David Scribner, Leonard B. Boudin, Ben Margolis, William B. Murrish and Charles Stewart* for movant.

No. 32. *GOMILLION ET AL. v. LIGHTFOOT, MAYOR OF THE CITY OF TUSKEGEE, ET AL.* Certiorari, 362 U. S. 916, to the United States Court of Appeals for the Fifth Circuit. The motion of the United States for leave to participate in oral argument, as *amicus curiae*, is granted. The motion of American Civil Liberties Union for leave to file brief, as *amicus curiae*, is granted. *Solicitor General Rankin* for the United States. *Lawrence Speiser* for American Civil Liberties Union.

No. 73. *RADIANT BURNERS, INC., v. PEOPLES GAS LIGHT & COKE CO. ET AL.* Certiorari, 363 U. S. 809, to the United States Court of Appeals for the Seventh Circuit. The motion of Parmelee Transportation Company for leave to file brief, as *amicus curiae*, is granted. *Thomas C. McConnell and Lee A. Freeman* for movant. *Horace R. Lamb* for American Gas Association, Inc., respondent, in opposition.

No. 21. *ARO MANUFACTURING Co., INC., ET AL. v. CONVERTIBLE TOP REPLACEMENT Co., INC.* Certiorari, 362 U. S. 902, to the United States Court of Appeals for the First Circuit. The motion of the American Patent Law Association for leave to file brief, as *amicus curiae*, is denied.

364 U. S.

October 10, 1960.

No. 61. BUXTON *v.* ULLMAN, STATE'S ATTORNEY. Appeal from the Supreme Court of Errors of Connecticut. (Probable jurisdiction noted, 362 U. S. 987.) The motion of Willard Allen et al. for leave to file brief, as *amici curiae*, is granted. MR. JUSTICE FRANKFURTER took no part in the consideration or decision of this motion. *Whitney North Seymour* for movants.

No. 176. SALDANA *v.* UNITED STATES. Certiorari, 363 U. S. 838, to the United States Court of Appeals for the Ninth Circuit. The motion for the appointment of counsel is granted and it is ordered that *Stephen R. Reinhardt, Esquire*, of Los Angeles, California, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for petitioner in this case.

No. 178. HOOPER *v.* BENNETT, WARDEN. Certiorari, 363 U. S. 838, to the Supreme Court of Iowa. The writ of certiorari to the Supreme Court of Iowa is dismissed as improvidently granted.

No. 180. PAYNE *v.* MADIGAN, WARDEN. Certiorari, 363 U. S. 839, to the United States Court of Appeals for the Ninth Circuit; and

No. 184. YOUNG *v.* UNITED STATES. Certiorari, 363 U. S. 839, to the United States Court of Appeals for the Eighth Circuit. The motions for the appointment of counsel are granted and it is ordered that *Frederick M. Rowe, Esquire*, of Washington, D. C., a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for petitioners in these cases.

No. 194, Misc. HECTOR *v.* DICKSON, WARDEN, ET AL. Motion for leave to file petition for writ of habeas corpus and other relief denied.

October 10, 1960.

364 U. S.

No. 86, Misc. JOHNSON *v.* UNITED STATES. Motion for leave to file petition for writ of certiorari denied. Petitioner *pro se.* *Solicitor General Rankin* for the United States.

No. 75, Misc. PARKER *v.* UNITED STATES;

No. 130, Misc. HARTFORD *v.* SETTLE, WARDEN;

No. 131, Misc. PROCTOR *v.* UNITED STATES;

No. 173, Misc. GUZZI *v.* WILLINGHAM, WARDEN;

No. 174, Misc. WHITTINGTON *v.* OVERHOLSER, HOSPITAL SUPERINTENDENT;

No. 209, Misc. WILLIAMS *v.* REID, JAIL SUPERINTENDENT;

No. 244, Misc. IN RE DONALDSON;

No. 255, Misc. PADGETT *v.* COCHRAN, CORRECTIONS DIRECTOR;

No. 257, Misc. IN RE MORRISON; and

No. 288, Misc. DANDY *v.* BANMILLER, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied. Petitioners *pro se.* *Solicitor General Rankin* for the United States in No. 75, Misc.

No. 22, Misc. CONNOR *v.* COCHRAN, CORRECTIONS DIRECTOR;

No. 38, Misc. WHITLEY *v.* WARDEN, MARYLAND HOUSE OF CORRECTION;

No. 120, Misc. COULTON *v.* SACKS, WARDEN; and

No. 228, Misc. SHAW *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.* *Richard W. Ervin*, Attorney General of Florida, and *Reeves Bowen*, Assistant Attorney General, for respondent in No. 22, Misc. *C. Ferdinand Sybert*, Attorney General of Maryland, and *James O'C. Gentry*, Assistant Attorney General, for respondent in No. 38, Misc.

364 U.S.

October 10, 1960.

No. 127, Misc. CLAYTON *v.* HALBERT, U. S. DISTRICT JUDGE; and

No. 264, Misc. WILLIAMS *v.* WILKINS, WARDEN. Motions for leave to file petitions for writs of mandamus and other relief denied.

No. 107, Misc. GILBRECH *v.* UNITED STATES;

No. 279, Misc. GAGLIASSO *v.* UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT ET AL.; and

No. 282, Misc. LAWYER *v.* UNITED STATES CIVIL SERVICE COMMISSION ET AL. Motions for leave to file petitions for writs of mandamus denied. Petitioners *pro se*. *Solicitor General Rankin* for the United States in No. 107, Misc.

No. 21, Misc. RODENBERGER *v.* MARTIN, WARDEN. Petition for writ of certiorari to the Court of Appeals of New York dismissed as moot. Petitioner *pro se*. *Louis J. Lefkowitz*, Attorney General of New York, and *Paxton Blair*, Solicitor General, for respondent.

No. 87, Misc. THE ROMANIAN ORTHODOX MISSIONARY EPISCOPATE OF AMERICA, THROUGH HIS GRACE BISHOP ANDREI MOLDOVAN, *v.* TRUTZA ET AL. The motion to use record in No. 422, October Term, 1953, is granted. Motion for leave to file petition for writ of certiorari denied. *John R. Vintilla* for petitioner. *Percy H. Russell* for respondents.

No. 108, Misc. GROSS *v.* SUPREME COURT OF IOWA; and

No. 210, Misc. RAY *v.* HALBERT, JUDGE OF THE DISTRICT COURT, ET AL. Motions for leave to file petitions for writs of prohibition denied.

October 10, 1960.

364 U. S.

*Probable Jurisdiction Noted or Question Postponed.*

No. 155. MICHIGAN NATIONAL BANK ET AL. *v.* MICHIGAN ET AL. Appeal from the Supreme Court of Michigan. Probable jurisdiction noted. *Thomas G. Long* and *Victor W. Klein* for Michigan National Bank, appellant. *Paul L. Adams*, Attorney General of Michigan, *Samuel J. Torina*, Solicitor General, and *William D. Dexter*, Assistant Attorney General, for appellees. Reported below: 358 Mich. 611, 101 N. W. 2d 245.

No. 91. UNITED STATES *v.* FRUEHAUF ET AL. Appeal from the United States District Court for the Southern District of New York. Probable jurisdiction noted. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Eugene L. Grimm* for the United States. *Louis Nizer*, *Cyrus R. Vance*, *Mortimer A. Sullivan*, *Albert C. Bickford*, *Charles Seligson*, *Albert I. Schmalholz*, *Melvin Lloyd Robbins*, *Charles S. Burdell* and *Donald McL. Davidson* for appellees.

No. 200. LATHROP *v.* DONOHUE. Appeal from the Supreme Court of Wisconsin. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits. Appellant *pro se*. *John W. Reynolds*, Attorney General of Wisconsin, and *Warren H. Resh*, Assistant Attorney General, for appellee. Reported below: 10 Wis. 2d 230, 102 N. W. 2d 404.

No. 164. BURTON *v.* WILMINGTON PARKING AUTHORITY ET AL. Appeal from the Supreme Court of Delaware. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits. *Louis L. Redding* for appellant. *Clair John Killoran* for the Wilmington Parking Authority, appellee. Reported below: — Del. —, 157 A. 2d 894.

364 U. S.

October 10, 1960.

No. 105. *SLAGLE ET AL. v. OHIO*. Appeal from the Supreme Court of Ohio. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits. *Thelma C. Furry* for appellants. Reported below: 170 Ohio St. 216, 163 N. E. 2d 177.

No. 225. *MARCUS ET AL. v. SEARCH WARRANT OF PROPERTY AT 104 EAST TENTH STREET, KANSAS CITY, MISSOURI, ET AL.* Appeal from the Supreme Court of Missouri. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits. *Morris A. Shenker, Bernard J. Mellman* and *Sidney M. Glazer* for appellants. Reported below: 334 S. W. 2d 119.

*Certiorari Granted.* (See also No. 168, ante, p. 289.)

No. 284. *INTERNATIONAL LADIES' GARMENT WORKERS' UNION, AFL-CIO, v. NATIONAL LABOR RELATIONS BOARD ET AL.* United States Court of Appeals for the District of Columbia Circuit. *Certiorari granted.* *Morris P. Glushien, L. N. D. Wells, Jr.* and *Ruth Weyand* for petitioner. *Solicitor General Rankin, Stuart Rothman, Dominick L. Manoli, Norton J. Come* and *Herman M. Levy* for the National Labor Relations Board, respondent. Reported below: 108 U. S. App. D. C. 68, 280 F. 2d 616.

No. 106. *ALASKA v. ARCTIC MAID ET AL.* C. A. 9th Cir. *Certiorari granted.* *Ralph E. Moody*, Attorney General of Alaska, and *Gary Thurlow*, Deputy Attorney General, for petitioner. Reported below: 277 F. 2d 120.

No. 122. *PIEMONTE v. UNITED STATES.* C. A. 7th Cir. *Certiorari granted.* *Melvin B. Lewis* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 276 F. 2d 148.

October 10, 1960.

364 U. S.

No. 151. JARECKI, FORMER COLLECTOR OF INTERNAL REVENUE, ET AL. *v.* G. D. SEARLE & CO. C. A. 7th Cir. Certiorari granted. *Solicitor General Rankin, Assistant Attorney General Rice and Harry Marselli* for petitioners. *Walter J. Cummings, Jr.* for respondent. Reported below: 274 F. 2d 129.

No. 233. DEUTCH *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Henry W. Sawyer III and George Herbert Goodrich* for petitioner. *Solicitor General Rankin, Assistant Attorney General Yeagley and Kevin T. Maroney* for the United States. Reported below: 108 U. S. App. D. C. 143, 280 F. 2d 691.

No. 126. LAURENS FEDERAL SAVINGS & LOAN ASSN. *v.* SOUTH CAROLINA TAX COMMISSION ET AL. Supreme Court of South Carolina. Certiorari granted. *Frank K. Sloan and Ernest L. Folk III* for petitioner. *Daniel R. McLeod, Attorney General of South Carolina, James M. Windham and Wm. H. Smith, Jr., Assistant Attorneys General,* for respondents. *Solicitor General Rankin, Assistant Attorney General Rice, Myron C. Baum and William Massar* for the United States, as *amicus curiae*, in support of the petition. Reported below: 236 S. C. 2, 112 S. E. 2d 716.

No. 102. KOLOVRAT ET AL. *v.* OREGON. Supreme Court of Oregon. Certiorari granted. *Lawrence S. Lesser and Peter A. Schwabe* for petitioners. *Robert Y. Thornton, Attorney General of Oregon, Arthur Garfield Higgs and Catherine Zorn, Assistant Attorneys General,* for respondent. *Solicitor General Rankin, Assistant Attorney General Doub and Alan S. Rosenthal* for the United States, as *amicus curiae*, in support of the petition. Reported below: 220 Ore. 448, 349 P. 2d 255.

364 U. S.

October 10, 1960.

No. 97. CAFETERIA & RESTAURANT WORKERS UNION, LOCAL 473, AFL-CIO, ET AL. *v.* McELROY ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Bernard Dunau* for petitioners. *Solicitor General Rankin, Assistant Attorney General Yeagley and Kevin T. Maroney* for respondents. Reported below: — U. S. App. D. C. —, 284 F. 2d 173.

No. 153. COPPOLA *v.* UNITED STATES. C. A. 2d Cir. Certiorari granted. *William B. Mahoney* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey and Philip R. Monahan* for the United States. Reported below: 281 F. 2d 340, 354.

No. 219. SCHNELL ET AL. *v.* PETER ECKRICH & SONS, INC., ET AL. C. A. 7th Cir. Certiorari granted. *Charles J. Merriam* for petitioners. *M. Hudson Rathburn* for respondents. Reported below: 279 F. 2d 594.

No. 238. LOTT ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari granted. *John H. Crooker, Joe S. Moss and C. W. Wellen* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, Meyer Rothwacks and Lawrence K. Bailey* for the United States. Reported below: 280 F. 2d 24.

No. 288. AMERICAN AUTOMOBILE ASSOCIATION *v.* UNITED STATES. Court of Claims. Certiorari granted. *Fleming Bomar and Joseph E. McAndrews* for petitioner. *Solicitor General Rankin* for the United States. Reported below: — Ct. Cl. —, 181 F. Supp. 255.

No. 169. POLAROID CORPORATION *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 1st Cir. Certiorari granted. *David Saperstein* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Heffron and Harry Marselli* for respondent. Reported below: 278 F. 2d 148.

October 10, 1960.

364 U. S.

No. 212. *MOSES LAKE HOMES, INC., ET AL. v. GRANT COUNTY*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted limited to Question No. 3 presented by the petition which reads as follows:

"3. May a state tax which discriminates against persons holding leaseholds from the United States be enforced in a United States court against a deposit of estimated compensation in a condemnation of such leasehold?"

The Solicitor General is invited to file a brief in this case setting forth the views of the United States. *Lyle L. Iverson* for petitioners. Reported below: 276 F. 2d 836.

No. 70, Misc. *HORTON v. LIBERTY MUTUAL INSURANCE 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. *Joe H. Tonahill* for petitioner. *Major T. Bell* for respondent. Reported below: 275 F. 2d 148.

*Certiorari Denied.* (See also No. 137, ante, p. 288; No. 150, ante, p. 288; No. 163, ante, p. 289; No. 237, ante, p. 290; No. 24, Misc., ante, p. 291; and Misc. Nos. 22, 38, 120 and 228, ante, p. 808.)

No. 30. *HAYES v. SEATON, SECRETARY OF THE INTERIOR*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Leon BenEzra* for petitioner. *Solicitor General Rankin, Assistant Attorney General Morton and Roger P. Marquis* for respondent. Reported below: 106 U. S. App. D. C. 126, 270 F. 2d 319.

No. 101. *PEDERSEN v. TANKER BULKLUBE ET AL.* C. A. 2d Cir. Certiorari denied. *Arthur K. Ash* for petitioner. *Victor S. Cichanowicz and Patrick E. Gibbons* for respondents. Reported below: 274 F. 2d 824.

364 U. S.

October 10, 1960.

No. 99. RONCEVICH ET AL. *v.* ESPERDY, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 2d Cir. Certiorari denied. *Abraham Lebenkoff* for petitioners. *Solicitor General Rankin, Assistant Attorney General Wilkey* and *Jerome M. Feit* for respondent. Reported below: — F. 2d —.

No. 90. ARSENAULT ET AL. *v.* GENERAL ELECTRIC CO. Supreme Court of Errors of Connecticut. Certiorari denied. *Leonard B. Boudin* for petitioners. *Norman K. Parsells* for respondent. Reported below: 147 Conn. 130, 157 A. 2d 918.

No. 108. INTERNATIONAL ASSOCIATION OF TOOL CRAFTSMEN ET AL. *v.* LEEDOM ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Robert Sheriffs Moss* for petitioners. *Solicitor General Rankin, Stuart Rothman, Dominick L. Manoli* and *Norton J. Come* for the National Labor Relations Board, respondent. Reported below: 107 U. S. App. D. C. 268, 276 F. 2d 514.

No. 109. HENRY DU BOIS' SONS CO., INC., *v.* DUNBAR, ADMINISTRATRIX. C. A. 2d Cir. Certiorari denied. *Edmund F. Lamb* for petitioner. *Paul C. Matthews* for respondent. Reported below: 275 F. 2d 304.

No. 112. FISHER *v.* CHESAPEAKE & OHIO RAILWAY CO. C. A. 7th Cir. Certiorari denied. *Owen Rall* and *Henry T. Synek* for petitioner. *James A. Velde* for respondent. Reported below: 276 F. 2d 297.

No. 113. NICHOLS *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. Reported below: 276 F. 2d 147.

October 10, 1960.

364 U. S.

No. 114. FLOERSCH ET AL. *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *J. R. Modrall* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, Meyer Rothwacks* and *Fred E. Youngman* for the United States. Reported below: 276 F. 2d 714.

No. 119. RICHISON ET UX. *v.* NUNN ET UX. Supreme Court of Washington. Certiorari denied. *John J. Kennett* for petitioners. *Robert T. Mautz* for respondents. Reported below: 57 Wash. 2d 1, 340 P. 2d 793.

No. 124. ZACHARY ET AL. *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Frank E. Hook* for petitioners. *Solicitor General Rankin* for the United States. Reported below: 275 F. 2d 793.

No. 125. SEAFARERS' INTERNATIONAL UNION OF NORTH AMERICA, AFL-CIO, *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. 5th Cir. Certiorari denied. *Seymour W. Miller, Ray R. Murdock* and *Bernard Dunau* for petitioner. *Solicitor General Rankin, Stuart Rothman, Dominick L. Manoli* and *Norton J. Come* for the National Labor Relations Board. Reported below: 273 F. 2d 891.

No. 132. INTERNATIONAL LATEX CORP. *v.* WARNER BROTHERS Co. C. A. 2d Cir. Certiorari denied. *William H. Davis* for petitioner. *Stephen H. Philbin* for respondent. Reported below: 276 F. 2d 557.

No. 131. REISSNER *v.* ROGERS, ATTORNEY GENERAL, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *George Halpern* for petitioner. *Solicitor General Rankin, Assistant Attorney General Townsend, Daniel G. McGrath* and *Armand B. DuBois* for respondents. Reported below: 107 U. S. App. D. C. 260, 276 F. 2d 506.

364 U. S.

October 10, 1960.

No. 127. WILEY ET AL. *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Clyde A. Douglass* for petitioners. *Solicitor General Rankin, Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 277 F. 2d 820.

No. 136. CONSOLIDATED TITLE CORP. *v.* DISTRICT OF COLUMBIA. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *John J. Wilson, Philip S. Peyser* and *Thomas S. Jackson* for petitioner. *Chester H. Gray, Milton D. Korman* and *Henry E. Wixon* for respondent. Reported below: 107 U. S. App. D. C. 221, 275 F. 2d 885.

No. 139. WILSON *v.* SOUTHERN FARM BUREAU CASUALTY Co. C. A. 5th Cir. Certiorari denied. *H. Alva Brumfield* for petitioner. Reported below: 275 F. 2d 819.

No. 142. DAYAN *v.* CALIFORNIA. Appellate Department, Superior Court of California, County of Los Angeles. Certiorari denied. *Nathan Newby, Jr.* for petitioner. *Roger Arnebergh* and *Philip E. Grey* for respondent.

No. 144. SGARLAT ESTATE *v.* PENNSYLVANIA. Supreme Court of Pennsylvania. Certiorari denied. *James Lenahan Brown* for petitioner. Reported below: 398 Pa. 406, 158 A. 2d 541.

No. 158. KING COLONY RANCH ET AL. *v.* MONTANA. Supreme Court of Montana. Certiorari denied. *Ralph J. Anderson* for petitioners. *Forrest H. Anderson, Attorney General of Montana, William F. Crowley, Assistant Attorney General, and George T. Bennett, Special Assistant Attorney General,* for respondent. Reported below: — Mont. —, 350 P. 2d 841.

October 10, 1960.

364 U. S.

No. 145. *FOOTE MINERAL CO. v. MARYLAND CASUALTY Co.* C. A. 6th Cir. Certiorari denied. *M. W. Egerton* and *W. W. Davis* for petitioner. *Charles E. McNabb* for respondent. Reported below: 277 F. 2d 452.

No. 146. *BYRD v. SEXTON ET AL.* C. A. 8th Cir. Certiorari denied. *Victor B. Harris*, *Harold C. Hanke* and *Luther Ely Smith, Jr.* for petitioner. Reported below: 277 F. 2d 418.

No. 148. *CLIPPINGER ET AL. v. UNITED STATES ET AL.* C. A. 7th Cir. Certiorari denied. *Enos L. Phillips*, *Hurshal C. Tummelson* and *Ivan A. Elliott* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Samuel D. Slade* for the United States. Reported below: 275 F. 2d 529.

No. 149. *WEBB ET UX. v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Morton* and *Roger P. Marquis* for the United States. Reported below: 273 F. 2d 416.

No. 152. *ALLENSWORTH v. FIRST GALESBURG NATIONAL BANK & TRUST Co.* Supreme Court of Illinois. Certiorari denied. Reported below: See 22 Ill. App. 2d 534, 161 N. E. 2d 155.

No. 154. *NAMOFF ET AL. v. HYLAND ELECTRICAL SUPPLY Co. ET AL.* C. A. 7th Cir. Certiorari denied. *George Cohan* and *Max Cohen* for petitioners. *Porter R. Draper* for respondents. Reported below: 275 F. 2d 14.

No. 157. *PEROTTI ET AL. v. OHIO.* Supreme Court of Ohio. Certiorari denied. Reported below: 170 Ohio St. 363, 165 N. E. 2d 1.

364 U. S.

October 10, 1960.

No. 156. BANTAM BOOKS, INC., *v.* FEDERAL TRADE COMMISSION. C. A. 2d Cir. Certiorari denied. *Horace S. Manges* 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: 275 F. 2d 680.

No. 160. HUNSAKER *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Norman L. Easley* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 279 F. 2d 111.

No. 162. SANTA MONICA BANK ET AL. *v.* SECURITIES & EXCHANGE COMMISSION. C. A. 2d Cir. Certiorari denied. *Ernest S. Meyers* for petitioners. *Solicitor General Rankin, Thomas G. Meeker, Joseph B. Levin and Ellwood L. Englander* for respondent. Reported below: 279 F. 2d 485.

No. 165. SCHLOSSER, EXECUTOR, *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 3d Cir. Certiorari denied. *John M. McNally, Jr.* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Heffron, Loring W. Post and Victor A. Altman* for respondent. Reported below: 277 F. 2d 268.

No. 166. HOLM *v.* AMERICAN SHIP BUILDING CO. C. A. 6th Cir. Certiorari denied. *S. Eldridge Sampliner and Harvey Goldstein* for petitioner. *Thomas V. Koykka* for respondent. Reported below: 276 F. 2d 201.

No. 171. EVANS PRODUCTION CORP. *v.* SHAW. C. A. 5th Cir. Certiorari denied. *Robert G. Storey and Robert M. Martin, Jr.* for petitioner. *George S. Terry* for respondent. Reported below: 276 F. 2d 313.

October 10, 1960.

364 U. S.

No. 167. UNION RURAL ELECTRIC ASSOCIATION, INC., v. PUBLIC SERVICE CO. OF COLORADO ET AL. Supreme Court of Colorado. Certiorari denied. *Morrison Shafroth* for petitioner. *Gerhard A. Gesell* and *Robert L. Randall* for Public Service Co. of Colorado, and *Seymour O'Brien* and *William B. Rafferty* for Colorado Central Power Co., respondents. Reported below: 142 Colo. 135, 350 P. 2d 543.

No. 193. NORMAN v. CALIFORNIA. District Court of Appeal of California, Second Appellate District. Certiorari denied. *Russell E. Parsons* for petitioner. Reported below: 177 Cal. App. 2d 59, 1 Cal. Rptr. 699.

No. 194. DAYAN v. CALIFORNIA. Supreme Court of California. Certiorari denied. *Nathan Newby, Jr.* for petitioner. *Roger Arnebergh* and *Philip E. Grey* for respondent.

No. 189. COMMONWEALTH ENGINEERING CO. OF OHIO v. UNITED STATES. Court of Claims. Certiorari denied. *Harry A. Toulmin, Jr.* and *George W. Stengel* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Samuel D. Slade* and *Herbert E. Morris* for the United States. Reported below: — Ct. Cl. —, 180 F. Supp. 396.

No. 201. PENNSYLVANIA TURNPIKE COMMISSION v. MCGINNES, DISTRICT DIRECTOR OF INTERNAL REVENUE, ET AL. C. A. 3d Cir. Certiorari denied. *Aaron M. Fine* and *Harold E. Kohn* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *A. F. Prescott* for McGinnes, *Frederick G. McGavin* for Manu-Mine Research & Development Co., and *Daniel Mungall, Jr.* for Seaboard Surety Co., respondents. Reported below: 278 F. 2d 330.

364 U. S.

October 10, 1960.

No. 190. HERRMANN, TRUSTEE, *v.* ROGERS, ATTORNEY GENERAL. C. A. 9th Cir. Certiorari denied. *Philip E. Peterson* for petitioner. *Solicitor General Rankin* and *Assistant Attorney General Townsend* for respondent. Reported below: 274 F. 2d 842.

No. 191. GIRARDI *v.* LIPSETT, INC., ET AL. C. A. 3d Cir. Certiorari denied. *B. Nathaniel Richter, Charles A. Lord* and *Seymour I. Toll* for petitioner. *Michael A. Foley* for Lipsett, Inc., respondent. Reported below: 275 F. 2d 492.

No. 192. LADD *v.* NEW YORK CENTRAL RAILROAD CO. Supreme Court of Ohio. Certiorari denied. *Charles H. Brady* and *A. E. Simmons* for petitioner. *Milo J. Warner* and *Wesley A. Wilkinson* for respondent. Reported below: 170 Ohio St. 491, 166 N. E. 2d 231.

No. 173. HOON *v.* HARMER STEEL PRODUCTS & SUPPLY CO. ET AL. C. A. 9th Cir. Certiorari denied. *Nathaniel S. Ruvell* for petitioner. *Thomas L. Morrow, John F. McCarthy* and *Robert A. Leedy* for respondents. Reported below: 278 F. 2d 427.

No. 188. SEABOARD SURETY CO. *v.* WESTWOOD LAKE, INC., ET AL. C. A. 5th Cir. Certiorari denied. *James A. Dixon* for petitioner. *Samuel J. Kanner* for American Cast Iron Pipe Co., respondent. Reported below: 277 F. 2d 397.

No. 195. INDIAN TOWING CO., INC., ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Richard B. Montgomery, Jr.* for petitioners. *Solicitor General Rankin, Assistant Attorney General Doub* and *Alan S. Rosenthal* for the United States. Reported below: 276 F. 2d 300.

October 10, 1960.

364 U.S.

No. 196. CURTIS PUBLISHING CO. *v.* VAUGHAN. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Philip H. Strubing* and *John H. Pickering* for petitioner. *Byron N. Scott* and *Hyman Smollar* for respondent. Reported below: 107 U. S. App. D. C. 343, 278 F. 2d 23.

No. 199. LEAGUE OF WOMEN VOTERS *v.* UNITED STATES. Court of Claims. Certiorari denied. *Albert E. Arent* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Harry Baum* for the United States. Reported below: — Ct. Cl. —, 180 F. Supp. 379.

No. 217. COPE ET AL. *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *William M. Nicholson* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 279 F. 2d 127.

No. 222. ROSENGARTEN ET AL. *v.* UNITED STATES. Court of Claims. Certiorari denied. *Bernard Weiss* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *I. Henry Kutz* for the United States. Reported below: — Ct. Cl. —, 181 F. Supp. 275.

No. 206. GENERAL FOODS CORP., MAXWELL HOUSE DIVISION, ET AL. *v.* THE MORMACSURF ET AL. C. A. 2d Cir. Certiorari denied. *Horace T. Atkins* for petitioners. *Eugene Underwood* for respondents. Reported below: 276 F. 2d 722.

No. 207. WEIL *v.* UNITED STATES. Court of Claims. Certiorari denied. *John P. Allison* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *I. Henry Kutz* and *Helen A. Buckley* for the United States. Reported below: — Ct. Cl. —, 180 F. Supp. 407.

364 U. S.

October 10, 1960.

No. 210. *GARVIN ET AL. v. PETTIGREW*. Supreme Court of Oklahoma. Certiorari denied. *Lee Welch* for petitioners. *Walton Stanley Allen* for respondent. Reported below: 350 P. 2d 970.

No. 213. *STICE v. KANSAS EX REL. ANDERSON*. Supreme Court of Kansas. Certiorari denied. *Carl W. Berueffy* and *Robert F. Bailey* for petitioner. Reported below: 186 Kan. 69, 348 P. 2d 833.

No. 214. *AMERICAN STEVEDORES, INC., v. UNITED STATES ET AL.* C. A. 2d Cir. Certiorari denied. *Bern Budd* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Alan S. Rosenthal* for the United States. Reported below: 277 F. 2d 255.

No. 215. *JOSEPH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Stanford Shmukler* and *Jacob Kossman* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 278 F. 2d 504.

No. 204. *TURAJLICH ET AL. v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Rufus King*, *Downey Rice* and *Harry Alan Sherman* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 277 F. 2d 805.

No. 202. *ANDERSON ET AL. v. COUNTY BOARD OF SCHOOL TRUSTEES OF MCHENRY COUNTY, ILLINOIS, ET AL.* Supreme Court of Illinois. Certiorari denied. *Hugh M. Matchett* and *John P. Burita* for petitioners. *Harry C. Kinne, Jr.* for County Board of School Trustees of McHenry County, Illinois, respondent.

October 10, 1960.

364 U. S.

No. 218. *DOGGETT v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 4th Cir. Certiorari denied. *Daniel R. Dixon* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice* and *I. Henry Kutz* for respondent. Reported below: 275 F. 2d 823.

No. 220. *ARABIAN AMERICAN OIL Co. v. FARMER*. C. A. 2d Cir. Certiorari denied. *Lowell Wadmond, Chester Bordeau* and *George W. Ray, Jr.* for petitioner. *Kalman I. Nulman* for respondent. Reported below: 277 F. 2d 46.

No. 221. *BARNHILL ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *O. B. Cline, Jr.* for petitioners. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 279 F. 2d 105.

No. 216. *CURCIO ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Samuel Mezansky* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice* and *Meyer Rothwacks* for the United States. Reported below: 279 F. 2d 681.

No. 224. *ESTEBAN GANDUXE Y MARINO v. ESPERDY, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 2d Cir. Certiorari denied. *Morton Silfen* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg* and *Robert G. Maysack* for respondent. Reported below: 278 F. 2d 330.

No. 226. *JONES v. KAUFMAN*. C. A. 7th Cir. Certiorari denied. *Donald B. Jones*, petitioner, *pro se*. *Charles Rivers Aiken* and *Richard F. Watt* for respondent. Reported below: 275 F. 2d 755.

364 U. S.

October 10, 1960.

No. 230. MEMPHIS AFL-CIO LABOR COUNCIL ET AL. v. CITY OF MEMPHIS ET AL. Supreme Court of Tennessee, Western Division. Certiorari denied. *Samuel Strong Pharr* for petitioners. *Frank B. Gianotti, Jr., Charles C. Crabtree* and *George E. Morrow* for respondents.

No. 231. CLEARY v. INDIANA BEACH, INC. C. A. 7th Cir. Certiorari denied. *John E. Cassidy, Sr.* for petitioner. *Roger D. Branigin* for respondent. Reported below: 275 F. 2d 543.

No. 253. ROBERTS v. LOVE ET AL. Supreme Court of Arkansas. Certiorari denied. *Elza Clifton Bond, Jr.* for petitioner. *DuVal L. Purkins* for respondents. Reported below: — Ark. —, 333 S. W. 2d 897.

No. 256. DI SILVESTRO v. UNITED STATES. C. A. 2d Cir. Certiorari denied. *Joseph W. Di Silvestro*, petitioner, *pro se*. *Solicitor General Rankin, Acting Assistant Attorney General Leonard* and *Alan S. Rosenthal* for the United States. Reported below: — F. 2d —.

No. 235. FERRO, INC., ET AL. v. JOHN THOMPSON BEACON WINDOWS, LTD. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Bolling R. Powell, Jr.* for petitioners. *Harry M. Plotkin* and *John J. Sexton* for respondent. Reported below: 107 U. S. App. D. C. 400, 278 F. 2d 280.

No. 240. SPANGLER ET UX. v. COMMISSIONER OF INTERNAL REVENUE. C. A. 4th Cir. Certiorari denied. *Newman A. Townsend, Jr.* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice* and *Harry Baum* for respondent. Reported below: 278 F. 2d 665.

October 10, 1960.

364 U. S.

No. 242. STANDARD ASBESTOS MANUFACTURING & INSULATING Co., INC., ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 8th Cir. Certiorari denied. *Walter A. Raymond* and *Kenneth C. West* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *A. F. Prescott* for respondent. Reported below: 276 F. 2d 289.

No. 244. NTOVAS *v.* AHRENS, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 7th Cir. Certiorari denied. *F. Raymond Marks, Jr.* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Robert G. Maysack* for respondent. Reported below: 276 F. 2d 483.

No. 245. SMITH, ADMINISTRATOR, *v.* SPERLING ET AL. C. A. 9th Cir. Certiorari denied. *Herman H. Levy* and *Geo. C. Lyon* for petitioner. *Oliver B. Schwab*, *Harold S. Kant*, *Ralph E. Lewis*, *Eugene D. Williams* and *H. R. Kelly* for respondents. Reported below: 277 F. 2d 634.

No. 247. GOETT, ADMINISTRATRIX, *v.* UNION CARBIDE CORP. ET AL. C. A. 4th Cir. Certiorari denied. *Ernest Franklin Pauley*, *S. Eldridge Sampliner* and *Harvey Goldstein* for petitioner. Reported below: 278 F. 2d 319.

No. 250. FREELAND ET AL. *v.* SUN OIL Co. ET AL. C. A. 5th Cir. Certiorari denied. *Victor A. Sachse* for petitioners. *Cullen R. Liskow* for respondents. Reported below: 277 F. 2d 154.

No. 232. POPEIL BROTHERS, INC., *v.* ZYSSET ET AL. C. A. 7th Cir. Certiorari denied. *Will Freeman* and *George B. Christensen* for petitioner. *Albin C. Ahlberg* and *Warren C. Horton* for respondents. Reported below: 276 F. 2d 354.

364 U. S.

October 10, 1960.

No. 234. *DIXIE, INC., v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. *Joseph H. Choate, Jr.* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, I. Henry Kutz* and *Morton K. Rothschild* for respondent. Reported below: 277 F. 2d 526.

No. 259. *ESPINOZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Robert A. Scardino* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg* and *Jerome M. Feit* for the United States. Reported below: 278 F. 2d 802.

No. 261. *WARD LABORATORIES, INC., ET AL. v. FEDERAL TRADE COMMISSION*. C. A. 2d Cir. Certiorari denied. *Martin J. Scheiman* for petitioners. *Solicitor General Rankin, Assistant Attorney General Bicks, Richard A. Solomon, Daniel J. McCauley, Jr.* and *Alan B. Hobbes* for respondent. Reported below: 276 F. 2d 952.

No. 263. *YOR-WAY MARKETS ET AL. v. CALIFORNIA*. Supreme Court of California. Certiorari denied. *Joseph M. McLaughlin* for petitioners. *Robert E. Reed* and *William H. Peterson* for respondent. Reported below: — Cal. 2d —, 352 P. 2d 519.

No. 264. *LATUS v. UNITED STATES ET AL.* C. A. 2d Cir. Certiorari denied. *Edward L. P. O'Connor* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Leonard* and *Morton Hollander*, for the United States, and *Patrick E. Gibbons* for Todd Shipyards Corp., respondents. Reported below: 277 F. 2d 264.

No. 271. *AKEL v. NEW YORK*. Court of Appeals of New York. Certiorari denied. *Frances Kahn* for petitioner. Reported below: 7 N. Y. 2d 998, 166 N. E. 2d 514.

October 10, 1960.

364 U. S.

No. 267. *GLASS v. NEW YORK*. Court of Appeals of New York. Certiorari denied. *Louis Bender* and *Moses Kove* for petitioner. *Edwyn Silberling* and *Jerome C. Ditore*, Special Assistant Attorneys General of New York, for respondent.

No. 269. *BOROUGH OF EAST NEWARK ET AL. v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Allan L. Tumarkin* and *William A. Ancier* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *A. F. Prescott* for the United States. Reported below: 278 F. 2d 776.

No. 265. *PARNELL v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. *Dorsey B. Hardeman* for petitioner. *Will Wilson*, Attorney General of Texas, *Riley Eugene Fletcher* and *Leon F. Pesek*, Assistant Attorneys General, for respondent. Reported below: — Tex. Cr. R. —, 339 S. W. 2d 49.

No. 272. *SQUEEZ-A-PURSE CORP. v. STILLER ET AL.* C. A. 6th Cir. Certiorari denied. *Robert I. Dennison* for petitioner. *Albert R. Teare* and *J. William Freeman* for respondents. Reported below: 280 F. 2d 424.

No. 275. *SCHULTETUS ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Paul L. Sedgwick* and *L. W. Anderson* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Morton Hollander* for the United States. Reported below: 277 F. 2d 322.

No. 286. *FRANANO v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Walter A. Raymond* and *Kenneth C. West* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 277 F. 2d 511.

364 U. S.

October 10, 1960.

No. 277. *YASA v. ESPERDY*, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 2d Cir. Certiorari denied. *Abraham Lebenkoff* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Kirby W. Patterson* for respondent. Reported below: — F. 2d —.

No. 279. *EQUITABLE LIFE ASSURANCE SOCIETY v. UNITED STATES*. Court of Claims. Certiorari denied. *John Lord O'Brian*, *Daniel M. Gribbon*, *Robert L. Randall*, *Robert L. Hogg* and *Stuart McCarthy* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Grant W. Wiprud* and *Jerry M. Hamovit* for the United States. Reported below: — Ct. Cl. —, 181 F. Supp. 241.

No. 281. *REY v. PENN SHIPPING Co., INC.* C. A. 2d Cir. Certiorari denied. *Silas Blake Axtell* for petitioner. *Victor S. Cichanowicz* for respondent. Reported below: 277 F. 2d 905.

No. 282. *TORNEK, TRADING AS ALLEN V. TORNEK Co., v. FEDERAL TRADE COMMISSION*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *B. Paul Noble* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Bicks*, *Richard A. Solomon*, *Daniel J. McCauley, Jr.* and *Alan B. Hobbes* for respondent. Reported below: 107 U. S. App. D. C. 267, 276 F. 2d 513.

No. 291. *GINSBURG v. AMERICAN BAR ASSOCIATION ET AL.* C. A. 7th Cir. Certiorari denied. *Paul Ginsburg*, petitioner, *pro se*. *Floyd E. Thompson* for American Bar Association et al. *George B. Christensen* and *Thomas A. Reynolds*, respondents, *pro se* and for other respondents. Reported below: 277 F. 2d 801.

October 10, 1960.

364 U. S.

No. 287. ALLIED VAN LINES, INC., *v.* VANDENBERGH ET AL. Supreme Court of Montana. Certiorari denied. *Lloyd J. Skedd* for petitioner. *Ralph J. Anderson* for respondents. Reported below: — Mont. —, 351 P. 2d 537.

No. 289. RAILWAY EXPRESS AGENCY, INC., *v.* W. R. GRACE & Co. Court of Appeals of New York. Certiorari denied. *Robert J. Fletcher* and *James V. Lione* for petitioner. *Emmet L. Holbrook* for respondent. Reported below: 8 N. Y. 2d 103, 168 N. E. 2d 362.

No. 290. GULF SHIPSIDE STORAGE CORP. *v.* UNDERWRITERS AT LLOYD'S, LONDON. C. A. 5th Cir. Certiorari denied. *Frank S. Normann* for petitioner. *Eberhard P. Deutsch* for respondent. Reported below: 276 F. 2d 209.

No. 276. HIDICK *v.* ORION SHIPPING & TRADING CO., INC., ET AL. C. A. 2d Cir. Certiorari denied. *Jacob Rassner* and *Ernest Rassner* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Alan S. Rosenthal* for the United States. *Nicholas J. Healy III* for Orion Shipping & Trading Co., Inc., et al., respondents. Reported below: 278 F. 2d 114.

No. 322. HARRIS *v.* UNITED STATES. Court of Claims. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *John G. Laughlin, Jr.* for the United States. Reported below: — Ct. Cl. —, — F. 2d —.

No. 302. VARGAS *v.* CALIFORNIA. Appellate Department, Superior Court of California, County of Los Angeles. Certiorari denied. Petitioner *pro se*. *Roger Arnebergh* and *Philip E. Grey* for respondent. Reported below: 179 Cal. App. 2d Supp. 863, 3 Cal. Rptr. 925.

364 U. S.

October 10, 1960.

No. 295. *SLAVITT v. MEADER ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Charlotte Slavitt*, petitioner, *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *John G. Laughlin, Jr.* for respondents. Reported below: 107 U. S. App. D. C. 396, 278 F. 2d 276.

No. 135. *BRUNDAGE ET UX. v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Albert L. Hopkins* and *Samuel H. Horne* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Harry Baum* and *Helen A. Buckley* for the United States. Reported below: 275 F. 2d 424.

No. 310. *PUGET SOUND PULP & TIMBER CO. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 9th Cir. Certiorari denied. *George H. Koster* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Meyer Rothwacks* and *Harry Marselli* for respondent. Reported below: 277 F. 2d 803.

No. 314. *PORTSMOUTH BASEBALL CORP. v. FRICK, COMMISSIONER OF BASEBALL, ET AL.* C. A. 2d Cir. Certiorari denied. *Ambrose V. McCall* and *James P. McGranery* for petitioner. *Louis F. Carroll*, *Mark F. Hughes*, *Raymond T. Jackson* and *Warren Daane* for respondents. Reported below: 278 F. 2d 395.

No. 118. *CHARLES v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Joseph S. Hertogs*, *Walter H. Duane* and *Arthur J. Phelan* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Eugene L. Grimm* for the United States. Reported below: 278 F. 2d 386.

October 10, 1960.

364 U. S.

No. 270. *LANA v. NEW YORK*. Court of Appeals of New York. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Frances Kahn* for petitioner. *Edward S. Silver* for respondent.

No. 104. *ABDUL v. UNITED STATES*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied, the Court having duly noted the Solicitor General's concession that the sentence under Count VII of the indictment cannot stand and his undertaking that the Government will duly present to the District Court, under Rule 35 of the Federal Rules of Criminal Procedure, a motion for correction of the sentence. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS would not only correct the sentence under Count VII; they would also grant the writ to review the correctness, under *Spies v. United States*, 317 U. S. 492, of the District Court's charge to the jury regarding the requirement of willfulness in the commission of the statutory violations of which the petitioner stands convicted. *Howard K. Hoddick* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Meyer Rothwacks and Lawrence K. Bailey* for the United States. Reported below: 278 F. 2d 234.

No. 110. *WALKER ET AL. v. NORTH CAROLINA*. Supreme Court of North Carolina. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. MR. JUSTICE BLACK took no part in the consideration or decision of this application. *Arthur J. Goldberg, David E. Feller, William M. Nicholson, John Bolt Culbertson and Hugo L. Black, Jr.* for petitioners. *T. W. Bruton*, Attorney General of North Carolina, and *Ralph Moody and Harry W. McGalliard*, Assistant Attorneys General, for respondent. Reported below: 251 N. C. 465, 112 S. E. 2d 61.

364 U. S.

October 10, 1960.

No. 299. LUCAS *v.* DELONG CORPORATION. C. A. 2d Cir. Certiorari denied. *James B. Donovan* and *John P. Walsh* for petitioner. *Edward J. Ennis* and *John L. Ingoldsby, Jr.* for respondent. Reported below: 278 F. 2d 804.

No. 147. GARRETT *v.* SOUTHERN RAILWAY Co. C. A. 6th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *J. H. Doughty* for petitioner. *Clyde W. Key* for respondent. Reported below: 278 F. 2d 424.

No. 197. WATKINS *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *William R. Ming, Jr.* and *George N. Leighton* for petitioner. Reported below: 19 Ill. 2d 11, 166 N. E. 2d 433.

No. 243. SACHS *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 8th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Henry C. Lowenhaupt* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Melva M. Graney* for respondent. Reported below: 277 F. 2d 879.

No. 268. CONFORTE *v.* HANNA, JUDGE OF THE FIRST JUDICIAL DISTRICT COURT OF NEVADA, ET AL. Supreme Court of Nevada. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *A. L. Wirin* and *Fred Okrand* for petitioner. Reported below: 76 Nev. —, 351 P. 2d 612.

No. 293. GRAHAM *v.* HOULIHAN ET AL. Supreme Court of Errors of Connecticut. Certiorari denied. *Milton Sorokin* and *Ethel Silver Sorokin* for petitioner. *John A. Mettling*, *James B. Lefebvre* and *Paul Smith* for respondents. Reported below: 147 Conn. 321, 160 A. 2d 745.

October 10, 1960.

364 U. S.

No. 134. *SORGEL, EXECUTOR, ET AL. v. COMMERCIAL CREDIT CORP.* C. A. 5th Cir. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion certiorari should be granted, the judgment vacated and the case remanded to the District Court for a completely new jury trial on all issues. *Leon P. Howell* for petitioners. *Berthold Muecke, Jr., J. Francis Ireton* and *Charles W. Trueheart* for respondent. Reported below: 274 F. 2d 449.

No. 138. *FOSTER v. UNITED STATES.* Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied, the Court noting the purpose of the Solicitor General promptly to have proceedings commenced to determine the capacity of petitioner to stand trial. We assume that such proceedings will be instituted without delay and expeditiously pressed to a conclusion. *Mary M. Kaufman* for petitioner. *Solicitor General Rankin, Assistant Attorney General Yeagley* and *Kevin T. Maroney* for the United States. Reported below: 278 F. 2d 567.

No. 273. *HUTTON, EXECUTOR, ET AL. v. HUTTON.* Petition for writ of certiorari to the Supreme Court of Mississippi and other relief denied. *J. B. Hutton, Jr.* and *W. S. Henley* for petitioners. Reported below: 239 Miss. 217, 119 So. 2d 369.

No. 170. *JOHNSON, FORMERLY COLLECTOR OF INTERNAL REVENUE, ET AL. v. DULLES ET AL., EXECUTORS.* C. A. 2d Cir. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *Solicitor General Rankin, Assistant Attorney General Rice, Harry Baum* and *James P. Turner* for petitioners. *Norris Darrell* and *Henry N. Ess III* for respondents. Reported below: 273 F. 2d 362.

364 U. S.

October 10, 1960.

No. 292. *BIVINS v. GULF OIL CORP.* C. A. 5th Cir. Certiorari denied. THE CHIEF JUSTICE and MR. JUSTICE BLACK are of the opinion certiorari should be granted. *Philip S. Kouri* for petitioner. *William L. Kerr* for respondent. Reported below: 276 F. 2d 753.

No. 205. *SCHENLEY INDUSTRIES, INC., v. LIND.* The motion of the respondent for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. *John Milton, Jr.* for petitioner. *Irving J. Soloway* for respondent. Reported below: 278 F. 2d 79.

No. 227. *PAULING ET AL. v. McELROY, SECRETARY OF DEFENSE, ET AL.* The motion to substitute Robert E. Wilson and Loren K. Olson in the place of H. S. Vance and John F. Floberg as parties respondent is granted. The motion to substitute Thomas E. Gates in the place of Neil H. McElroy as a party respondent is granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. *Francis Heisler, Charles A. Stewart, A. L. Wirin* and *Fred Okrand* for petitioners. *Solicitor General Rankin, Assistant Attorney General Doub, Morton Hollander* and *John G. Laughlin, Jr.* for respondents. Reported below: 107 U. S. App. D. C. 372, 278 F. 2d 252.

No. 159. *REVELL, INC., ET AL. v. RIDDELL, DISTRICT DIRECTOR OF INTERNAL REVENUE, ET AL.* The motion of Albert H. Allen for leave to file brief, as *amicus curiae*, is denied. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. *George T. Altman* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, Melva M. Graney* and *Helen A. Buckley* for respondents. Reported below: 273 F. 2d 649.

October 10, 1960.

364 U. S.

No. 283. FIRST NATIONAL BANK OF CHIPPEWA FALLS ET AL. *v.* CHARLES HENNEMAN CO. ET AL. Supreme Court of Wisconsin. Certiorari denied. MR. JUSTICE WHITTAKER is of the opinion certiorari should be granted. *Marshall Wiley* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice* and *A. F. Prescott* for the United States. *Eugene R. Jackson* and *Edwin Larkin* for Chippewa County, respondent. Reported below: 10 Wis. 2d 260, 103 N. W. 2d 24.

No. 208. DOWN TOWN ASSOCIATION OF THE CITY OF NEW YORK *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *Timothy N. Pfeiffer* and *Rebecca M. Cutler* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, L. W. Post* and *Louise Foster* for the United States. Reported below: 278 F. 2d 313.

No. 9, Misc. WARE *v.* SMYTH, PENITENTIARY SUPERINTENDENT. Supreme Court of Appeals of Virginia. Certiorari denied. Petitioner *pro se.* *Kenneth C. Patty*, First Assistant Attorney General of Virginia, for respondent.

No. 10, Misc. WILLIAMS *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: 272 F. 2d 822.

No. 11, Misc. LIPSCOMB *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Henry D. Espy* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States. Reported below: 273 F. 2d 860.

364 U. S.

October 10, 1960.

No. 296. HOCHMAN *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion certiorari should be granted. *Irving D. Gaines* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 277 F. 2d 631.

No. 298. PORTER *v.* HERTER. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion certiorari should be granted. *Joseph L. Rauh, Jr., Daniel H. Pollitt and John Silard* for petitioner. *Solicitor General Rankin* for respondent. Reported below: 107 U. S. App. D. C. 400, 278 F. 2d 280.

No. 13, Misc. KIRSCH *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se.* *William L. Guild, Attorney General of Illinois*, for respondent.

No. 17, Misc. BROOKS *v.* SMYTH, PENITENTIARY SUPERINTENDENT. Supreme Court of Appeals of Virginia. Certiorari denied. Petitioner *pro se.* *A. S. Harrison, Jr., Attorney General of Virginia*, for respondent.

No. 23, Misc. BURNS *v.* TAYLOR, WARDEN. C. A. 10th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin, Acting Assistant Attorney General Ryan and Harold H. Greene* for respondent. Reported below: 274 F. 2d 141.

No. 26, Misc. O'CONNOR *v.* BURKE, WARDEN. Supreme Court of Wisconsin. Certiorari denied. Petitioner *pro se.* *John W. Reynolds, Attorney General of Wisconsin, William A. Platz and Harold H. Persons, Assistant Attorneys General*, for respondent.

October 10, 1960.

364 U. S.

No. 25, Misc. *CUTLIP v. ADAMS, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied. Petitioner *pro se*. *Fred H. Caplan*, Assistant Attorney General of West Virginia, for respondent.

No. 27, Misc. *BROADDUS v. SMYTH, PENITENTIARY SUPERINTENDENT*. Supreme Court of Appeals of Virginia. Certiorari denied. Petitioner *pro se*. *Kenneth C. Patty*, First Assistant Attorney General of Virginia, for respondent.

No. 29, Misc. *SHERIDAN v. OHIO*. Supreme Court of Ohio. Certiorari denied. Reported below: 170 Ohio St. 168, 163 N. E. 2d 175.

No. 30, Misc. *IN RE THOMPSON*. C. A. 9th Cir. Certiorari denied. *Stanley Mosk*, Attorney General of California, *Doris H. Maier* and *Edsel W. Haws*, Deputy Attorneys General, for respondent.

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

No. 33, Misc. *POSEY v. MURRAY, JUDGE*. Supreme Court of Indiana. Certiorari denied. Petitioner *pro se*. *Edwin K. Steers*, Attorney General of Indiana, and *Richard M. Givan*, Assistant Attorney General, for respondent. Reported below: — Ind. —, 163 N. E. 2d 893.

No. 37, Misc. *SISK v. EBY, JUDGE, ET AL.* Supreme Court of Indiana. Certiorari denied. Petitioner *pro se*. *Edwin K. Steers*, Attorney General of Indiana, and *Richard M. Givan*, Assistant Attorney General, for respondents. Reported below: — Ind. —, 165 N. E. 2d 139.

364 U. S.

October 10, 1960.

No. 34, Misc. *HARDEN 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. 36, Misc. *STARR v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se*. *William L. Guild*, Attorney General of Illinois, for respondent.

No. 39, Misc. *FRAZIER v. DOWD, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 40, Misc. *HILBERT v. PENNSYLVANIA*. Supreme Court of Pennsylvania. Certiorari denied. *David Freeman* for petitioner.

No. 42, Misc. *HOBART v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Caryl Warner* for petitioner. *Solicitor General Rankin* for the United States. Reported below: 275 F. 2d 941.

No. 46, Misc. *TINSLEY v. CALIFORNIA*. Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Stanley Mosk*, Attorney General of California, *Doris H. Maier* and *Raymond M. Momboisse*, Deputy Attorneys General, for respondent.

No. 47, Misc. *RANDOLPH v. RHAY, PENITENTIARY SUPERINTENDENT*. Supreme Court of Washington. Certiorari denied.

No. 53, Misc. *HAWKS v. VIRGINIA ET AL.* Supreme Court of Appeals of Virginia. Certiorari denied.

October 10, 1960.

364 U. S.

No. 54, Misc. CALDWELL *v.* MARYLAND. Criminal Court of Baltimore, Maryland. Certiorari denied.

No. 55, Misc. ARMSTRONG *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied.

No. 56, Misc. VALENTINO *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 58, Misc. LUSTIG *v.* COMMISSIONER OF INTERNAL REVENUE ET AL. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin, Assistant Attorney General Rice and Harry Baum* for respondents. Reported below: 274 F. 2d 448.

No. 60, Misc. COUSER *v.* MARYLAND. Court of Appeals of Maryland. Certiorari denied. Reported below: 221 Md. 474, 157 A. 2d 426.

No. 61, Misc. TRUMBLAY *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 278 F. 2d 229.

No. 62, Misc. BLANKENSHIP *v.* SMYTH, PENITENTIARY SUPERINTENDENT. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 64, Misc. MANCINI ET AL. *v.* NEW YORK. C. A. 2d Cir. Certiorari denied.

No. 65, Misc. SHERIFF *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. Petitioner *pro se.* *William I. Siegel and Edward S. Silver* for respondent.

364 U. S.

October 10, 1960.

No. 66, Misc. *GOLLA v. DELAWARE*. Supreme Court of Delaware. Certiorari denied. Reported below: 52 Del. —, 159 A. 2d 585.

No. 67, Misc. *PULASKI v. RAGEN, WARDEN*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 71, Misc. *INGLE v. CALIFORNIA*. Supreme Court of California. Certiorari denied. Reported below: 53 Cal. 2d 407, 348 P. 2d 577.

No. 72, Misc. *WILSON v. WARDEN, MARYLAND PENITENTIARY*. Court of Appeals of Maryland. Certiorari denied. Reported below: 222 Md. 580, 158 A. 2d 103.

No. 76, Misc. *KILLEBREW v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 275 F. 2d 308.

No. 78, Misc. *TURNER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 275 F. 2d 307.

No. 79, Misc. *MARINACCIO v. NEW YORK*. C. A. 2d Cir. Certiorari denied.

No. 80, Misc. *GRUBBS v. NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied.

No. 81, Misc. *LESSER v. NEW YORK*. Court of General Sessions, New York County, New York. Certiorari denied.

October 10, 1960.

364 U. S.

No. 82, Misc. *KARP v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Wilkey and Julia P. Cooper* for the United States. Reported below: 277 F. 2d 843.

No. 83, Misc. *ZAMBARDI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Herbert S. Siegel* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Eugene L. Grimm* for the United States. Reported below: 276 F. 2d 169.

No. 84, Misc. *IN RE SIMMONS*. Supreme Court of Ohio. Certiorari denied. Reported below: 170 Ohio St. 319, 164 N. E. 2d 420.

No. 88, Misc. *SCHACHEL v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Ann Thacher Clarke* for petitioner. Reported below: 276 F. 2d 572.

No. 89, Misc. *JOHNSTONE v. MISSOURI*. Supreme Court of Missouri. Certiorari denied. Reported below: 335 S. W. 2d 199.

No. 90, Misc. *MAYNARD v. ADAMS, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 91, Misc. *EARNSHAW 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. 92, Misc. *CRAHAN v. OHIO ET AL.* Supreme Court of Ohio. Certiorari denied. Reported below: 170 Ohio St. 581, 166 N. E. 2d 924.

364 U. S.

October 10, 1960.

No. 94, Misc. BAYSIDE NOVELTY Co., INC., ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Abraham Schwartz* for petitioners. *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for the United States. Reported below: 275 F. 2d 207.

No. 95, Misc. GARFINKLE *v.* SUPERIOR COURT OF NEW JERSEY ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 278 F. 2d 674.

No. 96, Misc. WOLFSON *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 97, Misc. REECE *v.* OHIO. Supreme Court of Ohio. Certiorari denied.

No. 101, Misc. REED *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied.

No. 102, Misc. PAGE ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Herbert Zelenko* for petitioners.

No. 103, Misc. BIRCH *v.* NEW YORK. Appellate Division, Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 104, Misc. CRAWFORD *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. 106, Misc. BARNES *v.* ELLIS, CORRECTIONS DIRECTOR. Court of Criminal Appeals of Texas. Certiorari denied.

October 10, 1960.

364 U. S.

No. 110, Misc. *FARLEY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin* for the United States.

No. 111, Misc. *OWEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Rice* and *Robert N. Anderson* for the United States. Reported below: 277 F. 2d 790.

No. 113, Misc. *HANKINS v. DISTRICT OF COLUMBIA*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 114, Misc. *BOOKER v. MURPHY, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 115, Misc. *MEARS v. NORTH CAROLINA*. Supreme Court of North Carolina. Certiorari denied.

No. 117, Misc. *OWSLEY v. SMYTH, PENITENTIARY SUPERINTENDENT*. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 121, Misc. *MCCOY v. PEPERSACK, WARDEN*. Court of Appeals of Maryland. Certiorari denied. Reported below: 222 Md. 594, 158 A. 2d 765.

No. 123, Misc. *HASSAN v. MAGISTRATES COURT OF THE CITY OF NEW YORK ET AL.* Court of Appeals of New York. Certiorari denied.

No. 125, Misc. *SIMONETTI v. JOHNSTON, STATE HOSPITAL DIRECTOR*. Appellate Division, Supreme Court of New York, Third Judicial Department. Certiorari denied.

364 U. S.

October 10, 1960.

No. 122, Misc. ZENGER *v.* SCHWARTZ, JUDGE, ET AL.  
C. A. 2d Cir. Certiorari denied.

No. 128, Misc. ADAMS *v.* KELLY DRILLING CO., INC.,  
ET AL. C. A. 5th Cir. Certiorari denied. *Ernest A.  
Carrere, Jr.* for petitioner. *John W. Sims, Charles Kohl-  
meyer, Jr.* and *George B. Matthews* for respondents.  
Reported below: 273 F. 2d 887.

No. 132, Misc. CASEY *v.* ILLINOIS. Circuit Court of  
Will County, Illinois. Certiorari denied.

No. 133, Misc. WESLEY *v.* ILLINOIS. Supreme Court  
of Illinois. Certiorari denied. Reported below: 18 Ill.  
2d 138, 163 N. E. 2d 500.

No. 134, Misc. CAMERON *v.* COCHRAN, CORRECTIONS  
DIRECTOR. Supreme Court of Florida. Certiorari denied.

No. 135, Misc. FARNSWORTH *v.* RANDOLPH, WARDEN.  
Circuit Court of Randolph County, Illinois. Certiorari  
denied.

No. 141, Misc. JAMES *v.* UNITED STATES. C. A. 8th  
Cir. Certiorari denied. Petitioner *pro se.* *Solicitor  
General Rankin, Acting Assistant Attorney General  
Leonard* and *Morton Hollander* for the United States.  
Reported below: 280 F. 2d 428.

No. 139, Misc. CARPENTER *v.* CALIFORNIA. Supreme  
Court of California. Certiorari denied.

No. 140, Misc. CATALANO *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: 281 F. 2d 184.

October 10, 1960.

364 U. S.

No. 137, Misc. *BERRY v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Reported below: 18 Ill. 2d 453, 165 N. E. 2d 257.

No. 142, Misc. *CARNES v. UNITED STATES*. C. A. 10th 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: 279 F. 2d 378.

No. 143, Misc. *SOLOMON v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 145, Misc. *MOSS v. KENTUCKY*. Court of Appeals of Kentucky. Certiorari denied. Petitioner *pro se*. *John B. Breckenridge, Attorney General of Kentucky, and Troy D. Savage, Assistant Attorney General*, for respondent. Reported below: 332 S. W. 2d 650.

No. 146, Misc. *MONTGOMERY v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Reported below: 7 N. Y. 2d 1001, 166 N. E. 2d 516.

No. 148, Misc. *DAVIS v. BANMILLER, WARDEN*. Supreme Court of Pennsylvania. Certiorari denied. Petitioner *pro se*. *Martin H. Lock* for respondent.

No. 150, Misc. *BISHOP v. MARONEY, WARDEN*. Supreme Court of Pennsylvania. Certiorari denied. Reported below: 399 Pa. 208, 159 A. 2d 893.

No. 151, Misc. *BODEN v. PENNSYLVANIA*. Supreme Court of Pennsylvania. Certiorari denied. Reported below: 399 Pa. 298, 159 A. 2d 894.

No. 158, Misc. *WILSON v. BANNAN, WARDEN*. C. A. 6th Cir. Certiorari denied.

364 U. S.

October 10, 1960.

No. 156, Misc. EARLY *v.* COLORADO. Supreme Court of Colorado. Certiorari denied. Petitioner *pro se.* *Duke W. Dunbar*, Attorney General of Colorado, *Frank E. Hickey*, Deputy Attorney General, and *J. F. Brauer*, Assistant Attorney General, for respondent. Reported below: 142 Colo. —, 352 P. 2d 112.

No. 152, Misc. DEVORE *v.* WILKINS, WARDEN. 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.

No. 160, Misc. MERRITTE *v.* NEW YORK. Appellate Division, Supreme Court of New York, Fourth Judicial Department. Certiorari denied. Petitioner *pro se.* *Alexander J. Hercsa* for respondent.

No. 161, Misc. WADE *v.* KENTUCKY. Court of Appeals of Kentucky. Certiorari denied. Petitioner *pro se.* *John B. Breckenridge*, Attorney General of Kentucky, and *Troy D. Savage*, Assistant Attorney General, for respondent.

No. 162, Misc. DOBY *v.* ELLIS, CORRECTIONS DIRECTOR. Court of Criminal Appeals of Texas. Certiorari denied.

No. 163, Misc. BUCHANAN *v.* HEINZE, WARDEN, ET AL. Supreme Court of California. Certiorari denied.

No. 164, Misc. LAMBERT *v.* MUNICIPAL COURT OF LOS ANGELES JUDICIAL DISTRICT, COUNTY OF LOS ANGELES, ET AL. District Court of Appeal of California, Second Appellate District. Certiorari denied. *Samuel C. McMorris* for petitioner. *Harold W. Kennedy* and *Wm. E. Lamoreaux* for respondents.

October 10, 1960.

364 U. S.

No. 166, Misc. *MENARD v. NASH, WARDEN*. Supreme Court of Missouri. Certiorari denied.

No. 168, Misc. *REAGAN v. NASH, WARDEN*. Supreme Court of Missouri. Certiorari denied.

No. 169, Misc. *SNYDER v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied.

No. 172, Misc. *MORRIS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin* for the United States.

No. 175, Misc. *WOOD v. FOGLIANI, WARDEN, ET AL.* Supreme Court of Nevada. Certiorari denied.

No. 177, Misc. *ROGERS v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States.

No. 180, Misc. *CLARK v. WARDEN, MARYLAND PENITENTIARY*. Court of Appeals of Maryland. Certiorari denied. Reported below: 222 Md. 634, 160 A. 2d 789.

No. 181, Misc. *DRISCOLL v. COCHRAN, CORRECTIONS DIRECTOR*. Supreme Court of Florida. Certiorari denied.

No. 182, Misc. *THOMPSON v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied. Reported below: 31 N. J. 540, 158 A. 2d 333.

No. 183, Misc. *FORD v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Reported below: 19 Ill. 2d 466, 168 N. E. 2d 33.

364 U. S.

October 10, 1960.

No. 184, Misc. CRAWFORD *v.* LYDICK ET AL. C. A. 6th Cir. Certiorari denied. Petitioner *pro se.* *Richard H. Paulson* for Lucien F. Sweet, Circuit Court Judge, respondent. *William H. Culver* and *Louis R. Young* for other individual respondents. Reported below: 280 F. 2d 426.

No. 186, Misc. SCOLERI *v.* PENNSYLVANIA. Supreme Court of Pennsylvania. Certiorari denied. *Michael von Moschzisker* for petitioner. *Victor H. Blanc* for respondent. Reported below: 399 Pa. 110, 160 A. 2d 215.

No. 188, Misc. BONDS *v.* NATIONAL SURETY CORP. ET AL. C. A. 5th Cir. Certiorari denied. *Herbert Garon* for petitioner. Reported below: 275 F. 2d 389.

No. 189, Misc. RICKETTS *v.* WILKINS, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 190, Misc. ELLIS *v.* RAINES, WARDEN. Supreme Court of Oklahoma. Certiorari denied.

No. 192, Misc. JACKSON *v.* JACKSON. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Eugene X. Murphy* for petitioner. Reported below: 107 U. S. App. D. C. 255, 276 F. 2d 501.

No. 193, Misc. LINDEN *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 195, Misc. SIMMON *v.* RAGEN, WARDEN. Supreme Court of Illinois. Certiorari denied.

No. 198, Misc. MCDANIEL *v.* UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA ET AL. C. A. 9th Cir. Certiorari denied.

October 10, 1960.

364 U. S.

No. 197, Misc. *ROBERTS v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied.

No. 196, Misc. *MCCARY v. KANSAS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 281 F. 2d 185.

No. 199, Misc. *KIRBY v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. Reported below: 222 Md. 421, 160 A. 2d 786.

No. 201, Misc. *RAMIREZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Daniel H. Greenberg* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for the United States. Reported below: 279 F. 2d 712.

No. 202, Misc. *BUTTS v. NEW YORK*. Appellate Division, Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 203, Misc. *BANGHART v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 204, Misc. *JENNINGS v. RAGEN, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 279 F. 2d 202.

No. 207, Misc. *WHITE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 279 F. 2d 740.

No. 211, Misc. *JONES 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.

364 U. S.

October 10, 1960.

No. 208, Misc. *CANCEL v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 212, Misc. *RUCKLE v. WARDEN, BALTIMORE JAIL*. Court of Appeals of Maryland. Certiorari denied.

No. 213, Misc. *GALLINA v. FRASER*. C. A. 2d Cir. Certiorari denied. Reported below: 278 F. 2d 77.

No. 217, Misc. *SMITH v. ILLINOIS*. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 218, Misc. *MUNSON 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. 224, Misc. *MILLER v. COLORADO*. Supreme Court of Colorado. Certiorari denied. Petitioner *pro se*. *Duke W. Dunbar*, Attorney General of Colorado, *Frank E. Hickey*, Deputy Attorney General, and *J. F. Brauer*, Assistant Attorney General, for respondent. Reported below: 141 Colo. 576, 349 P. 2d 685.

No. 230, Misc. *CUOMO v. LAVALLEE, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 238, Misc. *MONA v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied.

No. 245, Misc. *WILLIAMS v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. *Thomas H. Dent* for petitioner. *Will Wilson*, Attorney General of Texas, *Riley Eugene Fletcher* and *Houghton Brownlee, Jr.* for respondent. Reported below: — Tex. Cr. R. —, 335 S. W. 2d 224.

October 10, 1960.

364 U. S.

No. 247, Misc. GREGORY *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. Petitioner *pro se.* *William I. Siegel* for respondent.

No. 248, Misc. MALLORY *v.* MISSOURI. Supreme Court of Missouri. Certiorari denied. Petitioner *pro se.* *John M. Dalton*, Attorney General of Missouri, for respondent. Reported below: 336 S. W. 2d 383.

No. 256, Misc. BYRNES *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. Reported below: — Tex. Cr. R. —, 335 S. W. 2d 842.

No. 268, Misc. RYAN *v.* BANMILLER, WARDEN. Supreme Court of Pennsylvania. Certiorari denied. Petitioner *pro se.* *Martin H. Lock* for respondent. Reported below: 400 Pa. 326, 162 A. 2d 354.

No. 271, Misc. JACKSON *v.* MARYLAND. Court of Appeals of Maryland. Certiorari denied. Reported below: 223 Md. 105, 163 A. 2d 120.

No. 281, Misc. WASHINGTON *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. 304, Misc. CAMPBELL *v.* BANNAN, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 279 F. 2d 869.

No. 18, Misc. REICKAUER *v.* SMYTH, PENITENTIARY SUPERINTENDENT. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia and other relief denied. Petitioner *pro se.* *Kenneth C. Patty*, First Assistant Attorney General of Virginia, for respondent.

364 U. S.

October 10, 1960.

No. 15, Misc. JONES *v.* SMYTH, PENITENTIARY SUPERINTENDENT. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied without prejudice to an application for writ of habeas corpus in the appropriate United States District Court. Petitioner *pro se.* A. S. Harrison, Jr., Attorney General of Virginia, for respondent.

No. 12, Misc. TUNE *v.* SMYTH, PENITENTIARY SUPERINTENDENT. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied without prejudice to an application for writ of habeas corpus in the appropriate United States District Court to have determined petitioner's allegation that he was not appointed counsel to defend him at his trial. Petitioner *pro se.* A. S. Harrison, Jr., Attorney General of Virginia, for respondent.

No. 50, Misc. MATEY *v.* ALVIS, WARDEN. Motion to substitute Beryle C. Sacks in place of R. W. Alvis as the party respondent granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77, Misc. WOFFORD *v.* UNITED STATES. Motion of *Dyer Justice Taylor* for leave to withdraw appearance as counsel for petitioner granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Reported below: 107 U. S. App. D. C. 196, 275 F. 2d 654.

No. 205, Misc. GLINTON *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Nancy Carley* for petitioner. *Frank S. Hogan* for respondent. Reported below: 8 N. Y. 2d 849, 168 N. E. 2d 704.

October 10, 1960.

364 U. S.

No. 100, Misc. DURHAM *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *George A. Schmiedigen* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Felicia Dubrovsky* for the United States.

*Rehearing Denied.*

No. 14, October Term, 1959. UNITED STATES *v.* DEGE ET VIR, *ante*, p. 51;

No. 54, October Term, 1959. FLEMMING, SECRETARY OF HEALTH, EDUCATION, AND WELFARE, *v.* NESTOR, 363 U. S. 603;

No. 61, October Term, 1959. FEDERAL TRADE COMMISSION *v.* HENRY BROCH & Co., 363 U. S. 166;

No. 138, October Term, 1959. UNITED STATES *v.* AMERICAN-FOREIGN STEAMSHIP CORP. ET AL., 363 U. S. 685;

No. 139, October Term, 1959. KIMM *v.* ROSENBERG, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE, 363 U. S. 405;

No. 143, October Term, 1959. COMMISSIONER OF INTERNAL REVENUE *v.* EVANS ET UX., *ante*, p. 92;

No. 283, October Term, 1959. HERTZ CORPORATION (SUCCESSOR TO J. FRANK CONNOR, INC.) *v.* UNITED STATES, *ante*, p. 122;

No. 156, October Term, 1959. MINER ET AL., JUDGES, U. S. DISTRICT COURT, *v.* ATLASS, 363 U. S. 641;

No. 165, October Term, 1959. BROTHERHOOD OF LOCOMOTIVE ENGINEERS ET AL. *v.* MISSOURI-KANSAS-TEXAS RAILROAD Co. ET AL., 363 U. S. 528; and

No. 208, October Term, 1959. CONNALLY ET AL., EXECUTORS, *v.* FEDERAL POWER COMMISSION, 363 U. S. 841. Petitions for rehearing denied.

364 U. S.

October 10, 1960.

No. 323, October Term, 1959. HUNT OIL Co. v. FEDERAL POWER COMMISSION, 363 U. S. 841;

No. 340, October Term, 1959. SCOTT ET AL. v. UNION PRODUCING Co. ET AL., 363 U. S. 842;

No. 352, October Term, 1959. SOCONY MOBIL OIL Co., INC., v. FEDERAL POWER COMMISSION, 363 U. S. 842;

No. 368, October Term, 1959. HUMBLE OIL & REFINING Co. v. FEDERAL POWER COMMISSION, 363 U. S. 842;

No. 503, October Term, 1959. UNITED STATES v. GRAND RIVER DAM AUTHORITY, 363 U. S. 229;

No. 549, October Term, 1959. HANNAH ET AL. v. LARCHE ET AL., 363 U. S. 420;

No. 550, October Term, 1959. HANNAH ET AL. v. SLAWSON ET AL., 363 U. S. 420;

No. 663, October Term, 1959. GINSBURG v. GOURLEY, CHIEF JUDGE, U. S. DISTRICT COURT, 362 U. S. 917;

No. 730, October Term, 1959. KICAK v. OHIO, 362 U. S. 949;

No. 744, October Term, 1959. OLSHAUSEN v. COMMISSIONER OF INTERNAL REVENUE, 363 U. S. 820;

No. 824, October Term, 1959. KRESHIK ET AL. v. SAINT NICHOLAS CATHEDRAL OF THE RUSSIAN ORTHODOX CHURCH OF NORTH AMERICA, 363 U. S. 190;

No. 852, October Term, 1959. BERNSTEIN ET AL. v. REAL ESTATE COMMISSION OF MARYLAND ET AL., 363 U. S. 419;

No. 895, October Term, 1959. LIVINGSTON ET AL. v. UNITED STATES ET AL., *ante*, p. 281; and

No. 991, October Term, 1959. QUIRKE v. ST. LOUIS-SAN FRANCISCO RAILWAY Co. ET AL., 363 U. S. 845. Petitions for rehearing denied.

No. 30, October Term, 1959. OHIO EX REL. EATON v. PRICE, CHIEF OF POLICE, *ante*, p. 263. Petition for rehearing denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application.

October 10, 1960.

364 U. S.

No. 10, Original, October Term, 1959. UNITED STATES *v.* LOUISIANA ET AL., 363 U. S. 1. Joint motion of Alabama, Mississippi, and Louisiana for leave to file supplement to petitions for rehearing granted. Petitions for rehearing denied. THE CHIEF JUSTICE and MR. JUSTICE CLARK took no part in the consideration or decision of this motion and application.

No. 7, October Term, 1959. WOLFE ET AL. *v.* NORTH CAROLINA, *ante*, p. 177;

No. 321, October Term, 1959. SUN OIL CO. *v.* FEDERAL POWER COMMISSION, *ante*, p. 170;

No. 335, October Term, 1959. SUNRAY MID-CONTINENT OIL CO. *v.* FEDERAL POWER COMMISSION, *ante*, p. 137; and

No. 416, October Term, 1959. GONZALES *v.* UNITED STATES, *ante*, p. 59. Motions for leave to file supplement to petitions for rehearing granted. Petitions for rehearing denied.

No. 71, October Term, 1959. DE VEAU *v.* BRAISTED, 363 U. S. 144. Petition for rehearing denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application.

No. 706, October Term, 1959. BRASS & COPPER WORKERS FEDERAL LABOR UNION No. 19,322, AFL-CIO, *v.* AMERICAN BRASS CO., KENOSHA DIVISION, 363 U. S. 845. Petition for rehearing denied. MR. JUSTICE BLACK took no part in the consideration or decision of this application.

No. 896, October Term, 1959. DEFoe *v.* SUCHMAN ET AL., 363 U. S. 417. Motion to dispense with printing petition for rehearing granted. Petition for rehearing denied.

364 U. S.

October 10, 1960.

No. 410, Misc., October Term, 1959. *MAYFIELD v. SOUTH CAROLINA*, 363 U. S. 846;

No. 466, Misc., October Term, 1959. *LEATHER v. UNITED STATES*, 363 U. S. 831;

No. 572, Misc., October Term, 1959. *PENNSYLVANIA EX REL. HAUN v. MARONEY, WARDEN, ET AL.*, 363 U. S. 855;

No. 577, Misc., October Term, 1959. *MILLER v. ILLINOIS*, 363 U. S. 846;

No. 707, Misc., October Term, 1959. *COOPER ET AL. v. DISTRICT OF COLUMBIA*, 363 U. S. 847;

No. 782, Misc., October Term, 1959. *EASTMAN v. SMYTH, PENITENTIARY SUPERINTENDENT*, 363 U. S. 848;

No. 798, Misc., October Term, 1959. *BRILLIANT v. UNITED STATES*, 363 U. S. 806;

No. 870, Misc., October Term, 1959. *DRANOW v. COMMITTEE ON CHARACTER AND FITNESS IN THE APPELLATE DIVISION OF THE SUPREME COURT OF NEW YORK, FIRST DEPARTMENT, ET AL.*, 363 U. S. 849;

No. 875, Misc., October Term, 1959. *WALKER ET AL. v. WALKER ET AL.*, 363 U. S. 849;

No. 909, Misc., October Term, 1959. *OPPENHEIMER v. SOUTHERN PACIFIC CO. ET AL.*, 363 U. S. 823;

No. 925, Misc., October Term, 1959. *CUTTING v. BANK OF ALASKA (OR NATIONAL BANK OF ALASKA) ET AL.*, *ante*, p. 283;

No. 945, Misc., October Term, 1959. *YOUNGQUIST v. BRUCKER, SECRETARY OF THE ARMY*, 363 U. S. 851;

No. 946, Misc., October Term, 1959. *EX PARTE SHERWOOD*, 363 U. S. 851;

No. 956, Misc., October Term, 1959. *DE GROAT v. NEW YORK*, *ante*, p. 284;

No. 964, Misc., October Term, 1959. *MORRISON v. UNITED STATES*, 363 U. S. 851; and

No. 981, Misc., October Term, 1959. *TWINING v. UNITED STATES*, 363 U. S. 854. Petitions for rehearing denied.

October 10, 17, 1960.

364 U. S.

No. 993, Misc., October Term, 1959. *LOFTON v. SHARP ET AL.*, 363 U. S. 857;

No. 1042, Misc., October Term, 1959. *WAY v. SETTLE, WARDEN*, 363 U. S. 835; and

No. 1050, Misc., October Term, 1959. *RICHARDSON v. RHAY, PENITENTIARY SUPERINTENDENT*, 363 U. S. 834. Petitions for rehearing denied.

No. 52, Misc., October Term, 1959. *KAPLAN v. NEW YORK*, 363 U. S. 805; and

No. 882, Misc., October Term, 1959. *LARSON v. UNITED STATES*, 363 U. S. 849. Motions for leave to file petitions for rehearing denied.

No. 970, Misc., October Term, 1959. *FAUBERT v. MICHIGAN ET AL.*, 363 U. S. 835. Petition for rehearing denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application.

OCTOBER 17, 1960.

*Miscellaneous Orders.*

No. —. *ALLIED CHEMICAL CORP. v. UNITED STATES*. The application for stay presented to MR. JUSTICE FRANKFURTER, and by him referred to the Court, is denied. *John T. Noonan* for applicant. *Solicitor General Rankin* for the United States.

No. 28. *KONIGSBERG v. STATE BAR OF CALIFORNIA ET AL.* Certiorari, 362 U. S. 910, to the Supreme Court of California. The motion of American Civil Liberties Union of Southern California for leave to file brief, as *amicus curiae*, is granted. *A. L. Wirin, Fred Okrand and Hugh R. Manes* for movant.

364 U. S.

October 17, 1960.

No. 45. FEDERAL POWER COMMISSION *v.* TRANSCONTINENTAL GAS PIPE LINE CORP. ET AL. Certiorari, 362 U. S. 948, to the United States Court of Appeals for the Third Circuit. The motion of Southern California Gas Company et al. for leave to file brief, as *amici curiae*, is granted. *L. T. Rice, Henry F. Lippitt II, Milford Springer, Joseph R. Rensch, J. David Mann, Jr. and William W. Ross* for movants.

No. 60. POE ET AL. *v.* ULLMAN, STATE'S ATTORNEY; and

No. 61. BUXTON *v.* ULLMAN, STATE'S ATTORNEY. Appeals from the Supreme Court of Errors of Connecticut. (Probable jurisdiction noted, 362 U. S. 987.) The motion of the American Civil Liberties Union and the Connecticut Civil Liberties Union for leave to file brief, as *amici curiae*, is granted. MR. JUSTICE FRANKFURTER took no part in the consideration or decision of this motion. *Osmond K. Fraenkel* for movants.

No. 73. RADIANT BURNERS, INC., *v.* PEOPLES GAS LIGHT & COKE Co. ET AL. Certiorari, 363 U. S. 809, to the United States Court of Appeals for the Seventh Circuit. The motion of the Solicitor General for leave to participate in oral argument, as *amicus curiae*, is granted. *Solicitor General Rankin* for the United States.

No. 74. NATIONAL LABOR RELATIONS BOARD *v.* MATTISON MACHINE WORKS. Certiorari, 363 U. S. 826, to the United States Court of Appeals for the Seventh Circuit. The motion of International Union, U. A. W., A. F. L.-C. I. O. for leave to file brief, as *amicus curiae*, is granted. *Harold A. Katz* for movant. *Charles B. Cannon* for respondent.

October 17, 1960.

364 U. S.

No. 320, Misc. SCHWILLE *v.* RICE, U. S. DISTRICT JUDGE, ET AL. Motion for leave to file petition for writ of mandamus denied. *James P. Donovan* and *William F. Billings* for movant. *Will Wilson*, Attorney General of Texas, *Leon Jaworski*, *Edward Clark*, *John D. Cofer* and *Abe Fortas* for respondents.

*Probable Jurisdiction Noted.*

No. 203. ELI LILLY & Co. *v.* SAV-ON-DRUGS, INC. Appeal from the Supreme Court of New Jersey. Probable jurisdiction noted. *Joseph H. Stamler*, *Melvin P. Antell* and *Everett I. Willis* for appellant. *Vincent P. Biunno* and *Samuel M. Lane* for appellee. *David D. Furman*, Attorney General of New Jersey, and *Murry Brochin*, Deputy Attorney General, for the State of New Jersey, intervenor-appellee, urging affirmance. Reported below: 31 N. J. 591, 158 A. 2d 528.

No. 306. CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC RAILROAD Co. *v.* UNITED STATES ET AL.; and

No. 307. BENSON, SECRETARY OF AGRICULTURE, *v.* UNITED STATES ET AL. Appeals from the United States District Court for the Eastern District of Wisconsin. Probable jurisdiction noted. *E. R. Eckersall*, *E. O. Schiewe*, *R. K. Merrill* and *B. E. Lutterman* for appellant in No. 306. *Carl J. Stephens*, *Neil Brooks* and *Donald A. Campbell* for appellant in No. 307. *Solicitor General Rankin*, *Assistant Attorney General Bicks*, *Richard A. Solomon*, *Robert W. Ginnane* and *Charlie H. Johns, Jr.* for the United States. *Fletcher Rockwood*, *Marcellus L. Countryman, Jr.*, *Anthony Kane*, *Louis E. Torinus, Jr.*, *Charles A. Hart*, *Jordan J. Hillman*, *Martin L. Cassell* and *Richard Musenbrock* for the appellee railroad companies. Reported below: 182 F. Supp. 81.

364 U. S.

October 17, 1960.

No. 257. H. K. PORTER CO., INC., ET AL. *v.* CENTRAL VERMONT RAILWAY, INC., ET AL.;

No. 258. INTERSTATE COMMERCE COMMISSION *v.* CENTRAL VERMONT RAILWAY, INC., ET AL.; and

No. 266. UNITED STATES *v.* CENTRAL VERMONT RAILWAY, INC., ET AL. Appeals from the United States District Court for the District of Vermont. Probable jurisdiction noted. *E. B. Ussey* for appellants in No. 257. *Robert W. Ginnane* and *H. Neil Garson* for appellant in No. 258. *Solicitor General Rankin*, *Assistant Attorney General Bicks* and *Richard A. Solomon* for the United States in No. 266. *J. Edgar McDonald*, *J. Raymond Hoover*, *William H. Parsons*, *Horace H. Powers*, *John F. Reilly* and *William F. Zearfaus* for appellees. Reported below: 182 F. Supp. 516.

*Certiorari Granted.* (See also No. 167, Misc., ante, p. 295.)

No. 198. MONTANA *v.* ROGERS, ATTORNEY GENERAL. C. A. 7th Cir. *Certiorari* granted. *Anna R. Lavin* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for respondent. Reported below: 278 F. 2d 68.

No. 274. MITCHELL, SECRETARY OF LABOR, *v.* WHITAKER HOUSE COOPERATIVE, INC., ET AL. C. A. 1st Cir. *Certiorari* granted. *Solicitor General Rankin*, *Harold C. Nystrom*, *Bessie Margolin* and *Sylvia S. Ellison* for petitioner. *Cyril M. Joly* for respondents. Reported below: 275 F. 2d 362.

No. 241. BULOVA WATCH CO., INC., *v.* UNITED STATES. Court of Claims. *Certiorari* granted. *Bernard Weiss* for petitioner. *Solicitor General Rankin*, *Assistant Attorney*

October 17, 1960.

364 U. S.

*General Rice, Acting Assistant Attorney General Heffron, Meyer Rothwacks and A. F. Prescott for the United States.*

*Certiorari Denied. (See also No. 278, ante, p. 294, and No. 112, Misc., ante, p. 293.)*

No. 172. CRAMER ET UX. v. ROMINE ET AL. District Court of Appeal of Florida, Third District. Certiorari denied. *John G. Simms* for petitioners. *Richard W. Ervin*, Attorney General of Florida, and *Charles Vocelle*, Special Assistant Attorney General, for respondents. Reported below: 114 So. 2d 629.

No. 209. COMPANHIA ATLANTICA DE DESENVOLVIMENTO E EXPLORACAO DE MINAS v. UNITED STATES; and

No. 383. UNITED STATES v. COMPANHIA ATLANTICA DE DESENVOLVIMENTO E EXPLORACAO DE MINAS. Court of Claims. Certiorari denied. *Francis A. Brick, Jr.* for petitioner in No. 209 and respondent in No. 383. *Solicitor General Rankin, Assistant Attorney General Doub, Morton Hollander and Herbert E. Morris* for the United States. *Joel W. Westbrook, James M. Landis and Philip J. O'Brien, Jr.* filed a brief for Westbrook et al., as *amici curiae*, in support of petitioner in No. 209. Reported below: — Ct. Cl. —, 180 F. Supp. 342.

No. 248. ASTOR v. ASTOR. Supreme Court of Florida. Certiorari denied. *W. F. Parker* for petitioner. *William C. Steel* for respondent. Reported below: 120 So. 2d 176.

No. 280. WALLACE v. ST. LOUIS-SAN FRANCISCO RAILWAY Co. Supreme Court of Mississippi. Certiorari denied. *Frank E. Everett, Jr.* for petitioner. *C. R. Bolton, D. W. Houston, Sr., James L. Homire and Walter W. Dalton* for respondent. Reported below: 239 Miss. 237, 120 So. 2d 131.

364 U. S.

October 17, 1960.

No. 249. *TANZER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *James J. Silver* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Jerome M. Feit* for the United States. Reported below: 278 F. 2d 137.

No. 252. *AZTECA FILMS, INC., v. GENERAL CASUALTY COMPANY OF AMERICA*. C. A. 9th Cir. Certiorari denied. *George C. Lyon and Henry F. Walker* for petitioner. *Robert E. Dunne* for respondent. Reported below: 278 F. 2d 161.

No. 254. *BUFALINO v. HOLLAND, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 3d Cir. Certiorari denied. *Leon H. Kline* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Theodore George Gilinsky* for respondent. Reported below: 277 F. 2d 270.

No. 301. *INTERNATIONAL HOD CARRIERS' BUILDING & COMMON LABORERS' UNION OF AMERICA, LOCAL 41, AFL-CIO, v. MADDEN, REGIONAL DIRECTOR, NATIONAL LABOR RELATIONS BOARD*. C. A. 7th Cir. Certiorari denied. *Bernard M. Mamet* for petitioner. *Solicitor General Rankin, Stuart Rothman, Dominick L. Manoli and Norton J. Come* for respondent. Reported below: 277 F. 2d 688.

No. 68, Misc. *CARTER ET AL. v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Daniel R. Sherry and Foster Wood* for petitioners. *Solicitor General Rankin, Assistant Attorney General Wilkey and Kirby W. Patterson* for the United States. Reported below: 107 U. S. App. D. C. 305, 277 F. 2d 335.

October 17, 1960.

364 U. S.

No. 304. HARRISON *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Wallace Miller, Jr.* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 279 F. 2d 19.

No. 7, Misc. ROBINSON *v.* MARONEY, WARDEN. Superior Court of Pennsylvania, Pittsburgh District. Certiorari denied. Petitioner *pro se.* *Anne X. Alpern*, Attorney General of Pennsylvania, and *Frank P. Lawley*, Deputy Attorney General, for respondent.

No. 149, Misc. WATTLEY ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. Petitioners *pro se.* *Solicitor General Rankin, Assistant Attorney General Rice* and *Lee A. Jackson* for respondent. Reported below: 275 F. 2d 461.

No. 153, Misc. BARBER *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 279 F. 2d 687.

No. 220, Misc. RUSSELL *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg* and *Kirby W. Patterson* for the United States.

No. 234, Misc. JONES *v.* MONTANA. Supreme Court of Montana. Certiorari denied.

No. 240, Misc. BRATE *v.* NEW YORK. County Court of Albany County, New York. Certiorari denied. *Sol Greenberg* for petitioner.

364 U. S.

October 17, 1960.

No. 187, Misc. LATHAN *v.* REID. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Lawrence Speiser* and *Richard Arens* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Tyler*, *Harold H. Greene* and *David Rubin* for respondent. Reported below: 108 U. S. App. D. C. 58, 280 F. 2d 66.

No. 246, Misc. BROWN *v.* NEW YORK. Appellate Division, Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 249, Misc. ALLEN *v.* SMYTH, PENITENTIARY SUPERINTENDENT. C. A. 4th Cir. Certiorari denied.

No. 259, Misc. BEGALKE *v.* UNITED STATES. Court of Claims. Certiorari denied. *Robert H. Reiter* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Morton Hollander* and *Donald H. Green* for the United States. Reported below: — Ct. Cl. —, 286 F. 2d 606.

No. 261, Misc. PLAYER *v.* STEINER, WARDEN. Court of Appeals of Maryland. Certiorari denied. Reported below: 222 Md. 619, 159 A. 2d 852.

No. 266, Misc. WHITAKER *v.* STEINER, WARDEN. Court of Appeals of Maryland. Certiorari denied. Reported below: 223 Md. 648, 162 A. 2d 445.

No. 309, Misc. WOLSTENHOLME *v.* CITY OF OAKLAND ET AL. Supreme Court of California. Certiorari denied. *Lawrence Speiser* for petitioner. *Edward A. Goggin* for respondents. Reported below: — Cal. 2d —, 351 P. 2d 321.

October 17, 1960.

364 U. S.

No. 272, Misc. FREY *v.* BANMILLER, PENITENTIARY SUPERINTENDENT. Supreme Court of Pennsylvania. Certiorari denied.

No. 274, Misc. HUNTER *v.* ADAMS, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 275, Misc. BENJAMIN *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. Reported below: 8 N. Y. 2d 812, 168 N. E. 2d 389.

No. 278, Misc. TRUITT *v.* ILLINOIS. C. A. 7th Cir. Certiorari denied. Reported below: 278 F. 2d 819.

No. 283, Misc. WILLIAMS *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 285, Misc. BENNETT *v.* BYRUM ET AL. Supreme Court of North Carolina. Certiorari denied.

No. 287, Misc. KLUMPP *v.* OHIO. Supreme Court of Ohio. Certiorari denied. *William F. Hopkins* for petitioner. Reported below: 171 Ohio St. 62, 167 N. E. 2d 778.

No. 289, Misc. ADAMS *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. 310, Misc. HOMAN *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. Reported below: 279 F. 2d 767.

364 U. S.

October 17, 24, 1960.

No. 312, Misc. *Downs v. New York*. Court of Appeals of New York. Certiorari denied. *Nancy Carley* for petitioner. Reported below: 8 N. Y. 2d 860, 168 N. E. 2d 710.

No. 286, Misc. *McMullen v. Travelers Insurance Co.* Motion for leave to file supplement to petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Petitioner *pro se*. *Ransom W. Chase* for respondent. Reported below: 278 F. 2d 834.

OCTOBER 24, 1960.

*Miscellaneous Orders.*

No. 67. *Braunfeld et al. v. Gibbons, Police Commissioner, et al.* Appeal from the United States District Court for the Eastern District of Pennsylvania. (Probable jurisdiction noted, 362 U. S. 987.) The motion to substitute Albert N. Brown in the place of Thomas J. Gibbons as a party appellee and to correct and amend title and caption to show Pennsylvania Retailers' Association as a party appellee is granted. *Stephen B. Narin* for appellants. *David Berger* for Brown et al., and *Arthur Littleton* for Pennsylvania Retailers' Association, appellees.

No. 115. *Reynolds v. Cochran, Corrections Director*. Certiorari, 363 U. S. 801, to the Supreme Court of Florida. Further consideration of the motion to enlarge the record is postponed to the hearing of the case on the merits. *Claude Pepper* for petitioner. *Richard W. Ervin*, Attorney General of Florida, and *George R. Georgieff*, Assistant Attorney General, for respondent.

October 24, 1960.

364 U. S.

- No. 329, Misc. CORBIN *v.* BANMILLER, WARDEN ;  
 No. 341, Misc. KELLY *v.* HERITAGE, WARDEN ;  
 No. 366, Misc. RICH *v.* HERITAGE, WARDEN ;  
 No. 375, Misc. BUTLER *v.* COCHRAN, CORRECTIONS  
 DIRECTOR ;  
 No. 378, Misc. FULFORD *v.* FLORIDA ;  
 No. 391, Misc. TAYLOR *v.* COCHRAN, CORRECTIONS  
 DIRECTOR ; and  
 No. 406, Misc. MORGAN *v.* MCNEILL, STATE HOSPITAL  
 SUPERINTENDENT. Motions for leave to file petitions for  
 writs of habeas corpus denied.

No. 93, Misc. GATCHELL *v.* COCHRAN, CORRECTIONS  
 DIRECTOR. 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. Peti-  
 tioner *pro se.* *Richard W. Ervin*, Attorney General of  
 Florida, and *Reeves Bowen*, Assistant Attorney General,  
 for respondent.

No. 362, Misc. SKELTON *v.* WHITTIER, ADMINISTRATOR  
 OF VETERANS AFFAIRS ; and

No. 468, Misc. SIMONS *v.* SUPREME COURT OF NORTH  
 DAKOTA ET AL. Motions for leave to file petitions for  
 writs of mandamus denied.

No. 359, Misc. SULLIVAN *v.* DICKSON, WARDEN.  
 Motion for leave to file petition for writ of injunction and  
 other relief denied.

*Probable Jurisdiction Noted.*

No. 236. MAPP *v.* OHIO. Appeal from the Supreme  
 Court of Ohio. Probable jurisdiction noted. *A. L.*  
*Kearns* and *Walter L. Greene* for appellant. *John T.*  
*Corrigan* for appellee. Reported below: 170 Ohio St.  
 427, 166 N. E. 2d 387.

364 U. S.

October 24, 1960.

No. 294. LOUISIANA EX REL. GREMILLION, ATTORNEY GENERAL, ET AL. *v.* NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE ET AL. Appeal from the United States District Court for the Eastern District of Louisiana. Probable jurisdiction noted. *Jack P. F. Gremillion*, Attorney General of Louisiana, *George Ponder*, First Assistant Attorney General, and *William P. Schuler*, Assistant Attorney General, for appellants. *Robert L. Carter* and *A. P. Tureaud* for appellees. Reported below: 181 F. Supp. 37.

*Certiorari Granted.* (See also No. 129, ante, p. 297, and No. 324, ante, p. 299.)

No. 321. LOCAL 761, INTERNATIONAL UNION OF ELECTRICAL, RADIO & MACHINE WORKERS, AFL-CIO, *v.* NATIONAL LABOR RELATIONS BOARD ET AL. United States Court of Appeals for the District of Columbia Circuit. *Certiorari granted.* *Benjamin C. Sigal* for petitioner. *Solicitor General Rankin*, *Stuart Rothman*, *Dominick L. Manoli* and *Norton J. Come* for the National Labor Relations Board, and *Gerard D. Reilly* for General Electric Co., respondents. Reported below: 107 U. S. App. D. C. 402, 278 F. 2d 282.

No. 313. SMITH *v.* BUTLER ET AL., TRUSTEES. District Court of Appeal of Florida, Third District. *Certiorari granted.* *William S. Frates* for petitioner. *Harold B. Wahl* and *E. F. P. Brigham* for respondents. Reported below: 118 So. 2d 237.

*Certiorari Denied.* (See also No. 93, Misc., ante, p. 868.)

No. 305. HEIDEMAN *v.* KELSEY, EXECUTOR, ET AL. Supreme Court of Illinois. *Certiorari denied.* *William C. Wines* for petitioner. *Richard S. Bull* for respondents. Reported below: 19 Ill. 2d 258, 166 N. E. 2d 596.

October 24, 1960.

364 U. S.

No. 308. BENTON ET AL. *v.* McCARTHY ET AL. C. A. 2d Cir. Certiorari denied. *Thaddeus G. Benton* for petitioners. *Edward M. Garlock* for respondents. Reported below: 276 F. 2d 957.

No. 309. DUKE MOLNER WHOLESALE LIQUOR CO., INC., ET AL. *v.* MARTIN, DIRECTOR, DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL, ET AL. District Court of Appeal of California, Second Appellate District. Certiorari denied. *Murray M. Chotiner, Russell E. Parsons and Jerome L. Ehrlich* for petitioners. Reported below: 180 Cal. App. 2d 873, 4 Cal. Rptr. 9041.

No. 327. PEYTON *v.* ALABAMA. Court of Appeals of Alabama. Certiorari denied. *Crampton Harris and Claud D. Scruggs* for petitioner. *MacDonald Gallion, Attorney General of Alabama, and George D. Mentz, Assistant Attorney General, for respondent.* Reported below: 40 Ala. App. 556, 120 So. 2d 415.

No. 333. NEW YORK, NEW HAVEN & HARTFORD RAILROAD CO. *v.* McWEENEY. C. A. 2d Cir. Certiorari denied. *Robert M. Peet* for petitioner. *William Paul Allen* for respondent. Reported below: 282 F. 2d 34.

No. 334. DELTA AIR LINES, INC., *v.* CIVIL AERONAUTICS BOARD. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *James F. Bell* for petitioner. *Solicitor General Rankin, Assistant Attorney General Bicks, Franklin M. Stone and O. D. Ozment* for respondent. Reported below: 108 U. S. App. D. C. 88, 280 F. 2d 636.

No. 320. FIORITO *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. *Charles A. Bellows* for petitioner. Reported below: 19 Ill. 2d 246, 166 N. E. 2d 606.

364 U. S.

October 24, 1960.

No. 312. GULF OIL CORP. *v.* INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL No. 715, AFL-CIO. C. A. 5th Cir. Certiorari denied. *David W. Stephens* and *David T. Searls* for petitioner. Reported below: 279 F. 2d 533.

No. 317. BROCKI *v.* AMERICAN EXPRESS CO. ET AL. C. A. 6th Cir. Certiorari denied. *Harold Helper* and *Max M. Marston* for petitioner. *Robert E. McKean* for respondents. Reported below: 279 F. 2d 785.

No. 318. WICHITA TELEVISION CORP., INC., DOING BUSINESS AS KARD-TV, *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 10th Cir. Certiorari denied. *Bennett Boskey* and *Daniel M. Moyer* for petitioner. *Solicitor General Rankin*, *Stuart Rothman*, *Dominick L. Manoli*, *Norton J. Come*, *Duane B. Beeson* and *Standau E. Weinbrecht* for respondent. Reported below: 277 F. 2d 579.

No. 319. CHARLES *v.* SIMMONS ET AL. Supreme Court of Georgia. Certiorari denied. *Charles W. Anderson* for petitioner. *Paul Webb, Jr.* for respondents. Reported below: 215 Ga. 794, 113 S. E. 2d 604.

No. 323. GUTERMA *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Richard H. Wels* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 281 F. 2d 742.

No. 325. FRIEDLANDER ET AL. *v.* CHICAGO BAR ASSOCIATION ET AL. Supreme Court of Illinois. Certiorari denied. *Robert J. Nolan* for petitioners. *John Lightenberg* for respondents. Reported below: See 24 Ill. App. 2d 130, 164 N. E. 2d 517.

October 24, 1960.

364 U. S.

No. 330. *MADDOX v. DISTRICT SUPPLY, INC., ET AL.* Court of Appeals of Maryland. Certiorari denied. *Luther Robinson Maddox*, petitioner, *pro se.* *Richard W. Galiher* for District Supply, Inc., respondent. Reported below: 222 Md. 31, 158 A. 2d 650.

No. 335. *COMMERCE-PACIFIC, INC., v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *George Bouchard* and *Richard A. Perkins* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Melva M. Graney* and *Carolyn R. Just* for the United States. Reported below: 278 F. 2d 651.

No. 43, Misc. *BRIGANTI v. NEW YORK.* Appellate Division, Supreme Court of New York, First Judicial Department. Certiorari denied. Petitioner *pro se.* *Daniel J. Sullivan* for respondent.

No. 119, Misc. *EDWARDS v. RHAY, PENITENTIARY SUPERINTENDENT.* Supreme Court of Washington. Certiorari denied.

No. 129, Misc. *SMITH v. SETTLE, WARDEN.* C. A. 8th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin*, *Assistant Attorney General Tyler* and *Harold H. Greene* for respondent. Reported below: 280 F. 2d 428.

No. 260, Misc. *JAMES v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 291, Misc. *BICHELL v. MARYLAND.* Court of Appeals of Maryland. Certiorari denied. Reported below: 222 Md. 418, 161 A. 2d 116.

364 U. S.

October 24, 1960.

No. 277, Misc. *FEBLES v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 292, Misc. *DEGENNARO ET AL. v. CONNECTICUT*. Supreme Court of Errors of Connecticut. Certiorari denied. Petitioners *pro se*. *Abraham S. Ullman* and *Arthur T. Gorman* for respondent. Reported below: 147 Conn. 296, 160 A. 2d 480.

No. 293, Misc. *STREIT v. BENNETT, WARDEN*. Supreme Court of Iowa. Certiorari denied.

No. 295, Misc. *FERNBAUGH v. HURT, SHERIFF, ET AL.* Criminal Court of Appeals of Oklahoma. Certiorari denied. Reported below: 354 P. 2d 787.

No. 297, Misc. *ANDERSON 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. 298, Misc. *SIEGEL v. RAGEN, WARDEN*. Supreme Court of Illinois. Certiorari denied.

No. 299, Misc. *ALDRIDGE v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Reported below: 19 Ill. 2d 176, 166 N. E. 2d 563.

No. 301, Misc. *OPPENHEIMER v. PACIFIC ELECTRIC RAILWAY Co.* Appellate Department, Superior Court of California, Los Angeles County. Certiorari denied.

No. 316, Misc. *NUNLEY v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

October 24, 1960.

364 U. S.

No. 311, Misc. *BENTLEY v. McLAUGHLIN*, JUDGE. Supreme Court of Kansas. Certiorari denied.

No. 314, Misc. *HACKETT v. TINSLEY*, WARDEN. Supreme Court of Colorado. Certiorari denied. Petitioner *pro se*. *Duke W. Dunbar*, Attorney General of Colorado, *Frank E. Hickey*, Deputy Attorney General, and *J. F. Brauer*, Assistant Attorney General, for respondent. Reported below: 143 Colo. —, 352 P. 2d 799.

No. 317, Misc. *CLAYBORN v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 318, Misc. *SZABO v. CONNECTICUT*. Supreme Court of Errors of Connecticut. Certiorari denied.

No. 321, Misc. *PROSKAUER v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 322, Misc. *KAIN v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. Reported below: 222 Md. 511, 161 A. 2d 454.

No. 323, Misc. *WOLFF v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Reported below: 19 Ill. 2d 318, 167 N. E. 2d 197.

No. 324, Misc. *BUTLER v. MYERS*, CORRECTIONAL SUPERINTENDENT. Supreme Court of Pennsylvania. Certiorari denied.

No. 420, Misc. *BICKHAM v. LOUISIANA*. Supreme Court of Louisiana. Certiorari denied. *G. Wray Gill* for petitioner. Reported below: 239 La. 1094, 121 So. 2d 207.

364 U. S.

October 24, 1960.

No. 326, Misc. HILL *v.* GENTRY, CORRECTIONAL OFFICER. C. A. 8th Cir. Certiorari denied. Reported below: 280 F. 2d 88.

No. 331, Misc. ODELL *v.* BURKE, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 334, Misc. STONE *v.* WILKINS, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 337, Misc. JACKSON *v.* MCGEE, CORRECTIONS DIRECTOR, ET AL. Supreme Court of California. Certiorari denied.

No. 338, Misc. SPADER *v.* WILENTZ, COUNTY PROSECUTOR, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 280 F. 2d 422.

No. 352, Misc. JONES *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: 279 F. 2d 652.

No. 358, Misc. FITZSIMMONS *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied. Petitioner *pro se*. *John G. Thevos* for respondent.

No. 363, Misc. HUGHES *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 364, Misc. GENCARELLI *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 381, Misc. YANKOVICH *v.* BANNAN, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 279 F. 2d 292.

October 24, November 7, 1960.

364 U. S.

No. 367, Misc. *GAYNOR v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 382, Misc. *PITTS v. NEW YORK*. Appellate Division, Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 395, Misc. *FREEMAN ET AL. v. BANNAN, WARDEN*. C. A. 6th Cir. Certiorari denied.

NOVEMBER 7, 1960.

*Miscellaneous Orders.*

No. 360, Misc. *SCOTT v. CALIFORNIA*. Upon the suggestion of counsel for petitioner of the death of petitioner, the petition for writ of certiorari to the Supreme Court of California is dismissed. *Morris Lavine* for petitioner.

No. 434, Misc. *LYONS v. NEW YORK*. Motion for leave to file petition for writ of certiorari denied.

No. 422, Misc. *CORSO v. MURPHY, WARDEN* ;  
No. 440, Misc. *KITCHEN v. UNITED STATES* ;  
No. 441, Misc. *FARMER v. WILLINGHAM, WARDEN* ;  
No. 454, Misc. *STRIGNANO v. UNITED STATES* ; and  
No. 466, Misc. *IN RE BICKOW*. Motions for leave to file petitions for writs of habeas corpus denied.

No. 243, Misc. *IN RE SMITH* ; and

No. 452, Misc. *DOBY v. COLLINS ET AL.* Motions for leave to file petitions for writs of habeas corpus denied. Treating the papers submitted as petitions for writs of certiorari, certiorari is denied. Petitioners *pro se*. *Hilton A. Dickson, Jr.*, Attorney General of New Mexico, and *Carl P. Dunifon, Mark C. Reno* and *Norman S. Thayer*, Assistant Attorneys General, for respondent in No. 243, Misc.

364 U. S.

November 7, 1960.

*Probable Jurisdiction Noted.*

No. 373. *TORCASO v. WATKINS*, CLERK. Appeal from the Court of Appeals of Maryland. Probable jurisdiction noted. *Joseph A. Sickles, Carlton R. Sickles, Lawrence Speiser* and *Leo Pfeffer* for appellant. *C. Ferdinand Sybert*, Attorney General of Maryland, *Stedman Prescott, Jr.*, Deputy Attorney General, and *Joseph S. Kaufman*, Assistant Attorney General, for appellee. Reported below: 223 Md. 49, 162 A. 2d 438.

*Certiorari Granted.*

No. 326. *ANDERSON v. ALABAMA*. Court of Appeals of Alabama. Certiorari granted. *Peter A. Hall, Fred D. Gray* and *Orzell Billingsley, Jr.* for petitioner. *MacDonald Gallion*, Attorney General of Alabama, and *David W. Clark*, Assistant Attorney General, for respondent. Reported below: 270 Ala. 575, 120 So. 2d 414.

No. 329. *UNITED STATES, TRUSTEE, v. OREGON*. Supreme Court of Oregon. Certiorari granted. *Solicitor General Rankin, Acting Assistant Attorney General Leonard, Alan S. Rosenthal* and *David L. Rose* for the United States. *Robert Y. Thornton*, Attorney General of Oregon, and *Catherine Zorn*, Assistant Attorney General, for respondent. Reported below: 220 Ore. 40, 352 P. 2d 539.

No. 339. *NATIONAL LABOR RELATIONS BOARD v. NEWS SYNDICATE CO., INC., ET AL.* C. A. 2d Cir. Certiorari granted. *Solicitor General Rankin, Stuart Rothman, Dominick L. Manoli* and *Norton J. Come* for petitioner. *Gerhard P. Van Arkel* and *David I. Shapiro* for New York Mailers' Union No. 6, International Typographical Union, AFL-CIO, and *Stuart N. Updike* for News Syndicate Co., respondents. Reported below: 279 F. 2d 323.

November 7, 1960.

364 U. S.

No. 340. INTERNATIONAL TYPOGRAPHICAL UNION, AFL-CIO, ET AL. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 1st Cir. Certiorari granted. *Gerhard P. Van Arkel* and *David I. Shapiro* for petitioners. *Solicitor General Rankin, Stuart Rothman, Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: 278 F. 2d 6.

No. 388. VERRET ET AL. *v.* OIL TRANSPORT Co., INC., ET AL. C. A. 5th Cir. Certiorari granted limited to questions presented by the petition in connection with 46 U. S. C. § 185 and Admiralty Rule 51. *James J. Morrison, Arthur A. de la Houssaye* and *Raymond H. Kierr* for petitioners. *Eberhard P. Deutsch* for respondents. Reported below: 278 F. 2d 464.

*Certiorari Denied.* (See also No. 352, *ante*, p. 336; No. 357, *Misc.*, *ante*, p. 338; and *Misc. Nos. 434, 243 and 452, ante*, p. 876.)

No. 337. GINSBURG ET UX. *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. *Gerson Askinas* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, Harry Baum* and *George F. Lynch* for the United States. Reported below: 278 F. 2d 470.

No. 338. DOMINICAN REPUBLIC *v.* ROACH, TRADING AS RADIO NEWS SERVICE CORP. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Edward L. Carey* and *Walter E. Gillcrist* for petitioner. Reported below: 108 U. S. App. D. C. 51, 280 F. 2d 59.

No. 342. NELSON ET AL. *v.* SIERRA CONSTRUCTION CORP. Supreme Court of Nevada. Certiorari denied. *Morton Galane* for petitioners. *Madison B. Graves* for respondent. Reported below: 76 Nev. —, 352 P. 2d 125.

364 U. S.

November 7, 1960.

No. 343. *KRAMER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Alexander Cooper* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 279 F. 2d 754.

No. 344. *SOBER ET AL. v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Alexander Cooper* for petitioners. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States. Reported below: 281 F. 2d 244.

No. 346. *TIMOLAT ET AL. v. BURAS ET AL.* C. A. 5th Cir. Certiorari denied. *Charles D. Marshall, Eugene D. Saunders* and *J. Raburn Monroe* for petitioners. Reported below: 275 F. 2d 797.

No. 347. *ROBERSON ET AL. v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *William Earl Badgett* for petitioners. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 282 F. 2d 648.

No. 348. *BROWN & WILLIAMSON TOBACCO CORP. ET AL. v. HELLENIC LINES LIMITED ET AL.* C. A. 4th Cir. Certiorari denied. *John W. R. Zisgen* and *Stuart Sprague* for petitioners. *George Yamaoka* and *Francis P. Kelly* for respondents. Reported below: 277 F. 2d 9.

No. 349. *WEYERHAEUSER COMPANY v. NATIONAL LABOR RELATIONS BOARD*. C. A. 7th Cir. Certiorari denied. *Thomas R. McMillen* for petitioner. *Solicitor General Rankin, Stuart Rothman, Dominick L. Manoli* and *Morton J. Come* for respondent. Reported below: 276 F. 2d 865.

November 7, 1960.

364 U. S.

No. 350. *CARTER ET AL. v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Curtis P. Mitchell* for petitioners. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Julia P. Cooper* for the United States. Reported below: 108 U. S. App. D. C. 277, 281 F. 2d 640.

No. 351. *HOMENTOWSKI v. NEW YORK EX REL. CHOMENTOWSKI.* C. A. 2d Cir. Certiorari denied. Reported below: — F. 2d —.

No. 353. *MILLER ET AL. v. UNITED STATES.* Court of Civil Appeals of Texas, Third Supreme Judicial District. Certiorari denied. *Abe Fortas and John D. Cofer* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, A. F. Prescott and Fred E. Youngman* for the United States. Reported below: 331 S. W. 2d 436.

No. 358. *W. W. CHAMBERS Co., INC., v. NATIONAL LABOR RELATIONS BOARD.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Thomas B. Scott* for petitioner. *Solicitor General Rankin, Stuart Rothman, Dominick L. Manoli, Norton J. Come and Herman M. Levy* for respondent. Reported below: 108 U. S. App. D. C. 42, 279 F. 2d 817.

No. 372. *MUNSON ET UX. v. MCGINNES, DISTRICT DIRECTOR OF INTERNAL REVENUE.* C. A. 3d Cir. Certiorari denied. *Frederick E. S. Morrison and Calvin H. Rankin* for petitioners. Reported below: 283 F. 2d 333.

No. 364. *ROSE ET AL. v. BOURNE, INC.* C. A. 2d Cir. Certiorari denied. *Morris Shilensky* for petitioners. *Louis Nizer* for respondent. Reported below: 279 F. 2d 79.

364 U. S.

November 7, 1960.

No. 354. MIDLAND FORD TRACTOR CO. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 8th Cir. Certiorari denied. *Robert Ash* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Heffron, Robert N. Anderson* and *Morton K. Rothschild* for respondent. Reported below: 277 F. 2d 111.

No. 356. HYPHE *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *George E. Trawick* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 278 F. 2d 915.

No. 359. UNITED MINE WORKERS OF AMERICA ET AL. *v.* OSBORNE MINING CO., INC. C. A. 6th Cir. Certiorari denied. *Harrison Combs, M. E. Boiarsky, E. H. Rayson* and *R. R. Kramer* for petitioners. *Harley G. Fowler, John A. Rowntree* and *J. Clarence Evans* for respondent. Reported below: 279 F. 2d 716.

No. 360. AMERICAN STATE BANK *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Harvey W. Peters* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Heffron, Robert N. Anderson* and *John J. Pajak* for the United States. Reported below: 279 F. 2d 585.

No. 371. OLIVER J. OLSON & Co. *v.* LUCKENBACH STEAMSHIP CO. ET AL. C. A. 9th Cir. Certiorari denied. *Gregory A. Harrison* and *J. Stewart Harrison* for petitioner. *Allan E. Charles* for Luckenbach Steamship Co., and *Russell A. Mackey* and *George H. Hauerken* for Marine Leopard Cargo, respondents. Reported below: 279 F. 2d 662.

November 7, 1960.

364 U. S.

No. 361. GOLD FUEL SERVICE, INC., *v.* ESSO STANDARD OIL Co. Supreme Court of New Jersey. Certiorari denied. *Sam Weiss* and *Michael J. Pappas* for petitioner. *John J. Monigan* for respondent. Reported below: 32 N. J. 459, 161 A. 2d 246.

No. 365. HAMPTON ET AL. *v.* PARAMOUNT PICTURES CORP. ET AL. C. A. 9th Cir. Certiorari denied. *Theodore R. Kupferman* for petitioners. *Melville B. Nimmer* and *Eric Julber* for Paramount Pictures Corporation, respondent. Reported below: 279 F. 2d 100.

No. 370. CALVO ET AL. *v.* LOUISIANA. Supreme Court of Louisiana. Certiorari denied. *Leon D. Hubert, Jr.* for petitioners. Reported below: 240 La. 75, 121 So. 2d 244.

No. 374. EASTERN AIR LINES, INC., *v.* ST. CLAIR, EXECUTRIX. C. A. 2d Cir. Certiorari denied. *John M. Aherne* for petitioner. *David A. Ticktin* for respondent. Reported below: 279 F. 2d 119.

No. 375. FEDERAL TRADE COMMISSION *v.* DILGER. C. A. 7th Cir. Certiorari denied. *Daniel J. McCauley, Jr.* and *Alan B. Hobbes* for petitioner. *Thomas A. Reynolds* for respondent. *Solicitor General Rankin* and *Robert J. Dodds, Jr.* filed a memorandum for the Secretary of Commerce in opposition to the petition. Reported below: 276 F. 2d 739.

No. 378. HECKENDORN *v.* FIRST NATIONAL BANK OF OTTAWA, ILLINOIS, ADMINISTRATOR. Supreme Court of Illinois. Certiorari denied. *Hugh M. Matchett* and *Edward J. Bradley* for petitioner. *Andrew J. O'Connor* for respondent. Reported below: 19 Ill. 2d 190, 166 N. E. 2d 571.

364 U. S.

November 7, 1960.

No. 377. CHISHOLM-MOORE HOIST CORP. *v.* CARLSON. C. A. 2d Cir. Certiorari denied. *Patrick E. Gibbons* for petitioner. *Silas B. Axtell* and *Harvey Goldstein* for respondent. Reported below: 281 F. 2d 766.

No. 380. ELLIS *v.* MUELLER, SECRETARY OF COMMERCE, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Claude L. Dawson* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Yeagley* and *Kevin T. Maroney* for respondents. Reported below: 108 U. S. App. D. C. 174, 280 F. 2d 722.

No. 381. PUERTO RICO DRYDOCK & MARINE TERMINALS, INC., *v.* NATIONAL LABOR RELATIONS BOARD. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Ludwig Teller* for petitioner. *Solicitor General Rankin*, *Stuart Rothman*, *Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: — U. S. App. D. C. —, 284 F. 2d 212.

No. 306, Misc. EX PARTE HOWARD. Court of Criminal Appeals of Texas. Certiorari denied. Reported below: — Tex. Cr. R. —, — S. W. 2d —.

No. 340, Misc. TILLMAN *v.* WARDEN, MARYLAND PENITENTIARY. Court of Appeals of Maryland. Certiorari denied. Reported below: 223 Md. 639, 161 A. 2d 117.

No. 385. NIRESK INDUSTRIES, INC., ET AL. *v.* FEDERAL TRADE COMMISSION. C. A. 7th Cir. Certiorari denied. *Carl F. Geppert* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Bicks*, *Richard A. Solomon*, *Daniel J. McCauley, Jr.* and *Alan B. Hobbes* for respondent. Reported below: 278 F. 2d 337.

November 7, 1960.

364 U. S.

No. 379. CUNARD STEAM-SHIP CO., LTD., *v.* JOHN T. CLARK & SON. C. A. 2d Cir. Certiorari denied. *Thomas F. Daly* for petitioner. *William L. F. Gardiner* for respondent. Reported below: 279 F. 2d 475.

No. 260. EMPLOYERS LIABILITY ASSURANCE CORP., LTD., *v.* DONOVAN, DEPUTY COMMISSIONER, ET AL. C. A. 5th Cir. Motion of respondent Billodoux for leave to proceed *in forma pauperis* granted. Certiorari denied. *R. Emmett Kerrigan* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub, Morton Hollander* and *David L. Rose* for Deputy Commissioner Donovan, and *Peter J. Compagno* for Louis Billodoux, respondents. Reported below: 279 F. 2d 76.

No. 345. CORLISS ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. THE CHIEF JUSTICE, MR. JUSTICE BLACK, and MR. JUSTICE DOUGLAS are of the opinion certiorari should be granted as to petitioner Corliss. *Herman Alderstein* and *Hayden C. Covington* for petitioners. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 280 F. 2d 808.

No. 368. AMERICAN MOTOR SPECIALTIES CO., INC., ET AL. *v.* FEDERAL TRADE COMMISSION. The motion of Mid-South Distributors et al. for leave to defer consideration of the petition is denied. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. *Meyer Schifrin* for petitioners. *Solicitor General Rankin, Assistant Attorney General Bicks, Charles H. Weston, Daniel J. McCauley, Jr.* and *Alan B. Hobbes* for respondent. *David C. Murchison* and *Robert L. Wald* for movants. Reported below: 278 F. 2d 225.

364 U. S.

November 7, 1960.

No. 3, Misc. JANOSKO *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied. Petitioner *pro se.* *Eugene T. Urbaniak*, Deputy Attorney General of New Jersey, for respondent.

No. 49, Misc. TURNER *v.* WARDEN, MARYLAND PENITENTIARY. Baltimore City Court of Maryland. Certiorari denied. Petitioner *pro se.* *C. Ferdinand Sybert*, Attorney General of Maryland, and *James H. Norris, Jr.*, Special Assistant Attorney General, for respondent.

No. 51, Misc. MILLER *v.* NEW YORK. Appellate Division, Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

No. 57, Misc. JONES *v.* SMYTH, PENITENTIARY SUPERINTENDENT. Supreme Court of Appeals of Virginia. Certiorari denied. Petitioner *pro se.* *A. S. Harrison, Jr.*, Attorney General of Virginia, for respondent.

No. 118, Misc. JONES *v.* SMYTH, PENITENTIARY SUPERINTENDENT. Supreme Court of Appeals of Virginia. Certiorari denied. Petitioner *pro se.* *A. S. Harrison, Jr.*, Attorney General of Virginia, for respondent.

No. 185, Misc. ELLIS *v.* CARTER, JUDGE. Supreme Court of Alabama. Certiorari denied. Petitioner *pro se.* *MacDonald Gallion*, Attorney General of Alabama, and *Jerry L. Coe*, Assistant Attorney General, for respondent.

No. 232, Misc. DOYON *v.* ROBBINS, WARDEN. Supreme Judicial Court of Maine. Certiorari denied. Petitioner *pro se.* *Frank E. Hancock*, Attorney General of Maine, and *James G. Frost*, Deputy Attorney General, for respondent.

November 7, 1960.

364 U. S.

No. 270, Misc. *GHASKIN v. UNITED STATES ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Tyler and Harold H. Greene* for the United States.

No. 307, Misc. *STEWART v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied.

No. 328, Misc. *CAVERS v. SOUTH CAROLINA.* Supreme Court of South Carolina. Certiorari denied. *Matthew J. Perry and Jawn A. Sandifer* for petitioner. Reported below: 236 S. C. 305, 114 S. E. 2d 401.

No. 330, Misc. *STRUNK ET AL. v. BOMAR, WARDEN.* C. A. 6th Cir. Certiorari denied. Petitioners *pro se*. *George F. McCanless*, Attorney General of Tennessee, and *Henry C. Foutch*, Assistant Attorney General, for respondent. Reported below: 281 F. 2d 195.

No. 332, Misc. *LEE v. WIMAN, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied. *Eberhard P. Deutsch, Ralph L. Kaskell, Jr. and René H. Himel, Jr.* for petitioner. *MacDonald Gallion*, Attorney General of Alabama, and *George D. Mentz*, Assistant Attorney General, for respondents. Reported below: 280 F. 2d 257.

No. 339, Misc. *JOHNSON v. NEW JERSEY.* Supreme Court of New Jersey. Certiorari denied.

No. 349, Misc. *WILLIAMS v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied.

No. 350, Misc. *SOUDANI v. PENNSYLVANIA.* Supreme Court of Pennsylvania. Certiorari denied. Reported below: 398 Pa. 546, 159 A. 2d 687.

364 U. S.

November 7, 1960.

No. 353, Misc. SPAULDING *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. Reported below: 279 F. 2d 65.

No. 368, Misc. JACKSON *v.* ELLIS, CORRECTIONS MANAGER. Court of Criminal Appeals of Texas. Certiorari denied.

No. 369, Misc. DALEY *v.* CONNECTICUT. Supreme Court of Errors of Connecticut. Certiorari denied. Reported below: 147 Conn. 506, 163 A. 2d 112.

No. 370, Misc. DEAN *v.* CALIFORNIA. District Court of Appeal of California, Second Appellate District. Certiorari denied. *Virgil V. Becker* for petitioner. Reported below: 180 Cal. App. 2d 140, 4 Cal. Rptr. 347.

No. 371, Misc. IN RE HOWAT. C. A. 7th Cir. Certiorari denied. Reported below: 278 F. 2d 582.

No. 374, Misc. WILSON *v.* NEBRASKA. Supreme Court of Nebraska. Certiorari denied. Reported below: 170 Neb. 494, 103 N. W. 2d 258.

No. 377, Misc. KASSIM *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 379, Misc. MACKIEWICZ *v.* COCHRAN, CORRECTIONS DIRECTOR. C. A. 5th Cir. Certiorari denied.

No. 392, Misc. EX PARTE LARCH. Supreme Court of Ohio. Certiorari denied. Reported below: 171 Ohio St. 205, 168 N. E. 2d 405.

November 7, 14, 1960.

364 U. S.

No. 402, Misc. SIMS *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

*Rehearing Denied.*

No. 163. DUNSCOMBE *v.* SAYLE, ADMINISTRATOR, *ante*, p. 289;

No. 237. ATLANTA NEWSPAPERS, INC., ET AL. *v.* GRIMES, SHERIFF, ET AL., *ante*, p. 290;

No. 11, Misc. LIPSCOMB *v.* UNITED STATES, *ante*, p. 836;

No. 98, Misc. CEPERO *v.* PUERTO RICO ET AL., *ante*, p. 292; and

No. 204, Misc. JENNINGS *v.* RAGEN, WARDEN, *ante*, p. 850. Petitions for rehearing denied.

NOVEMBER 14, 1960.

*Miscellaneous Orders.*

No. —. UNITED STATES *v.* UNITED STATES TROTTING ASSN. The appellant's motion to dismiss the appeal under Rule 14 (1) is granted. *Solicitor General Rankin* for the United States.

No. —. NIUKKANEN ET AL. *v.* TURNER, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. The application for stay of deportation and enlargement on bail is denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion the application should be granted. *Nels Peterson* for petitioners.

No. —. GOLDSBY *v.* MISSISSIPPI. The application, as amended, for a stay of execution of the death sentence is granted, pending the timely filing and disposition of a petition for writ of certiorari. *George N. Leighton* for petitioner. *Joe T. Patterson*, Attorney General of Mississippi, and *G. Garland Lyell*, Assistant Attorney General, for respondent.

364 U. S.

November 14, 1960.

No. 70, October Term, 1959. EASTERN STATES PETROLEUM CORP. *v.* ROGERS, ATTORNEY GENERAL, ET AL., 361 U. S. 7. The motion to recall the judgment and to reinstate the appeal is denied. *Gerard R. Moran* and *Edwin G. Martin* for appellant.

No. 482, Misc. CRAWFORD *v.* BUCHKOE, WARDEN. Motion for leave to file petition for writ of habeas corpus and other relief denied.

*Certiorari Granted.*

No. 315. POWER REACTOR DEVELOPMENT CO. *v.* INTERNATIONAL UNION OF ELECTRICAL, RADIO AND MACHINE WORKERS, AFL-CIO, ET AL.; and

No. 454. UNITED STATES ET AL. *v.* INTERNATIONAL UNION OF ELECTRICAL, RADIO AND MACHINE WORKERS, AFL-CIO, ET AL. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted limited to Questions 1 and 2 presented by the petitions for writs of certiorari. *John Lord O'Brian*, *W. Graham Claytor, Jr.* and *Edward S. Reid, Jr.* for petitioner in No. 315. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Morton Hollander*, *Courts Oulahan* and *Lionel Kestenbaum* for petitioners in No. 454. *Benjamin C. Sigal*, *Harold Cranefield* and *Lowell Goerlich* for respondents. Reported below: 108 U. S. App. D. C. 97, 280 F. 2d 645.

No. 392. UNITED STATES *v.* SHIMER. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Morton Hollander*, *Anthony L. Mondello* and *P. G. McElwee* for the United States. *Edward Davis* for respondent. Reported below: 276 F. 2d 792.

November 14, 1960.

364 U.S.

No. 357. UNITED STATES *v.* CONSOLIDATED EDISON Co. OF NEW YORK, INC. C. A. 2d Cir. Certiorari granted. *Solicitor General Rankin, Assistant Attorney General Rice and Grant W. Wiprud* for the United States. *James K. Polk, Richard J. Smith, Harold F. Noneman and Julius M. Jacobs* for respondent. Reported below: 279 F. 2d 152.

No. 376. COMMISSIONER OF INTERNAL REVENUE *v.* LESTER. C. A. 2d Cir. Certiorari granted. *Solicitor General Rankin, Assistant Attorney General Rice and C. Guy Tadlock* for petitioner. *Leonard J. Lefkort* for respondent. Reported below: 279 F. 2d 354.

*Certiorari Denied.*

No. 133. SOLOMON ET AL. *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *George Stone* for petitioners. *Solicitor General Rankin, Assistant Attorney General Doub, Morton Hollander and Anthony L. Mondello* for the United States. Reported below: 276 F. 2d 669.

No. 394. INTERNATIONAL ASSOCIATION OF MACHINISTS ET AL. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 9th Cir. Certiorari denied. *Plato E. Papps and Bernard Dunau* for petitioners. *Solicitor General Rankin, Stuart Rothman, Dominick L. Manoli, Norton J. Come and Frederick U. Reel* for respondent. Reported below: 279 F. 2d 761.

No. 401. LOCAL 1566, INTERNATIONAL LONGSHOREMEN'S ASSOCIATION, *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 3d Cir. Certiorari denied. *Abraham E. Freedman* for petitioner. *Solicitor General Rankin, Stuart Rothman, Dominick L. Manoli, Norton J. Come and Standau E. Weinbrecht* for respondent. Reported below: 278 F. 2d 883.

364 U. S.

November 14, 1960.

No. 390. MINNEAPOLIS GAS CO. ET AL. *v.* FEDERAL POWER COMMISSION ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *P. L. Farnand* and *George C. Pardee* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Morton Hollander*, *Kathryn H. Baldwin*, *John C. Mason*, *Howard E. Wahrenbrock* and *Robert L. Russell* for the Federal Power Commission, respondent. *Walter F. Mondale*, Attorney General of Minnesota, *Harold J. Soderberg*, Assistant Attorney General, *Justin R. Wolf*, *Charles A. Case, Jr.*, *Louise C. Powell*, *Lawrence I. Shaw*, *F. Vinson Roach*, *John W. Scott* and *Bryce Rea, Jr.* for other respondents. Reported below: 108 U. S. App. D. C. 36, 278 F. 2d 870.

No. 391. EASTERN STATES PETROLEUM CORP. *v.* ROGERS, ATTORNEY GENERAL, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Gerard R. Moran* and *Edwin G. Martin* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Alan S. Rosenthal* for respondents. Reported below: 108 U. S. App. D. C. 63, 280 F. 2d 611.

No. 393. CHENG FU SHENG ET AL. *v.* ROGERS, ATTORNEY GENERAL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Jack Wasserman* and *David Carliner* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for respondent. Reported below: 108 U. S. App. D. C. 115, 280 F. 2d 663.

No. 400. HERRON *v.* UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON. C. A. 9th Cir. Certiorari denied. Reported below: — F. 2d —.

November 14, 1960.

364 U. S.

No. 399. GRABLE, ADMINISTRATOR, ET AL. *v.* CITIZENS NATIONAL TRUST & SAVINGS BANK OF RIVERSIDE, CALIFORNIA, ET AL. District Court of Appeal of California, Second Appellate District. Certiorari denied. Petitioners *pro se.* *Rodney K. Potter* and *Harold W. Kennedy* for respondents. Reported below: 180 Cal. App. 2d 353, 4 Cal. Rptr. 353.

No. 403. BORROW *v.* FEDERAL COMMUNICATIONS COMMISSION. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Victor Rabino-witz* and *Leonard B. Boudin* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Bicks*, *Richard A. Solomon*, *John L. FitzGerald*, *Max D. Paglin* and *Ruth V. Reel* for respondent. Reported below: — U. S. App. D. C. —, 285 F. 2d 666.

No. 404. INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN & HELPERS OF AMERICA, LOCAL UNION No. 310, *v.* NATIONAL LABOR RELATIONS BOARD ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Herbert S. Thatcher* for petitioner. *Solicitor General Rankin*, *Stuart Rothman*, *Dominick L. Manoli* and *Norton J. Come* for the National Labor Relations Board, and *Gerard D. Reilly* and *Richard G. Kleindienst* for Shamrock Dairy, Inc., respondents. Reported below: 108 U. S. App. D. C. 117, 280 F. 2d 665.

No. 405. BACA ET AL. *v.* UNITED STATES. Court of Claims. Certiorari denied. *Thurman Arnold* and *Edgar H. Brenner* for petitioners. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Alan S. Rosenthal* and *Kathryn H. Baldwin* for the United States. Reported below: — Ct. Cl. —, — F. 2d —.

364 U. S.

November 14, 1960.

No. 406. *BOYD v. COUNTY OF FRESNO ET AL.* District Court of Appeal of California, Fourth Appellate District. Certiorari denied. *Max M. Hayden* for petitioner. *Clifton G. Harris* for respondents. Reported below: 178 Cal. App. 2d 443, 2 Cal. Rptr. 779.

No. 407. *CITIZENS UTILITIES CO. v. FEDERAL POWER COMMISSION.* C. A. 2d Cir. Certiorari denied. *Jesse Climenko, Reuben Goldberg* and *Clifton G. Parker* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub, Alan S. Rosenthal, Herbert E. Morris, John C. Mason, Howard E. Wahrenbrock, Leonard E. Easley* and *Joseph B. Hobbs* for respondent. Reported below: 279 F. 2d 1.

No. 408. *ACCARDO v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. *Stanford Clinton* and *Maurice J. Walsh* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice* and *Meyer Rothwacks* for the United States. Reported below: — F. 2d —.

No. 176, Misc. *PRINCELER v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin, Assistant Attorney General Wilkey* and *Theodore G. Gilinsky* for the United States. Reported below: 279 F. 2d 433.

No. 376, Misc. *GAMBLE v. WARDEN, MARYLAND PENITENTIARY.* Court of Appeals of Maryland. Certiorari denied. Reported below: 223 Md. 633, 161 A. 2d 450.

No. 394, Misc. *GRECCO v. INDIANA.* Supreme Court of Indiana. Certiorari denied. Reported below: — Ind. —, 167 N. E. 2d 714.

November 14, 1960.

364 U. S.

No. 395. CASH ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Wesley R. Asinof* for petitioners. *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for the United States. Reported below: 279 F. 2d 159.

No. 398. WURDEMANN ET AL. *v.* HJELM ET AL. Supreme Court of Minnesota. Certiorari denied. *Claude L. Dawson* for petitioners. *Carl W. Cummins, Sr.* for the Jesmer Corporation, respondent. Reported below: 257 Minn. 450, 102 N. W. 2d 811.

No. 402. ALOFF *v.* ASTER ET AL. C. A. 3d Cir. Certiorari denied. Petitioner *pro se.* *Joseph H. Lieberman, George E. Beechwood, John V. Lovitt and F. Hastings Griffin, Jr.* for respondents. Reported below: 275 F. 2d 281.

No. 410. OVE GUSTAVSSON CONTRACTING CO., INC., *v.* FLOETE, ADMINISTRATOR OF GENERAL SERVICES ADMINISTRATION, ET AL. C. A. 2d Cir. Certiorari denied. *Anthony B. Cataldo* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub and John G. Laughlin, Jr.* for respondents. Reported below: 278 F. 2d 912.

No. 412. NATIONAL LABOR RELATIONS BOARD *v.* REVERE METAL ART CO., INC., ET AL. C. A. 2d Cir. Certiorari denied. *Solicitor General Rankin, Stuart Rothman, Dominick L. Manoli, Norton J. Come and Duane B. Beeson* for petitioner. Reported below: 280 F. 2d 96.

No. 341. RITCH *v.* NASHVILLE BRIDGE CO. C. A. 5th Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion certiorari should be granted. *Robert S. Vance* for petitioner. *Frank M. Young, Jr.* for respondent. Reported below: 276 F. 2d 171.

364 U. S.

November 14, 1960.

No. 362. BOND ET AL. *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. MR. JUSTICE WHITTAKER is of the opinion certiorari should be granted. *Dillard C. Laughlin* and *Samuel Scrivener, Jr.* for petitioners. *Solicitor General Rankin, Acting Assistant Attorney General Heffron* and *A. F. Prescott* for the United States. Reported below: 279 F. 2d 837.

No. 396. ARENA *v.* LUCKENBACH STEAMSHIP CO., INC., ET AL. C. A. 1st Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *George J. Engelman* for petitioner. *G. Philip Wardner* and *Leo F. Glynn* for Luckenbach Steamship Co., Inc., respondent. Reported below: 279 F. 2d 186.

No. 397. ROGERS, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN, ET AL. *v.* SOCIÉTÉ INTERNATIONALE POUR PARTICIPATIONS INDUSTRIELLES ET COMMERCIALES, S. A., ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE CLARK took no part in the consideration or decision of this application. *Solicitor General Rankin, Dallas S. Townsend, Ralph S. Spritzer* and *Irving Jaffe* for petitioners. *John J. Wilson* for Société Internationale, *Irving Moskovitz, Robert E. Sher, Isadore G. Alk* and *James H. Heller* for Eric G. Kaufman et al., and *Edmund L. Jones* and *C. Frank Reifsnyder* for Ernest Attenhofer et al., respondents. Reported below: 107 U. S. App. D. C. 388, 278 F. 2d 268.

No. 69, Misc. MOORE *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. Petitioner *pro se.* *Stanley Mosk*, Attorney General of California, and *Doris H. Maier* and *Raymond M. Momboisse*, Deputy Attorneys General, for respondent. Reported below: 53 Cal. 2d 451, 348 P. 2d 584.

November 14, 1960.

364 U. S.

No. 19, Misc. RIADON *v.* UNITED STATES. C. A. 6th 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: 274 F. 2d 304.

No. 45, Misc. GREEN *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied. Petitioner *pro se.* *Norman Heine* for respondent.

No. 85, Misc. RATAJCZAK *v.* NEW YORK. Appellate Division, Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

No. 191, Misc. HARRIS *v.* RHAY, PENITENTIARY SUPERINTENDENT. Supreme Court of Washington. Certiorari denied.

No. 227, Misc. MORGAN *v.* MOORE, WARDEN. Court of Criminal Appeals of Texas. Certiorari denied. Petitioner *pro se.* *Will Wilson, Attorney General of Texas, and B. H. Timmins, Jr. and Leon F. Pesek, Assistant Attorneys General,* for respondent.

No. 242, Misc. JEFFERSON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Morris Lavine* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for the United States. Reported below: 277 F. 2d 723.

No. 251, Misc. GAINES *v.* MARYLAND. Court of Appeals of Maryland. Certiorari denied.

No. 267, Misc. DICKERSON *v.* KANSAS ET AL. Supreme Court of Kansas. Certiorari denied. Reported below: 186 Kan. 518, 350 P. 2d 793.

364 U. S.

November 14, 1960.

No. 355, Misc. RAINES *v.* SMYTH, PENITENTIARY SUPERINTENDENT. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 396, Misc. EX PARTE MALTOS. Supreme Court of Ohio. Certiorari denied. Reported below: 171 Ohio St. 217, 168 N. E. 2d 406.

No. 410, Misc. JOHNSON *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. Reported below: 8 N. Y. 2d 183, 168 N. E. 2d 641.

No. 414, Misc. BLAIR *v.* CALIFORNIA ET AL. Supreme Court of California. Certiorari denied.

No. 419, Misc. McNALLY *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

*Rehearing Denied.*

No. 86. CALIFORNIA COMPANY *v.* COLORADO ET AL., *ante*, p. 285;

No. 134. SORGEL, EXECUTOR, ET AL. *v.* COMMERCIAL CREDIT CORP., *ante*, p. 834;

No. 137. ANDREWS *v.* CITY OF SAN BERNARDINO ET AL., *ante*, p. 288;

No. 26, Misc. O'CONNOR *v.* BURKE, WARDEN, *ante*, p. 837; and

No. 58, Misc. LUSTIG *v.* COMMISSIONER OF INTERNAL REVENUE ET AL., *ante*, p. 840. Petitions for rehearing denied.

No. 256. DI SILVESTRO *v.* UNITED STATES, *ante*, p. 825. Motion of petitioner for leave to proceed further herein *in forma pauperis* granted. Petition for rehearing denied.

November 14, 21, 1960.

364 U. S.

No. 695, October Term, 1955. CONSOLIDATED EDISON CO. OF NEW YORK, INC., *v.* UNITED STATES, 351 U. S. 909. Motion for leave to file a second petition for rehearing denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this motion.

NOVEMBER 21, 1960.

*Miscellaneous Orders.*

No. 67. BRAUNFELD ET AL. *v.* BROWN, POLICE COMMISSIONER, ET AL. Appeal from the United States District Court for the Eastern District of Pennsylvania. The motion of Pennsylvania Retailers' Association for leave to present oral argument is denied. *Arthur Littleton* for movant.

No. 461, Misc. HINES *v.* SACKS, WARDEN ;

No. 471, Misc. BOGISH *v.* NEW JERSEY; and

No. 478, Misc. WORTH *v.* BANNAN, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied.

No. 458, Misc. BAXTER *v.* JOHNSON, CLERK, U. S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS. Motion for leave to file petition for writ of mandamus denied.

*Probable Jurisdiction Noted.*

No. 103. BAKER ET AL. *v.* CARR ET AL. Appeal from the United States District Court for the Middle District of Tennessee. Probable jurisdiction noted. *Hobart F. Atkins, J. W. Anderson, Charles S. Rhyne and Herzel H. E. Plaine* for appellants. *George F. McCanless*, Attorney General of Tennessee, and *Milton P. Rice, James M. Glasgow and Jack Wilson*, Assistant Attorneys General, for appellees. *Roger Arnebergh, Henry P.*

364 U. S.

November 21, 1960.

*Kucera, J. Elliott Drinard, Barnett I. Shur, Alexander G. Brown, Nathaniel H. Goldstick and Charles S. Rhyne* filed a brief for the National Institute of Municipal Law Officers, as *amicus curiae*, in support of appellants. Reported below: 179 F. Supp. 824.

*Certiorari Granted.* (See No. 4, Misc., ante, p. 445.)

*Certiorari Denied.*

No. 413. WARREN ET AL., EXECUTORS, *v.* HIGGINS ET AL.; and

No. 414. ZAHNISER ET AL. *v.* HIGGINS ET AL. C. A. 3d Cir. *Certiorari denied.* *Lynne Anderson Warren* for petitioners in No. 413. *W. Walter Braham* for petitioners in No. 414. *Harold R. Schmidt* and *John L. Laubach, Jr.* for respondents. Reported below: 279 F. 2d 46.

No. 416. GENERAL ELECTRIC Co. *v.* GREPKE. C. A. 7th Cir. *Certiorari denied.* *Robert Y. Keegan* and *Harry LeVine, Jr.* for petitioner. *Sol Rothberg* for respondent. Reported below: 280 F. 2d 508.

No. 418. EVANS ET AL. *v.* PENNSYLVANIA. Supreme Court of Pennsylvania. *Certiorari denied.* *Peyton Ford, David M. Phelan, Frederick G. McGavin* and *Earl V. Compton* for petitioners. *Anne X. Alpern*, Attorney General of Pennsylvania, *Alfred P. Filippone*, Deputy Attorney General, and *Huette F. Dowling*, Special Deputy Attorney General, for respondent. Reported below: 399 Pa. 387, 160 A. 2d 407.

No. 420. FLEURY *v.* WARDEN, MARYLAND PENITENTIARY. Court of Appeals of Maryland. *Certiorari denied.* Reported below: 222 Md. 635, 160 A. 2d 790.

November 21, 1960.

364 U. S.

No. 384. AMERICAN NATURAL GAS CO. ET AL. *v.* UNITED STATES. Court of Claims. Certiorari denied. *Arthur R. Seder, Jr., Middleton Miller and Jules M. Perlberg* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, Harry Baum and Joseph Kovner* for the United States. Reported below: — Ct. Cl. —, 279 F. 2d 220.

No. 415. NEW YORK, CHICAGO & ST. LOUIS RAILROAD Co. *v.* WILES. C. A. 3d Cir. Certiorari denied. *Charles Monroe Thorp, Jr.* for petitioner. Reported below: 283 F. 2d 328.

No. 417. SOUTHERN COUNTIES GAS CO. OF CALIFORNIA *v.* PUBLIC UTILITIES COMMISSION OF CALIFORNIA ET AL. Supreme Court of California. Certiorari denied. *Herman F. Selvin, Reginald L. Vaughan, Joseph R. Rensch and Milford Springer* for petitioner. *William M. Bennett* for Public Utilities Commission of California, *Rollin E. Woodbury, Harry W. Sturges, Jr., Oscar A. Trippet* and *Thomas H. Carver* for Southern California Edison Co., and *Joseph A. Ball* for Richfield Oil Corp., respondents. Reported below: — Cal. 2d —, 354 P. 2d 4.

No. 419. PAULING *v.* EASTLAND ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *A. L. Wirin and Fred Okrand* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub and John G. Laughlin, Jr.* for respondents. *David I. Shapiro and Lawrence Speiser* filed a brief for American Civil Liberties Union, as *amicus curiae*, in support of the petition. Reported below: — U. S. App. D. C. —, 288 F. 2d 126.

No. 252, Misc. GROVES *v.* KETTMANN, CHIEF OF POLICE, ET AL. Supreme Court of California. Certiorari denied. Reported below: — Cal. 2d —, 351 P. 2d 1028.

364 U. S.

November 21, 1960.

No. 421. *D. C. HALL CO. v. STATE HIGHWAY COMMISSION OF TEXAS.* Court of Civil Appeals of Texas, Eighth Supreme Judicial District. Certiorari denied. *T. S. Christopher* for petitioner. *Will Wilson*, Attorney General of Texas, and *C. K. Richards*, Assistant Attorney General, for respondent. Reported below: 330 S. W. 2d 904.

No. 422. *DEVONIAN GAS & OIL CO. v. HIGHLAND, TRUSTEE, ET AL.* Supreme Court of Pennsylvania. Certiorari denied. *Michael von Moschzisker* for petitioner. *Anne X. Alpern*, Attorney General of Pennsylvania, *John Sullivan*, Deputy Attorney General, and *Robert C. Derrick*, Assistant Attorney General, for Commonwealth of Pennsylvania, respondent. Reported below: 400 Pa. 261, 161 A. 2d 390.

No. 423. *ZEID v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin* for the United States. Reported below: 281 F. 2d 825.

No. 425. *UNITED SHOE MACHINERY CORP. v. HANOVER SHOE, INC.* C. A. 3d Cir. Certiorari denied. *Ralph M. Carson*, *Lewis H. Van Dusen, Jr.*, *Theodore Kiendl*, *Robert D. Salinger* and *Louis L. Stanton, Jr.* for petitioner. *James V. Hayes* for respondent. Reported below: 281 F. 2d 481.

No. 216, Misc. *BURKE v. PEPERSACK, WARDEN.* Court of Appeals of Maryland. Certiorari denied. Petitioner *pro se.* *C. Ferdinand Sybert*, Attorney General of Maryland, and *James H. Norris, Jr.*, Special Assistant Attorney General, for respondent. Reported below: 222 Md. 623, 159 A. 2d 853.

November 21, 1960.

364 U. S.

No. 427. GENERAL DEVELOPMENT CORP. *v.* UNION CARBIDE & CARBON CORP. C. A. 6th Cir. Certiorari denied. *Howell Van Auken* for petitioner. *Milton F. Mallender* for respondent. Reported below: 280 F. 2d 193.

No. 428. PITTSBURGH CONSOLIDATION COAL CO. *v.* WOUNICK. C. A. 3d Cir. Certiorari denied. *Harold R. Schmidt* and *John L. Laubach, Jr.* for petitioner. *Harry Alan Sherman* and *S. Eldridge Sampliner* for respondent. Reported below: 283 F. 2d 325.

No. 429. 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* and *Alan S. Rosenthal* for the United States. Reported below: 281 F. 2d 844.

No. 430. JANOUSEK *v.* CHATTERTON ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Joseph O. Janousek*, petitioner, *pro se.* Reported below: 108 U. S. App. D. C. 171, 280 F. 2d 719.

No. 432. PIERCE, EXECUTRIX, *v.* AMERICAN COMMUNICATIONS Co., INC., ET AL. C. A. 1st Cir. Certiorari denied. *David Rines* and *Robert H. Rines* for petitioner. *J. Pierre Kolisch*, *Robert L. Thompson* and *Edward D. Phinney* for respondents. Reported below: 280 F. 2d 278.

No. 433. SUCRS. DE A. MAYOL & Co., INC., *v.* MITCHELL, SECRETARY OF LABOR. C. A. 1st Cir. Certiorari denied. *Orlando J. Antonsanti* for petitioner. *Solicitor General Rankin*, *Harold C. Nystrom*, *Bessie Margolis* and *Beate Bloch* for respondent. Reported below: 280 F. 2d 477.

364 U. S.

November 21, 1960.

No. 434. SCHWENKHOFF *v.* FARMERS MUTUAL AUTOMOBILE INSURANCE Co. Supreme Court of Wisconsin. Certiorari denied. *Vaughn S. Conway* and *Irving D. Gaines* for petitioner. *Clyde C. Cross* for respondent. Reported below: 11 Wis. 2d 97, 104 N. W. 2d 154.

No. 436. U. S. MACHINERY MOVERS *v.* BELLER, TRUSTEE. C. A. 8th Cir. Certiorari denied. *Irving Eisenberg* and *Paul I. Baikoff* for petitioner. *A. L. Wensel* for respondent. Reported below: 280 F. 2d 91.

No. 367. FERRARA *v.* CONNECTICUT FIRE INSURANCE Co. ET AL. C. A. 8th Cir. Certiorari denied. THE CHIEF JUSTICE and MR. JUSTICE BLACK would grant certiorari to consider whether the Court of Appeals decided this case on the basis of its view of what Missouri law ought to be, instead of what it is as required by *Erie R. Co. v. Tompkins*, 304 U. S. 64. *Joseph S. Levy* and *Bernard D. Craig* for petitioner. *Glenn E. McCann* for respondents. Reported below: 277 F. 2d 388.

No. 105, Misc. LEVINE *v.* COCHRAN, CORRECTIONS DIRECTOR. Supreme Court of Florida. Certiorari denied. Petitioner *pro se.* *Richard W. Ervin*, Attorney General of Florida, and *George R. Georgieff*, Assistant Attorney General, for respondent.

No. 147, Misc. STANLEY *v.* NEW YORK. Appellate Division, Supreme Court of New York, Second Judicial Department. Certiorari denied. Petitioner *pro se.* *Louis J. Lefkowitz*, Attorney General of New York, and *Paxton Blair*, Solicitor General, for respondent.

No. 327, Misc. SHANE *v.* BIBB, PUBLIC SAFETY DIRECTOR. Criminal Court of Cook County, Illinois. Certiorari denied.

November 21, 1960.

364 U. S.

No. 265, Misc. *LA FEVER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Felicia Dubrovsky for the United States. Reported below: 279 F. 2d 833.

No. 273, Misc. *HARRIS v. BUCHKOE, WARDEN, ET AL.* Supreme Court of Michigan. Certiorari denied. Petitioner *pro se*. Paul L. Adams, Attorney General of Michigan, and Samuel J. Torina, Solicitor General, for respondents.

No. 290, Misc. *THOMAS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Sidney M. Glazer for petitioner. Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg for the United States. Reported below: 281 F. 2d 132.

No. 296, Misc. *BELL v. COCHRAN, CORRECTIONS DIRECTOR*. 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. 302, Misc. *MORGAN v. WALKER, WARDEN, ET AL.* Supreme Court of Louisiana. Certiorari denied. Petitioner *pro se*. Jack P. F. Gremillion, Attorney General of Louisiana, for respondents.

No. 388, Misc. *HAINES v. OHIO*. Supreme Court of Ohio. Certiorari denied. Reported below: 171 Ohio St. 198, 168 N. E. 2d 289.

No. 407, Misc. *HELMS v. SACKS, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 278 F. 2d 687.

364 U. S.

November 21, 1960.

No. 206, Misc. *WRIGHT v. BUCHKOE, WARDEN, ET AL.* Supreme Court of Michigan. Certiorari denied. Petitioner *pro se*. *Paul L. Adams*, Attorney General of Michigan, and *Samuel J. Torina*, Solicitor General, for respondents.

No. 315, Misc. *LIPSCOMB v. WARDEN, MARYLAND PENITENTIARY.* Court of Appeals of Maryland. Certiorari denied. Reported below: 223 Md. 640, 162 A. 2d 447.

No. 372, Misc. *HOLMES v. TEXAS.* Court of Criminal Appeals of Texas. Certiorari denied. Petitioner *pro se*. *Will Wilson*, Attorney General of Texas, and *B. H. Timmins, Jr.* and *Leon F. Pesek*, Assistant Attorneys General, for respondent. Reported below: — Tex. Cr. R. —, 333 S. W. 2d 842.

No. 383, Misc. *GREATHOUSE v. COX, WARDEN.* Supreme Court of New Mexico. Certiorari denied. *F. Gordon Shermack* for petitioner. Reported below: 67 N. M. 374, 355 P. 2d 678.

No. 418, Misc. *SUMRALL v. COCHRAN, CORRECTIONS DIRECTOR.* Supreme Court of Florida. Certiorari denied. Reported below: 122 So. 2d 609.

No. 343, Misc. *CARRILLO v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States.

November 21, December 5, 1960.

364 U. S.

No. 469, Misc. *FRYE v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Reported below: 4 N. Y. 2d 967, 152 N. E. 2d 521.

*Rehearing Denied.*

No. 30. *HAYES v. SEATON, SECRETARY OF THE INTERIOR, ante*, p. 814;

No. 118. *CHARLES v. UNITED STATES, ante*, p. 831;

No. 124. *ZACHARY ET AL. v. UNITED STATES, ante*, p. 816;

No. 282. *TORNEK, TRADING AS ALLEN V. TORNEK CO., v. FEDERAL TRADE COMMISSION, ante*, p. 829;

No. 286. *FRANANO v. UNITED STATES, ante*, p. 828;

No. 292. *BIVINS v. GULF OIL CORP., ante*, p. 835;

No. 296. *HOCHMAN v. UNITED STATES, ante*, p. 837;

No. 10, Misc. *WILLIAMS v. UNITED STATES, ante*, p. 836;

No. 89, Misc. *JOHNSTONE v. MISSOURI, ante*, p. 842;

No. 122, Misc. *ZENGER v. SCHWARTZ, JUDGE, ET AL., ante*, p. 845;

No. 213, Misc. *GALLINA v. FRASER, ante*, p. 851; and

No. 287, Misc. *KLUMPP v. OHIO, ante*, p. 866. Petitions for rehearing denied.

DECEMBER 5, 1960.

*Miscellaneous Orders.*

The Court appoints *Mr. Will Shafroth*, of Colorado, to be Deputy Director of the Administrative Office of the United States Courts, pursuant to the provisions of Section 601 of Title 28 of the United States Code.

No. —. *IN RE LOPINSKY*. The motion to amend the attorneys' roll to show the change of name of *Frances Weber Lopinsky* to *Frances L. Horn* is granted.

364 U. S.

December 5, 1960.

No. —. *HERTER, SECRETARY OF STATE, v. CORT.* The application for stay presented to THE CHIEF JUSTICE, and by him referred to the Court, is denied. *Solicitor General Rankin* for the applicant. *Leonard B. Boudin* in opposition.

No. 161. *CULOMBE v. CONNECTICUT.* On petition for writ of certiorari to the Supreme Court of Errors of Connecticut. The motion of Connecticut Association for Retarded Children for leave to file brief, as *amicus curiae*, is granted. *John J. Hunt* on the motion. *Alexander A. Goldfarb* for petitioner. Reported below: 147 Conn. 194, 158 A. 2d 239.

No. 291. *GINSBURG v. AMERICAN BAR ASSOCIATION ET AL.* Certiorari denied, *ante*, p. 829. The motion to remand is denied. *Paul Ginsburg*, petitioner, on the motion *pro se*.

No. 263, Misc. *NIX v. FLORIDA.* Motion for leave to file petition for writ of habeas corpus denied. Petitioner *pro se*. *Richard W. Ervin*, Attorney General of Florida, and *George R. Georgieff*, Assistant Attorney General, for respondent.

*Certiorari Granted.* (See also No. 171, Misc., *ante*, p. 477.)

No. 16, Misc. *BUSHNELL v. ELLIS, CORRECTIONS DIRECTOR.* Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Court of Criminal Appeals of Texas granted. Case transferred to the appellate docket. Petitioner *pro se*. *Will Wilson*, Attorney General of Texas, and *B. H. Timmins, Jr.* and *Leon F. Pesek*, Assistant Attorneys General, for respondent.

December 5, 1960.

364 U. S.

*Certiorari Denied.* (See also No. 445, ante, p. 474; No. 461, ante, p. 475; and No. 241, Misc., ante, p. 471.)

No. 19. *EMMONS v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 3d Cir. *Certiorari denied.* *Kenneth W. Gemmill, Converse Murdoch and P. J. Di Quinzio* for petitioner. *Solicitor General Rankin* for respondent. Reported below: 270 F. 2d 294.

No. 20. *WELLER ET AL. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 3d Cir. *Certiorari denied.* *Richard H. Appert* for petitioners. *Solicitor General Rankin* for respondent. Reported below: 270 F. 2d 294.

No. 262. *ANNAT v. BEARD ET AL.* C. A. 5th Cir. *Certiorari denied.* *James W. Swain* for petitioner. *Solicitor General Rankin, Assistant Attorney General Morton, Roger P. Marquis and S. Billingsley Hill* for respondents. Reported below: 277 F. 2d 554.

No. 355. *DIGGS ET UX. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 2d Cir. *Certiorari denied.* Petitioners *pro se.* *Solicitor General Rankin, Assistant Attorney General Rice, Meyer Rothwacks and Grant W. Wiprud* for respondent. Reported below: 281 F. 2d 326.

No. 369. *HETHERINGTON v. UNITED STATES.* C. A. 7th Cir. *Certiorari denied.* *Charles W. Davis, Edward S. Digges, John H. Mitchell, Edward J. Calihan, Jr. and Anna R. Lavin* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Wayne G. Barnett and Meyer Rothwacks* for the United States. Reported below: 279 F. 2d 792.

No. 438. *SINCLAIR, TRUSTEE, v. MANDA.* C. A. 5th Cir. *Certiorari denied.* *Robert M. Sturrup* for petitioner. Reported below: 278 F. 2d 629.

364 U. S.

December 5, 1960.

No. 439. *SACHS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Bernard B. Laven* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 281 F. 2d 189.

No. 440. *ROMAN CATHOLIC ARCHBISHOP OF LOS ANGELES, CALIFORNIA, ET AL. v. CITY OF SAN MARINO ET AL.* District Court of Appeal of California, Second Appellate District. Certiorari denied. *Charles A. Horsky* for petitioners. *Robert H. Dunlap and John W. Holmes* for respondents. Reported below: 180 Cal. App. 2d 657, 4 Cal. Rptr. 547.

No. 441. *AVON SHOE Co., INC., ET AL. v. DAVID CRYSTAL, INC., ET AL.* C. A. 2d Cir. Certiorari denied. *Ludwig M. Wilson* for petitioners. *Bernard A. Saslow and Harold S. Lynton* for respondents. Reported below: 279 F. 2d 607.

No. 444. *BANDLOW ET AL. v. ROTHMAN ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Karl M. Dollak* for petitioners. *Solicitor General Rankin, Stuart Rothman, Dominick L. Manoli and Norton J. Come* for respondents. Reported below: 108 U. S. App. D. C. 32, 278 F. 2d 866.

No. 450. *POLICE COMMISSIONER OF BALTIMORE ET AL. v. SIEGEL ENTERPRISES, INC., TRADING AS SIEGEL BOOK & MAGAZINE STORE.* Court of Appeals of Maryland. Certiorari denied. *C. Ferdinand Sybert*, Attorney General of Maryland, and *James H. Norris, Jr.*, Special Assistant Attorney General, for petitioners. *Albert Polovoy* for respondent. Reported below: 223 Md. 110, 162 A. 2d 727.

December 5, 1960.

364 U. S.

No. 442. *COURIER-JOURNAL & LOUISVILLE TIMES Co. v. CURTIS, JUDGE, ET AL.* Court of Appeals of Kentucky. Certiorari denied. *Wilson W. Wyatt* for petitioner. *Robert P. Hobson* and *Leo T. Wolford* for respondents. Reported below: 335 S. W. 2d 934.

No. 446. *THE FORT FETTERMAN ET AL. v. SOUTH CAROLINA STATE HIGHWAY DEPARTMENT.* C. A. 4th Cir. Certiorari denied. *Charles W. Waring* for petitioners. *D. R. McLeod*, Attorney General of South Carolina, and *Huger Sinkler* for respondent. Reported below: 278 F. 2d 921.

No. 447. *VAPOR BLAST MANUFACTURING Co. v. MADDEN ET AL.* C. A. 7th Cir. Certiorari denied. *Max Rasikin* for petitioner. *Solicitor General Rankin*, *Stuart Rothman*, *Dominick L. Manoli* and *Norton J. Come* for respondents. Reported below: 280 F. 2d 205.

No. 448. *BOARD OF PUBLIC EDUCATION, SCHOOL DISTRICT OF PHILADELPHIA, v. INTILLE ET AL.* Supreme Court of Pennsylvania. Certiorari denied. *C. Brewster Rhoads* and *Edward B. Soken* for petitioner. *A. Harry Levitan* and *Franklin Poul* for respondents. Reported below: 401 Pa. 1, 163 A. 2d 420.

No. 449. *BOARD OF PUBLIC EDUCATION, SCHOOL DISTRICT OF PHILADELPHIA, v. WATSON.* Supreme Court of Pennsylvania. Certiorari denied. *C. Brewster Rhoads* and *Edward B. Soken* for petitioner. Reported below: 401 Pa. 62, 163 A. 2d 60.

No. 451. *MINER ET AL. v. COMMERCE OIL REFINING CORP.* C. A. 1st Cir. Certiorari denied. *Frederick Bernays Wiener* and *James A. Higgins* for petitioners. *Stephen P. Duggan, Jr.* for respondent. Reported below: 281 F. 2d 465.

364 U. S.

December 5, 1960.

No. 452. CONNER AIR LINES, INC., ET AL. *v.* AVIATION CREDIT CORP. ET AL. C. A. 5th Cir. Certiorari denied. *Henry M. Sinclair* and *Don G. Nicholson* for petitioners. *Robert P. Smith, Robert V. Smith, John H. Wahl, Jr.* and *Laurence A. Schroeder* for respondents. Reported below: 280 F. 2d 895.

No. 455. COMMONWEALTH OIL REFINING CO., INC., *v.* THE LUMMUS COMPANY. C. A. 1st Cir. Certiorari denied. *Ruben Rodriguez-Antongiorgi, John F. Dooling, Jr., Richard deY. Manning* and *Milton Pollack* for petitioner. *John T. Cahill* and *Lawrence J. McKay* for respondent. Reported below: 280 F. 2d 915.

No. 458. RENFIELD IMPORTERS, LTD., *v.* BRANDT, DOING BUSINESS AS UNIVERSITY CITY HOUSE OF LIQUORS, ET AL. C. A. 8th Cir. Certiorari denied. *Richmond C. Coburn* and *Alan C. Kohn* for petitioner. *J. L. London* for respondents. Reported below: 278 F. 2d 904.

No. 475. JAMES B. BEAM DISTILLING Co. *v.* BRANDT, DOING BUSINESS AS UNIVERSITY CITY HOUSE OF LIQUORS, ET AL. C. A. 8th Cir. Certiorari denied. *Earl E. Pollock* and *R. Walston Chubb* for petitioner. *J. L. London* for respondents. Reported below: 278 F. 2d 904.

No. 497. JULIUS WILE SONS & Co., INC., *v.* BRANDT, DOING BUSINESS AS UNIVERSITY CITY HOUSE OF LIQUORS, ET AL. C. A. 8th Cir. Certiorari denied. *Donald J. Meyer* and *John Raeburn Green* for petitioner. *J. L. London* for respondents. Reported below: 278 F. 2d 904.

No. 459. BINDLEY *v.* METROPOLITAN LIFE INSURANCE Co. Supreme Court of Missouri. Certiorari denied. *Martin J. O'Donnell* for petitioner. *Henry G. Eager* and *Charles B. Blackmar* for respondent. Reported below: 335 S. W. 2d 64.

December 5, 1960.

364 U. S.

No. 462. RHODES *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Samuel D. Lopinsky* and *Arthur T. Ciccarello* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 282 F. 2d 59.

No. 463. ORNATO *v.* PENNSYLVANIA. Supreme Court of Pennsylvania. Certiorari denied. *Edward P. Good* for petitioner. Reported below: 400 Pa. 626, 163 A. 2d 90.

No. 466. INTERNATIONAL UNION, UNITED AUTOMOBILE, AIRCRAFT & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA, UAW, AFL-CIO, ET AL. *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. 3d Cir. Certiorari denied. *Lowell Goerlich* and *Harold A. Cranefield* for petitioners. *Solicitor General Rankin*, *Stuart Rothman*, *Dominick L. Manoli* and *Norton J. Come* for respondents. Reported below: 280 F. 2d 575.

No. 468. RITHOLZ *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied. *Ernest Goodman* for petitioner. *Paul L. Adams*, Attorney General of Michigan, and *Samuel J. Torina*, Solicitor General, for respondent. Reported below: 359 Mich. 539, 103 N. W. 2d 481.

No. 469. ALEXANDER *v.* BUCKEYE CELLULOSE CORP. C. A. 6th Cir. Certiorari denied. *Jac Chambliss* for petitioner. *Frank F. Dinsmore*, *Richard W. Barrett* and *William D. Spears* for respondent. Reported below: 281 F. 2d 187.

No. 476. MONCRIEF ET AL. *v.* PASOTEX PETROLEUM CO. C. A. 10th Cir. Certiorari denied. *Luther Bohanon* and *Dee J. Kelly* for petitioners. *George N. Otey* for respondent. Reported below: 280 F. 2d 235.

364 U. S.

December 5, 1960.

No. 471. PREFORMED LINE PRODUCTS Co. *v.* WATSON, COMMISSIONER OF PATENTS. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Patrick H. Hume* and *C. Willard Hayes* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Doub* and *Alan S. Rosenthal* for respondent. Reported below: 108 U. S. App. D. C. 95, 280 F. 2d 643.

No. 472. PANHANDLE EASTERN PIPE LINE Co. *v.* MICHIGAN CONSOLIDATED GAS Co. ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Raymond N. Shibley* and *G. R. Redding* for petitioner. *Charles V. Shannon*, *Stanley M. Morley* and *Arthur R. Seder, Jr.* for respondents. Reported below: 108 U. S. App. D. C. 371, 282 F. 2d 854; 108 U. S. App. D. C. 409, 283 F. 2d 204.

No. 474. GRAVES ET AL. *v.* ANSCHUTZ OIL Co., INC. C. A. 10th Cir. Certiorari denied. *E. Albert Morrison* for petitioners. Reported below: 280 F. 2d 364.

No. 477. CUNNINGHAM *v.* ALABAMA. Court of Appeals of Alabama. Certiorari denied. *Arthur D. Shores* and *Orzell Billingsley, Jr.* for petitioner. *MacDonald Gallion*, Attorney General of Alabama, and *David W. Clark*, Assistant Attorney General, for respondent. Reported below: 40 Ala. App. 18, 121 So. 2d 888; 270 Ala. 731, 121 So. 2d 890.

No. 480. SANTOS *v.* UNITED STATES. Court of Claims. Certiorari denied. *Robert Ash* for petitioner. *Solicitor General Rankin*, *Acting Assistant Attorney General Sellers* and *Robert N. Anderson* for the United States. Reported below: — Ct. Cl. —, 277 F. 2d 806.

December 5, 1960.

364 U. S.

No. 470. WILLETT ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 6th Cir. Certiorari denied. *Charles I. Dawson* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice, Robert N. Anderson* and *Morton K. Rothschild* for respondent. Reported below: 277 F. 2d 586.

No. 479. HOHENSEE *v.* AKRON BEACON JOURNAL PUBLISHING CO. ET AL. C. A. 6th Cir. Certiorari denied. *James C. Newton* for petitioner. *C. Blake McDowell* for respondents. Reported below: 277 F. 2d 359.

No. 481. THE R. A. TURRENTINE *v.* AMERICAN HOME ASSURANCE CO. ET AL. C. A. 5th Cir. Certiorari denied. *Robert Eikel* for petitioner. *Edmond J. Ford, Jr.* for respondents. Reported below: 279 F. 2d 811.

No. 411. MAGIN *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Ray M. Foreman* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 280 F. 2d 74.

No. 482. TENNESSEE LIFE INSURANCE CO. *v.* PHINNEY, DISTRICT DIRECTOR OF INTERNAL REVENUE. C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Robert K. Jewett* for petitioner. *Solicitor General Rankin, Acting Assistant Attorney General Sellers, Melva M. Graney* and *John J. Pajak* for respondent. Reported below: 280 F. 2d 39.

No. 305, Misc. RUSHING *v.* WILKINSON, WARDEN. C. A. 5th Cir. Certiorari denied. *Francis J. Mizell, Jr.* for petitioner. Reported below: 272 F. 2d 633.

364 U. S.

December 5, 1960.

No. 443. *SOCIEDAD MARITIMA SAN NICOLAS, S. A., v. MONTEIRO*. Motion to dispense with printing respondent's brief granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. *Joseph Cardillo, Jr.* and *Donald F. Mooney* for petitioner. Reported below: 280 F. 2d 568.

No. 460. *RIELA v. NEW YORK*. County Court of Tioga County, New York. Certiorari denied. THE CHIEF JUSTICE, MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion certiorari should be granted. *Louis Mansdorf* for petitioner. *George Boldman* and *Eliot H. Lumbard* for respondent. Reported below: 7 N. Y. 2d 571, 166 N. E. 2d 840.

No. 464. *PUERTO RICO v. SAMPEDRO*. C. A. 1st Cir. 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 First Circuit denied. *Hiram R. Cancio*, Attorney General of Puerto Rico, *Juan B. Fernandez Badillo*, Solicitor General, and *Arturo Estrella*, Deputy Solicitor General, for petitioner. *Gerardo Ortiz Del Rivero* for respondent. Reported below: 281 F. 2d 888.

No. 14, Misc. *HALL v. HAND, WARDEN*. Supreme Court of Kansas. Certiorari denied. Petitioner *pro se*. *John Anderson, Jr.*, Attorney General of Kansas, and *Charles N. Henson, Jr.* for respondent.

No. 155, Misc. *STEGALL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Theodore Gilinsky* for the United States. Reported below: 279 F. 2d 872.

December 5, 1960.

364 U. S.

No. 41, Misc. *BUFFA ET AL. v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied. Petitioners *pro se*. *John G. Thevos* for respondent. Reported below: 31 N. J. 378, 157 A. 2d 694.

No. 200, Misc. *McNALLY v. HEINZE, WARDEN*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Stanley Mosk*, Attorney General of California, and *Doris H. Maier* and *Raymond M. Momboisse*, Deputy Attorneys General, for respondent.

No. 408, Misc. *LEACH v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied.

No. 411, Misc. *OWENS v. ELLIS, CORRECTIONS DIRECTOR, ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 431, Misc. *KANGRGA ET AL. v. BAJKIC ET AL.* Court of Appeals of New York. Certiorari denied. *Werner Galleski* and *Arnold Davis* for petitioners. *George C. Dix* for respondents.

No. 432, Misc. *SHEPHERD 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: 108 U. S. App. D. C. 240, 281 F. 2d 603.

No. 473, Misc. *SMITH v. INDUSTRIAL ACCIDENT COMMISSION OF CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied.

No. 483, Misc. *HURTT v. MISSOURI*. Supreme Court of Missouri. Certiorari denied.

364 U. S.

December 5, 12, 1960.

*Rehearing Denied:*

No. 308. BENTON ET AL. *v.* MCCARTHY ET AL., *ante*, p. 870;

No. 330. MADDOX *v.* DISTRICT SUPPLY, INC., ET AL., *ante*, p. 872; and

No. 329, Misc. CORBIN *v.* BANMILLER, WARDEN, *ante*, p. 868. Petitions for rehearing denied.

No. 256. DI SILVESTRO *v.* UNITED STATES, *ante*, p. 825. Motion for leave to file a second petition for rehearing denied.

DECEMBER 12, 1960.

*Miscellaneous Order.*

No. 561. BUSHNELL *v.* ELLIS, CORRECTIONS DIRECTOR. It is ordered that *Percy Don Williams, Esquire*, of Houston, Texas, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for petitioner in this case.

*Certiorari Granted. (See also No. 456, ante, p. 505.)*

No. 486. GORI *v.* UNITED STATES. C. A. 2d Cir. Certiorari granted limited to the question of double jeopardy presented by the petition. *Jerome Lewis, Milton C. Weisman and Harry I. Rand* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for the United States. Reported below: 282 F. 2d 43.

No. 492. CIVIL AERONAUTICS BOARD *v.* DELTA AIR LINES, INC. C. A. 2d Cir. Certiorari granted. *Solicitor General Rankin, Assistant Attorney General Bicks, Richard A. Solomon, Irwin A. Seibel, Franklin M. Stone and O. D. Ozment* for petitioner. *James W. Callison and Robert Reed Gray* for respondent. Reported below: 280 F. 2d 43.

December 12, 1960.

364 U. S.

No. 493. LAKE CENTRAL AIRLINES, INC., *v.* DELTA AIR LINES, INC. C. A. 2d Cir. Certiorari granted. *Albert F. Grisard* for petitioner. *James W. Callison* and *Robert Reed Gray* for respondent. Reported below: 280 F. 2d 43.

No. 495. COMMUNIST PARTY, U. S. A., ET AL. *v.* LUBIN, INDUSTRIAL COMMISSIONER. Motion for leave to substitute *Martin P. Catherwood* in the place of *Isador Lubin* as the party respondent granted. Petition for writ of certiorari to the Court of Appeals of New York granted. *John J. Abt* for petitioners. *Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, and *Julius L. Sackman* for respondent. Reported below: 8 N. Y. 2d 77, 168 N. E. 2d 242; 8 N. Y. 2d 1001, 169 N. E. 2d 427.

*Certiorari Denied.* (See also No. 403, *Misc.*, ante, p. 506.)

No. 366. MARSHMAN ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE; and

No. 512. COMMISSIONER OF INTERNAL REVENUE *v.* ESTATE OF STOUFFER. C. A. 6th Cir. Certiorari denied. *Charles W. Steadman* and *William F. Snyder* for petitioners in No. 366. *Solicitor General Rankin*, *Acting Assistant Attorney General Sellers* and *I. Henry Kutz* for petitioner in No. 512 and respondent in No. 366. *James C. Davis* for respondent in No. 512. Reported below: 279 F. 2d 27.

No. 498. HICKEY ET AL. *v.* ILLINOIS CENTRAL RAILROAD. C. A. 7th Cir. Certiorari denied. *George D. Sullivan, Jr.*, *Burton H. Young* and *Werner W. Schroeder* for petitioners. *Herbert J. Deany*, *Robert S. Kirby* and *Joseph H. Wright* for respondent. Reported below: 278 F. 2d 529.

364 U. S.

December 12, 1960.

No. 485. *ROBINSON 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 *Felicia Dubrovsky* for the United States. Reported below: 109 U. S. App. D. C. —, 283 F. 2d 508.

No. 490. *UNITED STATES v. SCHMIDT PRITCHARD & Co. ET AL.* United States Court of Customs and Patent Appeals. Certiorari denied. *Solicitor General Rankin, Assistant Attorney General Doub* and *Alan S. Rosenthal* for the United States. *J. Bradley Colburn* for respondents. Reported below: 47 C. C. P. A. (Cust.) 152, — F. 2d —.

No. 504. *LALANCETTE v. GOLOSKIE ET AL.* Supreme Court of Rhode Island. Certiorari denied. *Francis D. Fox* for petitioner. Reported below: — R. I. —, 163 A. 2d 325.

No. 494. *TURPIN v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *William B. Bryant, Joseph C. Waddy* and *William C. Gardner* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 108 U. S. App. D. C. 274, 281 F. 2d 637.

No. 365, Misc. *CUNNINGHAM v. UNITED STATES*. Court of Claims. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Doub* and *Alan S. Rosenthal* for the United States. Reported below: — Ct. Cl. —, 181 F. Supp. 269.

December 12, 1960.

364 U. S.

No. 487. *ISAACS v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. *Richard H. Love* for petitioner. Reported below: 222 Md. 242, 159 A. 2d 636.

No. 488. *SNAKARD v. FRANKFORT OIL CO.* C. A. 10th Cir. Certiorari denied. *Peyton Ford* and *John B. Dudley, Jr.* for petitioner. *Mathias F. Correa, John W. Niels, T. Murray Robinson* and *Leon Shipp* for respondent. Reported below: 279 F. 2d 436.

No. 499. *FLOTILL PRODUCTS, INC., v. FEDERAL TRADE COMMISSION*. C. A. 9th Cir. Certiorari denied. *William Simon, John Bodner, Jr.* and *Jefferson E. Peyser* for petitioner. *Solicitor General Rankin, Assistant Attorney General Bicks, Charles H. Weston, PGad B. Morehouse* and *Alan B. Hobbes* for respondent. Reported below: 278 F. 2d 850.

No. 502. *AMERICAN MUTUAL LIABILITY INSURANCE Co. v. ASHLEY ET AL.* C. A. 9th Cir. Certiorari denied. *M. Mitchell Bourquin* for petitioner. *J. Wilmar Jensen* for respondents. Reported below: 281 F. 2d 689.

No. 506. *HALL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Evan A. McLinn* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 279 F. 2d 389.

No. 511. *HOWZE v. ARROW TRANSPORTATION CO. ET AL.* C. A. 5th Cir. Certiorari denied. *Jacob Rassner* for petitioner. *Eberhard P. Deutsch* and *René H. Himel, Jr.* for Arrow Transportation Co., and *C. A. L. Johnstone, Jr.* for Zurich Insurance Co., respondents. Reported below: 280 F. 2d 403.

364 U. S.

December 12, 1960.

No. 508. *HEEBNER ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 3d Cir. Certiorari denied. *John T. Sapienza* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice* and *Harry Baum* for respondent. Reported below: 280 F. 2d 228.

No. 513. *ZIRIN v. MCGINNES, DISTRICT DIRECTOR OF INTERNAL REVENUE*. C. A. 3d Cir. Certiorari denied. *Henry L. Schimpf, Jr.* for petitioner. *Solicitor General Rankin, Assistant Attorney General Doub* and *Alan S. Rosenthal* for respondent. Reported below: 282 F. 2d 113.

No. 522. *VACO PRODUCTS CO. v. AMP INCORPORATED*. C. A. 7th Cir. Certiorari denied. *Albert I. Kegan* for petitioner. *Truman S. Safford* and *William J. Keating* for respondent. Reported below: 280 F. 2d 518.

No. 505. *COTA v. CALIFORNIA*. Appellate Department, Superior Court of California, Los Angeles County. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. THE CHIEF JUSTICE took no part in the consideration or decision of this application. Petitioner *pro se*. *Roger Arnebergh* and *Philip E. Grey* for respondent.

No. 52, Misc. *BADGLEY v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. Petitioner *pro se*. *Will Wilson*, Attorney General of Texas, and *B. H. Timmins, Jr.* and *Leon F. Pesek*, Assistant Attorneys General, for respondent.

No. 154, Misc. *LANGEL v. DISTRICT COURT OF IOWA FOR BLACK HAWK COUNTY*. Supreme Court of Iowa. Certiorari denied. Petitioner *pro se*. *Norman A. Erbe*, Attorney General of Iowa, for respondent.

December 12, 1960.

364 U. S.

No. 223, Misc. *KINCH v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Petitioner *pro se*. *Louis J. Lefkowitz*, Attorney General of New York, and *Joseph J. Rose*, Assistant Attorney General, for respondent.

No. 225, Misc. *SCHAFFER v. CALIFORNIA*. Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Stanley Mosk*, Attorney General of California, and *Arlo E. Smith*, Deputy Attorney General, for respondent.

No. 253, Misc. *WILLIAMS v. LAVALLEE, WARDEN*. C. A. 2d Cir. Certiorari denied. *John F. Finerty*, *Curtis F. McClane* and *Rowland Watts* for petitioner. *William I. Siegel* for respondent. Reported below: 276 F. 2d 645.

No. 294, Misc. *RUTHERFORD v. ILLINOIS CENTRAL RAILROAD Co.* C. A. 5th Cir. Certiorari denied. *John W. Freels*, *James L. Byrd* and *Joseph H. Wright* for respondent. Reported below: 278 F. 2d 310.

No. 345, Misc. *LYLES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *William F. Walsh* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 279 F. 2d 358.

No. 351, Misc. *HEATH ET AL. v. HEINZE, WARDEN, ET AL.* Supreme Court of California. Certiorari denied.

No. 385, Misc. *PETERSEN v. LAVALLEE, WARDEN*. C. A. 2d Cir. Certiorari denied. *Edward Q. Carr, Jr.* for petitioner. *Louis J. Lefkowitz*, Attorney General of New York, for respondent. Reported below: 279 F. 2d 396.

364 U. S.

December 12, 1960.

No. 400, Misc. BRINKMAN *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. *Joseph Leonardo* for petitioner. Reported below: 8 N. Y. 2d 1, 167 N. E. 2d 327.

No. 404, Misc. GEORGE *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. Reported below: — F. 2d —.

No. 437, Misc. TRANOWSKI *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Reported below: 20 Ill. 2d 11, 169 N. E. 2d 347.

No. 474, Misc. CARVIN *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Reported below: 20 Ill. 2d 32, 169 N. E. 2d 260.

No. 497, Misc. MAES *v.* TINSLEY, WARDEN. Supreme Court of Colorado. Certiorari denied. Petitioner *pro se*. *Duke W. Dunbar, Attorney General of Colorado, Frank E. Hickey, Deputy Attorney General, and J. F. Brauer, Assistant Attorney General, for respondent.* Reported below: 143 Colo. 405, 353 P. 2d 586.

No. 500, Misc. CLINTON *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: — U. S. App. D. C. —, — F. 2d —.

No. 424, Misc. IN RE SCHOENBURG. C. A. 5th Cir. Certiorari denied. *Robert H. Rice* for petitioner. Reported below: 279 F. 2d 806.

December 12, 1960.

364 U.S.

No. 423, Misc. *AKERS 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: 280 F. 2d 198.

No. 438, Misc. *WILLIAMS v. MYERS, PENITENTIARY SUPERINTENDENT*. Supreme Court of Pennsylvania. Certiorari denied.

No. 442, Misc. *MCNUTT v. TEXAS ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 444, Misc. *KING v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 279 F. 2d 342.

No. 447, Misc. *STANLEY v. NEW YORK*. Appellate Division, Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 450, Misc. *HARRISON v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 456, Misc. *RUCKER 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. 481, Misc. *STEVENS v. ADAMS, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 494, Misc. *MAHURIN v. WAGGONER ET AL.* Supreme Court of Missouri. Certiorari denied.

364 U. S.

December 12, 19, 1960.

No. 495, Misc. *KENNEDY v. WILKINS, WARDEN*. Appellate Division, Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

No. 412, Misc. *IN RE MCDANIEL*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit and other relief denied.

*Rehearing Denied.*

No. 33. *McPHAUL v. UNITED STATES*, *ante*, p. 372;

No. 363. *OHIO EX REL. KING v. SHANNON, PRESIDING JUDGE, MUNICIPAL COURT OF CINCINNATI, OHIO*, *ante*, p. 337;

No. 248, Misc. *MALLORY v. MISSOURI*, *ante*, p. 852; and

No. 379, Misc. *MACKIEWICZ v. COCHRAN, CORRECTIONS DIRECTOR*, *ante*, p. 887. Petitions for rehearing denied.

DECEMBER 19, 1960.

*Miscellaneous Orders.*

No. 546, October Term, 1959. *STANTON ET UX. v. UNITED STATES*, 363 U. S. 278. The motion to confirm compliance by the District Court with the directions of this Court and for other relief is denied. *Clendon H. Lee* on the motion. *Solicitor General Rankin* for the United States in opposition.

No. 200. *LATHROP v. DONOHUE*. Appeal from the Supreme Court of Wisconsin. The motion of the Missouri Bar for leave to present oral argument, as *amicus curiae*, is denied.

No. 559, Misc. *CHING v. UNITED STATES*. Motion for leave to file petition for writ of habeas corpus denied.

December 19, 1960.

364 U. S.

No. 111. PUGACH *v.* DOLLINGER, DISTRICT ATTORNEY OF BRONX COUNTY, ET AL. Certiorari, 363 U. S. 836, to the United States Court of Appeals for the Second Circuit. The motion of the District Attorneys' Association of the State of New York for leave to present oral argument, as *amicus curiae*, is denied.

No. 48, Misc. CLARKE *v.* SOUTH CAROLINA. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied. Petitioner *pro se*. Daniel R. McLeod, Attorney General of South Carolina, and J. C. Coleman, Jr., Assistant Attorney General, for respondent.

*Certiorari Granted.*

No. 501. BINKS MANUFACTURING CO. *v.* RANSBURG ELECTRO-COATING CORP. C. A. 7th Cir. Certiorari granted. Charles F. Meroni for petitioner. James P. Hume, Elbert R. Gilliom and Harry T. Ice for respondent. Reported below: 281 F. 2d 252.

No. 533. UNITED STATES *v.* NEUSTADT ET AL. C. A. 4th Cir. Certiorari granted. Solicitor General Rankin, Assistant Attorney General Doub and John G. Laughlin, Jr. for the United States. Lawrence J. Latto for respondents. Reported below: 281 F. 2d 596.

*Certiorari Denied.* (See also No. 518, ante, p. 517; and No. 48, Misc., supra.)

No. 489. MONOLITH PORTLAND MIDWEST CO. *v.* RECONSTRUCTION FINANCE CORP. C. A. 9th Cir. Certiorari denied. Joseph T. Enright and Norman Elliott for petitioner. Solicitor General Rankin, Assistant Attorney General Doub and Alan S. Rosenthal for respondent. Reported below: 282 F. 2d 439.

364 U. S.

December 19, 1960.

No. 496. BANK OF THE PHILIPPINE ISLANDS *v.* ROGERS, ATTORNEY GENERAL, ET AL.; and

No. 520. PHILIPPINE NATIONAL BANK *v.* ROGERS, ATTORNEY GENERAL, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Joseph B. Friedman* for petitioner in No. 496. *Matthew E. McCarthy* for petitioner in No. 520. *Solicitor General Rankin, Dallas S. Townsend and Irving Jaffe* for respondents. Reported below: 108 U. S. App. D. C. 179, 281 F. 2d 12.

No. 519. RATKE ET AL. *v.* PICARD, U. S. DISTRICT JUDGE. C. A. 6th Cir. Certiorari denied. *Milton A. Bass and Solomon H. Friend* for petitioners. *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for respondent. Reported below: 283 F. 2d 945.

No. 502, Misc. CAMPBELL *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. *Josiah Lyman* for petitioner. *Will Wilson*, Attorney General of Texas, and *Riley Eugene Fletcher*, Assistant Attorney General, for respondent. Reported below: — Tex. Cr. R. —, 338 S. W. 2d 255.

No. 354, Misc. JOHNSON *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Bernard A. Golding* for petitioner. *Will Wilson*, Attorney General of Texas, *Tom I. McFarling* and *Leon Pesek*, Assistant Attorneys General, and *Lee P. Ward, Jr.* for respondent. Reported below: — Tex. Cr. R. —, 336 S. W. 2d 175.

No. 501, Misc. GONZALEZ *v.* CALIFORNIA. Appellate Department, Superior Court of California, County of Los Angeles. Certiorari denied.

December 19, 1960.

364 U. S.

No. 509. *AMBASSADOR HOTEL CO. OF LOS ANGELES v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. *John E. Hughes, John W. Hughes and Harold R. Burnstein* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Lee A. Jackson and Harry Marselli* for respondent. Reported below: 280 F. 2d 303.

No. 517. *VITTER ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *George R. Blue* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice and Meyer Rothwacks* for the United States. Reported below: 279 F. 2d 445.

No. 523. *HENNESSEY, DOING BUSINESS AS HENNESSEY & Co., v. CROWN ET AL.* C. A. 7th Cir. Certiorari denied. *Milton K. Joseph* for petitioner. *Albert E. Jenner, Jr.* for respondents.

No. 514. *STONE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *THE CHIEF JUSTICE, MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS* are of the opinion certiorari should be granted. *Archibald Palmer* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for the United States. Reported below: 282 F. 2d 547.

No. 116, Misc. *BACA v. COLORADO*. Supreme Court of Colorado. Certiorari denied. Petitioner *pro se*. *Duke W. Dunbar*, Attorney General of Colorado, *Frank E. Hickey*, Deputy Attorney General, and *J. F. Brauer*, Assistant Attorney General, for respondent.

No. 421, Misc. *HOLT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin* for the United States. Reported below: 279 F. 2d 735.

364 U. S. December 19, 27, 1960, January 9, 1961.

No. 492, Misc. *CURRY 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.

*Rehearing Denied.*

No. 265, Misc. *LA FEVER v. UNITED STATES*, *ante*, p. 904. Petition for rehearing denied.

DECEMBER 27, 1960.

*Dismissal Under Rule 60.*

No. 82. *COLUMBIAN FUEL CORP. v. SUPERIOR COURT OF DELAWARE FOR NEW CASTLE COUNTY ET AL.* Certiorari, 363 U. S. 818, to the Supreme Court of Delaware. Writ of certiorari dismissed pursuant to stipulation of counsel under Rule 60 of the Rules of this Court. *Andrew B. Kirkpatrick, Jr.* for petitioner. *Howard L. Williams* for Cities Service Gas Company, respondent. *President Judge Charles L. Terry* and *Associate Judges Andrew D. Christie, James B. Carey, William J. Storey* and *Albert J. Stiftel* of the Superior Court of Delaware for New Castle County consented to the stipulation. Reported below: 52 Del. —, 158 A. 2d 478.

JANUARY 9, 1961.

*Miscellaneous Orders.*

No. 111. *PUGACH v. DOLLINGER, DISTRICT ATTORNEY OF BRONX COUNTY, ET AL.* Certiorari, 363 U. S. 836, to the United States Court of Appeals for the Second Circuit. The motion of the New York Civil Liberties Union et al. for leave to file brief, as *amici curiae*, is granted. *Emanuel Redfield* on the motion.

January 9, 1961.

364 U. S.

No. 155. MICHIGAN NATIONAL BANK ET AL. *v.* MICHIGAN ET AL. Appeal from the Supreme Court of Michigan. Probable jurisdiction noted, *ante*, p. 810. The motion of the Franklin National Bank of Long Island for leave to file brief, as *amicus curiae*, is denied. The motion of Mellon National Bank and Trust Company et al. for leave to file brief, as *amici curiae*, is denied. The motion to strike names of State Bank of St. Johns et al. from motion of Community National Bank of Pontiac et al. for leave to file brief, as *amici curiae*, is granted, and the motion of Community National Bank of Pontiac et al. for leave to file brief, as *amici curiae*, is denied.

No. 229, Misc. FOGLE *v.* MARONEY, WARDEN. Motion for leave to file petition for writ of habeas corpus denied.

No. 546, Misc. STURDEVANT *v.* KERR, U. S. DISTRICT JUDGE. Motion for leave to file petition for writ of mandamus denied.

No. 526, Misc. CUMMINGS *v.* PALMER ET AL.; and  
No. 595, Misc. MOJICA *v.* UNITED STATES. Motions for leave to file petitions for writs of certiorari denied.

No. 551, Misc. BERSSET *v.* UNITED STATES ET AL. Motion for leave to file petition for writ of injunction denied.

*Probable Jurisdiction Noted.*

No. 126, Misc. HOYT *v.* FLORIDA. Appeal from the Supreme Court of Florida. Motion for leave to proceed *in forma pauperis* granted. Probable jurisdiction noted, and case transferred to appellate docket. *Herbert B. Ehrmann* and *C. J. Hardee, Jr.* for appellant. *Richard W. Ervin*, Attorney General of Florida, and *George R. Georgieff*, Assistant Attorney General, for appellee. Reported below: 119 So. 2d 691.

364 U. S.

January 9, 1961.

*Certiorari Granted.*

NO. 527. CHAUFFEURS, TEAMSTERS & HELPERS LOCAL UNION NO. 795 ET AL. *v.* YELLOW TRANSIT FREIGHT LINES, INC., ET AL. C. A. 10th Cir. Certiorari granted. *David Previant* for petitioners. *Charles B. Blackmar, Carl T. Smith* and *Malcolm Miller* for respondents. Reported below: 282 F. 2d 345.

NO. 533, Misc. HAMILTON *v.* ALABAMA. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Alabama granted. Case transferred to appellate docket. *Thurgood Marshall, Jack Greenberg, Peter A. Hall* and *Orzell Billingsley, Jr.* for petitioner. *MacDonald Gallion*, Attorney General of Alabama, and *James W. Webb* and *John G. Bookout*, Assistant Attorneys General, for respondent. Reported below: — Ala. —, 122 So. 2d 602.

*Certiorari Denied.* (See also No. 515, *ante*, p. 628; No. 516, *ante*, p. 630; and Misc. Nos. 526 and 595, *supra*.)

NO. 453. BRYAN ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 4th Cir. Certiorari denied. *Stanley Worth, Claude C. Pierce* and *Edward S. Smith* for petitioners. *Solicitor General Rankin, Assistant Attorney General Rice* and *Harry Baum* for respondent. Reported below: 281 F. 2d 238.

NO. 491. CHICAGO, ROCK ISLAND & PACIFIC RAILROAD CO. *v.* CHICAGO & NORTH WESTERN RAILWAY CO.; and

NO. 525. CHICAGO & NORTH WESTERN RAILWAY CO. *v.* CHICAGO, ROCK ISLAND & PACIFIC RAILROAD CO. C. A. 8th Cir. Certiorari denied. *Alden B. Howland* and *Bennett A. Webster, Jr.* for petitioner in No. 491. *Carl McGowan* for petitioner in No. 525 and respondent in No. 491. Reported below: 280 F. 2d 110.

January 9, 1961.

364 U. S.

No. 524. COMMISSIONER OF INTERNAL REVENUE *v.* FACTOR. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Solicitor General Rankin, Assistant Attorney General Rice, A. F. Prescott and Victor A. Altman* for petitioner. Reported below: 108 U. S. App. D. C. 183, 281 F. 2d 16.

No. 531. CLARK ET UX. *v.* DWYER, DIRECTOR OF AGRICULTURE OF THE STATE OF WASHINGTON. Supreme Court of Washington. Certiorari denied. *Cutler W. Halverson* for petitioners. *John J. O'Connell, Attorney General of Washington, and Ernest M. Furnia and Richard M. Montecucco, Assistant Attorneys General, for respondent.* Reported below: 56 Wash. 2d 425, 353 P. 2d 941.

No. 544. AHEARN ET AL. *v.* UNITED STATES. Court of Claims. Certiorari denied. *Claude L. Dawson, Keith L. Seegmiller and Irving Wilner* for petitioners. Reported below: — Ct. Cl. —, — F. 2d —.

No. 547. ALABAMA *v.* TRANSCONTINENTAL GAS PIPE LINE CORP. Supreme Court of Alabama. Certiorari denied. *MacDonald Gallion, Attorney General of Alabama, William H. Burton, Assistant Attorney General, and Guy Sparks, Special Assistant Attorney General, for petitioner. Samuel M. Johnston and Jos. F. Johnston* for respondent. Reported below: — Ala. —, 123 So. 2d 172.

No. 549. WEINHEIMER *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *H. Clifford Alder* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for the United States. Reported below: — U. S. App. D. C. —, 283 F. 2d 510.

364 U. S.

January 9, 1961.

No. 530. *MENDE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *George M. Bryant* and *Walter M. Campbell* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 282 F. 2d 881.

No. 536. *UNITED STATES v. GAVAGAN ET AL.* C. A. 5th Cir. Certiorari denied. *Solicitor General Rankin*, *Assistant Attorney General Doub*, *Alan S. Rosenthal* and *David L. Rose* for the United States. *Chester Bedell* and *Nathan Bedell* for respondents. Reported below: 280 F. 2d 319.

No. 537. *ENNIS ET AL. v. EVANS ET AL.* C. A. 3d Cir. Certiorari denied. *Januar D. Bove, Jr.*, Attorney General of Delaware, *James M. Tunnell, Jr.* and *Everett F. Warrington* for petitioners. *Louis L. Redding* for respondents. Reported below: 281 F. 2d 385.

No. 540. *FACTOR v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. *Robert E. Sher*, *Isadore G. Alk* and *Jack B. Rubin* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *A. F. Prescott* and *Victor A. Altman* for respondent. Reported below: 281 F. 2d 100.

No. 541. *PIASECKI AIRCRAFT CORP. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 3d Cir. Certiorari denied. *K. Norman Diamond*, *James J. Davis* and *Lowell Goerlich* for petitioner. Reported below: 280 F. 2d 575.

No. 542. *GRACE LINE, INC., v. FEDERAL MARITIME BOARD*. C. A. 2d Cir. Certiorari denied. *Lawrence J. McKay* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Bicks*, *Irwin A. Seibel* and *Robert E. Mitchell* for respondent. Reported below: 280 F. 2d 790.

January 9, 1961.

364 U. S.

No. 545. *BERRY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Merle L. Silverstein* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey* and *Beatrice Rosenberg* for the United States. Reported below: 283 F. 2d 465.

No. 548. *HARSHBERGER, ADMINISTRATRIX, v. ASSOCIATED TRANSPORT, INC., ET AL.* C. A. 2d Cir. Certiorari denied. *Raymond R. Dickey* for petitioner. *Copal Mintz* for respondents. Reported below: 282 F. 2d 179.

No. 551. *GINSBURG v. GINSBURG ET AL.* C. A. 9th Cir. Certiorari denied. *Paul Ginsburg*, petitioner, *pro se.* *James R. Moore* for respondents.

No. 532. *DICKSON, WARDEN, v. CHAVEZ ET AL.* Motions of respondents for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. *Stanley Mosk*, Attorney General of California, and *Arlo E. Smith*, Deputy Attorney General, for petitioner. *Richard Gladstein, Norman Leonard* and *Ruth Jacobs* for respondents. Reported below: 280 F. 2d 727.

No. 28, Misc. *FISCHER v. NEW YORK*. Appellate Division, Supreme Court of New York, Second Judicial Department. Certiorari denied. Petitioner *pro se.* *Frank D. O'Connor, Morton Greenspan* and *Benj. J. Jacobson* for respondent.

No. 32, Misc. *DENUIT v. OHIO*. Supreme Court of Ohio. Certiorari denied.

No. 157, Misc. *ALLEN 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.

364 U. S.

January 9, 1961.

No. 555. *BUNCH v. SMYTH*, PENITENTIARY SUPERINTENDENT. Supreme Court of Appeals of Virginia. Certiorari denied. *O. P. Easterwood, Jr.* for petitioner. Reported below: 202 Va. 126, 116 S. E. 2d 33.

No. 538. *EMMET ET AL. v. WHITTIER*, ADMINISTRATOR OF VETERANS AFFAIRS, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE HARLAN took no part in the consideration or decision of this application. *John Geyer Tausig, Nathaniel F. Bedford* and *Lawrence A. Schei* for petitioners. Reported below: 108 U. S. App. D. C. 191, 281 F. 2d 24.

No. 342, Misc. *ROWE v. MAINE*. Supreme Judicial Court of Maine. Certiorari denied. Reported below: 156 Me. 348, 163 A. 2d 757.

No. 393, Misc. *EX PARTE ROCKHOLT*. Supreme Court of Alabama. Certiorari denied. Reported below: — Ala. —, 122 So. 2d 162.

No. 451, Misc. *SWAN v. GLADDEN*, WARDEN. Supreme Court of Oregon. Certiorari denied. Reported below: — Ore. —, — P. 2d —.

No. 453, Misc. *SMITH v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. Reported below: 223 Md. 228, 163 A. 2d 622.

No. 464, Misc. *SHANNON v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. Reported below: — Tex. Cr. R. —, 338 S. W. 2d 462.

No. 433, Misc. *PAUL v. WILKINS*, WARDEN. C. A. 2d Cir. Certiorari denied.

January 9, 1961.

364 U. S.

No. 254, Misc. COLLINS *v.* DICKSON, WARDEN. Supreme Court of California. Certiorari denied. Petitioner *pro se.* *Stanley Mosk*, Attorney General of California, and *Arlo E. Smith*, Deputy Attorney General, for respondent.

No. 269, Misc. BAKER *v.* COCHRAN, CORRECTIONS DIRECTOR. Supreme Court of Florida. Certiorari denied. Petitioner *pro se.* *Richard W. Ervin*, Attorney General of Florida, and *George R. Georgieff*, Assistant Attorney General, for respondent.

No. 300, Misc. SMITH ET AL. *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied. *Hymen B. Mintz* for petitioners. Reported below: 32 N. J. 501, 161 A. 2d 520.

No. 356, Misc. WALLACE *v.* BENNETT, WARDEN. Supreme Court of Iowa. Certiorari denied. Petitioner *pro se.* *Norman A. Erbe*, Attorney General of Iowa, for respondent.

No. 387, Misc. WALKER *v.* WALKER, WARDEN. Supreme Court of Louisiana. Certiorari denied. Petitioner *pro se.* *Jack P. F. Gremillion*, Attorney General of Louisiana, and *Teddy W. Airhart, Jr.* and *Scallan E. Walsh*, Assistant Attorneys General, for respondent.

No. 426, Misc. CUCINOTTI *v.* NEW YORK. Appellate Division, Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

No. 429, Misc. VANDERSEE *v.* RICHMAN, ATTORNEY GENERAL OF NEW JERSEY. Supreme Court of New Jersey. Certiorari denied.

364 U. S.

January 9, 1961.

No. 439, Misc. LESTER *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *Osmond K. Fraenkel* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for the United States. Reported below: 282 F. 2d 750.

No. 475, Misc. BELCHER *v.* MCGARRAGHY, U. S. DISTRICT JUDGE, ET AL. 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 respondents.

No. 477, Misc. SMITH *v.* FAY, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 484, Misc. IN RE SMITH. Supreme Court of New Mexico. Certiorari denied.

No. 486, Misc. NEAL 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. 488, Misc. CLAYTON *v.* CALIFORNIA ET AL. C. A. 9th Cir. Certiorari denied.

No. 498, Misc. LAMUTE *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 508, Misc. CUMMINS *v.* STROUL, DOING BUSINESS AS STROUL NEWS AGENCY. C. A. 3d Cir. Certiorari denied.

January 9, 1961.

364 U. S.

No. 489, Misc. HENSON *v.* WARDEN, MARYLAND PENITENTIARY. Court of Appeals of Maryland. Certiorari denied. Reported below: 223 Md. 674, 164 A. 2d 273.

No. 493, Misc. SMITH *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. Reported below: — U. S. App. D. C. —, 283 F. 2d 607.

No. 516, Misc. DAVIS *v.* ELLIS, CORRECTIONS DIRECTOR, ET AL. Court of Criminal Appeals of Texas. Certiorari denied. Reported below: 165 Tex. Cr. R. 2, 302 S. W. 2d 419.

No. 519, Misc. DAVIS *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for the United States.

No. 571, Misc. LLOYD *v.* JONES, WARDEN. Court of Appeals of Kentucky. Certiorari denied. Petitioner *pro se.* *John B. Breckinridge, Attorney General of Kentucky, and Ray Corns, Assistant Attorney General,* for respondent. Reported below: 339 S. W. 2d 479.

No. 573, Misc. ILLOVA *v.* BANNAN, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 283 F. 2d 117.

*Rehearing Denied.*

No. 24. UNITED STATES *v.* HOUGHAM ET AL., *ante*, p. 310. Motion for leave to file a petition for rehearing denied.

364 U. S.

January 9, 10, 16, 1961.

No. 133. SOLOMON ET AL. *v.* UNITED STATES, *ante*, p. 890;

No. 403. BORROW *v.* FEDERAL COMMUNICATIONS COMMISSION, *ante*, p. 892;

No. 405. BACA ET AL. *v.* UNITED STATES, *ante*, p. 892;

No. 418. EVANS ET AL. *v.* PENNSYLVANIA, *ante*, p. 899;

No. 425. UNITED SHOE MACHINERY CORP. *v.* HAN-OVER SHOE, INC., *ante*, p. 901;

No. 426. KIRSCHKE ET AL. *v.* CITY OF HOUSTON, *ante*, p. 474;

No. 431. FORD MOTOR CO. *v.* PACE ET AL., *ante*, p. 444; and

No. 343, Misc. CARRILLO *v.* UNITED STATES, *ante*, p. 905. Petitions for rehearing denied.

JANUARY 10, 1961.

*Miscellaneous Order.*

No. —. DANNER, REGISTRAR, UNIVERSITY OF GEORGIA, *v.* HOLMES ET AL. Motion to vacate order setting aside supersedeas and stay pending appeal presented to MR. JUSTICE BLACK, and by him referred to the Court, denied. *Eugene Cook*, Attorney General of Georgia, and *B. D. Murphy* and *E. Freeman Leverett*, Assistant Attorneys General, on the motion. *Thurgood Marshall*, *Constance Baker Motley*, *Jack Greenberg* and *James M. Nabrit III*, in opposition, for respondents.

JANUARY 16, 1961.

*Miscellaneous Orders.*

No. 200. LATHROP *v.* DONOHUE. Appeal from the Supreme Court of Wisconsin. (Question of jurisdiction postponed to hearing on the merits, *ante*, p. 810.) Motion of *David Levinson* for leave to proceed *in forma pauperis*, as *amicus curiae*, is denied.

January 16, 1961.

364 U. S.

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 January 18, 1961, and ending January 19, 1961, 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. 9, Original. ARIZONA *v.* CALIFORNIA ET AL. The report of the Special Master is received and ordered filed. THE CHIEF JUSTICE took no part in the consideration or decision of this case. [For earlier orders herein, see 344 U. S. 919; 347 U. S. 985, 986; 348 U. S. 947; 350 U. S. 114, 812; 351 U. S. 977; 354 U. S. 918; 357 U. S. 902.]

No. 62. LEAHY *v.* UNITED STATES. Certiorari, 363 U. S. 810, to the United States Court of Appeals for the Ninth Circuit. Motion of *Clark A. Barrett* for leave to withdraw appearance as counsel for petitioner granted.

No. 621, Misc. STANLEY *v.* JOHNSTON, STATE HOSPITAL DIRECTOR. Motion for leave to file petition for writ of habeas corpus denied.

No. 617, Misc. DOUGLAS *v.* KLOEB, U. S. DISTRICT JUDGE. Motion for leave to file petition for writ of mandamus and other relief denied.

*Probable Jurisdiction Noted.*

No. 539. KESLER *v.* DEPARTMENT OF PUBLIC SAFETY, FINANCIAL RESPONSIBILITY DIVISION, STATE OF UTAH. Appeal from the United States District Court for the District of Utah. Probable jurisdiction noted. *E. J. Skeen* for appellant. Reported below: 187 F. Supp. 277.

364 U.S.

January 16, 1961.

*Certiorari Denied.* (See also No. 437, ante, p. 662.)

No. 465. *TERRY v. CALIFORNIA*. District Court of Appeal of California, Second Appellate District. *Certiorari denied.* *Russell E. Parsons* for petitioner. *Stanley Mosk*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Jack K. Weber*, Deputy Attorney General, for respondent. Reported below: 180 Cal. App. 2d 48, 4 Cal. Rptr. 597.

No. 510. *KRAVITZ v. UNITED STATES*. C. A. 3d Cir. *Certiorari denied.* *Jacob Kossman* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice* and *Meyer Rothwacks* for the United States. Reported below: 281 F. 2d 581.

No. 535. *EMERSON v. HOLLOWAY CONCRETE PRODUCTS Co., INC.* C. A. 5th Cir. *Certiorari denied.* *Frederick Bernays Wiener* and *Alton G. Pitts* for petitioner. *O. B. McEwan* for respondent. Reported below: 282 F. 2d 271.

No. 550. *UNITED NEW YORK AND NEW JERSEY SANDY HOOK PILOTS ASSN. ET AL. v. HALECKI, ADMINISTRATRIX;* and

No. 569. *HALECKI, ADMINISTRATRIX, v. UNITED NEW YORK AND NEW JERSEY SANDY HOOK PILOTS ASSN. ET AL.* C. A. 2d Cir. *Certiorari denied.* *Lawrence J. Mahoney* for petitioners in No. 550 and respondents in No. 569. *Nathan Baker*, *Bernard Chazen* and *Milton Garber* for petitioner in No. 569. Reported below: 282 F. 2d 137.

No. 560. *RHAY, PENITENTIARY SUPERINTENDENT, v. GRIFFITH.* C. A. 9th Cir. *Certiorari denied.* *John J. O'Connell*, Attorney General of Washington, and *Stephen C. Way*, Assistant Attorney General, for petitioner. Reported below: 282 F. 2d 711.

January 16, 1961.

364 U. S.

No. 557. CRISP COUNTY, GEORGIA, ET AL. *v.* SEABOARD AIR LINE RAILROAD Co. C. A. 5th Cir. Certiorari denied. *H. H. Perry, Jr.* for petitioners. *Charles T. Abeles* for respondent. Reported below: 280 F. 2d 873.

No. 565. AMERICAN DREDGING Co. *v.* GULF OIL CORP. ET AL. C. A. 3d Cir. Certiorari denied. *T. E. Byrne, Jr.* for petitioner. *Thomas F. Mount* and *Richard W. Palmer* for Atlantic Refining Co., *Raymond T. Greene* for Esso Standard Oil Co., *Thomson F. Edwards* for Gulf Oil Corp., and *Joseph M. Brush* for Texaco, Inc., respondents. Reported below: 282 F. 2d 73.

No. 572. BUSH ET UX. *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Hobart F. Atkins* for petitioners. *Solicitor General Rankin* for the United States. Reported below: 283 F. 2d 51.

No. 552. ESTATE OF CUNHA *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. MR. JUSTICE WHITTAKER is of the opinion certiorari should be granted. *Thomas J. Beddow* and *Meade C. Patrick* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Rice*, *Robert N. Anderson* and *L. W. Post* for respondent. Reported below: 279 F. 2d 292.

No. 578. SCHWARTZ *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Jacob Kossman* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 283 F. 2d 107.

No. 413, Misc. DICKSON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

364 U. S.

January 16, 1961.

No. 262, Misc. ADAMS *v.* BANMILLER, WARDEN. Court of Common Pleas of Delaware County, Pennsylvania. Certiorari denied. Petitioner *pro se.* *Frank P. Lawley*, Deputy Attorney General of Pennsylvania, for respondent.

No. 390, Misc. BARCLAY *v.* COURT OF OYER AND TERMINER, DELAWARE COUNTY. Supreme Court of Pennsylvania. Certiorari denied.

No. 417, Misc. VANDERSEE *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 279 F. 2d 176.

No. 514, Misc. RUTHERFORD *v.* OHIO. Supreme Court of Ohio. Certiorari denied. *Robert B. Krupansky* for petitioner.

No. 518, Misc. ERNST *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied. Petitioner *pro se.* *Norman Heine* for respondent.

No. 544, Misc. HOOPER *v.* BENNETT, WARDEN. Supreme Court of Iowa. Certiorari denied.

No. 545, Misc. HUNT *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: 103 U. S. App. D. C. 309, 258 F. 2d 161.

No. 605, Misc. BROWN *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.

January 16, 1961.

364 U.S.

No. 554, Misc. BARNES *v.* SACKS, WARDEN. Supreme Court of Ohio. Certiorari denied. Reported below: 171 Ohio St. 206, 168 N. E. 2d 492.

No. 560, Misc. WILKINS *v.* BANMILLER, WARDEN. Supreme Court of Pennsylvania. Certiorari denied. Reported below: 401 Pa. 347, 164 A. 2d 333.

No. 561, Misc. BROWN *v.* OHIO. Supreme Court of Ohio. Certiorari denied.

*Rehearing Denied.*

No. 291. GINSBURG *v.* AMERICAN BAR ASSOCIATION ET AL., *ante*, p. 829;

No. 411. MAGIN *v.* UNITED STATES, *ante*, p. 914;

No. 446. THE FORT FETTERMAN ET AL. *v.* SOUTH CAROLINA STATE HIGHWAY DEPARTMENT, *ante*, p. 910;

No. 460. RIELA *v.* NEW YORK, *ante*, p. 915;

No. 481. THE R. A. TURRENTINE *v.* AMERICAN HOME ASSURANCE CO. ET AL., *ante*, p. 914;

No. 518. ALLRED ET AL. *v.* HEATON ET AL., *ante*, p. 517;

No. 155, Misc. STEGALL *v.* UNITED STATES, *ante*, p. 915;

No. 237, Misc. RAY *v.* OHIO, *ante*, p. 476;

No. 241, Misc. SCOTT *v.* CALIFORNIA, *ante*, p. 471;

No. 424, Misc. IN RE SCHOENBURG, *ante*, p. 923;

No. 431, Misc. KANGRGA ET AL. *v.* BAJKIC ET AL., *ante*, p. 916; and

No. 473, Misc. SMITH *v.* INDUSTRIAL ACCIDENT COMMISSION OF CALIFORNIA ET AL., *ante*, p. 916. Petitions for rehearing denied.

No. 269. BOROUGH OF EAST NEWARK ET AL. *v.* UNITED STATES, *ante*, p. 828; and

No. 352, Misc. JONES *v.* UNITED STATES, *ante*, p. 875. Motions for leave to file petitions for rehearing denied.

364 U. S.

January 19, 1961.

JANUARY 19, 1961.

*Dismissal Under Rule 60.*

No. 62. LEAHY *v.* UNITED STATES. Certiorari, 363 U. S. 810, to the United States Court of Appeals for the Ninth Circuit. Writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *Arthur D. Klang* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Jerome M. Feit* for the United States. Reported below: 272 F. 2d 487.

