

ORDERS FROM APRIL 24 THROUGH
JUNE 19, 1961.

APRIL 24, 1961.

Miscellaneous Orders.

No. 187. DUNCAN *v.* CALIFORNIA. Certiorari, 363 U. S. 840, to the Supreme Court of California. The motion of the National Lawyers Guild, Los Angeles-Hollywood-Beverly Hills Chapters, for leave to file brief, as *amici curiae*, is granted. *Ben Margolis* and *Charles B. Stewart, Jr.* on the motion.

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. Certiorari, 364 U. S. 889, to the United States Court of Appeals for the District of Columbia Circuit. The motion of Adolph J. Ackerman for leave to file brief, as *amicus curiae*, is granted. *R. M. Stroud* on the motion.

No. 165, Misc. AKERS *v.* ADAMS, WARDEN. On petition for writ of certiorari to the Supreme Court of Appeals of West Virginia. The motion to substitute Otto C. Boles in the place of D. E. Adams as the party respondent is granted.

No. 215, Misc. DELONG *v.* ADAMS, WARDEN. On petition for writ of certiorari to the Supreme Court of Appeals of West Virginia. The motion to substitute Otto C. Boles in the place of D. E. Adams as the party respondent is granted.

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No. 236, Misc. *SCALF v. ADAMS, WARDEN*. On petition for writ of certiorari to the Supreme Court of Appeals of West Virginia. The motion to substitute Otto C. Boles in the place of D. E. Adams as the party respondent is granted.

No. 953, Misc. *BROWN v. INDIANA*. On petition for writ of certiorari to the Supreme Court of Indiana. The motion for stay of execution presented to MR. JUSTICE CLARK, and by him referred to the Court, is granted, pending the disposition of the petition for writ of certiorari by this Court. In the event the petition for writ of certiorari is denied, this stay is to terminate automatically. If the petition for writ of certiorari is granted, the stay is to continue in effect pending the issuance of the mandate of this Court.

Certiorari Granted.

No. 810. *BLAU v. LEHMAN ET AL.* C. A. 2d Cir. Certiorari granted. *Morris J. Levy* for petitioner. *Robert S. Carlson* for respondents. *Solicitor General Cox, Walter P. North, David Ferber and Ellwood L. Englander* for the Securities and Exchange Commission, as *amicus curiae*, in support of the petition. Reported below: 286 F. 2d 786.

Certiorari Denied. (See also No. 683, ante, p. 167, and No. 750, ante, p. 168.)

No. 710. *UNITED FINANCE & THRIFT CORP. OF TULSA ET AL. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 4th Cir. Certiorari denied. *Robert Ash* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer and Harry Baum* for respondent. Reported below: 282 F. 2d 919.

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No. 765. ESTATE OF MAY *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. *Manley Fleischmann* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *Robert N. Anderson* for respondent. Reported below: 283 F. 2d 853.

No. 786. HUNTER MILLS CORP. ET AL. *v.* FEDERAL TRADE COMMISSION. C. A. 2d Cir. Certiorari denied. *Alex Akerman, Jr.* and *Thomas A. Ziebarth* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Loevinger*, *Richard A. Solomon*, *PGad B. Morehouse* and *Alan B. Hobbes* for respondent. Reported below: 284 F. 2d 70.

No. 800. INTERNATIONAL HOD CARRIERS, BUILDING & COMMON LABORERS' UNION OF AMERICA, LOCAL NO. 1140, AFL-CIO, *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 8th Cir. Certiorari denied. *David D. Weinberg* and *Mozart G. Ratner* for petitioner. *Solicitor General Cox*, *Stuart Rothman*, *Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: 285 F. 2d 397.

No. 801. BANKERS TRUST CO., EXECUTOR, *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Gerald Donovan* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *Harry Baum* and *L. W. Post* for the United States. Reported below: 284 F. 2d 537.

No. 814. SCHEPP ET AL. *v.* PRODUCERS, INC., ET AL. C. A. 7th Cir. Certiorari denied. *Paul Y. Davis* for petitioners. *John E. Early*, *Michael Gesas*, *John L. Carroll*, *Charles B. Feibleman* and *Charles H. Sparrenberger* for respondents. Reported below: 286 F. 2d 65.

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No. 792. *CRONAN v. FEDERAL COMMUNICATIONS COMMISSION*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Lawrence Speiser* and *Shirley Fingerhood* for petitioner. *Solicitor General Cox, Max D. Paglin* and *Ruth V. Reel* for respondent. Reported below: 109 U. S. App. D. C. 208, 285 F. 2d 288.

No. 794. *COLLINS v. KLINGER*. Supreme Court of California. Certiorari denied. *Russell E. Parsons* for petitioner.

No. 795. *COLLINS v. CALIFORNIA*. District Court of Appeal of California, Second Appellate District. Certiorari denied. *Russell E. Parsons* for petitioner. Reported below: 186 Cal. App. 2d 329, 9 Cal. Rptr. 33.

No. 797. *MASON v. CALIFORNIA*. District Court of Appeal of California, Second Appellate District. Certiorari denied. *Russell E. Parsons* for petitioner. Reported below: 184 Cal. App. 2d 182, 7 Cal. Rptr. 525.

No. 798. *MASON ET UX. v. CALIFORNIA*. District Court of Appeal of California, Second Appellate District. Certiorari denied. *Russell E. Parsons* for petitioners. Reported below: 184 Cal. App. 2d 317, 7 Cal. Rptr. 627.

No. 799. *ZAHNER v. BENSON, SECRETARY OF AGRICULTURE, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Donald M. Murtha* and *Herbert S. Thatcher* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick* and *John G. Laughlin, Jr.* for respondents. Reported below: — U. S. App. D. C. —, 289 F. 2d 756.

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No. 804. NAVIOS CORPORATION ET AL. *v.* NATIONAL MARITIME UNION OF AMERICA ET AL.; and

No. 805. GLOBAL SEAMEN'S UNION *v.* NATIONAL MARITIME UNION OF AMERICA ET AL. Supreme Court of Pennsylvania. Certiorari denied. *Herbert Brownell, Earle K. Shawe, Samuel B. Fortenbaugh, Jr. and Wendell W. Lang* for petitioners in No. 804. *Israel Packer* for petitioner in No. 805. *Abraham E. Freedman, Herman E. Cooper, H. Howard Ostrin and Richard P. Long* for respondents. Reported below: 402 Pa. 325, 166 A. 2d 625.

No. 715. CLAWSON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Russell E. Parsons* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer and Meyer Rothwacks* for the United States. Reported below: 284 F. 2d 360.

No. 336, Misc. CAMPOS DE JEREZ *v.* ESPERDY, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 2d Cir. Certiorari denied. *Claude Henry Kleefeld* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for respondent. Reported below: 281 F. 2d 182.

No. 881, Misc. MASON *v.* ELLIS, CORRECTIONS DIRECTOR. Court of Criminal Appeals of Texas. Certiorari denied.

No. 883, Misc. SOLLAZZO *v.* ESPERDY, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 2d Cir. Certiorari denied. *Nathan Kestnbaum* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Felicia Dubrovsky* for respondent. Reported below: 285 F. 2d 341.

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No. 803. SAUBER *v.* GLIEDMAN. C. A. 7th Cir. Certiorari denied. THE CHIEF JUSTICE and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. *Barnabas F. Sears* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick, Alan S. Rosenthal* and *Kathryn H. Baldwin* for respondent. Reported below: 283 F. 2d 941.

No. 926, Misc. ADAMS *v.* BANMILLER, WARDEN. Supreme Court of Pennsylvania. Certiorari denied.

No. 957, Misc. SHANNON *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

Rehearing Denied.

No. 509, Misc. PROPHET *v.* INDIANA, 365 U. S. 848; and

No. 762, Misc. FLANAGAN *v.* UNITED STATES, 365 U. S. 862. Petitions for rehearing denied.

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Dismissal Under Rule 60.

No. 822. CULINARY & HOTEL SERVICE WORKERS UNION, LOCAL 226, ET AL. *v.* HAUGEN. On petition for writ of certiorari to the Supreme Court of Nevada. Petition dismissed pursuant to Rule 60 of the Rules of this Court. *Harold P. Lasker* for petitioners. Reported below: 76 Nev. 424, 357 P. 2d 113.

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No. 669. LURK *v.* UNITED STATES. Certiorari, 365 U. S. 802, to the United States Court of Appeals for the District of Columbia Circuit. Motion of *Francis M. Shea*,

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Esquire, for leave to participate in oral argument for the Judges of the United States Court of Claims, as *amici curiae*, granted.

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, 364 U. S. 898.) Argued April 19–20, 1961. It is ordered that this case be set for reargument on October 9, 1961. *Charles S. Rhyne* and *Z. T. Osborn, Jr.* argued the cause for appellants. With them on the briefs were *Hobart F. Atkins, Robert H. Jennings, Jr., J. W. Anderson, C. R. McClain, Harris A. Gilbert, E. K. Meacham* and *Herzel H. E. Plaine*. *James M. Glasgow* and *Jack Wilson*, Assistant Attorneys General of Tennessee, argued the cause for appellees. With them on the briefs were *George F. McCanless*, Attorney General, and *Milton P. Rice*, Assistant Attorney General. By special leave of the Court, *Solicitor General Cox* argued the cause for the United States, as *amicus curiae*, urging reversal. With him on the brief were *Acting Assistant Attorney General Doar, Bruce J. Terris, Harold H. Greene, David Rubin* and *Howard A. Glickstein*. Briefs of *amici curiae*, urging reversal, were filed by *Roger Arnebergh, Henry P. Kucera, J. Elliott Drinard, Barnett I. Shur, Alexander G. Brown, Nathaniel H. Goldstick* and *Charles S. Rhyne* for the National Institute of Municipal Law Officers; *W. Scott Miller, Jr.* and *George J. Long* for the City of St. Matthews, Kentucky; *Upton Sisson, Clare S. Hornsby, Walter L. Nixon, Jr.* and *John Sekul* for Marvin Fortner et al.; and *Eugene H. Nickerson* and *David M. Levitan* for John F. English et al. Reported below: 179 F. Supp. 824.

No. 941, Misc. *MARINO v. NEW YORK*. Motion for leave to file petition for writ of certiorari denied.

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Certiorari Granted. (See No. 695, ante, p. 209.)

Certiorari Denied.

No. 89. NATIONAL LABOR RELATIONS BOARD *v.* LOCAL UNION No. 85, SHEET METAL WORKERS' INTERNATIONAL ASSOCIATION, AFL-CIO. C. A. 5th Cir. *Certiorari denied.* *Stuart Rothman, Dominick L. Manoli and Norton J. Come* for petitioner. *Edwin M. Pearce* for respondent. Reported below: 274 F. 2d 344.

No. 123. NATIONAL LABOR RELATIONS BOARD *v.* AMERICAN DREDGING CO. C. A. 3d Cir. *Certiorari denied.* *Stuart Rothman, Dominick L. Manoli and Norton J. Come* for petitioner. *A. V. Cherbonnier* for respondent. Reported below: 276 F. 2d 286.

No. 211. NATIONAL LABOR RELATIONS BOARD *v.* E. & B. BREWING CO., INC., ET AL. C. A. 6th Cir. *Certiorari denied.* *Solicitor General Rankin, Stuart Rothman, Dominick L. Manoli, Norton J. Come and Duane B. Beeson* for petitioner. *David F. Feller* for Drivers and Helpers Local 38, International Union of United Brewery Workers of America, AFL-CIO, respondent. Reported below: 276 F. 2d 594.

No. 228. NATIONAL LABOR RELATIONS BOARD *v.* UNITED STATES STEEL CORP. ET AL. C. A. 3d Cir. *Certiorari denied.* *Stuart Rothman, Dominick L. Manoli, Norton J. Come and Standau E. Weinbrecht* for petitioner. Reported below: 278 F. 2d 896.

No. 229. NATIONAL LABOR RELATIONS BOARD *v.* MILLWRIGHTS' LOCAL 2232, DISTRICT COUNCIL OF HOUSTON AND VICINITY, ET AL. C. A. 5th Cir. *Certiorari denied.* *Stuart Rothman, Dominick L. Manoli and Norton J. Come* for petitioner. Reported below: 277 F. 2d 217.

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No. 120. NATIONAL LABOR RELATIONS BOARD *v.* MORRISON-KNUDSEN CO., INC., ET AL. C. A. 2d Cir. Certiorari denied. *Stuart Rothman, Dominick L. Manoli* and *Norton J. Come* for petitioner. *O. P. Easterwood, Jr.* and *Seth W. Morrison* for respondents. Reported below: 275 F. 2d 914.

No. 285. NATIONAL LABOR RELATIONS BOARD *v.* LOCAL 1566, INTERNATIONAL LONGSHOREMEN'S ASSOCIATION. C. A. 3d Cir. Certiorari denied. *Stuart Rothman, Dominick L. Manoli, Norton J. Come* and *Standau E. Weinbrecht* for petitioner. Reported below: 278 F. 2d 883.

No. 311. UNITED STATES STEEL CORP. ET AL. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 3d Cir. Certiorari denied. *John C. Bane, Jr., Charles A. Wolfe* and *J. Albert Woll* for petitioners. *Solicitor General Rankin, Stuart Rothman, Dominick L. Manoli, Norton J. Come* and *Standau E. Weinbrecht* for respondent. Reported below: 278 F. 2d 896.

No. 467. NATIONAL LABOR RELATIONS BOARD *v.* LOCAL UNION 450, INTERNATIONAL UNION OF OPERATING ENGINEERS, AFL-CIO, ET AL. C. A. 5th Cir. Certiorari denied. *Solicitor General Rankin, Stuart Rothman, Dominick L. Manoli* and *Norton J. Come* for petitioner. Reported below: 281 F. 2d 313.

No. 820. NATIONAL LABOR RELATIONS BOARD *v.* LASING ET AL. C. A. 6th Cir. Certiorari denied. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli, Norton J. Come* and *Frederick U. Reel* for petitioner. *D. L. Lansden* for respondents. Reported below: 284 F. 2d 781.

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No. 75. NATIONAL LABOR RELATIONS BOARD *v.* HOD CARRIERS, BUILDING AND COMMON LABORERS UNION OF AMERICA, LOCAL No. 324, AFL-CIO, ET AL. C. A. 9th Cir. Certiorari denied. *Solicitor General Rankin, Stuart Rothman, Dominick L. Manoli, Norton J. Come* and *Duane B. Beeson* for petitioner. *Charles P. Scully* for respondents. Reported below: — F. 2d —.

No. 724. HAZELTON, ADMINISTRATOR, *v.* CITY OF SAN DIEGO ET AL. District Court of Appeal of California, Fourth Appellate District. Certiorari denied. *Manuel Ruiz, Jr.* for petitioner. *J. F. DuPaul* for respondents. Reported below: 183 Cal. App. 2d 131, 6 Cal. Rptr. 723.

No. 816. GODDARD ET AL. *v.* DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Daniel Partridge III* and *Franklin P. Gould* for petitioners. *Solicitor General Cox* and *Roger P. Marquis* for respondents. Reported below: 109 U. S. App. D. C. 304, 287 F. 2d 343.

No. 826. BUCKLEY, DOING BUSINESS AS F. J. BUCKLEY & Co., *v.* SAVAGE, REAL ESTATE COMMISSIONER OF CALIFORNIA. District Court of Appeal of California, Second Appellate District. Certiorari denied. *Alan Y. Cole* for petitioner. *Stanley Mosk*, Attorney General of California, and *Arthur C. de Goede*, Deputy Attorney General, for respondent. Reported below: 184 Cal. App. 2d 18, 7 Cal. Rptr. 328.

No. 857. HALL *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Cecil A. Morgan* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 286 F. 2d 676; — F. 2d —.

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No. 775. BRATTON ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 6th Cir. Certiorari denied. *Walter P. Armstrong, Jr.* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *A. F. Prescott* for respondent. Reported below: 283 F. 2d 257.

No. 790. MARCELLA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Russell E. Parsons* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 285 F. 2d 322.

No. 818. COLD METAL PROCESS CO. ET AL. *v.* E. W. BLISS CO. ET AL. C. A. 6th Cir. Certiorari denied. *William H. Webb* and *Howard F. Burns* for petitioners. *Charles H. Walker* and *Henry J. Zafian* for respondents. Reported below: 285 F. 2d 231.

No. 828. UPTON ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. *Everett S. Layman* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Robert N. Anderson* and *Carolyn R. Just* for respondent. Reported below: 283 F. 2d 716.

No. 830. DOOLEY BROS., INC., *v.* MITCHELL, SECRETARY OF LABOR. C. A. 1st Cir. Certiorari denied. *Reuben Goodman* and *Joseph Fisher* for petitioner. *Solicitor General Cox, Bessie Margolin* and *Beate Bloch* for respondent. Reported below: 286 F. 2d 40.

No. 836. BENNETT *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Daniel Y. Garbern* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 285 F. 2d 567.

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No. 890. *CRACHY v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied. *Julius Lucius Echeles* for petitioner.

No. 599. *CALIFORNIA ET AL. v. FEDERAL POWER COMMISSION*. Motion of El Paso Natural Gas Company to be designated as a party respondent and to amend the title and caption accordingly granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. *THE CHIEF JUSTICE* and *MR. JUSTICE BLACK* are of the opinion that certiorari should be granted. *William M. Bennett* and *J. Calvin Simpson* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Orrick*, *John G. Laughlin, Jr.*, *Kathryn H. Baldwin*, *John C. Mason*, *Howard E. Wahrenbrock* and *Arthur H. Fribourg* for respondent. *Gregory A. Harrison*, *Malcolm T. Dungan* and *George D. Horning, Jr.* for El Paso Natural Gas Co. *Anne X. Alpern*, Attorney General of Pennsylvania, *David Stahl*, *Russell Leach*, *Charles S. Rhyne* and *Herzel H. E. Plaine* filed a brief for the Commonwealth of Pennsylvania et al., as *amici curiae*, in support of the petition. Reported below: 281 F. 2d 567.

No. 827. *PORTLAND WEB PRESSMEN'S UNION, LOCAL No. 17, v. OREGONIAN PUBLISHING CO. ET AL.* C. A. 9th Cir. Certiorari denied. *MR. JUSTICE BLACK* and *MR. JUSTICE DOUGLAS* are of the opinion that certiorari should be granted. *Clifford D. O'Brien*, *Richard R. Carney* and *Ruth Weyand* for petitioner. *Manley B. Strayer* for Journal Publishing Co., respondent. Reported below: 286 F. 2d 4.

No. 534, Misc. *WILSON v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

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No. 823. *DINKINS ET AL. v. ROGERS, ATTORNEY GENERAL, ET AL.*; and

No. 824. *ALABAMA EX REL. GALLION, ATTORNEY GENERAL OF ALABAMA, v. ROGERS, ATTORNEY GENERAL OF THE UNITED STATES, ET AL.* Motions to substitute Robert F. Kennedy in the place of William P. Rogers as party respondent granted. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied. *MacDonald Gallion*, Attorney General of Alabama, *Willard W. Livingston*, Chief Assistant Attorney General, and *Leslie Hall* and *Gordon Madison*, Assistant Attorneys General, for petitioners. *Solicitor General Cox*, *Assistant Attorney General Marshall* and *Harold H. Greene* for respondents. Reported below: 285 F. 2d 430.

No. 690, Misc. *OTTEN v. MARYLAND*. Criminal Court of Baltimore. Certiorari denied. Petitioner *pro se*. *Thomas B. Finan*, Attorney General of Maryland, and *Thomas W. Jamison III*, Assistant Attorney General, for respondent.

No. 764, Misc. *KINCAID v. ADAMS, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied. Petitioner *pro se*. *C. Donald Robertson*, Attorney General of West Virginia, and *Fred H. Caplan* and *Andrew J. Goodwin*, Assistant Attorneys General, for respondent.

No. 816, Misc. *LANGHAM v. COCHRAN, CORRECTIONS DIRECTOR, ET AL.* Criminal Court of Appeals of Oklahoma. Certiorari denied. Reported below: 357 P. 2d 583.

No. 899, Misc. *FERGUSON v. LOUISIANA*. Supreme Court of Louisiana. Certiorari denied. *H. Garland Pavy* for petitioner. Reported below: 240 La. 593, 124 So. 2d 558.

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No. 831. *F. M. REEVES & SONS, INC., v. NATIONAL LABOR RELATIONS BOARD.* C. A. 10th Cir. Certiorari denied. *Scott Toothaker* for petitioner. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: — F. 2d —.

No. 807, Misc. *COATES v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Lawrence Speiser* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 109 U. S. App. D. C. 200, 285 F. 2d 280.

No. 900, Misc. *KIEFER v. INDIANA.* Supreme Court of Indiana. Certiorari denied. Reported below: 241 Ind. —, 169 N. E. 2d 723.

No. 911. *RINALDI v. NEW JERSEY.* Supreme Court of New Jersey. Certiorari denied.

No. 928, Misc. *CATER v. PENNSYLVANIA.* Supreme Court of Pennsylvania. Certiorari denied. *W. Bradley Ward* for petitioner. *Stanley M. Schwarz* for respondent. Reported below: 402 Pa. 48, 166 A. 2d 44.

No. 930, Misc. *NICOL v. NATIONAL SAVINGS & TRUST Co.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Jessie P. Grandy* for petitioner.

No. 932, Misc. *WILSON v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States.

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No. 943, Misc. *BANKS v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 951, Misc. *RIVERS v. PENNSYLVANIA*. Supreme Court of Pennsylvania. Certiorari denied. Petitioner *pro se*. *Stanley M. Schwarz* for respondent. Reported below: 402 Pa. 48, 166 A. 2d 44.

Rehearing Denied.

No. 552, Misc. *WINN v. UNITED STATES*, 365 U. S. 848;

No. 686, Misc. *ZENGER v. EAGER, NEW YORK STATE JUDGE, ET AL.*, 365 U. S. 851;

No. 713, Misc. *COSTELLO v. NEW YORK*, 365 U. S. 852; and

No. 723, Misc. *MARTIN v. UNITED STATES*, 365 U. S. 853. Petitions for rehearing denied.

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Miscellaneous Orders.

No. 141. *KILLIAN v. UNITED STATES*. Certiorari, 365 U. S. 810, to the United States Court of Appeals for the Seventh Circuit. The motion to dispense with printing of the record is granted. *M. Michael Essin* on the motion.

No. 635. *MARTIN v. DAVIS, PROBATE JUDGE OF JOHN-SON COUNTY, KANSAS*. Appeal from the Supreme Court of Kansas. (Probable jurisdiction noted, 365 U. S. 857.) The motion to substitute Herbert Walton in the place of Joseph S. Davis as the party appellee is granted. *F. L. Hagaman* on the motion. Reported below: 187 Kan. 473, 357 P. 2d 782.

No. 705. *VAN HOOK v. UNITED STATES*, 365 U. S. 609. The motion for clarification and to settle order is denied. *Francis Heisler* on the motion.

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No. 681. BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES ET AL. *v.* UNITED STATES ET AL., *ante*, p. 169. The motion to vacate the stay order is granted. *Ralph L. McAfee*, *John H. Pickering* and *Richard D. Rohr* for the Erie-Lackawanna Railroad Co., appellee-movant. *Solicitor General Cox* for the United States et al., in support of the motion. *William Grattan Mahoney* for appellants, in opposition.

No. 399, Misc. NUNES *v.* RAGEN, WARDEN;

No. 455, Misc. IN RE PERRONI; and

No. 588, Misc. IN RE PRESTON. Motions for leave to file petitions for writs of habeas corpus denied.

No. 2, Misc. MATHEWS *v.* COLORADO. 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. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted.

Question as to Jurisdiction Postponed.

No. 778. UNITED GAS PIPE LINE CO. *v.* IDEAL CEMENT CO. ET AL. Appeal from the United States Court of Appeals for the Fifth Circuit. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits. *E. Dixie Beggs* for appellant. *S. P. Gaillard, Jr.* for Scott Paper Co., and *Marion R. Vickers* for Ideal Cement Co., appellees. Reported below: 282 F. 2d 574.

Certiorari Granted.

No. 753. RICHARDS ET AL. *v.* UNITED STATES ET AL. C. A. 10th Cir. Certiorari granted. *Edward M. O'Brien* and *Truman B. Rucker* for petitioners. *Solicitor General Cox* for the United States, and *W. B. Patterson* and *Fred M. Mock* for American Airlines, Inc., respondents. Reported below: 285 F. 2d 521.

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No. 835. *GIBSON v. FLORIDA LEGISLATIVE INVESTIGATION COMMITTEE*. Supreme Court of Florida. Certiorari granted. *Robert L. Carter* for petitioner. Reported below: 126 So. 2d 129.

No. 850. *RETAIL CLERKS INTERNATIONAL ASSOCIATION, LOCAL UNIONS NOS. 128 AND 633, v. LION DRY GOODS, INC., ET AL.* C. A. 6th Cir. Certiorari granted. *Joseph E. Finley* and *S. G. Lippman* for petitioners. *Eugene F. Howard* for respondents. Reported below: 286 F. 2d 235.

Certiorari Denied. (See also No. 829, ante, p. 212, and No. 2, Misc., supra.)

No. 773. *SHIELDS v. SHARP, SECRETARY OF THE AIR FORCE*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Francis J. Kelly* and *Elizabeth C. Kelly* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Orrick* and *Morton Hollander* for respondent. Reported below: — U. S. App. D. C. —, — F. 2d —.

No. 851. *YELLOWSTONE PIPE LINE CO. ET AL. v. STATE BOARD OF EQUALIZATION OF MONTANA ET AL.* Supreme Court of Montana. Certiorari denied. *Samuel W. McIntosh* and *Arthur Thad Smith* for petitioners. *Forrest H. Anderson*, Attorney General of Montana, *Sidney O. Smith*, Special Assistant Attorney General, and *Donald A. Garrity*, Assistant Attorney General, for respondents. Reported below: 136 Mont. —, 358 P. 2d 55.

No. 832. *SALYER LAND CO. v. COUNTY OF KINGS*. C. A. 9th Cir. Certiorari denied. *Thomas Keister Greer* for petitioner. *Edwin S. Pillsbury* for respondent. Reported below: 285 F. 2d 481.

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No. 838. WHDH, INC., *v.* FEDERAL COMMUNICATIONS COMMISSION ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *William J. Dempsey, William C. Koplovitz and Harry J. Ockershausen* for petitioner. *Solicitor General Cox, Assistant Attorney General Loevinger, Richard A. Solomon, Max D. Paglin, Daniel R. Ohlbaum and Ruth V. Reel* for the Federal Communications Commission; *J. Joseph Maloney, Jr.* for Greater Boston Television Corp.; and *Lewis H. Weinstein* for Massachusetts Bay Telecasters, Inc., respondents. Reported below: 104 U. S. App. D. C. 226, 261 F. 2d 55; — U. S. App. D. C. —, — F. 2d —.

No. 845. MISSISSIPPI VALLEY ELECTRIC CO. ET AL. *v.* LOCAL 130, INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO. C. A. 5th Cir. Certiorari denied. *Conrad Meyer III* for petitioners. Reported below: 285 F. 2d 229.

No. 813. UTAH ET AL. *v.* UNITED STATES ET AL. C. A. 10th Cir. Certiorari denied. *Walter L. Budge, Attorney General of Utah, and Ronald N. Boyce, Assistant Attorney General*, for petitioners. *Solicitor General Cox, Assistant Attorney General Orrick and Morton Hollander* for the United States and the Civil Service Commission. Reported below: 286 F. 2d 30.

No. 852. ROEBLING *v.* DILLON, SECRETARY OF THE TREASURY. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *John K. Pickens, Jerry N. Griffith, M. Joseph Stoutenburgh and Harry Heher* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick and John G. Laughlin, Jr.* for respondent. Reported below: 109 U. S. App. D. C. 402, 288 F. 2d 386.

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No. 853. GREEN FUEL ECONOMIZER CO., INC., ET AL. v. ARC & GAS WELDER ASSOCIATES, INC. C. A. 4th Cir. Certiorari denied. *Byron N. Scott* and *Robert D. Scott* for petitioners. *John Henry Lewin* for respondent. Reported below: 285 F. 2d 863.

No. 854. LOS ANGELES TRUST DEED & MORTGAGE EXCHANGE ET AL. v. SECURITIES AND EXCHANGE COMMISSION. C. A. 9th Cir. Certiorari denied. *Morgan Cuthbertson* for petitioners. *Solicitor General Cox*, *Walter P. North* and *David Ferber* for respondent. Reported below: 285 F. 2d 162.

No. 855. CITY OF MADISON HEIGHTS v. DRAINAGE BOARD FOR THE TWELVE TOWNS RELIEF DRAINS ET AL. Supreme Court of Michigan. Certiorari denied. *H. Eugene Field* and *Harry N. Dell* for petitioner. *Norman R. Barnard* and *Claude H. Stevens* for respondents. Reported below: 361 Mich. 522, 106 N. W. 2d 126.

No. 848. HELM ET AL. v. UNITED STATES. C. A. 6th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Charles G. Neese* and *Morton B. Howell, Jr.* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States. Reported below: 287 F. 2d 42.

No. 136, Misc. DUNCAN v. MADIGAN, WARDEN. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Rankin*, *Assistant Attorney General Tyler* and *Harold H. Greene* for respondent. Reported below: 278 F. 2d 695.

No. 692, Misc. ROMANO v. MURPHY, WARDEN. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Isidore Dollinger* and *Walter E. Dillon* for respondent.

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No. 550, Misc. CUEVAS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin, Assistant Attorney General Wilkey and Beatrice Rosenberg* for the United States. Reported below: — F. 2d —.

No. 744, Misc. VITORATOS, ALIAS VICTOR, *v.* OHIO. Supreme Court of Ohio. Certiorari denied. Petitioner *pro se.* *John S. Ballard* for respondent.

No. 868, Misc. CATHCART *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States. Reported below: 287 F. 2d 563.

No. 882, Misc. WHITE *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Jerome M. Feit* for the United States. Reported below: — F. 2d —.

No. 889, Misc. SLATER *v.* MARYLAND. Court of Appeals of Maryland. Certiorari denied. Reported below: 223 Md. 354, 164 A. 2d 715.

No. 903, Misc. KREMER *v.* CLARKE, TRUSTEE, ET AL. C. A. 6th Cir. Certiorari denied. Petitioner *pro se.* *Oldham Clarke pro se, and Solicitor General Cox, Assistant Attorney General Oberdorfer and I. Henry Kutz* for the United States, respondents. Reported below: 285 F. 2d 735.

No. 906, Misc. STRAUSBAUGH *v.* GLADDEN, WARDEN. Supreme Court of Oregon. Certiorari denied.

No. 961, Misc. AIKEN *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

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No. 890, Misc. *WILSON v. UNITED STATES*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit and for other relief denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 286 F. 2d 197.

No. 966, Misc. *JOHNSON v. MYERS, CORRECTIONAL SUPERINTENDENT*. Supreme Court of Pennsylvania. Certiorari denied. Reported below: 402 Pa. 451, 167 A. 2d 295.

No. 527, Misc. *BISTRAM v. UNITED STATES*. C. A. 8th 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. Reported below: 283 F. 2d 1.

No. 529, Misc. *GRAHAM v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Felicia Dubrovsky* for the United States.

No. 593, Misc. *KESEL v. REID, JAIL SUPERINTENDENT, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Richard Arens and Lawrence Speiser* for petitioner. *Solicitor General Rankin, Assistant Attorney General Wilkey, Beatrice Rosenberg and Julia P. Cooper* for respondents. Reported below: 109 U. S. App. D. C. 1, 283 F. 2d 365.

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No. 707, Misc. *PERRINE v. ADAMS, WARDEN*. The motion to substitute Otto C. Boles in the place of D. E. Adams as the party respondent is granted. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied. Petitioner *pro se*. *C. Donald Robertson*, Attorney General of West Virginia, and *Andrew J. Goodwin* and *Fred H. Caplan*, Assistant Attorneys General, for respondent.

No. 895, Misc. *CUMMINGS v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. Reported below: 223 Md. 606, 165 A. 2d 886.

Rehearing Denied.

No. 532. *DICKSON, WARDEN, v. CHAVEZ ET AL.*, 364 U. S. 934; and

No. 711. *GASTELUM-QUINONES v. KENNEDY, ATTORNEY GENERAL*, 365 U. S. 871. Petitions for rehearing denied.

No. —, Original, October Term, 1933. *EX PARTE PORESKY*, 290 U. S. 30. Motion for leave to file petition for rehearing denied.

MAY 15, 1961.

Miscellaneous Order.

No. 535, Misc. *IN RE EASON*. Motion for leave to file petition for writ of mandamus denied.

Certiorari Granted. (See also No. 105, ante, p. 259, and No. 1, Misc., ante, p. 271.)

No. 865. *VENUS v. UNITED STATES*. C. A. 9th Cir. Certiorari granted. *Hayden C. Covington* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 287 F. 2d 304.

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No. 777. *TURNBOW ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari granted. *Francis R. Kirkham, Harry R. Horrow and Francis N. Marshall* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer, A. F. Prescott and Arthur I. Gould* for respondent. Reported below: 286 F. 2d 669.

No. 864. *FEDERAL TRADE COMMISSION v. HENRY BROCH & Co.* C. A. 7th Cir. Certiorari granted. *Solicitor General Cox, Assistant Attorney General Loevinger, Charles H. Weston, PGad B. Morehouse and Alan B. Hobbes* for petitioner. *Frederick M. Rowe, Joseph DuCoeur and Harold Orlinsky* for respondent.

Certiorari Denied. (See also No. 825, ante, p. 269; No. 842, ante, p. 270; and No. 846, ante, p. 270.)

No. 769. *FINKLE, EXECUTOR, ET AL. v. HOUSING AUTHORITY OF TRENTON*. Supreme Court of New Jersey. Certiorari denied. *John A. Hartpence and John Wattawa* for petitioners. *Jules J. Kelsey and Arthur S. Kelsey* for respondent. Reported below: 33 N. J. 332, 164 A. 2d 382.

No. 858. *COLLINS v. SOUTHERN PACIFIC Co.* C. A. 9th Cir. Certiorari denied. *Thomas C. Ryan and Daniel V. Ryan* for petitioner. *Louis L. Phelps* for respondent. Reported below: 286 F. 2d 813.

No. 860. *HIGH v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Myron G. Ehrlich and Joseph Sitnick* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States. Reported below: — U. S. App. D. C. —, 288 F. 2d 427.

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No. 861. UNITED STATES *v.* MIAMI TRIBE OF OKLAHOMA ET AL.;

No. 862. UNITED STATES *v.* CROW TRIBE OF INDIANS;
and

No. 863. UNITED STATES *v.* ABSENTEE SHAWNEE TRIBE OF OKLAHOMA ET AL. Court of Claims. Certiorari denied. *Solicitor General Cox* and *Roger P. Marquis* for the United States. *Edwin A. Rothschild, Edward P. Morse* and *Walter H. Maloney* for respondents in No. 861. *John W. Cragun* and *John M. Schiltz* for respondent in No. 862. *Jack Joseph* and *Louis L. Rochmes* for respondents in No. 863. Reported below: — Ct. Cl. —, 281 F. 2d 202; — Ct. Cl. —, 284 F. 2d 361; — Ct. Cl. —, — F. 2d —.

No. 866. DYER ET AL. *v.* PUBLIC SERVICE COMMISSION OF MISSOURI ET AL. The motion to dispense with the printing of the appendix to the petition is granted. Petition for writ of certiorari to the Supreme Court of Missouri denied. *J. Raymond Dyer* for petitioners. *Robert J. Keeffe* for Union Electric Co., respondent. Reported below: 341 S. W. 2d 795.

No. 871. CHERETON *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Louis M. Hopping* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 286 F. 2d 409.

No. 923. WIENER, EXECUTRIX, ET AL. *v.* UNITED AIR LINES, INC. C. A. 9th Cir. Certiorari denied. *Frank B. Belcher, Ben Margolis, William A. Norris, Algerdas Cheleden, Francis J. Garvey, Harold R. Spence, Augustus F. Mack, Samuel A. Miller, Bertrand Rhine, George H. Pratt* and *Richard McLeod* for petitioners. *Ransom W. Chase* for respondent. Reported below: 286 F. 2d 302.

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No. 924. *ASTORE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *David M. Markowitz* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 288 F. 2d 26.

No. 856. *ANDERSON ET AL. v. SWART ET AL.* The motion to substitute *Thomas M. Debevoise* in the place of *Frederick M. Reed* as a party respondent is granted. Petition for writ of certiorari to the Supreme Court of Vermont denied. *Paul M. Butler* and *Alfred L. Scanlan* for petitioners. *Thomas M. Debevoise*, Attorney General of Vermont, for respondents. Reported below: 122 Vt. 177, 167 A. 2d 514.

No. 867. *COMER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Gerald Robin Griffin* and *Harry B. Miller* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 288 F. 2d 174.

No. 876. *PEREZ-VARELA v. ESPERDY, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 2d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *George Halpern* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Jerome M. Feit* for respondent. Reported below: 285 F. 2d 723.

No. 869, Misc. *BARBER v. MCGEE, CORRECTIONS DIRECTOR, ET AL.* Supreme Court of California. Certiorari denied.

No. 885, Misc. *KENNEDY v. WILKINS, WARDEN, ET AL.* C. A. 2d Cir. Certiorari denied.

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No. 870, Misc. BUSH *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 893, Misc. CECIL ET AL. *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioners *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Robert G. Maysack* for the United States.

No. 894, Misc. WINTER *v.* WARDEN, MARYLAND PENITENTIARY. Circuit Court of Howard County, Maryland. Certiorari denied.

No. 924, Misc. CUMMINGS *v.* BENNETT, WARDEN. C. A. 8th Cir. Certiorari denied.

No. 935, Misc. CRUIKSHANK *v.* SACKS, WARDEN. Supreme Court of Ohio. Certiorari denied.

No. 939, Misc. SPRINGFIELD *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States.

No. 960, Misc. STULTZ *v.* RHAY, PENITENTIARY SUPERINTENDENT. Supreme Court of Washington. Certiorari denied.

No. 1022, Misc. LEWIS *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 1023, Misc. OWENS *v.* ELLIS, CORRECTIONS DIRECTOR. Petition for writ of certiorari to the Court of Criminal Appeals of Texas and for other relief denied.

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May 15, 17, 22, 1961.

Rehearing Denied.

No. 696. ALLISON *v.* INDIANA, 365 U. S. 608; and
No. 798, Misc. OUGHTON *v.* UNITED STATES, 365 U. S.
889. Petitions for rehearing denied.

MAY 17, 1961.

Dismissal Under Rule 60.

No. 734. GAS SERVICE CO. ET AL. *v.* FEDERAL POWER
COMMISSION. On petition for writ of certiorari to the
United States Court of Appeals for the District of
Columbia Circuit. Petition dismissed pursuant to Rule
60 of the Rules of this Court. *J. David Mann, Jr., Wil-*
liam W. Ross, Irvin Fane and Richard S. Righter for
petitioners. *Solicitor General Cox* for respondent. Re-
ported below: 108 U. S. App. D. C. 334, 282 F. 2d 496.

MAY 22, 1961.

Miscellaneous Orders.

No. 746. OYLER *v.* ADAMS, WARDEN; and
No. 747. CRABTREE *v.* ADAMS, WARDEN. Certiorari,
365 U. S. 810, to the Supreme Court of Appeals of West
Virginia. The motions to substitute Otto C. Boles in the
place of D. E. Adams as the party respondent are granted.
David Ginsburg on the motions.

No. 993, Misc. EX PARTE LIPSCOMB. Motion for
leave to file petition for writ of habeas corpus denied.

Certiorari Denied.

No. 841. O'TOOLE *v.* UNITED STATES. C. A. 2d Cir.
Certiorari denied. *C. Joseph Danahy* for petitioner.
Solicitor General Cox, Assistant Attorney General Orrick
and *Morton Hollander* for the United States. Reported
below: 284 F. 2d 792.

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No. 872. NAVAJO TRIBE ET AL. *v.* NATIONAL LABOR RELATIONS BOARD ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Norman M. Littell, Frederick Bernays Wiener and Charles J. Alexander* for petitioners. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli, Norton J. Come and Herman M. Levy* for the National Labor Relations Board; *J. Albert Woll, Theodore J. St. Antoine, Gerard F. Treanor and Joseph M. Stone* for International Hod Carriers', Building and Common Laborers' Union of America, AFL-CIO, et al.; and *David E. Feller and Emil Narick* for United Steelworkers of America, respondents. Reported below: 109 U. S. App. D. C. 378, 288 F. 2d 162.

No. 888. EX PARTE PIERCE ET AL. Supreme Court of Texas. Certiorari denied. *L. N. D. Wells, Jr. and Benjamin C. Sigal* for petitioners. *Jack W. Flock* for General Electric Co., respondent. Reported below: 161 Tex. 524, 342 S. W. 2d 424.

No. 896. MORENO *v.* NEW YORK CENTRAL RAILROAD Co. Supreme Court of Ohio. Certiorari denied. *Arthur Krause* for petitioner. *John F. Dolan* for respondent.

No. 873. NEW YORK, NEW HAVEN & HARTFORD RAILROAD Co. *v.* CALABRITTO. C. A. 2d Cir. Certiorari denied. *Robert M. Peet* for petitioner. *William Paul Allen* for respondent. Reported below: 287 F. 2d 394.

No. 880. MCMANUS *v.* CIVIL AERONAUTICS BOARD ET AL. C. A. 2d Cir. Certiorari denied. *James F. McManus pro se. Solicitor General Cox, Assistant Attorney General Loevinger, Richard A. Solomon, Joseph B. Goldman and O. D. Ozment* for the Civil Aeronautics Board, respondent. Reported below: 286 F. 2d 414.

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No. 874. I. LEON Co., INC., *v.* REINER ET AL. C. A. 2d Cir. Certiorari denied. *Henry L. Burkitt* for petitioner. *Robert W. Fulwider* and *John M. Lee* for respondents. Reported below: 285 F. 2d 501.

No. 882. SHOWELL ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. *W. Lee McLane, Jr.* and *Nola McLane* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *Robert N. Anderson* and *Norman H. Wolfe* for respondent. Reported below: 286 F. 2d 245.

No. 883. BROTHERHOOD OF LOCOMOTIVE FIREMEN & ENGINEMEN ET AL. *v.* BUTTE, ANACONDA & PACIFIC RAILWAY Co. C. A. 9th Cir. Certiorari denied. *Harold C. Heiss*, *David L. Holland* and *Russell B. Day* for petitioners. *C. J. Hansen* for respondent. Reported below: 286 F. 2d 706.

No. 884. WEST VIRGINIA NORTHERN RAILROAD Co. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 4th Cir. Certiorari denied. *Allen S. Olmsted II* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *I. Henry Kutz* for respondent. Reported below: 282 F. 2d 63.

No. 885. WRAY EQUIPMENT CORP. *v.* WESTINGHOUSE ELECTRIC CORP. ET AL. C. A. 1st Cir. Certiorari denied. *James M. Malloy* and *Ralph Warren Sullivan* for petitioner. *John M. Hall* and *Douglas L. Ley* for respondents. Reported below: 286 F. 2d 491.

No. 887. AMERICAN GUILD OF VARIETY ARTISTS ET AL. *v.* DETROY. C. A. 2d Cir. Certiorari denied. *Aaron Benenson* for petitioners. *Henry M. Katz* for respondent. Reported below: 286 F. 2d 75.

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No. 889. *CARPENTER ET AL. v. GLOCK ET AL.* C. A. 6th Cir. Certiorari denied. *Thomas D. Shumate* and *M. A. Rowady* for petitioners. *Troy D. Savage* for respondents. Reported below: 286 F. 2d 431.

No. 900. *GOODMAN v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 285 F. 2d 378.

No. 901. *TAXIN ET AL. v. FOOD FAIR STORES, INC., ET AL.* C. A. 3d Cir. Certiorari denied. *Lester J. Schaffer* for petitioners. *Aaron M. Fine* and *Harold E. Kohn* for respondents. Reported below: 287 F. 2d 448.

No. 895. *COLE v. DOOR COUNTY MEMORIAL HOSPITAL.* Court of Appeals of Ohio, Eighth Appellate District. Certiorari denied. *THE CHIEF JUSTICE* and *MR. JUSTICE BLACK* are of the opinion that certiorari should be granted. *Lucian Y. Ray* for petitioner. *Lex Kintner* for respondent. Reported below: 171 N. E. 2d 184.

No. 933, Misc. *BRABSON v. NEW YORK.* Court of Appeals of New York. Certiorari denied. Reported below: 8 N. Y. 2d 913, 168 N. E. 2d 830.

No. 934, Misc. *SMYLY v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 287 F. 2d 760.

No. 850, Misc. *SMART v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied.

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No. 903. GLENDALE DEVELOPMENT, INC., *v.* BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN ET AL. Supreme Court of Wisconsin. Certiorari denied. *Ralph M. Immell* and *Jack R. De Witt* for petitioner. Reported below: 12 Wis. 2d 120, 106 N. W. 2d 430.

No. 587, Misc. ELDRIDGE *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States.

No. 589, Misc. FEELEY *v.* HEINZE, WARDEN, ET AL. 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 respondents.

No. 830, Misc. LANGSTON *v.* LETTS, U. S. DISTRICT JUDGE. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, *Acting Assistant Attorney General Doar*, *Harold H. Greene* and *Howard A. Glickstein* for respondent.

No. 937, Misc. GUTH ET AL. *v.* RHAY, PENITENTIARY SUPERINTENDENT. Supreme Court of Washington. Certiorari denied.

No. 909, Misc. EVANS *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 922, Misc. JOHNSON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States.

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No. 898, Misc. CHAMBERS *v.* MCGEE, CORRECTIONS DIRECTOR, ET AL. Supreme Court of California. Certiorari denied.

No. 931, Misc. IN RE JONES. C. A. 9th Cir. Certiorari denied.

No. 936, Misc. CLINTON *v.* JOSHUA HENDY CORP. ET AL. C. A. 9th Cir. Certiorari denied.

No. 896, Misc. JONES *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 946, Misc. FEATHER *v.* ELLIS, CORRECTIONS DIRECTOR. Court of Criminal Appeals of Texas. Certiorari denied.

No. 949, Misc. HILDERBRAND *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Theodore George Gilinsky* for the United States. Reported below: See 190 F. Supp. 283.

No. 950, Misc. RINALDO *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 955, Misc. BRESSLER *v.* PENNSYLVANIA. Supreme Court of Pennsylvania. Certiorari denied.

No. 980, Misc. TAYLOR *v.* DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION BOARD ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* *John Allen Weil* for respondents.

No. 982, Misc. BIRCHER *v.* KANSAS. Supreme Court of Kansas. Certiorari denied.

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No. 967, Misc. JACKSON ET AL. *v.* COLEMAN. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Paul Lee Sweeny* for petitioners. *Dale L. Button* for respondent. Reported below: 109 U. S. App. D. C. 242, 286 F. 2d 98.

No. 981, Misc. LINDSAY *v.* ALABAMA. Supreme Court of Alabama. Certiorari denied. *George E. Trawick* for petitioner. *MacDonald Gallion*, Attorney General of Alabama, and *Jerry L. Coe*, Assistant Attorney General, for respondent. Reported below: — Ala. —, 125 So. 2d 725.

No. 459, Misc. WEST VIRGINIA EX REL. SUBLETT *v.* ADAMS, WARDEN. Motion to substitute Otto C. Boles in the place of D. E. Adams as the party respondent granted. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied. THE CHIEF JUSTICE took no part in the consideration or decision of this motion and application. Reported below: — W. Va. —, 115 S. E. 2d 158.

No. 1029, Misc. WEAVER *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

Rehearing Denied.

No. 864, Misc. STICKNEY *v.* ELLIS, CORRECTIONS DIRECTOR, 365 U. S. 888. Petition for rehearing denied.

No. 386, Misc., October Term, 1952. WATERMAN *v.* NEW YORK, 345 U. S. 945; and

No. 387, Misc., October Term, 1952. WATERMAN *v.* SCHATTE ET AL., 345 U. S. 945. Motion for leave to file a second petition for rehearing denied.

May 29, 1961.

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MAY 29, 1961.

Miscellaneous Orders.

No. 551. GINSBURG *v.* GINSBURG ET AL., 364 U. S. 934. Motion to vacate order denying petition for writ of certiorari and for leave to file amendment to petition is denied.

No. 676, Misc. JORDAN *v.* MICHIGAN. Motion for leave to file petition for writ of habeas corpus and other relief denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied.

No. 878, Misc. SMITH *v.* NEW MEXICO. Motion for leave to file petition for writ of habeas corpus denied.

Question as to Jurisdiction Postponed.

No. 849. CRAMP *v.* BOARD OF PUBLIC INSTRUCTION OF ORANGE COUNTY. Appeal from the Supreme Court of Florida. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits. *Tobias Simon* for appellant. *J. R. Wells* for appellee. Reported below: 125 So. 2d 554.

Certiorari Granted. (See No. 380, Misc., ante, p. 716.)

Certiorari Denied. (See also No. 821, ante, p. 716, and No. 676, Misc, supra.)

No. 729. JOHNSON *v.* WASHINGTON. Supreme Court of Washington. Certiorari denied. *Clifford Hoof* and *David W. Harris* for petitioner. *William L. Paul, Jr.* for respondent. Reported below: 56 Wash. 2d 700, 355 P. 2d 13.

No. 806. DEPARTMENT & SPECIALTY STORE EMPLOYEES' UNION, LOCAL 1265, R. C. I. A., AFL-CIO, *v.* BROWN, REGIONAL DIRECTOR, NATIONAL LABOR RELATIONS

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BOARD. C. A. 9th Cir. Certiorari denied. *Roland C. Davis* and *S. G. Lippman* for petitioner. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: 284 F. 2d 619.

No. 894. *BATIC v. PILLIOD*, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Robert G. Maysack* for respondent. Reported below: 286 F. 2d 268.

No. 815. *GROSS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Donald N. Murtha* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *Joseph M. Howard* for the United States. Reported below: 286 F. 2d 59.

No. 897. *KEARNEY ET AL. v. UNITED STATES*. Court of Claims. Certiorari denied. *Michael M. Kearney* for petitioners. *Solicitor General Cox, Assistant Attorney General Orrick* and *Alan S. Rosenthal* for the United States. Reported below: — Ct. Cl. —, 285 F. 2d 797.

No. 904. *DEAUVILLE REALTY CO., INC., ET AL. v. TOBIN ET AL.* Supreme Court of Florida. Certiorari denied. *Donald S. Dawson* for petitioners. Reported below: 127 So. 2d 678.

No. 819. *CORY CORPORATION ET AL. v. SAUBER*. C. A. 7th Cir. Motion to use the record in No. 436, October Term, 1959, granted. Certiorari denied. *Edwin A. Rothschild* and *Stanford Clinton* for petitioners. *Solicitor General Cox* and *Assistant Attorney General Oberdorfer* for respondent. Reported below: 284 F. 2d 767.

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No. 907. UNITED STATES *v.* KLEIN ET AL. Court of Claims. Certiorari denied. *Solicitor General Cox, Roger P. Marquis* and *S. Billingsley Hill* for the United States. *Frank J. Delaney* for respondents. Reported below: — Ct. Cl. —, — F. 2d —.

No. 925. GIRARD LODGE NO. 100 ET AL. *v.* GRAND LODGE, BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS, ET AL. Supreme Court of Pennsylvania. Certiorari denied. *Lawrence J. Richette* for petitioners. *Walter Biddle Saul, Allen S. Olmsted II* and *Ivar H. Peterson* for respondents. Reported below: 402 Pa. 523, 167 A. 2d 465.

No. 905. REED *v.* PENNSYLVANIA RAILROAD CO. Supreme Court of Ohio. Certiorari denied. *James C. Britt* for petitioner. *Robert L. Barton* for respondent. Reported below: 171 Ohio St. 433, 171 N. E. 2d 718.

No. 893. LICAVOLI *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Ivan E. Barris* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: — U. S. App. D. C. —, 294 F. 2d 207.

No. 912. PIERSON, WYOMING SUPERVISOR, BUREAU OF LAND MANAGEMENT, DEPARTMENT OF INTERIOR, ET AL. *v.* PAN AMERICAN PETROLEUM CORP. C. A. 10th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Solicitor General Cox, Roger P. Marquis* and *A. Donald Mileur* for petitioners. *A. G. McClintock* for respondent. Reported below: 284 F. 2d 649.

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No. 99, Misc. DEAN *v.* OHIO. Supreme Court of Ohio. Certiorari denied. Petitioner *pro se.* *Earl W. Allison* for respondent.

No. 303, Misc. RAY *v.* CALIFORNIA. District Court of Appeal of California, First Appellate District. Certiorari denied. Petitioner *pro se.* *Stanley Mosk*, Attorney General of California, and *Arlo E. Smith*, Deputy Attorney General, for respondent. Reported below: 181 Cal. App. 2d 64, 5 Cal. Rptr. 113.

No. 333, Misc. POTTER *v.* HEINZE, WARDEN. Supreme Court of California. Certiorari denied. Petitioner *pro se.* *Stanley Mosk*, Attorney General of California, and *Doris H. Maier* and *Edsel W. Haws*, Deputy Attorneys General, for respondent.

No. 479, Misc. JARVIS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States.

No. 568, Misc. PARKER *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. Reported below: 283 F. 2d 862.

No. 601, Misc. FULLEN *v.* WYOMING. C. A. 10th Cir. Certiorari denied. Reported below: 283 F. 2d 116.

No. 612, Misc. McDOWELL *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Rankin*, *Acting Assistant Attorney General Foley* and *Beatrice Rosenberg* for the United States. Reported below: 283 F. 2d 867.

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No. 625, Misc. *CITO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*: *Solicitor General Cox, Acting Assistant Attorney General Foley and Beatrice Rosenberg* for the United States. Reported below: 283 F. 2d 49.

No. 675, Misc. *MILLER v. HAND, WARDEN*. Supreme Court of Kansas. Certiorari denied. Petitioner *pro se*: *William H. Ferguson*, Attorney General of Kansas, and *J. Richard Foth*, Assistant Attorney General, for respondent. Reported below: 187 Kan. 352, 356 P. 2d 837.

No. 734, Misc. *THOMAS v. ALABAMA*. Supreme Court of Alabama. Certiorari denied. Petitioner *pro se*: *MacDonald Gallion*, Attorney General of Alabama, and *John C. Tyson III*, Assistant Attorney General, for respondent.

No. 751, Misc. *PHILLIPS v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se*: *William G. Clark*, Attorney General of Illinois, and *William C. Wines*, Assistant Attorney General, for respondent.

No. 757, Misc. *NASH v. RICHMOND, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 801, Misc. *DELANEY v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 806, Misc. *GRIFFIN v. MISSOURI*. Supreme Court of Missouri. Certiorari denied.

No. 847, Misc. *KORTUM v. SIGLER, WARDEN*. Supreme Court of Nebraska. Certiorari denied.

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No. 846, Misc. ALEXANDER *v.* DAUGHERTY, WARDEN, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 286 F. 2d 645.

No. 836, Misc. BRYANT *v.* OHIO. Supreme Court of Ohio. Certiorari denied. Reported below: 171 Ohio St. 411, 171 N. E. 2d 513.

No. 925, Misc. ADAMES *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Felicia Dubrovsky* for the United States.

No. 927, Misc. JUDY *v.* PEPERSACK, WARDEN. C. A. 4th Cir. Certiorari denied.

No. 938, Misc. NEAL ET AL. *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States.

No. 948, Misc. MEADERDS *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 963, Misc. SLIVA *v.* PENNSYLVANIA. Supreme Court of Pennsylvania. Certiorari denied.

No. 954, Misc. REEDER *v.* DIRECTOR, PATUXENT INSTITUTION. Court of Appeals of Maryland. Certiorari denied.

No. 965, Misc. BANKS *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States.

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No. 968, Misc. *STONEKING v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States.

No. 975, Misc. *HENSON v. WARDEN, MARYLAND PENITENTIARY*. C. A. 4th Cir. Certiorari denied.

No. 994, Misc. *WESTPHAL v. RHAY, PENITENTIARY SUPERINTENDENT*. Supreme Court of Washington. Certiorari denied.

No. 682, Misc. *SCHLETTE v. CALIFORNIA ET AL.* C. A. 9th Cir. Petition for writ of certiorari and for other relief denied. Reported below: 284 F. 2d 827.

No. 1044, Misc. *GREENWOOD v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 1055, Misc. *RYAN v. PENNSYLVANIA ET AL.* C. A. 3d Cir. Certiorari denied.

No. 346, Misc. *HILL v. SETTLE, WARDEN*. C. A. 8th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Petitioner *pro se*. *Solicitor General Rankin, Assistant Attorney General Tyler and Harold H. Greene* for respondent. Reported below: 283 F. 2d 518.

No. 384, Misc. *MICHAELS v. CHAPPELL ET AL.* C. A. 9th Cir. Certiorari denied. THE CHIEF JUSTICE is of the opinion that certiorari should be granted. *A. L. Wirin* and *Fred Okrand* for petitioner. *Martin H. Webster* and *Louis Lee Abbott* for respondents. Reported below: 279 F. 2d 600.

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No. 996, Misc. SEGRIF, ADMINISTRATOR, *v.* JOHNSTON. Supreme Court of Pennsylvania. Certiorari denied. *Edward O. Spotts* for petitioner. *Donald W. Bebenek* for respondent. Reported below: 402 Pa. 109, 166 A. 2d 496.

No. 804, Misc. JACKSON *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. THE CHIEF JUSTICE and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. *William B. Bryant* and *William C. Gardner* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 109 U. S. App. D. C. 233, 285 F. 2d 675.

Rehearing Denied.

No. 96. KOSSICK *v.* UNITED FRUIT CO., 365 U. S. 731;

No. 313. SMITH *v.* BUTLER ET AL., TRUSTEES, *ante*, p. 161;

No. 553. ARMOUR RESEARCH FOUNDATION OF ILLINOIS INSTITUTE OF TECHNOLOGY ET AL. *v.* C. K. WILLIAMS & CO., INC., ET AL., 365 U. S. 811;

No. 770. GOSS *v.* ILLINOIS, 365 U. S. 881;

No. 804. NAVIOS CORPORATION ET AL. *v.* NATIONAL MARITIME UNION OF AMERICA ET AL., *ante*, p. 905;

No. 398, Misc. KIGER *v.* UNITED STATES, 365 U. S. 846; and

No. 692, Misc. ROMANO *v.* MURPHY, WARDEN, *ante*, p. 919. Petitions for rehearing denied.

No. 340. INTERNATIONAL TYPOGRAPHICAL UNION, AFL-CIO, ET AL. *v.* NATIONAL LABOR RELATIONS BOARD, 365 U. S. 705. Petition for rehearing or to remand judgment denied. MR. JUSTICE HARLAN and MR. JUSTICE

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WHITTAKER would call for a response. See Rule 58 (3). MR. JUSTICE FRANKFURTER took no part in the consideration or decision of this case.

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Certiorari Denied.

No. 1000. WILLIAMS *v.* MOORE, WARDEN. C. A. 5th Cir. Certiorari denied. *Thos. H. Dent* for petitioner. *Will Wilson*, Attorney General of Texas, and *Riley Eugene Fletcher* and *Leon F. Pesek*, Assistant Attorneys General, for respondent. Reported below: 285 F. 2d 590.

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Miscellaneous Orders.

No. 983, Misc. STANLEY *v.* JOHNSTON, STATE HOSPITAL DIRECTOR. Motion for leave to file petition for writ of habeas corpus denied.

No. 1089, Misc. CARLSON *v.* IOWA ET AL. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied.

No. 910, Misc. HILL *v.* BOLDT, U. S. DISTRICT JUDGE. Motion for leave to file petition for writ of mandamus denied.

Probable Jurisdiction Noted.

No. 881. GOLDBLATT ET AL. *v.* TOWN OF HEMPSTEAD. Appeal from the Court of Appeals of New York. Probable jurisdiction noted. *Milton I. Newman* and *Edward M. Miller* for appellants. *Richard P. Charles*, *John A. Morhous* and *William C. Mattison* for appellee. Reported below: 9 N. Y. 2d 101, 172 N. E. 2d 562.

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Certiorari Granted. (See also No. 844, ante, p. 763, and No. 699, Misc., ante, p. 765.)

No. 919. SIMONSON, TRUSTEE IN BANKRUPTCY, ET AL. v. GRANQUIST, DISTRICT DIRECTOR OF INTERNAL REVENUE, ET AL. C. A. 9th Cir. Certiorari granted. *Arthur E. Simon* and *John F. Cramer, Jr.* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *I. Henry Kutz* for respondents. Reported below: 287 F. 2d 489.

No. 910. GRIGGS v. COUNTY OF ALLEGHENY. Supreme Court of Pennsylvania. Certiorari granted. *D. Malcolm Anderson* for petitioner. *Maurice Louik*, *Francis A. Barry* and *Philip Baskin* for respondent. Reported below: 402 Pa. 411, 168 A. 2d 123.

No. 313, Misc. GOJACK v. UNITED STATES. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted. Case transferred to the appellate docket. *Frank J. Donner* and *David Rein* 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. 130, 280 F. 2d 678.

Certiorari Denied. (See also No. 1089, Misc., supra; No. 807, ante, p. 762; and No. 902, ante, p. 764.)

No. 974, Misc. FLEMING v. UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States.

No. 993. COHAN ET AL. v. CITY OF NEW YORK. Court of Appeals of New York. Certiorari denied. *Sidney S. Levine* for petitioners. *Leo A. Larkin* and *Seymour B. Quel* for respondent.

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No. 908. *CARLO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *George J. Todaro* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Jerome M. Feit* for the United States. Reported below: 286 F. 2d 841.

No. 909. *CAVELL, WARDEN, v. FLETCHER*. C. A. 3d Cir. Certiorari denied. *Anne X. Alpern*, Attorney General of Pennsylvania, and *Frank P. Lawley, Jr.*, Deputy Attorney General, for petitioner. Reported below: 287 F. 2d 792.

No. 911. *FIRST NATIONAL OIL CORP. v. FLORIDA MOLASSES Co.* Appellate Division, Supreme Court of New York, Second Judicial Dept. Certiorari denied. *Frank M. Rashap* for petitioner. Reported below: 11 App. Div. 2d 1027, 207 N. Y. S. 2d 998.

No. 917. *SPHEERIS ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 7th Cir. Certiorari denied. *Edward H. Meldman* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer and Meyer Rothwacks* for respondent. Reported below: 284 F. 2d 928.

No. 920. *MILLET ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Louis Granick* for petitioners. *Solicitor General Cox, Assistant Attorney General Orrick, Morton Hollander and Herbert E. Morris* for the United States. Reported below: 287 F. 2d 409.

No. 921. *LEAVELL & PONDER, INC., ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Eugene T. Edwards* for petitioners. *Solicitor General Cox, Roger P. Marquis and A. Donald Mileur* for the United States. Reported below: 286 F. 2d 398.

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No. 926. *ORME v. ORME ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Carl L. Shipley* and *Thomas A. Ziebarth* for petitioner. *Bernard I. Nordlinger* and *Ward H. Oehmann* for respondents. Reported below: — U. S. App. D. C. —, — F. 2d —.

No. 916. *HUCKINS ET AL. v. DUVAL COUNTY ET AL.* The motion to substitute *Farris Bryant* in the place of *Leroy Collins* and *Doyle Conner* in the place of *Nathan Mayo* as parties respondent is granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. *Herman Ulmer* for petitioners. *Richard W. Ervin*, Attorney General of Florida, *Fred M. Burns* and *Robert C. Parker*, Assistant Attorneys General, and *Sid J. White*, Special Assistant Attorney General, for respondents. Reported below: 286 F. 2d 46.

No. 929. *MURRAY v. NEW YORK CENTRAL RAILROAD Co.* C. A. 2d Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion that certiorari should be granted. *Nathan Baker*, *Bernard Chazen* and *Milton Garber* for petitioner. *Gerald E. Dwyer* for respondent. Reported below: 287 F. 2d 152.

No. 430, Misc. *PENNSYLVANIA EX REL. DION v. BAN-MILLER, WARDEN.* Supreme Court of Pennsylvania. Certiorari denied.

No. 888, Misc. *EASTMAN v. CUNNINGHAM, PENITENTIARY SUPERINTENDENT.* C. A. 4th Cir. Certiorari denied. Reported below: — F. 2d —.

No. 1011, Misc. *MATTOON v. RHAY, PENITENTIARY SUPERINTENDENT.* Supreme Court of Washington. Certiorari denied.

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No. 905, Misc. SMITH *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 287 F. 2d 270.

No. 964, Misc. SLIVA *v.* PENNSYLVANIA. Supreme Court of Pennsylvania. Certiorari denied.

No. 976, Misc. MARTINEZ *v.* UDALL, SECRETARY OF THE INTERIOR. C. A. 10th Cir. Certiorari denied. *Bentley M. McMullin* for petitioner. *Solicitor General Cox and Roger P. Marquis* for respondent. Reported below: 285 F. 2d 587.

No. 984, Misc. BYARS *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States.

No. 997, Misc. SOLOMON *v.* GILLIS, RECORDER'S COURT JUDGE. Supreme Court of Michigan. Certiorari denied.

No. 1006, Misc. JOHNSON *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States.

No. 504, Misc. HEATH *v.* SMYTH, PENITENTIARY SUPERINTENDENT. Motion to substitute W. K. Cunningham, Jr. in the place of W. F. Smyth, Jr. as the party respondent granted. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Petitioner *pro se.* *Reno S. Harp III*, Assistant Attorney General of Virginia, for respondent.

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Rehearing Denied.

No. 212. MOSES LAKE HOMES, INC., ET AL. *v.* GRANT COUNTY, 365 U. S. 744;

No. 584. YALE TRANSPORT CORP. ET AL. *v.* UNITED STATES ET AL., 365 U. S. 566;

No. 715. CLAWSON *v.* UNITED STATES, *ante*, p. 905;

No. 726. CODUTO *v.* UNITED STATES, 365 U. S. 881;

No. 136, Misc. DUNCAN *v.* MADIGAN, WARDEN, *ante*, p. 919;

No. 655, Misc. LOUISIANA EX REL. ALLEN *v.* WALKER, WARDEN, 365 U. S. 567; and

No. 890, Misc. WILSON *v.* UNITED STATES, *ante*, p. 921.
Petitions for rehearing denied.

No. 616, Misc. WILLIAMS *v.* UNITED STATES, 365 U. S. 883. Motion for leave to file petition for rehearing denied.

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Miscellaneous Orders.

No. 1038, Misc. ECKMAN *v.* ALASKA. Motion for leave to file petition for writ of certiorari denied.

No. 1098, Misc. MYERS *v.* NEW MEXICO; and

No. 1170, Misc. LYONS *v.* CALIFORNIA. Motions for leave to file petitions for writs of habeas corpus denied.

No. 1010, Misc. McDONALD *v.* RHAY, PENITENTIARY SUPERINTENDENT. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied.

No. 1121, Misc. GARRISON *v.* NEW MEXICO ET AL. Motion for leave to file petition for writ of habeas corpus and other relief denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied.

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No. 752, Misc. LEDFORD *v.* CURRAN, U. S. DISTRICT JUDGE. Motion for leave to file petition for writ of mandamus denied. *Frederick Bernays Wiener* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick* and *Alan S. Rosenthal* for respondent.

Certiorari Granted. (See No. 685, 367 U. S. 486.)

Certiorari Denied. (See also Nos. 1010, Misc., and 1121, Misc., *supra*; Nos. 877 and 886, 367 U. S. 487.)

No. 859. COMPANIA NACIONAL DE NAVEGACAO CAS-TEIRO PATRIMONIO *v.* CABINS TANKER INDUSTRIES, INC., ET AL. C. A. 4th Cir. *Certiorari* denied. *Hugh S. Meredith* for petitioner. *Samuel B. Fortenbaugh, Jr.* and *Leon T. Seawell* for respondents. Reported below: 285 F. 2d 592.

No. 879. G. A. RAFEL & Co., INC., *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. 7th Cir. *Certiorari* denied. *Howard R. Slater* for petitioner. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli* and *Norton J. Come* for the National Labor Relations Board, and *Bernard M. Mamet* for Local No. 9, International Brotherhood of Electrical Workers, AFL-CIO, et al., respondents. Reported below: — F. 2d —.

No. 932. ROCHA ET AL. *v.* UNITED STATES. C. A. 9th Cir. *Certiorari* denied. *Willard Whittinghill* and *John S. Rhoades* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 288 F. 2d 545.

No. 933. PHILIP CAREY MANUFACTURING CO. ET AL. *v.* TAYLOR, U. S. DISTRICT JUDGE. C. A. 6th Cir. *Certiorari* denied. *John B. Hollister, Burton Y. Weitzenfeld* and *Cyrus Austin* for petitioners. *Peyton Ford* for respondent. Reported below: 286 F. 2d 782.

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No. 934. *FIELD ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 6th Cir. Certiorari denied. *Burton W. Kanter* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *I. Henry Kutz* for respondent. Reported below: 286 F. 2d 960.

No. 936. *CLARK v. ZIMMERER, COMMISSIONER OF PUBLIC HEALTH OF IOWA*. Supreme Court of Iowa. Certiorari denied. *H. S. Life* for petitioner. Reported below: 252 Iowa 578, 107 N. W. 2d 726.

No. 938. *PEABODY COAL Co. v. NATIONAL LABOR RELATIONS BOARD*; and

No. 939. *UNITED MINE WORKERS OF AMERICA ET AL. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 7th Cir. Certiorari denied. *V. Lee McMahon* for petitioner in No. 938. *Edmund Burke, Welly K. Hopkins, Harrison Combs* and *M. E. Boiarsky* for petitioners in No. 939. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: 284 F. 2d 910.

No. 940. *KINOSHITA & Co., LTD., v. LIBERTY NAVIGATION & TRADING Co.* C. A. 2d Cir. Certiorari denied. *Robert S. Blanc, Jr.* for petitioner. *John V. Lindsay* for respondent. Reported below: 285 F. 2d 343.

No. 680. *LOCAL 36, INTERNATIONAL CHEMICAL WORKERS UNION, AFL-CIO, v. NATIONAL LABOR RELATIONS BOARD*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *THE CHIEF JUSTICE* is of the opinion that certiorari should be granted. *David E. Feller, Robert L. Mitchell* and *Elliott Bredhoff* for petitioner. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: — U. S. App. D. C. —, — F. 2d —.

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No. 942. *WITT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Russell E. Parsons* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States. Reported below: 287 F. 2d 389.

No. 1004. *BOLLETTIERI v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Petitioner *pro se. Louis J. Lefkowitz, Attorney General of New York, and Robert E. Fischer and Maxwell B. Spoot*, Special Assistant Attorneys General, for respondent. Reported below: 9 N. Y. 2d 629, 172 N. E. 2d 83.

No. 941. *BLAZINA v. BOUCHARD, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 3d Cir. Certiorari denied. *Robert J. Carluccio* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for respondent. Reported below: 286 F. 2d 507.

No. 708. *LOCAL NO. 520, INTERNATIONAL LADIES' GARMENT WORKERS' UNION, AFL-CIO, v. GLENDALE MANUFACTURING Co.* C. A. 4th Cir. Certiorari denied. *MR. JUSTICE DOUGLAS* is of the opinion that certiorari should be granted. *Morris P. Glushien and Ruth Weyand* for petitioner. Reported below: 283 F. 2d 936.

No. 937. *STATE TAX COMMISSION OF ARIZONA v. MURRAY Co. OF TEXAS, INC.* Motion for leave to use record in No. 168, October Term, 1960, granted. Petition for writ of certiorari to the Supreme Court of Arizona denied. *Robert W. Pickrell, Attorney General of Arizona, Philip M. Haggerty, Assistant Attorney General, and Leslie C. Hardy, Special Assistant Attorney General*, for petitioner. *Denison Kitchel* for respondent. Reported below: 87 Ariz. 268, 350 P. 2d 674.

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No. 927. *ROGERS ET AL. v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *William R. Bagby* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Harry Baum and Joseph Kovner* for the United States. Reported below: 286 F. 2d 277.

No. 512, Misc. *SMITH EX REL. SHERWOOD v. GLADDEN, WARDEN*. Supreme Court of Oregon. Certiorari denied. Petitioner *pro se*. *Robert Y. Thornton*, Attorney General of Oregon, and *Harold W. Adams*, Assistant Attorney General, for respondent.

No. 773, Misc. *SULLIVAN v. DICKSON, WARDEN*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Stanley Mosk*, Attorney General of California, and *Arlo E. Smith*, Deputy Attorney General, for respondent. Reported below: 283 F. 2d 725.

No. 918, Misc. *CONERLY v. MCGEE, CORRECTIONS DIRECTOR, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 972, Misc. *ELLINGER v. PEPERSACK, WARDEN*. Court of Appeals of Maryland. Certiorari denied.

No. 977, Misc. *HARRIS v. BOLES, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 1000, Misc. *KELLY v. MANNING, PENITENTIARY SUPERINTENDENT*. Supreme Court of South Carolina. Certiorari denied.

No. 979, Misc. *MOKUS v. KENTON, WARDEN*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Marshall and Harold H. Greene* for respondent.

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No. 978, Misc. EDMONDS *v.* NASH, WARDEN. Supreme Court of Missouri. Certiorari denied.

No. 988, Misc. HOPKINS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Felicia Dubrovsky* for the United States.

No. 1004, Misc. ADAMS *v.* CUNNINGHAM, PENITENTIARY SUPERINTENDENT. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 1007, Misc. KEARSE *v.* CUNNINGHAM, PENITENTIARY SUPERINTENDENT. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 1017, Misc. CRAWFORD *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 1019, Misc. CIUCCI *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. *George N. Leighton* for petitioner. Reported below: 21 Ill. 2d 81, 171 N. E. 2d 34.

No. 1024, Misc. SOLOMON *v.* BANNAN, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 1025, Misc. COHEN *v.* WILKINS, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 1028, Misc. BIRDEN ET AL. *v.* RHAY, PENITENTIARY SUPERINTENDENT. Supreme Court of Washington. Certiorari denied.

No. 1035, Misc. MARCO *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

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No. 1031, Misc. REINA *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. *Frances Kahn* for petitioner.

No. 1045, Misc. FOGGY *v.* EYMAN, WARDEN, ET AL. Supreme Court of Arizona. Certiorari denied.

No. 1049, Misc. SEAGRAVE *v.* RHAY, PENITENTIARY SUPERINTENDENT. Supreme Court of Washington. Certiorari denied.

No. 1058, Misc. WILLIS *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States.

No. 1069, Misc. MURDOCK *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox* for the United States.

No. 1071, Misc. ANDERSON *v.* KENTUCKY ET AL. Court of Appeals of Kentucky and United States Court of Appeals for the Sixth Circuit. Certiorari denied. Reported below: — S. W. 2d —; 288 F. 2d 333.

No. 1130, Misc. WOLFE *v.* MISSOURI. Supreme Court of Missouri. Certiorari denied. *Bernard J. Mellman* for petitioner. *Thomas F. Eagleton, Attorney General of Missouri, and Ben Ely, Jr., Assistant Attorney General,* for respondent.

No. 1114, Misc. GREEN *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States.

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No. 1077, Misc. HATFIELD *v.* BUCHKOE, WARDEN. Supreme Court of Michigan. Certiorari denied.

No. 524, Misc. GOODLOW *v.* BUCHKOE, WARDEN. C. A. 6th Cir. Certiorari denied. Petitioner *pro se.* Paul L. Adams, Attorney General of Michigan, and Samuel J. Torina, Solicitor General, for respondent. Reported below: — F. 2d —.

No. 953, Misc. BROWN *v.* INDIANA. Petition for writ of certiorari to the Supreme Court of Indiana denied without prejudice to an application for a writ of habeas corpus in the appropriate United States District Court, it appearing from the papers submitted that the State is prepared to concede that petitioner has exhausted state remedies. MR. JUSTICE DOUGLAS would grant the petition for certiorari and reverse the judgment below on the authority of *Smith v. Bennett*, 365 U. S. 708. Petitioner *pro se.* Edwin K. Steers, Attorney General of Indiana, for respondent. Reported below: 241 Ind. —, 171 N. E. 2d 825.

No. 1041, Misc. SEALS *v.* ALABAMA. Petition for writ of certiorari to the Supreme Court of Alabama denied without prejudice to an application for a writ of habeas corpus in the appropriate United States District Court. Thurgood Marshall for petitioner. MacDonald Gallion, Attorney General of Alabama, and George D. Mentz and Jerry L. Coe, Assistant Attorneys General, for respondent. Reported below: 271 Ala. 622, 126 So. 2d 474.

Rehearing Granted. (See No. 685, 367 U. S. 486.)

Rehearing Denied.

No. 703. SMITH ET AL. *v.* FORDHAM UNIVERSITY, 365 U. S. 846; and

No. 758, Misc., October Term, 1959. DRAKE *v.* UNITED STATES, 362 U. S. 981. Motions for leave to file petitions for rehearing denied.

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No. 599. CALIFORNIA ET AL. *v.* FEDERAL POWER COMMISSION ET AL., *ante*, p. 912;

No. 681. BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES ET AL. *v.* UNITED STATES ET AL., *ante*, p. 169;

No. 695. CHAIFETZ *v.* UNITED STATES, *ante*, p. 209; and

No. 505, Misc. HANNA *v.* HOME INSURANCE CO., 365 U. S. 838. Petitions for rehearing denied.

JUNE 13, 1961.

Dismissal Under Rule 60.

No. 995, Misc. KING *v.* ELLIS, CORRECTIONS DIRECTOR. Motion for leave to file petition for writ of habeas corpus dismissed pursuant to Rule 60 of the Rules of this Court. Movant *pro se.* *Riley Eugene Fletcher*, Assistant Attorney General of Texas, for respondent.

JUNE 16, 1961.

Miscellaneous Orders.

No. —. BRITT *v.* SOUTH CAROLINA; and

No. —. WESTBURY *v.* SOUTH CAROLINA. The applications for stays of execution presented to THE CHIEF JUSTICE, and by him referred to the Court, are denied. *Henry R. Sims II* for petitioner Westbury. *Daniel R. McLeod*, Attorney General of South Carolina, *Everett N. Brandon*, Assistant Attorney General, and *Julian S. Wolfe* for respondent.

JUNE 19, 1961.

Miscellaneous Orders.

No. 1194, Misc. TAYLOR *v.* FLOETE, DIRECTOR, GENERAL SERVICES ADMINISTRATION, ET AL. Motion for leave to file petition for writ of certiorari denied.

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No. 55. UNITED STATES *v.* E. I. DU PONT DE NEMOURS & Co. ET AL., *ante*, p. 316. The motion of E. I. du Pont de Nemours and Company to modify the opinion is denied. MR. JUSTICE FRANKFURTER, MR. JUSTICE WHITTAKER, and MR. JUSTICE STEWART are of the opinion that the motion should be granted. MR. JUSTICE CLARK and MR. JUSTICE HARLAN took no part in the consideration or decision of this motion. *John Lord O'Brian, Hugh B. Cox, Charles A. Horsky and Daniel M. Gribbon* on the motion. *Solicitor General Cox, Assistant Attorney General Loevinger, John F. Davis, Richard A. Solomon and Bill G. Andrews* in opposition.

No. 97. CAFETERIA & RESTAURANT WORKERS UNION, LOCAL 473, AFL-CIO, ET AL. *v.* McELROY ET AL. Certiorari, 364 U. S. 813, to the United States Court of Appeals for the District of Columbia Circuit. The motion of petitioners to substitute Robert S. McNamara in the place of Thomas S. Gates as a party respondent is denied. The motion of respondent to dismiss as to the respondent, Thomas S. Gates, individually and as Secretary of Defense, is denied. *Bernard Dunau* for petitioners. *Solicitor General Cox* for respondents.

No. 689. NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE *v.* HARRISON, ATTORNEY GENERAL OF VIRGINIA, ET AL. Certiorari, 365 U. S. 842, to the Supreme Court of Appeals of Virginia. The motion to substitute Frederick T. Gray in the place of Albertis S. Harrison, Jr., Henry D. Garnett in the place of William J. Carlton, and Alfred W. Whitehurst in the place of Linwood B. Tabb, Jr., as the parties respondent is granted. *Robert L. Carter* on the motion.

No. 713. STILL *v.* NORFOLK & WESTERN RAILWAY Co. Certiorari, 365 U. S. 877, to the Supreme Court of Appeals of West Virginia. The motion of petitioner for leave to proceed further herein *in forma pauperis* is granted. *Sidney S. Sachs and Lewis Jacobs* on the motion.

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No. 864. FEDERAL TRADE COMMISSION *v.* HENRY BROCH & Co. Certiorari, *ante*, p. 923, to the United States Court of Appeals for the Seventh Circuit. The joint motion for leave to use record in No. 61, October Term, 1959, is granted. *Solicitor General Cox* for petitioner, and *Frederick M. Rowe* for respondent.

No. 1138, Misc. BENSINGER *v.* STEINER, WARDEN;

No. 1154, Misc. SAM *v.* RHAY, PENITENTIARY SUPER-INTENDENT;

No. 1162, Misc. TAYLOR ET AL. *v.* VIRGINIA;

No. 1174, Misc. IN RE BOGISH; and

No. 1204, Misc. KONCHICK *v.* CERAUL, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied.

No. 1073, Misc. DIMOND *v.* WYOMING ET AL. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied.

No. 992, Misc. ARMSTRONG *v.* DISTRICT COURT OF APPEAL OF CALIFORNIA, FIRST APPELLATE DISTRICT, ET AL. Motion for leave to file petition for writ of mandamus denied.

No. 1101, Misc. BOARD OF PUBLIC INSTRUCTION OF DUVAL COUNTY, FLORIDA, ET AL. *v.* SIMPSON, U. S. DISTRICT JUDGE, ET AL. Motion for leave to file petition for writ of mandamus and/or prohibition denied. *Fred H. Kent* and *Elliot Adams* for petitioners.

Certiorari Granted. (See also No. 843, 367 U. S. 906, and No. 629, 367 U. S. 911.)

No. 892. LEHIGH VALLEY COOPERATIVE FARMERS, INC., ET AL. *v.* UNITED STATES ET AL. C. A. 3d Cir. Certiorari granted. *Willis F. Daniels* and *Donn L. Snyder* for peti-

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tioners. *Solicitor General Cox, Assistant Attorney General Orrick and Alan S. Rosenthal* for the United States et al. *Walter F. Mondale, Attorney General of Minnesota, and Sydney Berde, Deputy Attorney General,* filed a brief for the State of Minnesota, as *amicus curiae*, in support of the petition. Reported below: 287 F. 2d 726.

No. 947. MANAGED FUNDS, INC., *v.* BROUK ET AL. C. A. 8th Cir. Certiorari granted. *R. Walston Chubb* for petitioner. *Forrest M. Hemker and William Stix* for respondents. *Solicitor General Cox, Walter P. North and Ellwood L. Englander* filed a brief for the Securities and Exchange Commission, as *amicus curiae*, in support of the petition. Reported below: 286 F. 2d 901.

No. 1020, Misc. LYNCH *v.* OVERHOLSER, HOSPITAL SUPERINTENDENT. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted. Case transferred to the appellate docket. *Richard Arens and Lawrence Speiser* for petitioner. *Solicitor General Cox, Assistant Attorney General Marshall, Richard J. Medalie, Harold H. Greene and David Rubin* for respondent. Reported below: 109 U. S. App. D. C. 404, 288 F. 2d 388.

No. 641, Misc. CARNLEY *v.* COCHRAN, CORRECTIONS DIRECTOR. Motion for leave to proceed *in forma pauperis* granted. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari to the Supreme Court of Florida granted. Case transferred to the appellate docket. Petitioner *pro se.* *Richard W. Ervin, Attorney General of Florida, and B. Clarke Nichols, Assistant Attorney General,* for respondent. Reported below: 123 So. 2d 249.

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No. 331. PRICE *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Harry I. Rand* and *Leonard B. Boudin* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Yeagley*, *Kevin T. Maroney*, *George B. Searls* and *Lee B. Anderson* for the United States. Reported below: 108 U. S. App. D. C. 167, 280 F. 2d 715.

No. 788. FONG FOO ET AL. *v.* UNITED STATES; and
No. 789. STANDARD COIL PRODUCTS CO., INC., *v.* UNITED STATES. C. A. 1st Cir. Certiorari granted. *David E. Feller* for petitioners in No. 788. *Arthur Richenthal* for petitioner in No. 789. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 286 F. 2d 556.

No. 539, Misc. COPPEDGE *v.* UNITED STATES. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted. Case transferred to appellate docket. *Bennett Boskey* for petitioner. *Solicitor General Rankin*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *J. F. Bishop* for the United States.

No. 300. WHITMAN *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. MR. JUSTICE BRENNAN took no part in the consideration or decision of this application. *Thurman Arnold* and *Gerhard P. Van Arkel* for petitioner. *Solicitor General Rankin* and *Assistant Attorney General Yeagley* for the United States. Reported below: 108 U. S. App. D. C. 226, 281 F. 2d 59.

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No. 239. *RUSSELL v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Joseph A. Fanelli* for petitioner. *Solicitor General Rankin, Assistant Attorney General Yeagley* and *George B. Searls* for the United States. Reported below: 108 U. S. App. D. C. 140, 280 F. 2d 688.

No. 328. *LIVERIGHT v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Harry I. Rand* and *Leonard B. Boudin* for petitioner. *Solicitor General Rankin, Assistant Attorney General Yeagley* and *George B. Searls* for the United States. Reported below: 108 U. S. App. D. C. 160, 280 F. 2d 708.

Certiorari Denied. (See also No. 1073, *Misc., supra*; No. 424, 367 U. S. 904; No. 554, 367 U. S. 905; No. 754, 367 U. S. 911; No. 808, 367 U. S. 905; No. 847, 367 U. S. 907; No. 906, 367 U. S. 910; No. 914, 367 U. S. 904; and No. 954, 367 U. S. 909.)

No. 731. *CARMINATI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *I. William Stempel* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 281 F. 2d 908.

No. 891. *SCHUBERT v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 4th Cir. Certiorari denied. *LeRoy R. Cohen, Jr.* and *John F. Kelly* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Wayne G. Barnett* and *Fred E. Youngman* for respondent. Reported below: 286 F. 2d 573.

No. 948. *CLIETT v. HAMMONDS ET AL.* C. A. 5th Cir. Certiorari denied. *Raymond Hill* and *O. John Rogge* for petitioner. *W. H. Betts* for respondents.

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No. 931. WESTERN HEARING AID CENTER, LTD., ET AL. *v.* DAHLBERG COMPANY. Supreme Court of Minnesota. Certiorari denied. *Joseph Robbie* for petitioners. *John M. Palmer* for respondent. Reported below: 259 Minn. 330, 107 N. W. 2d 381.

No. 945. DUPUIS *v.* CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT. Supreme Court of Florida. Certiorari denied. *B. E. Hendricks* for petitioner. *Charles H. Gautier* for respondent. Reported below: 127 So. 2d 679.

No. 946. BERNARD ET AL. *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Maurice J. Walsh* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *Joseph M. Howard* for the United States. Reported below: 287 F. 2d 715.

No. 930. CARLUCCI ET AL. *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *V. J. Rich*, *Vincent M. Casey* and *Michael von Moschzisker* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 288 F. 2d 691.

No. 949. ROTH *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 286 F. 2d 635.

No. 955. THOMAS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Herbert Garon* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Philip R. Monahan* for the United States. Reported below: 287 F. 2d 527.

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No. 951. *IN RE MELLEN MANUFACTURING CO.* C. A. 3d Cir. Certiorari denied. *Arthur Markowitz* for petitioner. *Paul W. Reeder* for respondents. Reported below: 287 F. 2d 37.

No. 950. *LOCAL 984, INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN & HELPERS OF AMERICA, AFL-CIO, ET AL. v. HUMKO CO., INC., ET AL.* C. A. 6th Cir. Certiorari denied. *L. N. D. Wells, Jr., Charles J. Morris, David Previant* and *Anthony J. Sabella* for petitioners. *Clarence Clifton* for Humko Co., and *John L. Franklin* for Kuhne-Simmons Co., respondents. Reported below: 287 F. 2d 231.

No. 957. *HOOVER v. OKLAHOMA TURNPIKE AUTHORITY.* Supreme Court of Oklahoma. Certiorari denied. *Charles R. Nesbitt* for petitioner. *Ned Looney* for respondent. Reported below: 359 P. 2d 680.

No. 958. *BANK VOOR HANDEL EN SCHEEPVAART, N. V., ET AL. v. KENNEDY, ATTORNEY GENERAL, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Robert L. Augenblick* and *Lawrence C. Moore* for petitioners. *Solicitor General Cox, Paul V. Myron* and *Ralph S. Spritzer* for respondents. *Henry P. de Vries* filed a memorandum for J. H. van Roijen, Netherlands Ambassador, as *amicus curiae*, in support of the petition. Reported below: 109 U. S. App. D. C. 391, 288 F. 2d 375.

No. 959. *AIR LINE PILOTS ASSOCIATION, INTERNATIONAL, ET AL. v. QUESADA, ADMINISTRATOR, FEDERAL AVIATION AGENCY.* C. A. 2d Cir. Certiorari denied. *Samuel J. Cohen* for petitioners. *Solicitor General Cox, Assistant Attorney General Orrick* and *Morton Hollander* for respondent. Reported below: 286 F. 2d 319.

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No. 960. *DEJESUS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Barry Golomb* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 289 F. 2d 37.

No. 962. *FARACE, CONSUL GENERAL OF ITALY, v. D'AMICO*. C. A. 2d Cir. Certiorari denied. *David A. Botwinik* for petitioner. *Harold Harper* for respondent. Reported below: 286 F. 2d 320.

No. 963. *SCHNEIDER v. RUSK, SECRETARY OF STATE*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Milton V. Freeman, Robert E. Herzstein, Horst Kurnik* and *Charles A. Reich* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Jerome M. Feit* for respondent.

No. 964. *SINCLAIR REFINING CO. v. OSBORN*. C. A. 4th Cir. Certiorari denied. *Milton Handler* and *David R. Owen* for petitioner. *John S. McDaniel, Jr., John W. Cable III* and *Calhoun Bond* for respondent. Reported below: 286 F. 2d 832.

No. 976. *GATLIN ET AL. v. MITCHELL, SECRETARY OF LABOR*. C. A. 5th Cir. Certiorari denied. *J. C. Floyd* for petitioners. *Solicitor General Cox, Charles Donahue, Bessie Margolin* and *Jacob I. Karro* for respondent. Reported below: 287 F. 2d 76.

No. 992. *DAY-BRITE LIGHTING, INC., v. SANDEE MANUFACTURING CO.* C. A. 7th Cir. Certiorari denied. *Roy A. Lieder* and *Owen J. Ooms* for petitioner. *Charles B. Spangenberg* for respondent. Reported below: 286 F. 2d 596.

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No. 965. *SING ET AL. v. FLORIDA*. Supreme Court of Florida. Certiorari denied. *A. K. Black* for petitioners.

No. 996. *BATA v. BATA ET AL.* Supreme Court of Delaware. Certiorari denied. *Harold E. Stassen, Amos J. Peaslee, Gerald J. McMahon, A. Evans Kephart* and *George Tyler Coulson* for petitioner. *Inzer B. Wyatt* and *Robert H. Richards, Jr.* for respondents. Reported below: — Del. —, 163 A. 2d 493.

No. 634. *FIFTH AVENUE COACH LINES, INC., v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Paul R. Russell* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *Harry Baum* for respondent. Reported below: 281 F. 2d 556.

No. 140. *NEW JERSEY AUTOMOBILE CLUB v. UNITED STATES*. Court of Claims. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Alcide J. Fournier* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Harry Baum* and *George F. Lynch* for the United States. Reported below: — Ct. Cl. —, 181 F. Supp. 259.

No. 913. *PRANGER v. BREAK ET AL.* District Court of Appeal of California, Fourth Appellate District. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. *Lewis Garrett* and *Herbert M. Ansell* for petitioner. *Stanford D. Herlick* and *Waldo Willhoft* for respondents. *A. L. Wirin* and *Fred Okrand* filed a brief for American Civil Liberties Union of Southern California, as *amicus curiae*, in support of the petition. Reported below: 186 Cal. App. 2d 551, 9 Cal. Rptr. 293.

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No. 1005. SUPERIOR OIL CO. *v.* UNITED GAS IMPROVEMENT Co. C. A. 5th Cir. Certiorari denied. *F. P. Jones, Jr., R. B. Voight* and *H. W. Varner* for petitioner. *J. David Mann, Jr., William W. Ross* and *John E. Holtzinger, Jr.* for respondent. Reported below: 290 F. 2d 147.

No. 928. MILWAUKEE & SUBURBAN TRANSPORT CORP. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 7th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Richard R. Teschner* and *Warren W. Browning* for petitioner. *Solicitor General Cox* for respondent. Reported below: 283 F. 2d 279.

No. 507. STREIGHT RADIO & TELEVISION, INC., *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 7th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Alfred L. Scanlan* and *John H. O'Hara* for petitioner. *Solicitor General Rankin, Assistant Attorney General Rice, Harry Baum* and *George F. Lynch* for respondent. Reported below: 280 F. 2d 883.

No. 918. GREAT LAKES AIRLINES, INC., ET AL. *v.* CIVIL AERONAUTICS BOARD. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. MR. JUSTICE BRENNAN took no part in the consideration or decision of this application. *Thurman Arnold, Charles H. Older* and *Albert F. Beitel* for petitioners. *Solicitor General Cox, Assistant Attorney General Loevinger, Richard A. Solomon, Robert A. Hammond III, Joseph B. Goldman, O. D. Ozment* and *Robert L. Toomey* for respondent. Reported below: — U. S. App. D. C. —, — F. 2d —.

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No. 760, Misc. EASTMAN *v.* LAVALLEE, 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. Reported below: 9 N. Y. 2d 609, — N. E. 2d —.

No. 979. BROTHERHOOD OF RAILROAD TRAINMEN ET AL. *v.* DENVER & RIO GRANDE WESTERN RAILROAD CO. C. A. 10th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Wayland K. Sullivan*, *James L. Highsaw, Jr.* and *Philip Hornbein, Jr.* for petitioners. *Ray Garrett* and *Howard J. Trienens* for respondent. Reported below: 290 F. 2d 266.

No. 966. PRASSINOS *v.* DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. Motion to dispense with printing the petition for writ of certiorari granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Petitioner *pro se.* *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Robert G. Maysack* for respondent.

No. 953. FOLEY LUMBER INDUSTRIES, INC., *v.* BUCKEYE CELLULOSE CORP. C. A. 5th Cir. Certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application. *Chester Bedell* for petitioner. *Richard W. Barrett* and *J. Lewis Hall* for respondent. Reported below: 286 F. 2d 697.

No. 666, Misc. WALKER *v.* MCGINNIS, COMMISSIONER, ET AL. C. A. 2d Cir. Certiorari denied. Petitioner *pro se.* *Louis J. Lefkowitz*, Attorney General of New York, and *Irving Galt*, Assistant Attorney General, for respondents.

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No. 683, Misc. WILLIAMS *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. Petitioner *pro se.* *Stanley Mosk*, Attorney General of California, and *Elizabeth Miller*, Deputy Attorney General, for respondent.

No. 698, Misc. NICKERSON *v.* GOODMAN, WARDEN. Supreme Court of New Jersey. Certiorari denied. Petitioner *pro se.* *Ralph De Vita* for respondent.

No. 735, Misc. MYERS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, *Acting Assistant Attorney General Doar* and *Harold H. Greene* for the United States.

No. 794, Misc. BATES *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 765, Misc. GALGANO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 281 F. 2d 908.

No. 779, Misc. POLLINO *v.* FAY, WARDEN. C. A. 2d Cir. Certiorari denied. Petitioner *pro se.* *Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, and *Joseph J. Rose*, Assistant Attorney General, for respondent.

No. 783, Misc. HAMILTON *v.* ELLIS, CORRECTIONS DIRECTOR. Court of Criminal Appeals of Texas. Certiorari denied. Petitioner *pro se.* *Will Wilson*, Attorney General of Texas, and *Riley Eugene Fletcher*, *B. H. Timmons, Jr.* and *Sam R. Wilson*, Assistant Attorneys General, for respondent.

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No. 786, Misc. MALLINSON *v.* NASH, WARDEN. Supreme Court of Missouri. Certiorari denied. Petitioner *pro se.* *Thomas F. Eagelton*, Attorney General of Missouri, and *Ben Ely, Jr.*, Assistant Attorney General, for respondent.

No. 952. MCDANIELS *v.* HEINZE, WARDEN. Motion to dispense with printing the petition for writ of certiorari granted. Petition for writ of certiorari to the Supreme Court of California denied.

No. 809, Misc. FISHER *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se.* *William G. Clark*, Attorney General of Illinois, for respondent. Reported below: 21 Ill. 2d 142, 171 N. E. 2d 617.

No. 823, Misc. BAXTER *v.* MARYLAND. Court of Appeals of Maryland. Certiorari denied. Reported below: 223 Md. 495, 165 A. 2d 469.

No. 832, Misc. JAMES *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States.

No. 875, Misc. MERCER *v.* BANMILLER, PENITENTIARY SUPERINTENDENT. Supreme Court of Pennsylvania. Certiorari denied.

No. 874, Misc. MEDRANO *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Morris Lavine* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 285 F. 2d 23.

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No. 859, Misc. SANDERS *v.* HAGAN, WARDEN. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Marshall and Harold H. Greene* for respondent.

No. 879, Misc. IN RE WELLS, ALIAS GUSTIN. Supreme Court of Montana. Certiorari denied. Reported below: 137 Mont. —, 362 P. 2d 420.

No. 886, Misc. WHITE *v.* TENNESSEE. Supreme Court of Tennessee. Certiorari denied. Petitioner *pro se*. *George F. McCanless, Attorney General of Tennessee, and Thomas E. Fox, Assistant Attorney General*, for respondent. Reported below: — Tenn. —, — S. W. 2d —.

No. 887, Misc. DOBSON *v.* WARDEN, MARYLAND PENITENTIARY. C. A. 4th Cir. Certiorari denied. Reported below: 284 F. 2d 878.

No. 904, Misc. SMITH *v.* SETTLE, WARDEN, ET AL. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox* for respondents. Reported below: 286 F. 2d 420.

No. 929, Misc. KILLILEA ET AL. *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. *John M. Hall and Jackson J. Holtz* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and J. F. Bishop* for the United States. Reported below: 287 F. 2d 912.

No. 923, Misc. WASHINGTON *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Theodore George Gilinsky* for the United States.

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No. 921, Misc. *BROWN v. CALIFORNIA*. Supreme Court of California. Certiorari denied. Reported below: 55 Cal. 2d 64, 357 P. 2d 1072.

No. 956, Misc. *BROWN v. TAYLOR, WARDEN*. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Marshall and Harold H. Greene* for respondent.

No. 958, Misc. *YOUNG v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States. Reported below: 286 F. 2d 13.

No. 969, Misc. *GARCIA v. UTAH*. Supreme Court of Utah and District Court of Third Judicial District of Utah. Certiorari denied. *Phil L. Hansen* for petitioner. Reported below: 11 Utah 2d 67, 355 P. 2d 57.

No. 973, Misc. *WASHINGTON v. HAGAN, WARDEN*. C. A. 3d Cir. Certiorari denied. *Michael von Moschzisker* for petitioner. *Solicitor General Cox, Assistant Attorney General Marshall and Harold H. Greene* for respondent. Reported below: 287 F. 2d 332.

No. 985, Misc. *DANIEL v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States.

No. 999, Misc. *CHRISTIAN v. UNITED STATES*. Court of Claims. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Orrick and Alan S. Rosenthal* for the United States. Reported below: — Ct. Cl. —, — F. 2d —.

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No. 990, Misc. ALLEN *v.* RHAY, PENITENTIARY SUPERINTENDENT. Supreme Court of Washington. Certiorari denied.

No. 991, Misc. DENTO *v.* URBANIAK ET AL. C. A. 3d Cir. Certiorari denied.

No. 1002, Misc. BAYLESS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Kirby W. Patterson for the United States. Reported below: 288 F. 2d 794.

No. 1003, Misc. ASHLEY *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Petitioner *pro se.* Solicitor General Cox for the United States. Reported below: 286 F. 2d 512.

No. 1005, Misc. MORICONI *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 1009, Misc. PRICE *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg for the United States.

No. 1012, Misc. PENNSYLVANIA EX REL. HOUGH *v.* MARONEY, WARDEN. Supreme Court of Pennsylvania. Certiorari denied. Marjorie Hanson Matson for petitioner. Reported below: 402 Pa. 371, 167 A. 2d 303.

No. 1013, Misc. WEY HIM FONG, ALIAS WAYNE FONG, *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Kirby W. Patterson for the United States. Reported below: 287 F. 2d 525.

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No. 1014, Misc. HAYNESWORTH *v.* OHIO. Supreme Court of Ohio. Certiorari denied.

No. 1027, Misc. CORBIN *v.* MYERS, CORRECTIONAL SUPERINTENDENT. Supreme Court of Pennsylvania. Certiorari denied.

No. 1030, Misc. HOUSTON *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 1032, Misc. DUARTE ET AL. *v.* BANK OF HAWAII. C. A. 9th Cir. Certiorari denied. *O. P. Soares* for petitioners. Reported below: 287 F. 2d 51.

No. 1033, Misc. IN RE HINES. Supreme Court of Wyoming. Certiorari denied.

No. 1034, Misc. SMITH *v.* NEW MEXICO. Supreme Court of New Mexico. Certiorari denied.

No. 1036, Misc. SKANTZE *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *T. Emmett McKenzie* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Julia P. Cooper* for the United States. Reported below: — U. S. App. D. C. —, 288 F. 2d 416.

No. 1037, Misc. LEE *v.* ALABAMA. Supreme Court of Alabama. Certiorari denied. Petitioner *pro se*. *MacDonald Gallion*, Attorney General of Alabama, and *George D. Mentz*, Assistant Attorney General, for respondent.

No. 1039, Misc. BOWEN *v.* FAY, WARDEN. C. A. 2d Cir. Certiorari denied.

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No. 1040, Misc. *BLADES v. RHAY*, PENITENTIARY SUPERINTENDENT. Supreme Court of Washington. Certiorari denied.

No. 1043, Misc. *FOREST v. HEINZE*, WARDEN. Supreme Court of California. Certiorari denied.

No. 1046, Misc. *DAVIS v. NEBRASKA*. Supreme Court of Nebraska. Certiorari denied. Reported below: 171 Neb. 333, 106 N. W. 2d 490.

No. 1047, Misc. *DEAL v. STEINER*, WARDEN. C. A. 4th Cir. Certiorari denied.

No. 1050, Misc. *PALAME v. WILKINS*, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 1051, Misc. *MORRIS v. ROUSOS*. Supreme Court of Texas. Certiorari denied.

No. 1052, Misc. *KIRSCH v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 1053, Misc. *SIZEMORE v. COCHRAN*, CORRECTIONS DIRECTOR. Supreme Court of Florida. Certiorari denied.

No. 1059, Misc. *FRENCH v. OHIO*. Supreme Court of Ohio. Certiorari denied. Reported below: 171 Ohio St. 501, 172 N. E. 2d 613.

No. 1056, Misc. *NEW YORK EX REL. DAVIDSON v. MURPHY, WARDEN, ET AL.* Court of Appeals of New York. Certiorari denied. *Jacques M. Schiffer* for petitioner. *Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, and *Winifred C. Stanley*, Assistant Attorney General, for respondents. Reported below: 9 N. Y. 2d 640, 172 N. E. 2d 574.

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No. 1054, Misc. PRESTON *v.* WARDEN, MARYLAND HOUSE OF CORRECTION. Court of Appeals of Maryland. Certiorari denied. Reported below: 225 Md. 628, 169 A. 2d 407.

No. 1062, Misc. SHEA *v.* LAVALLEE, WARDEN. Court of Appeals of New York. Certiorari denied. Petitioner *pro se.* Louis J. Lefkowitz, Attorney General of New York, Paxton Blair, Solicitor General, and Winifred C. Stanley, Assistant Attorney General, for respondent. Reported below: 9 N. Y. 2d 611, — N. E. 2d —.

No. 1064, Misc. ELLIOTT *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Petitioner *pro se.* Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Felicia Dubrovsky for the United States. Reported below: 285 F. 2d 428.

No. 1065, Misc. MENARD *v.* NASH, WARDEN. Supreme Court of Missouri. Certiorari denied.

No. 1068, Misc. MATTINGLY *v.* TEXAS ET AL. Court of Criminal Appeals of Texas. Certiorari denied.

No. 1072, Misc. ARMSTRONG *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Petitioner *pro se.* Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg for the United States. Reported below: — F. 2d —.

No. 1095, Misc. DYSON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Kirby W. Patterson for the United States.

No. 1074, Misc. BROOKS *v.* GLADDEN, WARDEN. Supreme Court of Oregon. Certiorari denied. Reported below: 226 Ore. 191, 358 P. 2d 1055.

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No. 1076, Misc. *GAMBLE v. SACKS, WARDEN*. Supreme Court of Ohio. Certiorari denied.

No. 1078, Misc. *JOHNSON v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 1080, Misc. *WILLIAMS v. TAHASH, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 1081, Misc. *HAWKINS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Jack Z. Krigel* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 288 F. 2d 537.

No. 1082, Misc. *SHANNON v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied.

No. 1075, Misc. *STEVENS v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 1100, Misc. *NOEL v. ISBRANDTSEN CO., INC., ET AL.* C. A. 4th Cir. Certiorari denied. *Henry E. Howell, Jr.* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick, Morton Hollander* and *David L. Rose* for the United States, respondent. Reported below: 287 F. 2d 783.

No. 1117, Misc. *ODDO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States.

No. 1110, Misc. *SHORTER v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States.

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No. 1111, Misc. *GENCO v. GENCO*. Supreme Court of Ohio. Certiorari denied. Reported below: 171 Ohio St. 450, 172 N. E. 2d 9.

No. 1113, Misc. *HARDEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *William W. Henderson, Jr.* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *J. F. Bishop* for the United States.

No. 1115, Misc. *THOMAS v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied.

No. 1116, Misc. *BRYANT v. NEW YORK*. Appellate Division, Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 1107, Misc. *WATSON v. NEW YORK*. Appellate Division, Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 814, Misc. *HERNANDEZ v. NEW YORK*. Court of Appeals of New York. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Henry Rothblatt* for petitioner. *Isidore Dolinger* and *Walter E. Dillon* for respondent. Reported below: 8 N. Y. 2d 1103, 171 N. E. 2d 464.

No. 1136, Misc. *GREENE v. MICHIGAN DEPARTMENT OF CORRECTIONS ET AL.* Supreme Court of Michigan. Certiorari denied.

No. 1158, Misc. *DEFINO v. McNAMARA, SECRETARY OF DEFENSE, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Orrick* and *John G. Laughlin* for respondents. Reported below: 109 U. S. App. D. C. 300, 287 F. 2d 339.

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No. 1207, Misc. *OUTEN v. SOUTH CAROLINA*. Supreme Court of South Carolina. Certiorari denied. Reported below: 237 S. C. 514, 118 S. E. 2d 175.

No. 693, Misc. *WHEELDIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *A. L. Wirin* and *Fred Okrand* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Yeagley*, *George B. Searls* and *Lee B. Anderson* for the United States. Reported below: 283 F. 2d 535.

No. 1133, Misc. *MURGIA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox* for the United States. Reported below: 285 F. 2d 14.

No. 740, Misc. *MILES v. SETTLE, WARDEN*. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied without prejudice to another application under 28 U. S. C. § 2255 to the appropriate District Court, which application should be considered on its merits and not as a successive application. Petitioner *pro se*. *Solicitor General Cox*, *Assistant Attorney General Marshall*, *Harold H. Greene* and *Isabel L. Blair* for respondent. Reported below: 283 F. 2d 520.

No. 825, Misc. *WIGFALL v. ELLIS, CORRECTIONS DIRECTOR*. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied without prejudice to an application for a writ of habeas corpus in the appropriate United States District Court. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Petitioner *pro se*. *Will Wilson*, Attorney General of Texas, and *Riley Eugene Fletcher*, *B. H. Timmins, Jr.* and *Sam R. Wilson*, Assistant Attorneys General, for respondent.

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No. 1198, Misc. *BAKER v. COLORADO*. Supreme Court of Colorado. Certiorari denied.

No. 944, Misc. *MUNOZ PEREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Theodore George Gilinsky* for the United States.

Rehearing Denied.

No. 1. *SCALES v. UNITED STATES*, 367 U. S. 203;

No. 203. *ELI LILLY & CO. v. SAV-ON-DRUGS, INC., ET AL.*, *ante*, p. 276;

No. 763. *CHANDLER v. BROWN ET AL.*, 365 U. S. 878;

No. 874. *I. LEON CO., INC., v. REINER ET AL.*, *ante*, p. 929;

No. 880. *McMANUS v. CIVIL AERONAUTICS BOARD ET AL.*, *ante*, p. 928;

No. 884. *WEST VIRGINIA NORTHERN RAILROAD CO. v. COMMISSIONER OF INTERNAL REVENUE*, *ante*, p. 929;

No. 658, Misc. *LOOMIS v. PRIEST, TREASURER OF THE UNITED STATES*, 365 U. S. 862;

No. 730, Misc. *TRENT v. UNITED STATES*, 365 U. S. 889;

No. 903, Misc. *KREMER v. CLARKE, TRUSTEE, ET AL.*, *ante*, p. 920;

No. 922, Misc. *JOHNSON v. UNITED STATES*, *ante*, p. 931;

No. 933, Misc. *BRABSON v. NEW YORK*, *ante*, p. 930;

No. 980, Misc. *TAYLOR v. DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION BOARD ET AL.*, *ante*, p. 932; and

No. 981, Misc. *LINDSAY v. ALABAMA*, *ante*, p. 933. Petitions for rehearing denied.

No. 871. *CHERETON v. UNITED STATES*, *ante* p. 924. Petition for rehearing and for other relief denied.