

367 U. S.

June 19, 1961.

COMMISSIONER OF INTERNAL REVENUE *v.*
SCHLUDE ET UX.ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED
STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT.

No. 629. Decided June 19, 1961.

Certiorari granted; judgment vacated; and case remanded.

Reported below: 283 F. 2d 234.

*Solicitor General Rankin, Assistant Attorney General
Rice, Harry Baum and George F. Lynch* for petitioner.*Robert Ash and Carl F. Bauersfeld* for respondents.

PER CURIAM.

The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded for further consideration in the light of *American Automobile Association v. United States*, ante, p. 687.

MR. JUSTICE DOUGLAS dissents.

FAMILY FAIR, INC., ET AL. *v.* OHIO.

APPEAL FROM THE SUPREME COURT OF OHIO.

No. 754. Decided June 19, 1961.

Appeal dismissed and certiorari denied.

Reported below: 171 Ohio St. 322, 170 N. E. 2d 731.

J. H. Nathanson for appellants.*Fred A. Smith* for appellee.

PER CURIAM.

The motion to dismiss is granted and the appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

MR. JUSTICE DOUGLAS is of the opinion that probable jurisdiction should be noted.

STATEMENT SHOWING THE NUMBER OF CASES FILED, DISPOSED OF, AND
REMAINING ON DOCKETS, AT CONCLUSION OF OCTOBER TERMS—1958, 1959, AND 1960

Terms	ORIGINAL			APPELLATE			MISCELLANEOUS			TOTALS		
	1958	1959	1960	1958	1959	1960	1958	1959	1960	1958	1959	1960
Number of cases on dockets	15	12	12	1,041	1,047	1,046	1,006	1,119	1,255	2,062	2,178	2,313
Number disposed of during terms	3	0	1	886	860	887	892	962	1,040	1,781	1,822	1,928
Number remaining on dockets	12	12	11	155	187	159	114	157	215	281	356	385

	TERMS				TERMS		
	1958	1959	1960		1958	1959	1960
Distribution of cases disposed of during terms:							
Original cases	3	0	1	Distribution of cases remaining on dockets:	12	12	11
Appellate cases on merits	245	215	259	Original cases	84	116	85
Petitions for certiorari	641	645	628	Appellate cases on merits	71	71	74
Miscellaneous docket applications	892	962	1,040	Petitions for certiorari	114	157	215
				Miscellaneous docket applications			

JUNE 20, 1961