

ORDERS FROM END OF OCTOBER TERM, 1960,
THROUGH FEBRUARY 19, 1962.

CASES DISMISSED IN VACATION.

No. 42, Misc. *ANTIPAS v. UNITED STATES*. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. June 23, 1961. Dismissed pursuant to Rule 60 of the Rules of this Court. Petitioner *pro se*. *Solicitor General Cox* for the United States. Reported below: 110 U. S. App. D. C. 143, 289 F. 2d 884.

No. 35, Misc. *GREEN v. ELLIS, CORRECTIONS DIRECTOR, ET AL.* On petition for writ of certiorari to the Court of Criminal Appeals of Texas. June 30, 1961. Dismissed pursuant to Rule 60 of the Rules of this Court. Petitioner *pro se*. *Will Wilson*, Attorney General of Texas, and *Riley Eugene Fletcher*, Assistant Attorney General, for respondent.

No. 183. *COLUMBIA BROADCASTING SYSTEM, INC., ET AL. v. BRADBURY*. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. August 7, 1961. Dismissed pursuant to Rule 60 of the Rules of this Court. *William A. C. Roethke* for petitioners. *Sanford I. Carter* for respondent. Reported below: 287 F. 2d 478.

No. 183, Misc. *JONES v. UNITED STATES*. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. September 14, 1961. Dismissed pursuant to Rule 60 of the Rules of this Court. Petitioner *pro se*. *Solicitor General Cox* for the United States.

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No. 163, Misc. SHAPIRO *v.* ELBAR REALTY, INC. Appeal from the Supreme Judicial Court of Massachusetts. August 23, 1961. Dismissed pursuant to Rule 60 of the Rules of this Court. Appellant *pro se.* *Edward C. Park* for appellee.

No. 1. SABINE PILOTS ASSN. ET AL. *v.* BLOOMFIELD STEAMSHIP Co. ET AL. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. September 5, 1961. Dismissed pursuant to Rule 60 of the Rules of this Court. *Clarence S. Eastham* for petitioners. *Robert Eikel* for respondents. Reported below: 262 F. 2d 345.

No. 252. IN RE LOWER, ALIAS LOWE. On petition for writ of certiorari to the Supreme Court of Michigan. September 19, 1961. Dismissed pursuant to Rule 60 of the Rules of this Court. *H. Clifford Alder* for petitioner. *Paul L. Adams*, Attorney General of Michigan, and *Joseph B. Bilitzke*, Solicitor General, for the State of Michigan.

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Assignment Orders.

An order of THE CHIEF JUSTICE designating and assigning MR. JUSTICE REED (retired) to perform judicial duties in the United States Court of Appeals for the District of Columbia Circuit beginning October 4, 1961, and ending June 30, 1962, and for such further time as may be required to complete unfinished business, pursuant to 28 U. S. C. § 294 (a), is ordered entered on the minutes of this Court, pursuant to 28 U. S. C. § 295.

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An order of THE CHIEF JUSTICE designating and assigning MR. JUSTICE REED (retired) to perform judicial duties in the United States Court of Claims beginning October 2, 1961, and ending June 30, 1962, and for such further time as may be required to complete unfinished business, pursuant to 28 U. S. C. § 294 (a), is ordered entered on the minutes of this Court, pursuant to 28 U. S. C. § 295.

An order of THE CHIEF JUSTICE designating and assigning MR. JUSTICE BURTON (retired) to perform judicial duties in the United States Court of Appeals for the District of Columbia Circuit beginning October 12, 1961, and ending June 30, 1962, and for such further time as may be required to complete unfinished business, pursuant to 28 U. S. C. § 294 (a), is ordered entered on the minutes of this Court, pursuant to 28 U. S. C. § 295.

Amendment of Rules.

IT IS ORDERED that paragraph 1 of Rule 4 of the Rules of this Court be amended to read as follows:

“Open sessions of the Court will be held at ten a. m. on the first Monday in October of each year, and thereafter as announced by the Court. When the Court is in session to hear arguments, it sits from ten until noon; recesses until half-past twelve; and adjourns for the day at half-past two.”

IT IS FURTHER ORDERED that this amendment to Rule 4 shall take effect on October 9, 1961.

Dismissal Under Rule 60.

No. 957, October Term, 1960. HOOVER *v.* OKLAHOMA TURNPIKE AUTHORITY. (Certiorari denied, 366 U. S. 962.) Petition for rehearing dismissed pursuant to Rule 60 of the Rules of this Court. Charles R. Nesbitt for petitioner.

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Miscellaneous Orders.

No. 5. *ARISTEGUIETA v. FIRST NATIONAL CITY BANK OF NEW YORK ET AL.* Certiorari, 365 U. S. 840, to the United States Court of Appeals for the Fifth Circuit; and

No. 43. *ARISTEGUIETA v. FIRST NATIONAL CITY BANK OF NEW YORK ET AL.* Certiorari, 365 U. S. 840, to the United States Court of Appeals for the Second Circuit. Oral argument postponed. Reported below: 274 F. 2d 206; 287 F. 2d 219.

No. 6. *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.) The motions of J. Howard Edmondson, Governor of Oklahoma, and August Scholle for leave to file briefs, as *amici curiae*, are granted. The motion of J. P. Harris et al. for leave to file brief, as *amici curiae*, is denied. *J. Howard Edmondson pro se* and *Norman E. Reynolds* on the Governor's motion. *Theodore Sachs* on the motion for August Scholle. Reported below: 179 F. Supp. 824.

No. 48. *STILL v. NORFOLK & WESTERN RAILWAY CO.* Certiorari, 365 U. S. 877, to the Supreme Court of Appeals of West Virginia. The motion of the Brotherhood of Railroad Trainmen for leave to file brief, as *amicus curiae*, is granted. *John J. Naughton* on the motion.

No. 11. *LIVERIGHT v. UNITED STATES.* Certiorari, 366 U. S. 960, to the United States Court of Appeals for the District of Columbia Circuit. The motion of petitioner to dispense with printing the record is granted. *Harry I. Rand* for petitioner. Reported below: 108 U. S. App. D. C. 160, 280 F. 2d 708.

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No. 12. PRICE *v.* UNITED STATES. Certiorari, 366 U. S. 959, to the United States Court of Appeals for the District of Columbia Circuit. The motions of petitioner to dispense with printing the record and for leave to proceed further herein *in forma pauperis* are granted. *Harry I. Rand* and *Leonard B. Boudin* for petitioner. Reported below: 108 U. S. App. D. C. 167, 280 F. 2d 715.

No. 10. WHITMAN *v.* UNITED STATES. Certiorari, 366 U. S. 959, to the United States Court of Appeals for the District of Columbia Circuit. The motion of petitioner to dispense with printing the record is granted. The motion of *Thurman Arnold* for leave to withdraw his appearance as counsel for petitioner is granted. MR. JUSTICE BRENNAN took no part in the consideration or decision of these motions. *Gerhard Van Arkel* for petitioner. Reported below: 108 U. S. App. D. C. 226, 281 F. 2d 59.

No. 13. CHAUFFEURS, TEAMSTERS & HELPERS LOCAL UNION No. 795 ET AL. *v.* YELLOW TRANSIT FREIGHT LINES, INC., ET AL. Certiorari, 364 U. S. 931, to the United States Court of Appeals for the Tenth Circuit. The motion of the American Federation of Labor et al. for leave to file brief, as *amici curiae*, is granted. *J. Albert Woll*, *Theodore J. St. Antoine* and *Thomas E. Harris* on the motion. Reported below: 282 F. 2d 345.

No. 61. UNITED GAS PIPE LINE CO. *v.* IDEAL CEMENT Co. ET AL. Appeal from the United States Court of Appeals for the Fifth Circuit. (Question of jurisdiction postponed to hearing on the merits, 366 U. S. 916.) The motion of the City of Mobile for leave to participate in oral argument is granted. *Charles S. Rhyne* and *Herzel H. E. Plaine* on the motion. Reported below: 282 F. 2d 574.

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No. 26. GARNER ET AL. *v.* LOUISIANA;

No. 27. BRISCOE ET AL. *v.* LOUISIANA; and

No. 28. HOSTON ET AL. *v.* LOUISIANA. Certiorari, 365 U. S. 840, to the Supreme Court of Louisiana. The motion of the Committee on the Bill of Rights of the Association of the Bar of the City of New York for leave to file brief, as *amicus curiae*, is granted. *John R. Fernbach* and *Murray A. Gordon* on the motion. Reported below: — La. —, — So. 2d —.

No. 79. LEHIGH VALLEY COOPERATIVE FARMERS, INC., ET AL. *v.* UNITED STATES ET AL. Certiorari, 366 U. S. 957, to the United States Court of Appeals for the Third Circuit. The motion of petitioners to substitute Orville L. Freeman in the place of Ezra Taft Benson as a party respondent is granted. *Donn L. Snyder* on the motion. Reported below: 287 F. 2d 726.

No. 158. CARNLEY *v.* COCHRAN, CORRECTIONS DIRECTOR. Certiorari, 366 U. S. 958, to the Supreme Court of Florida. It is ordered that *Harold A. Ward, Esquire*, of Winter Park, Florida, be, and he is hereby, appointed to serve as counsel for petitioner in this case. Reported below: 123 So. 2d 249.

No. 33, Misc. DEAN *v.* FLORIDA. Motion for leave to file petition for writ of certiorari denied. Petitioner *pro se*. *Richard W. Ervin*, Attorney General of Florida, and *Joe E. McClung*, Assistant Attorney General, for respondent.

No. 418, Misc. COPENHAVER *v.* IOWA. Motion for leave to file petition for writ of certiorari denied.

No. 401, Misc. IN RE DEL CAMPO. Motion for leave to file petition for writ of certiorari and for other relief denied.

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- No. 202, Misc. PHILLIPS *v.* UNITED STATES ATTORNEY GENERAL ET AL. ;
- No. 215, Misc. SCHLETTE *v.* HEINZE, WARDEN ;
- No. 232, Misc. MONA *v.* GOODMAN, PRISON KEEPER ;
- No. 274, Misc. LAVERGNE *v.* FOGLIANI, WARDEN ;
- No. 297, Misc. WEBB *v.* NEW MEXICO ;
- No. 312, Misc. VITORATOS, ALIAS VICTOR, *v.* SACKS, WARDEN, ET AL. ;
- No. 314, Misc. BROOKS *v.* TEXAS ;
- No. 326, Misc. HACKWORTH *v.* PENITENTIARY WARDEN ;
- No. 342, Misc. SMITH *v.* SETTLE, WARDEN ;
- No. 359, Misc. CHAVEZ ET AL. *v.* UTAH ;
- No. 408, Misc. GAMBINO *v.* RANDOLPH, WARDEN ;
- No. 426, Misc. SMITH *v.* SETTLE, WARDEN ; and
- No. 428, Misc. McCARY *v.* HAND, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied.

No. 371, Misc. CHERETON *v.* UNITED STATES. Motion for leave to file petition for writ of habeas corpus denied. *Louis M. Hopping* for petitioner.

No. 90, Misc. RETAIL CLERKS UNION LOCAL 324 ET AL. *v.* YANKWICH, U. S. DISTRICT JUDGE. Motion for leave to file petition for writ of mandamus denied. *Robert W. Gilbert, Louis A. Nissen, Jerome Smith* and *S. G. Lippman* for petitioners. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli* and *Norton J. Come* for the National Labor Relations Board, and *George R. Richter* for Barker Bros. Corp. et al., in opposition. Reported below: — F. Supp. —.

No. 200, Misc. DANDY *v.* BANMILLER, WARDEN ; and

No. 375, Misc. COAKLEY *v.* O'SULLIVAN, CIRCUIT JUDGE, ET AL. Motions for leave to file petitions for writs of mandamus denied.

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No. 25, Misc. *McCoy v. Crawford, Sheriff*;
No. 268, Misc. *Hogge v. Cunningham, Penitentiary Superintendent*;
No. 290, Misc. *Hayes v. California et al.*;
No. 397, Misc. *Burleson v. New Mexico et al.*; and
No. 415, Misc. *Ex parte Hill*. Motions for leave to file petitions for writs of habeas corpus denied. Treating the papers submitted as petitions for writs of certiorari, certiorari is denied. Petitioners *pro se*. *C. Donald Robertson*, Attorney General of West Virginia, and *George H. Mitchell* and *Simon M. Bailey*, Assistant Attorneys General, for respondent in No. 25, Misc.

No. 109, Misc. *Adams v. United States Penitentiary, Leavenworth, Kansas, et al.* Motion for leave to file petition for writ of mandamus and for other relief denied.

Probable Jurisdiction Noted or Question Postponed.

No. 84. *Turner v. City of Memphis et al.* Appeal from the United States District Court for the Western District of Tennessee. Further consideration of the question of jurisdiction postponed to the hearing of the case on the merits. *Constance Baker Motley* and *Thurgood Marshall* for appellant. *Frank B. Gianotti, Jr.* for the City of Memphis, and *Edward P. A. Smith* for *Dobbs Houses, Inc.*, et al., appellees. Reported below: 199 F. Supp. 585.

No. 173. *United States v. National Dairy Products Corp. et al.* Appeal from the United States District Court for the Western District of Missouri. Probable jurisdiction noted. *Solicitor General Cox*, *Assistant Attorney General Loevinger* and *Richard A. Solomon* for the United States. *John T. Chadwell*, *Martin J. Purcell* and *John H. Lashly* for appellees.

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No. 264. HALLIBURTON OIL WELL CEMENTING Co. v. REILLY, COLLECTOR OF REVENUE OF LOUISIANA. Appeal from the Supreme Court of Louisiana. Probable jurisdiction noted. *Robert O. Brown, Robert E. Rice, C. Vernon Porter, Benjamin B. Taylor, Jr. and Laurance W. Brooks* for appellant. *John B. Smullin* for appellee. Briefs of *amici curiae*, urging reversal, were filed by *Charles D. Marshall* for Thomas Jordon, Inc.; *Cicero C. Sessions* for Sperry Rand Corp.; *Albert L. Hopkins* for Chicago Bridge & Iron Co.; *Ben R. Miller* for American Can Co.; *Forrest M. Darrough* for Humble Oil & Refining Co.; and *Robert E. Leake, Jr.* for Bosson-Richards Processing Co. et al. Reported below: 241 La. 67, 127 So. 2d 502.

No. 90. MERCANTILE NATIONAL BANK AT DALLAS v. LANGDEAU, RECEIVER; and

No. 91. REPUBLIC NATIONAL BANK OF DALLAS v. LANGDEAU, RECEIVER. Appeals from the Supreme Court of Texas. Further consideration of the question of jurisdiction postponed to the hearing of the cases on the merits. MR. JUSTICE CLARK took no part in the consideration or decision of these cases. *Marvin S. Sloman* for appellant in No. 90. *Neth L. Leachman* for appellant in No. 91. *Quentin Keith* and *Cecil C. Rotsch* for appellee. Reported below: 161 Tex. 349, 341 S. W. 2d 161.

Certiorari Granted. (See also No. 218, ante, p. 7, and No. 66, Misc., ante, p. 4.)

No. 123. MANUAL ENTERPRISES, INC., ET AL. v. DAY, POSTMASTER GENERAL. United States Court of Appeals for the District of Columbia Circuit. *Certiorari granted.* *Stanley M. Dietz* for petitioners. *Solicitor General Cox, Assistant Attorney General Orrick* and *John G. Laughlin, Jr.* for respondent. Reported below: 110 U. S. App. D. C. 78, 289 F. 2d 455.

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No. 101. *GOLDLAWR, INC., v. HEIMAN ET AL.* C. A. 2d Cir. Certiorari granted. *Edwin P. Rome* for petitioner. *Aaron Lipper* and *Richard B. Dannenberg* for Morgan Guaranty Trust Co. of N. Y., Executor, and *C. Russell Phillips, Gerald Schoenfeld, Bernard B. Jacobs, Aaron Lipper* and *C. Brewster Rhoads* for Select Operating Corp. et al., respondents. Reported below: 288 F. 2d 579.

No. 77. *NATIONAL LABOR RELATIONS BOARD v. WALTON MANUFACTURING CO. ET AL.* C. A. 5th Cir. Certiorari granted. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli, Norton J. Come* and *Frederick U. Reel* for petitioner. *Alexander E. Wilson, Jr.* and *Robert T. Thompson* for respondents. Reported below: 286 F. 2d 16.

No. 144. *STATE BOARD OF INSURANCE ET AL. v. TODD SHIPYARDS CORP.* Court of Civil Appeals of Texas, Third Supreme Judicial District. Certiorari granted. *Will Wilson*, Attorney General of Texas, and *C. K. Richards, Fred B. Werkenthin* and *Bob E. Shannon*, Assistant Attorneys General, for petitioners. *Frank A. Liddell* for respondent. Reported below: 340 S. W. 2d 339; — Tex. —, 344 S. W. 241.

No. 187. *CALIFORNIA v. FEDERAL POWER COMMISSION ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *William M. Bennett* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick, John G. Laughlin, Jr., John C. Mason, Howard E. Wahrenbrock, Robert L. Russell* and *Arthur H. Fribourg* for the Federal Power Commission, and *Charles V. Shannon, Stanley M. Morley, Arthur H. Dean*, and *Stephen Rackow Kaye* for El Paso Natural Gas Co., respondents. Reported below: 111 U. S. App. D. C. 226, 296 F. 2d 348.

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No. 222. NATIONAL LABOR RELATIONS BOARD *v.* KATZ ET AL. C. A. 2d Cir. Certiorari granted. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli, Norton J. Come and Frederick U. Reel* for petitioner. *Sidney O. Raphael and Leo M. Drachsler* for respondents. Reported below: 289 F. 2d 700.

No. 124. CREEK NATION *v.* UNITED STATES. Court of Claims. Certiorari granted. *Paul M. Niebell* for petitioner. *Solicitor General Cox and Roger P. Marquis* for the United States. Reported below: — Ct. Cl. —, — F. 2d —.

No. 113. MALONE *v.* BOWDOIN ET AL. C. A. 5th Cir. Certiorari granted. *Solicitor General Cox and Roger P. Marquis* for petitioner. Reported below: 284 F. 2d 95; 287 F. 2d 282.

No. 166. MARINE ENGINEERS BENEFICIAL ASSOCIATION ET AL. *v.* INTERLAKE STEAMSHIP CO. ET AL. Supreme Court of Minnesota. Certiorari granted. *Lee Pressman and Richard H. Markowitz* for petitioners. *Raymond T. Jackson* for respondents. Reported below: 260 Minn. 1, 108 N. W. 2d 627.

No. 205. FREE *v.* BLAND. Supreme Court of Texas. Certiorari granted. *Gerhard A. Gesell and Edwin M. Fulton* for petitioner. *Royal H. Brin, Jr.* for respondent. *Solicitor General Cox and Assistant Attorney General Orrick* for the United States, as *amicus curiae*, in support of the petition. Reported below: 162 Tex. —, 344 S. W. 2d 435.

No. 283. SALEM *v.* UNITED STATES LINES CO. C. A. 2d Cir. Certiorari granted. *Philip F. DiCostanzo* for petitioner. *Walter X. Connor* for respondent. Reported below: 293 F. 2d 121.

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No. 224. HANOVER BANK, EXECUTOR, ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari granted. *Horace S. Manges* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *Meyer Rothwacks* for respondent. Reported below: 289 F. 2d 69.

No. 288. IN RE ZIPKIN. Supreme Court of Missouri. Certiorari granted. *William J. Burrell* for petitioner. *Richmond C. Coburn* and *Alan C. Kohn* for respondent. Reported below: — S. W. 2d —.

No. 93. UNITED STATES *v.* KOENIG. C. A. 5th Cir. Certiorari granted. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Bruce J. Terris*, *Beatrice Rosenberg* and *Marshall Tamor Golding* for the United States. Reported below: 290 F. 2d 166.

No. 94. NATIONAL LABOR RELATIONS BOARD *v.* FLORIDA CITRUS CANNERS COOPERATIVE. C. A. 5th Cir. Certiorari granted. *Solicitor General Cox*, *Stuart Rothman*, *Dominick L. Manoli*, *Norton J. Come* and *Frederick U. Reel* for petitioner. *O. R. T. Bowden* for respondent. Reported below: 288 F. 2d 630.

No. 138. IDLEWILD BON VOYAGE LIQUOR CORP. *v.* EPSTEIN [FORMERLY ROHAN] ET AL.; and

No. 180, Misc. IDLEWILD BON VOYAGE LIQUOR CORP. *v.* BICKS ET AL., U. S. DISTRICT COURT JUDGES. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted in No. 138, and motion for leave to file petition for writ of mandamus granted in No. 180, Misc. *Charles H. Tuttle* for petitioner. *Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, and *Julius L. Sackman* for respondents in No. 138. Reported below: 289 F. 2d 426.

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No. 190. UNITED STATES *v.* DAVIS ET UX.; and

No. 268. DAVIS ET UX. *v.* UNITED STATES. Court of Claims. Certiorari granted. *Solicitor General Cox, Assistant Attorney General Oberdorfer and I. Henry Kutz* for the United States in No. 190, and *Solicitor General Cox, Assistant Attorney General Oberdorfer, Meyer Rothwacks and Harold C. Wilkenfeld* for the United States in No. 268. *Converse Murdoch* for Davis et ux. Reported below: — Ct. Cl. —, 287 F. 2d 168.

No. 241. SUNKIST GROWERS, INC., ET AL. *v.* WINCKLER & SMITH CITRUS PRODUCTS CO. ET AL. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted limited to Question 1 presented by the petition, which reads as follows:

“1. Where a group of citrus fruit growers form a cooperative organization for the purpose of collectively processing and marketing their fruit, and carry out those functions through the agency of three cooperative agricultural associations, each of which is basically wholly owned and governed by those growers, and each of which is admittedly entitled to the exemption from the antitrust laws accorded to agricultural cooperatives by the Capper-Volstead Act (7 U. S. C. A., sec. 291)—is an unlawful conspiracy, combination or agreement established under Sections 1 and 2 of the Sherman Act upon proof only that these growers, through the agency of these three cooperatives, agreed among only themselves with respect to the extent of the division of the function of processing between them or with respect to the price they would charge in the open market for the fruit and the by-products thereof processed and marketed by them?”

Ross C. Fisher and Herman F. Selvin for petitioners. *William C. Dixon* for respondents. Reported below: 284 F. 2d 1.

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No. 242. GLIDDEN COMPANY *v.* ZDANOK ET AL. Motions of California Manufacturers Association; National Paint, Varnish and Lacquer Association, Inc.; National Association of Margarine Manufacturers; Ohio Chamber of Commerce; Illinois State Chamber of Commerce; Institute of Shortening and Edible Oils, Inc.; American Spice Trade Association; Georgia State Chamber of Commerce; Chamber of Commerce of Cleveland, Ohio; and Chamber of Commerce of the United States for leave to file briefs, as *amici curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted limited to question (d) presented by the petition, which reads as follows:

“(d) Does participation by a Court of Claims judge vitiate the judgment of the Court of Appeals?”

In all other respects the petition for writ of certiorari is denied.

Pursuant to 28 U. S. C. § 2403, the Court hereby certifies to the Attorney General that there is drawn in question in this case the constitutionality of the Act of July 28, 1953, 67 Stat. 226 (28 U. S. C. § 171).

Chester Bordeau for petitioner. *Morris Shapiro* and *Harry Katz* for respondents.

Carl M. Gould for California Manufacturers Association; *Daniel S. Ring* for National Paint, Varnish and Lacquer Association, Inc.; *Ashley Sellers* and *Jesse E. Baskette* for National Association of Margarine Manufacturers; *Clarence D. Laylin* and *John Eckler* for Ohio Chamber of Commerce; *Henry E. Seyfarth* for Illinois State Chamber of Commerce; *Jerome Ackerman* for the Institute of Shortening and Edible Oils, Inc.; *Charles H. Tuttle* for American Spice Trade Association; *John E. Branch* for the Georgia State Chamber of Commerce; *Frank C. Heath* for the Chamber of Commerce of Cleveland, Ohio; and *William B. Barton* for the Chamber of Commerce of the United States, as *amici curiae*.

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Briefs of *amici curiae*, in support of the petition, were filed by *Francis M. Shea* and *Richard T. Conway* for the Judges of the United States Court of Claims, and by *Edward C. First, Jr.* and *Gilbert Nurick* for the Pennsylvania State Chamber of Commerce. Reported below: 288 F. 2d 99.

No. 341, Misc. *LURK v. UNITED STATES*. Motion to use the record in No. 669, October Term, 1960, granted. 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. *Eugene Gressman* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Robert S. Erdahl* and *Philip R. Monahan* for the United States. Reported below: 111 U. S. App. D. C. 238, 296 F. 2d 360.

No. 41, Misc. *GALLEGOS v. COLORADO*. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Colorado granted. Case transferred to appellate docket. *Charles S. Vigil* for petitioner. *Duke W. Dunbar*, Attorney General of Colorado, *Frank E. Hickey*, Deputy Attorney General, and *J. F. Brauer*, Assistant Attorney General, for respondent. Reported below: See 145 Colo. 53, 358 P. 2d 1028.

No. 50, Misc. *DOUGLAS ET AL. v. CALIFORNIA*. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of California granted. Case transferred to appellate docket. *Burton Marks* for petitioners. *Stanley Mosk*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Jack E. Goertzen*, Deputy Attorney General, for respondent. Reported below: See 187 Cal. App. 2d 802, 10 Cal. Rptr. 188.

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No. 154, Misc. *YELLIN 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 Seventh Circuit granted. Case transferred to appellate docket. *Victor Rabinowitz* and *Leonard B. Boudin* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Yeagley*, *George B. Searls* and *Lee B. Anderson* for the United States. Reported below: 287 F. 2d 292.

No. 216, Misc. *GILBERT v. UNITED STATES*. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted. Case transferred to appellate docket. *Albert A. Dorn* and *Fred Okrand* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 291 F. 2d 586.

No. 291, Misc. *MORALES ET AL. v. CITY OF GALVESTON ET AL.* Motion to use the record in No. 167, Misc., October Term, 1960, granted. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted. Case transferred to appellate docket. *Arthur J. Mandell* for petitioners. *Preston Shirley* for the City of Galveston, and *Clarence S. Eastham* for Cardigan Shipping Co., respondents. Reported below: 291 F. 2d 97.

No. 255. *UNITED STATES v. GILMORE ET UX.* Court of Claims. Certiorari granted. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *Melva M. Graney* and *Harold C. Wilkenfeld* for the United States. *Eli Freed* for respondents. Reported below: — Ct. Cl. —, 290 F. 2d 942.

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No. 82, Misc. WONG SUN ET AL. v. UNITED STATES. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted. Case transferred to appellate docket. *Sol A. Abrams* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 288 F. 2d 366.

No. 256. UNITED STATES v. PATRICK ET AL. C. A. 4th Cir. Certiorari granted. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Melva M. Graney* and *Harold C. Wilkenfeld* for the United States. Reported below: 288 F. 2d 292.

Certiorari Denied. (See also Misc. Nos. 25, 268, 290, 397, and 415, *supra*; No. 117, *ante*, p. 2; No. 122, *ante*, p. 3; No. 176, *ante*, p. 2; No. 215, *ante*, p. 7; No. 23, Misc., *ante*, p. 8; No. 105, Misc., *ante*, p. 8; No. 129, Misc., *ante*, p. 10; No. 219, Misc., *ante*, p. 10; No. 277, Misc., *ante*, p. 6; No. 307, Misc., *ante*, p. 1; and No. 331, Misc., *ante*, p. 1.)

No. 88. TERMINAL CONSTRUCTION CO., INC., ET AL. v. METRO INDUSTRIAL PAINTING CORP. ET AL. C. A. 2d Cir. Certiorari denied. *Sidney O. Raphael* and *Leo M. Drachsler* for petitioners. *David Morgulas* for respondents. Reported below: 287 F. 2d 382.

No. 99. MORRISON-KNUDSEN Co., INC., v. O'LEARY, DEPUTY COMMISSIONER, ET AL. C. A. 9th Cir. Certiorari denied. *Kenneth E. Roberts* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick* and *Alan S. Rosenthal* for respondents. Reported below: 288 F. 2d 542.

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No. 97. *CARVER PROGRESSIVE CLUB v. MIRIANI ET AL.* C. A. 6th Cir. Certiorari denied. *Milton R. Henry* for petitioner. *Nathaniel H. Goldstick* and *John H. Wither- spoon* for respondents. Reported below: 288 F. 2d 889.

No. 100. *TWENTIETH CENTURY-FOX FILM CORP. v. TEAS ET AL.* C. A. 5th Cir. Certiorari denied. *Neth L. Leachman*, *Irving M. Walker*, *William F. Koegel* and *Howard I. Friedman* for petitioner. *Ira Butler* and *Gillis A. Johnson* for respondents. Reported below: 286 F. 2d 373.

No. 102. *DISTRICT OF COLUMBIA v. LEWIS, EXECU- TRIX.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Chester H. Gray*, *Milton D. Korman*, *Henry E. Wixon* and *Harrison S. Howes* for petitioner. *Hugh C. Bickford* for respondent. Reported below: 109 U. S. App. D. C. 353, 288 F. 2d 137.

No. 104. *RELIANCE PICTURE FRAME CO. v. COVENTRY WARE, INC.* C. A. 2d Cir. Certiorari denied. *Raymond A. Werchen* for petitioner. *Albert H. Oldham* for respondent. Reported below: 288 F. 2d 193.

No. 106. *LAUER v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. *Theodore Lockyear, Jr.* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 287 F. 2d 633.

No. 110. *LOVETT v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Zach H. Douglas* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 287 F. 2d 810.

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No. 107. PENNSYLVANIA RAILROAD CO. *v.* WOOTEN. C. A. 7th Cir. Certiorari denied. *William A. Wick* for petitioner. *Richard L. Gilliom* for respondent. Reported below: 288 F. 2d 220.

No. 108. BOARD OF EDUCATION OF LOS ANGELES ET AL. *v.* AMERICAN CIVIL LIBERTIES UNION OF SOUTHERN CALIFORNIA ET AL. Supreme Court of California. Certiorari denied. *Harold W. Kennedy* and *Henry A. Dietz* for petitioners. *A. L. Wirin* and *Fred Okrand* for respondents. Reported below: 55 Cal. 2d 167, 359 P. 2d 45.

No. 111. HOLT ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Wesley R. Asinof* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 288 F. 2d 447.

No. 112. CENAC *v.* STATE BOARD OF LAW EXAMINERS OF ARKANSAS. Supreme Court of Arkansas. Certiorari denied. *Tilghman E. Dixon* for petitioner. *John H. Haley* for respondent.

No. 115. PASSERO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Jerome Lewis* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 290 F. 2d 238.

No. 121. BAUER-SMITH DREDGING CO., INC., *v.* UNITED STATES. Court of Claims. Certiorari denied. *T. G. Schirmeyer* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Orrick*, *John G. Laughlin, Jr.* and *Kathryn H. Baldwin* for the United States. Reported below: — Ct. Cl. —, 283 F. 2d 877.

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No. 116. POLAROID CORP. *v.* POLARAD ELECTRONICS CORP. C. A. 2d Cir. Certiorari denied. *Donald L. Brown, Isaac M. Barnett and Tracy R. V. Fike* for petitioner. *Morris Relson* for respondent. Reported below: 287 F. 2d 492.

No. 119. LOCAL 19, INTERNATIONAL BROTHERHOOD OF LONGSHOREMEN, AFL-CIO *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 7th Cir. Certiorari denied. *Harold A. Katz and Irving M. Friedman* for petitioner. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli and Norton J. Come* for respondent. Reported below: 286 F. 2d 661.

No. 120. CHAMBERLIN ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 7th Cir. Certiorari denied. *Harvey W. Peters* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer and A. F. Prescott* for the United States. Reported below: 286 F. 2d 850.

No. 126. MOHAMMED *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *William R. Ming, Jr. and George N. Leighton* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States. Reported below: 288 F. 2d 236.

No. 132. HARRIS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *O. B. Cline, Jr.* for petitioner. *Solicitor General Cox* for the United States. Reported below: 285 F. 2d 85.

No. 129. DELAY ET AL. *v.* MANES. Court of Appeals of Franklin County, Ohio. Certiorari denied. *George E. Tyack* for petitioners. *Paul Tague and J. Paul McNamara* for respondent.

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No. 133. VULCANIZED RUBBER & PLASTICS CO. *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *Donald E. Van Koughnet* and *William F. Heefner* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Loevinger*, *Richard A. Solomon*, *Patrick M. Ryan*, *James McI. Henderson* and *PGad B. Morehouse* for the United States. Reported below: 288 F. 2d 257.

No. 130. APEX DISTRIBUTING CO., INC., ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Daniel H. Greenberg* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Marie L. McCann* for the United States. Reported below: 288 F. 2d 796.

No. 131. TOOMER *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *Gilbert S. Bachmann* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 290 F. 2d 195.

No. 135. MOVIECOLOR, LIMITED, *v.* EASTMAN KODAK CO. ET AL. C. A. 2d Cir. Certiorari denied. *Herman E. Cooper* for petitioner. *Roy W. McDonald* for Eastman Kodak Co., and *Hugh Fulton* for Technicolor, Inc., et al., respondents. Reported below: 288 F. 2d 80.

No. 136. PUEBLO DE PECOS ET AL. *v.* UNITED STATES. Court of Claims. Certiorari denied. *Arthur T. Hannett* for petitioners. *Solicitor General Cox* and *Roger P. Marquis* for the United States. Reported below: — Ct. Cl. —, — F. 2d —.

No. 141. WEED ET AL. *v.* EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES. C. A. 5th Cir. Certiorari denied. *Walter Warren* for petitioners. Reported below: 288 F. 2d 463.

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No. 137. PUEBLO DE ISLETA *v.* UNITED STATES. Court of Claims. Certiorari denied. *Arthur T. Hannett* for petitioner. *Solicitor General Cox* and *Roger P. Marquis* for the United States. Reported below: — Ct. Cl. —, — F. 2d —.

No. 139. ROCHESTER & GODDELL ENGINEERS, INC., ET AL. *v.* FLORIDA STATE TURNPIKE AUTHORITY. District Court of Appeal of Florida, Second Appellate District. Certiorari denied. *Walter Warren* for petitioners. *Gilbert A. Smith* for respondent. Reported below: 128 So. 2d 202.

No. 143. GRANNIS & SLOAN, INC., ET AL. *v.* RENEGOTIATION BOARD. C. A. 4th Cir. Certiorari denied. *Cyril Granville Wyche* and *Alfred F. Burgess* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Orrick* and *John G. Laughlin, Jr.* for respondent. Reported below: 285 F. 2d 908.

No. 145. PACIFIC EMPLOYERS INSURANCE CO. ET AL. *v.* BANKERS TRUST CO. C. A. 9th Cir. Certiorari denied. *Bert W. Levit* for petitioners. Reported below: 282 F. 2d 106.

No. 147. BERKLEY *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Marvin A. Koblentz* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 288 F. 2d 713.

No. 148. D'ALESSIO *v.* PEDERSON, DISTRICT DIRECTOR, IMMIGRATION & NATURALIZATION SERVICE. C. A. 6th Cir. Certiorari denied. *Henry C. Lavine* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for respondent. Reported below: 289 F. 2d 317.

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No. 149. SUN OIL Co. v. UNITED GAS IMPROVEMENT CO. ET AL. C. A. 5th Cir. Certiorari denied. *Martin A. Row, Robert E. May* and *Omar L. Crook* for petitioner. *J. David Mann, Jr., William W. Ross* and *John E. Holtzinger, Jr.* for United Gas Improvement Co., and *Kent H. Brown* and *Barbara M. Suchow* for New York Public Service Commission, respondents. Reported below: 290 F. 2d 133.

No. 150. THOMAS E. SNYDER SONS Co. v. COMMISSIONER OF INTERNAL REVENUE. C. A. 7th Cir. Certiorari denied. *John W. Hughes* and *Harold R. Burnstein* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer, A. F. Prescott* and *Kenneth E. Levin* for respondent. Reported below: 288 F. 2d 36.

No. 152. LUCAS COUNTY FARM BUREAU COOPERATIVE ASSN. v. NATIONAL LABOR RELATIONS BOARD. C. A. 6th Cir. Certiorari denied. *Ralph S. Boggs* for petitioner. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: 289 F. 2d 844.

No. 155. VAPOR BLAST MANUFACTURING Co. v. NATIONAL LABOR RELATIONS BOARD. C. A. 7th Cir. Certiorari denied. *Max Raskin* and *Philip L. Padden* for petitioner. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: 287 F. 2d 402.

No. 156. MORROW RADIO MANUFACTURING Co. v. UNITED STATES. C. A. 9th Cir. Certiorari denied. *Fred S. Gilbert, Jr.* and *Allen A. Bowden* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Robert N. Anderson* and *Norman H. Wolfe* for the United States. Reported below: 287 F. 2d 502.

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No. 151. LOCAL 164, INTERNATIONAL BROTHERHOOD OF PAINTERS, DECORATORS AND PAPERHANGERS OF AMERICA, AFL-CIO, ET AL. *v.* NATIONAL LABOR RELATIONS BOARD. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Herbert S. Thatcher* and *James F. Carroll* for petitioners. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli, Norton J. Come* and *Frederick U. Reel* for respondent. *John P. Frank* for Associated Plumbing, Heating & Piping Contractors of America, as *amicus curiae*, in support of the petition. Reported below: 110 U. S. App. D. C. 294, 293 F. 2d 133.

No. 153. TRAVIS ET AL. *v.* UNITED STATES. Court of Claims. Certiorari denied. *Lewis S. Travis*, petitioner, *pro se.* *Ernest N. Hudgins* for *Jean S. Travis*, petitioner. *Solicitor General Cox* and *Roger P. Marquis* for the United States. Reported below: — Ct. Cl. —, 287 F. 2d 916.

No. 160. DEAUVILLE *v.* HALL ET AL. Supreme Court of California. Certiorari denied. *Lionel T. Campbell* for petitioner. *Thomas P. Menzies* for respondents. Reported below: See 188 Cal. App. 2d 535, 10 Cal. Rptr. 511.

No. 161. FEDERAL TRADE COMMISSION *v.* EVIS MANUFACTURING CO. ET AL. C. A. 9th Cir. Certiorari denied. *Solicitor General Cox, Assistant Attorney General Loevinger, Richard A. Solomon, James McI. Henderson* and *Alan B. Hobbes* for petitioner. *Francis R. Kirkham* for respondents. Reported below: 287 F. 2d 831.

No. 162. ROE ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Leo Brewster* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *David Ferber* for the United States. Reported below: 287 F. 2d 435.

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No. 163. *MOOK ET AL. v. BERGER ET AL.* Court of Appeals of New York. Certiorari denied. *Jay Leo Rothschild* for petitioners. *David J. Shivitz* for respondents. Reported below: 9 N. Y. 2d 805, 175 N. E. 2d 339.

No. 164. *CHICOPEE MANUFACTURING CORP. v. KENDALL COMPANY.* C. A. 4th Cir. Certiorari denied. *Floyd H. Crews* and *Alfred F. Burgess* for petitioner. *Hector M. Holmes* and *F. Dean Rainey* for respondent. Reported below: 288 F. 2d 719.

No. 165. *DORSEY v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. *William Earl Badgett* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 290 F. 2d 893.

No. 168. *PARTENREEDEREI WALLSCHIFF ET AL. v. THE PIONEER ET AL.* C. A. 6th Cir. Certiorari denied. *MacDonald Deming* and *Richard F. Shaw* for petitioners. *Lee C. Hinslea* and *Lucian Y. Ray* for respondents. Reported below: 287 F. 2d 886.

No. 170. *E. F. DREW & Co., INC., v. HARTFORD NATIONAL BANK & TRUST Co., TRUSTEE, ET AL.* C. A. 3d Cir. Certiorari denied. *William J. Barnes* and *James M. Tunnell, Jr.* for petitioner. *Arthur G. Connolly* and *Januar D. Bove, Jr.* for respondents. Reported below: 290 F. 2d 589.

No. 175. *BILTMORE HOMES, INC., ET AL. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 4th Cir. Certiorari denied. *Edward W. Mullins* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *A. F. Prescott* for respondent. Reported below: 288 F. 2d 336.

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No. 174. O. HENRY TENT & AWNING CO. *v.* COMMONWEALTH INSURANCE CO. OF NEW YORK ET AL. C. A. 7th Cir. Certiorari denied. *Morris A. Haft* for petitioner. *Donald N. Clausen, Herbert W. Hirsh and John P. Gorman* for respondents. Reported below: 287 F. 2d 316.

No. 169. PACIFIC ELECTRIC RAILWAY CO. *v.* THAYER. Supreme Court of California. Certiorari denied. *George L. Buland, Albert T. Suter and Walt A. Steiger* for petitioner. Reported below: 55 Cal. 2d 430, 360 P. 2d 56.

No. 171. CITY OF MIAMI BEACH ET AL. *v.* DADE COUNTY. Supreme Court of Florida. Certiorari denied. *Harry Zukernick* for petitioners. Reported below: 129 So. 2d 413.

No. 172. QUALITY MOLDING CO. *v.* AMERICAN NATIONAL FIRE INSURANCE CO. ET AL. C. A. 7th Cir. Certiorari denied. *Alvin G. Hubbard and Reese Hubbard* for petitioner. *John P. Gorman* for respondents. Reported below: 287 F. 2d 313.

No. 177. PLUM *v.* TAMPAX, INC. Supreme Court of Pennsylvania. Certiorari denied. *Wallace D. Newcomb* for petitioner. *Henry W. Sawyer III* for respondent. Reported below: 402 Pa. 616, 168 A. 2d 315.

No. 182. GEUDER, PAESCHKE & FREY CO. *v.* CLARK ET AL. C. A. 7th Cir. Certiorari denied. *Maxwell H. Herriott* for petitioner. *Andrew E. Carlsen* for respondents. Reported below: 288 F. 2d 1.

No. 181. FINN EQUIPMENT CO. *v.* TRACY. C. A. 6th Cir. Certiorari denied. *J. H. Doughty* for petitioner. *Foster D. Arnett* for respondent. Reported below: 290 F. 2d 498.

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No. 179. *NASTA ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Jacob Rassner* for petitioners. *Solicitor General Cox, Assistant Attorney General Orrick, Alan S. Rosenthal* and *David L. Rose* for the United States. Reported below: 288 F. 2d 186.

No. 180. *GARFIELD v. PALMIERI*, U. S. DISTRICT JUDGE. C. A. 2d Cir. Certiorari denied. *Gustave B. Garfield pro se. Solicitor General Cox, Assistant Attorney General Orrick, Alan S. Rosenthal* and *Anthony L. Mondello* for respondent. Reported below: 290 F. 2d 821.

No. 185. *MIDESSA TELEVISION Co., INC., v. MOTION PICTURES FOR TELEVISION, INC.* C. A. 5th Cir. Certiorari denied. *W. B. Browder, Jr.* for petitioner. *Frank Bezoni* and *Thomas O. McWhorter* for respondent. Reported below: 290 F. 2d 203.

No. 186. *BANKERS LIFE & CASUALTY Co. v. BELLANCA CORP.* C. A. 7th Cir. Certiorari denied. *Charles F. Short, Jr.* for petitioner. *John Paul Stevens, George N. Craig* and *William G. Myers* for respondent. Reported below: 288 F. 2d 784.

No. 189. *RAPPAPORT ET AL. v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Petitioners *pro se. Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 292 F. 2d 261.

No. 193. *BAXTER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *William Earl Badgett* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 289 F. 2d 487.

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No. 192. *GOLDBERG v. TRACY*. C. A. 3d Cir. Certiorari denied. *Samuel Kagle* for petitioner. *David F. Maxwell* for respondent. Reported below: 289 F. 2d 467.

No. 194. *MYERS ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 6th Cir. Certiorari denied. *Charles H. Smith* for petitioners. *Solicitor General Cox, Acting Assistant Attorney General Jones* and *A. F. Prescott* for respondent. Reported below: 287 F. 2d 400.

No. 195. *WILLINGHAM v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *William O. Turney* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Meyer Rothwacks* and *Kenneth E. Levin* for the United States. Reported below: 289 F. 2d 283.

No. 197. *JAY STREET CONNECTING RAILROAD ET AL. v. MEYERS ET AL.* C. A. 2d Cir. Certiorari denied. *Whitney North Seymour, Richard Hawkins* and *Robert S. Carlson* for petitioners. *Richard Swan Buell* for respondents. Reported below: 288 F. 2d 356.

No. 198. *GULF, COLORADO & SANTA FE RAILWAY Co. v. PITTMAN*. Court of Civil Appeals of Texas, Eleventh Supreme Judicial District. Certiorari denied. *Luther Hudson* for petitioner. *Davis Scarborough* for respondent. Reported below: 338 S. W. 2d 774.

No. 199. *JONES & LAUGHLIN STEEL CORP. v. J. R. CLARK CO. ET AL.* C. A. 7th Cir. Certiorari denied. *H. Parker Sharp* for petitioner. *Andrew E. Carlsen* for respondents. Reported below: 288 F. 2d 279.

No. 203. *SCHLICHTER v. PORT ARTHUR TOWING CO.* C. A. 5th Cir. Certiorari denied. *Donald V. Organ* for petitioner. *John W. Sims* for respondent. Reported below: 288 F. 2d 801.

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No. 201. CENTRAL ICE CREAM CO. *v.* GOLDENROD ICE CREAM CO. C. A. 7th Cir. Certiorari denied. *William C. Wines* and *Daniel J. Ryan* for petitioner. *Philip A. Rose* and *Claude A. Roth* for respondent. Reported below: 287 F. 2d 265.

No. 202. VON KALINOWSKI *v.* UNITED STATES. Court of Claims. Certiorari denied. *Julian O. von Kalinowski* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Orrick* and *John G. Laughlin, Jr.* for the United States. Reported below: — Ct. Cl. —, — F. 2d —.

No. 204. CHRISOS *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Morris A. Shenker*, *Bernard J. Mellman* and *Murry L. Randall* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Robert S. Erdahl* and *Kirby W. Patterson* for the United States. Reported below: 291 F. 2d 535.

No. 207. MILLER *v.* WELLER ET AL. C. A. 3d Cir. Certiorari denied. *Abraham E. Freedman* for petitioner. *Arlin M. Adams* and *Samuel D. Slade* for respondents. Reported below: 288 F. 2d 438.

No. 208. GENERAL DRIVERS ALLIED AUTOMOTIVE & PETROLEUM LOCAL UNION No. 498 ET AL. *v.* HIGGINS ET AL. Supreme Court of Kansas. Certiorari denied. *Herbert S. Thatcher*, *David Previant* and *John Manning* for petitioners. *J. E. Schroeder*, *Jay W. Scovel*, *Charles R. Kaufman* and *Kenneth C. McGuinness* for respondents. Reported below: 188 Kan. 11, 360 P. 2d 456.

No. 211. LOCAL No. 11, INTERNATIONAL ASSOCIATION OF BRIDGE, STRUCTURAL & ORNAMENTAL IRONWORKERS, AFL-CIO *v.* HUGHES. C. A. 3d Cir. Certiorari denied. *Mozart G. Ratner* for petitioner. *John J. Bracken* for respondent. Reported below: 287 F. 2d 810.

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No. 212. *WHITESIDE v. CONNECTICUT*. Supreme Court of Errors of Connecticut. Certiorari denied. *Loring J. Whiteside pro se*. *George R. Tiernan* for respondent. Reported below: 148 Conn. 208, 169 A. 2d 260.

No. 216. *ST. HELENA PARISH SCHOOL BOARD ET AL. v. HALL ET AL.* C. A. 5th Cir. Certiorari denied. *Jack P. F. Gremillion*, Attorney General of Louisiana, *Carroll Buck*, First Assistant Attorney General, and *William P. Schuler*, Assistant Attorney General, for petitioners. *Constance Baker Motley* for respondents. Reported below: 287 F. 2d 376.

No. 217. *LOUISIANA STATE BOARD OF EDUCATION ET AL. v. ALLEN ET AL.* C. A. 5th Cir. Certiorari denied. *Jack P. F. Gremillion*, Attorney General of Louisiana, *Carroll Buck*, First Assistant Attorney General, and *George M. Ponder* and *William P. Schuler*, Assistant Attorneys General, for petitioners. *Constance Baker Motley* for respondents. Reported below: 287 F. 2d 32.

No. 219. *DENVER & RIO GRANDE WESTERN RAILROAD Co. v. STATE TAX COMMISSION OF UTAH*. Supreme Court of Utah. Certiorari denied. *Dennis McCarthy* for petitioner. Reported below: 11 Utah 2d 301, 358 P. 2d 352.

No. 220. *SCHNAUDER ET AL. v. PEERLESS INSURANCE Co.* C. A. 5th Cir. Certiorari denied. *A. H. Reed* for petitioners. *William A. Porteous, Jr.* for respondent. Reported below: 290 F. 2d 607.

No. 225. *WETHERED, TRUSTEE, v. ALBAN TRACTOR Co., INC., ET AL.* Court of Appeals of Maryland. Certiorari denied. *Herbert M. Brune* for petitioner. *Nathan Patz* for respondents. Reported below: 224 Md. 408, 168 A. 2d 358.

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No. 223. ALLIED RESERVE LIFE INSURANCE CO. *v.* CRAGG. Supreme Court of Oklahoma. Certiorari denied. *Laidler B. Mackall* for petitioner. *John Ladner* for respondent. Reported below: 360 P. 2d 707.

No. 221. FILENE'S *v.* ALAMANCE INDUSTRIES, INC., ET AL. C. A. 1st Cir. Certiorari denied. *W. R. Hulbert* for petitioner. *Charles F. Choate* for respondents. Reported below: 291 F. 2d 142.

No. 226. EAST BATON ROUGE PARISH SCHOOL BOARD ET AL. *v.* DAVIS ET AL. C. A. 5th Cir. Certiorari denied. *Jack P. F. Gremillion*, Attorney General of Louisiana, *William P. Schuler*, Assistant Attorney General, and *John F. Ward, Jr.* for petitioners. Reported below: 287 F. 2d 380.

No. 231. UNITED STATES LINES CO. *v.* DINIERO. C. A. 2d Cir. Certiorari denied. *Joseph M. Cunningham*, *Charles N. Fiddler* and *Joseph P. Ritorto* for petitioner. *Lee Pressman* and *Louis R. Harolds* for respondent. Reported below: 288 F. 2d 595.

No. 229. DALY *v.* UNITED STATES ET AL. C. A. 7th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, *Assistant Attorney General Loevinger*, *Richard A. Solomon*, *Max D. Paglin*, *Daniel R. Ohlbaum* and *Ruth V. Reel* for respondents. Reported below: 286 F. 2d 146.

No. 230. 40 CASES, MORE OR LESS, OF SIX ONE-GAL-LON CANS ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Bernard Reswick* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Robert S. Erdahl* and *William W. Goodrich* for the United States. Reported below: 289 F. 2d 343.

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No. 228. NATIONAL UNION FIRE INSURANCE CO. OF PITTSBURGH ET AL. *v.* BRITTON, DEPUTY COMMISSIONER, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *John Flather Ellis* for petitioners. *Solicitor General Cox, Assistant Attorney General Orrick* and *Alan S. Rosenthal* for respondents. Reported below: 110 U. S. App. D. C. 77, 289 F. 2d 454.

No. 233. POSEGATE ET UX. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Jack G. Marks* for petitioners. *Solicitor General Cox, Assistant Attorney General Orrick* and *Alan S. Rosenthal* for the United States. Reported below: 288 F. 2d 11.

No. 247. FALKNER, BANKING COMMISSIONER, *v.* NATIONAL BANK OF COMMERCE OF SAN ANTONIO, TEXAS, ET AL. C. A. 5th Cir. Certiorari denied. *Will Wilson, Attorney General of Texas, and C. K. Richards, Assistant Attorney General, for petitioner. G. W. Parker, Jr., Ireland Graves and Robert J. Hearon, Jr.* for respondents. *Solicitor General Cox, Assistant Attorney General Orrick* and *John G. Laughlin* for the United States, as *amicus curiae*, in opposition to the petition. Reported below: 290 F. 2d 229.

No. 240. LOCAL 483, INTERNATIONAL BROTHERHOOD OF BOILERMAKERS, IRON SHIP BUILDERS, BLACKSMITHS, FORGERS & HELPERS OF AMERICA, AFL-CIO, ET AL. *v.* NATIONAL LABOR RELATIONS BOARD ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Mozart G. Ratner* for petitioners. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli, Norton J. Come, Frederick U. Reel and Herman M. Levy* for respondents. Reported below: 109 U. S. App. D. C. 382, 288 F. 2d 166.

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No. 235. EDWARD VALVES, INC., ET AL. *v.* CAMERON IRON WORKS ET AL. C. A. 5th Cir. Certiorari denied. *Garrett B. Tucker, Jr., William A. Strauch, John D. Nies* and *Frank B. Pugsley* for petitioners. *James B. Simms* for respondents. Reported below: 286 F. 2d 933; 289 F. 2d 355.

No. 249. UNION RAILROAD Co. *v.* IMM. C. A. 3d Cir. Certiorari denied. *Elder W. Marshall* for petitioner. Reported below: 289 F. 2d 858.

No. 251. O'CONNELL ET AL. *v.* ALLEN, COMMISSIONER OF EDUCATION OF NEW YORK, ET AL. Court of Appeals of New York. Certiorari denied. *Louis Mansdorf* and *Emanuel N. Frankel* for petitioners. *Charles A. Brind* for respondents. *Mathias F. Correa* and *Irwin Schneiderman* for the New York State Society of Certified Public Accountants, as *amicus curiae*. Reported below: 9 N. Y. 2d 612, 174 N. E. 2d 925.

No. 253. DURGIN ET AL. *v.* STOFFEL ET AL. Supreme Court of Florida. Certiorari denied. *Franklin W. Durgin* for petitioners. Reported below: 131 So. 2d 202.

No. 259. TINNERMAN PRODUCTS, INC., *v.* GEORGE K. GARRETT Co., INC. C. A. 3d Cir. Certiorari denied. *Albert R. Teare* for petitioner. Reported below: 292 F. 2d 137.

No. 260. LOCAL 239, INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS OF AMERICA *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 2d Cir. Certiorari denied. *Charles R. Katz* for petitioner. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: 289 F. 2d 41.

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No. 254. *CANNATELLA v. VIRGINIA*. Supreme Court of Appeals of Virginia. Certiorari denied. *James K. Hughes* and *T. Emmett McKenzie* for petitioner.

No. 258. *LE DANS, LTD., ET AL. v. LANVIN PARFUMS, INC.* Court of Appeals of New York. Certiorari denied. *Robert Goldstein* for petitioners. *Jay Leo Rothschild* for respondent. Reported below: 9 N. Y. 2d 516, 174 N. E. 2d 920.

No. 261. *SMITH ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Harry E. Claiborne* and *Jacob Kossman* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 291 F. 2d 220.

No. 262. *DECKER ET AL. v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Ralph H. Logan* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Robert S. Erdahl* and *Sidney M. Glazer* for the United States. Reported below: 292 F. 2d 89.

No. 265. *JAMES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *George M. Snellings, Jr.* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Robert S. Erdahl* and *Sidney M. Glazer* for the United States. Reported below: 290 F. 2d 866.

No. 274. *CAFFERATA v. OHIO*. Supreme Court of Ohio. Certiorari denied. Petitioner *pro se*. *C. Watson Hover* for respondent.

No. 267. *BAGDASIAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *James B. Murphy* and *Eugene Gressman* for petitioner. Reported below: 291 F. 2d 163.

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No. 266. MERRITT-CHAPMAN & SCOTT CORP. *v.* FRAZIER. C. A. 9th Cir. Certiorari denied. *Richard G. Kleindienst* for petitioner. *Samuel Langerman* for respondent. Reported below: 289 F. 2d 849.

No. 269. LIPP, TRADING AS MIDWEST POSTER EXCHANGE, ET AL. *v.* NATIONAL SCREEN SERVICE CORP. ET AL. C. A. 3d Cir. Certiorari denied. *Francis T. Anderson* for petitioners. *Louis Nizer, Louis J. Goffman, W. Bradley Ward* and *Edward W. Mullinix* for respondents. Reported below: 290 F. 2d 321.

No. 270. HULSON ET AL. *v.* ATCHISON, TOPEKA & SANTA FE RAILWAY CO. C. A. 7th Cir. Certiorari denied. *Robert A. Sprecher* for petitioners. *Floyd J. Stuppi* and *William J. O'Brien* for respondent. Reported below: 289 F. 2d 726.

No. 276. GRAY *v.* JOHANSSON ET AL.; and

No. 277. G. & H. TOWING CO. *v.* JOHANSSON ET AL. C. A. 5th Cir. Certiorari denied. *Robert Eikel* for petitioners. *Preston Shirley* for Johansson et al., and *Clarence S. Eastham* for Maritime Overseas Corp., respondents. Reported below: 287 F. 2d 852.

No. 280. HARRISON, TRUSTEE, *v.* PHILLIPS. C. A. 5th Cir. Certiorari denied. *Fentress Bracewell* for petitioner. Reported below: 289 F. 2d 927.

No. 285. SHOYER ET UX. *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *Kenneth W. Gemmill* and *Gordon W. Gerber* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Meyer Rothwacks* and *Morton K. Rothschild* for the United States. Reported below: 290 F. 2d 817.

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No. 281. *ARTHUR MURRAY, INC., v. RICCIARDI*. Court of Appeals of New York. Certiorari denied. *Harry Krauss* for petitioner. Reported below: 10 N. Y. 2d 733, 176 N. E. 2d 841.

No. 98. *BLIER v. UNITED STATES LINES CO.* C. A. 2d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Milton Garber* for petitioner. *Louis J. Gusmano* for respondent. Reported below: 286 F. 2d 920.

No. 374. *LANCASTER v. GARDINER ET AL., TRUSTEES*. Court of Appeals of Maryland. Certiorari denied. Reported below: 225 Md. 260, 170 A. 2d 181.

No. 92. *VAN ALLEN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Jesse Climenko* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Joseph M. Howard and Lloyd J. Keno* for the United States. Reported below: 288 F. 2d 825.

No. 96. *MORGAN ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 3d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *William R. Spofford and Andrew B. Young* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer and Harry Baum* for respondent. Reported below: 288 F. 2d 676.

No. 105. *HACKLER v. SAIN, SHERIFF*. C. A. 7th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Henry H. Koven and Richard F. Levy* for petitioner. *Daniel P. Ward and Edward J. Hladis* for respondent. Reported below: 287 F. 2d 286.

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No. 329. *WISEMAN v. SINCLAIR REFINING CO.* C. A. 2d Cir. Certiorari denied. *Jacob Rassner* for petitioner. *Edmund F. Lamb* for respondent. Reported below: 290 F. 2d 818.

No. 109. *THOMAS ET UX. v. PATTERSON*, DISTRICT DIRECTOR OF INTERNAL REVENUE. C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Frank P. Samford, Jr.*, *John W. Gillon* and *Ira L. Burselson* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *I. Henry Kutz* and *Norman H. Wolfe* for respondent. Reported below: 289 F. 2d 108.

No. 125. *FINAZZO v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. 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 175.

No. 196. *MOORE ET AL. v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Eugene Gressman* and *George Becker* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 290 F. 2d 501.

No. 209. *EL HOSS ENGINEERING & TRANSPORT CO., LTD., v. AMERICAN INDEPENDENT OIL CO.* C. A. 2d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Telford Taylor*, *David E. Scoll* and *Kenneth Simon* for petitioner. *Walter C. Lundgren* for respondent. Reported below: 289 F. 2d 346.

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No. 114. MID-SOUTH DISTRIBUTORS ET AL. *v.* FEDERAL TRADE COMMISSION. Motion of Southwest Automotive Distributors, Inc., et al. for leave to file brief, as *amici curiae*, denied. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. *David C. Murchison* and *Robert L. Wald* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Loevinger*, *Richard A. Solomon*, *James Mcl. Henderson* and *Alan B. Hobbes* for respondent. Reported below: 287 F. 2d 512.

No. 140. DAMON ET AL. *v.* HAWAII. Supreme Court of Hawaii. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Harriet Bouslog* for petitioners. *Shiro Kashiwa*, Attorney General of Hawaii, *Andrew S. O. Lee*, Deputy Attorney General, and *Wilbur K. Watkins, Jr.*, Special Deputy Attorney General, for respondent. Reported below: 44 Haw. 557, 356 P. 2d 386.

No. 134. PORGES *v.* SCHIELE, TAX COMMISSIONER. Supreme Court of Ohio. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted.

No. 103. TRIVETTE *v.* NEW YORK LIFE INSURANCE CO. C. A. 6th Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion certiorari should be granted. *L. D. May* for petitioner. *R. Lee Blackwell* and *Thomas W. Bullitt* for respondent. Reported below: 283 F. 2d 441.

No. 178. TUSKEGEE INSTITUTE *v.* BANK OF NEW YORK, TRUSTEE, ET AL. Petitioner's motion for leave to file lower court briefs granted. Petition for writ of certiorari to the Court of Appeals of New York denied. *Basil O'Connor*, *John C. Farber* and *Clendon H. Lee* for petitioner. *William Eldred Jackson* and *Andrew Y. Rogers* for respondents. Reported below: 9 N. Y. 2d 808, 175 N. E. 2d 340.

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No. 263. PATTERSON, WARDEN, ET AL. v. MEDBERRY. The respondent's motion for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

Memorandum of Mr. JUSTICE HARLAN.

The denial of certiorari in this federal *habeas corpus* proceeding, which involves the conditional release of a state prisoner from a life sentence imposed upon him more than twenty-one years ago, justifies a brief comment. The action taken below was predicated on Colorado's alleged unconstitutional denial to petitioner, an asserted indigent, of a free transcript of the trial proceedings in connection with a 1940 appeal from his conviction.

I find in this situation two important issues which, in my view, are or may be deserving of this Court's plenary consideration: (1) Was the Federal District Court entitled to re-examine the determination of the Colorado Supreme Court that petitioner was not indigent at the time a trial transcript was denied him, see *Medberry v. Patterson*, 142 Colo. 180, 186-187, 350 P. 2d 571, 575, and to make new findings that petitioner was then indigent? See *Brown v. Allen*, 344 U. S. 443, at 458, 463-464, 506; (2) Does the decision of this Court in *Eskridge v. Washington State Board*, 357 U. S. 214, require or justify retrospective application of the rule of *Griffin v. Illinois*, 351 U. S. 12, in circumstances where the State, without fault on its part, is now unable to supply petitioner with a trial transcript, or otherwise to satisfy the *Griffin* rule?

Although the first of these questions is presently ripe for consideration by this Court, it can be said that the second question is prematurely tendered, in that, while it is not disputed that the State for reasons beyond its control is no longer able to furnish petitioner with a trial transcript, it does not yet appear that the State is unable to furnish petitioner with other means of perfecting an

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adequate appeal record. In these circumstances I acquiesce in the Court's denial of certiorari because such action will not, of course, preclude the State from showing below, if it can, that, without fault on its part, it is now unable to afford petitioner other adequate means of appeal, and from further recourse to this Court if necessary, with respect to either or both of the above questions. See *Brown v. Allen*, *supra*, at 456-457, 488-497.

Duke W. Dunbar, Attorney General of Colorado, *Frank E. Hickey*, Deputy Attorney General, and *J. F. Brauer*, Assistant Attorney General, for petitioners. Reported below: 290 F. 2d 275.

No. 279. HIGHLANDER FOLK SCHOOL ET AL. *v.* TENNESSEE EX REL. SLOAN, DISTRICT ATTORNEY GENERAL. Supreme Court of Tennessee. Certiorari denied. MR. JUSTICE BLACK took no part in the consideration or decision of this application. *Cecil D. Branstetter* and *George E. Barrett* for petitioners. *George F. McCanness*, Attorney General of Tennessee, *Jack Wilson*, Assistant Attorney General, and *Albert F. Sloan*, District Attorney General, for respondent. Reported below: 208 Tenn. 234, 345 S. W. 2d 667.

No. 14, Misc. PIASCIK *v.* HEINZE, WARDEN. Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Stanley Mosk*, Attorney General of California, *Doris H. Maier*, Assistant Attorney General, and *Raymond M. Momboisse*, Deputy Attorney General, for respondent.

No. 15, Misc. O'NEAL *v.* MCGEE, CORRECTIONS DIRECTOR, ET AL. Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Stanley Mosk*, Attorney General of California, *Doris H. Maier*, Assistant Attorney General, and *Edsel W. Haws*, Deputy Attorney General, for respondents.

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No. 13, Misc. McALLISTER *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied.

No. 289. PUBLIC SERVICE TELEVISION, INC., *v.* FEDERAL COMMUNICATIONS COMMISSION ET AL. Motion for damages and petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. *Norman E. Jorgensen* and *William I. Denning* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Loevinger*, *Richard A. Solomon*, *Max Paglin*, *Daniel R. Ohlbaum* and *Ruth V. Reel* for the Federal Communications Commission, and *Robert A. Marmet* for L. B. Wilson, Inc., respondents. Reported below: — U. S. App. D. C. —, 296 F. 2d 375.

No. 16, Misc. CREIGHTON *v.* NORTH CAROLINA. Supreme Court of North Carolina. Certiorari denied. Petitioner *pro se*. *Thomas Wade Bruton*, Attorney General of North Carolina, and *Ralph Moody*, Assistant Attorney General, for respondent.

No. 18, Misc. ROBINSON *v.* SMYTH, PENITENTIARY SUPERINTENDENT. Supreme Court of Appeals of Virginia. Certiorari denied. Petitioner *pro se*. *Reno S. Harp III*, Assistant Attorney General of Virginia, for respondent.

No. 24, Misc. WIGAND *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. Reported below: 285 F. 2d 594.

No. 22, Misc. GATEWOOD *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Stanley Mosk*, Attorney General of California, and *Doris H. Maier*, Assistant Attorney General, for respondent.

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No. 31, Misc. *JAVOR v. MCGEE, CORRECTIONS DIRECTOR, ET AL.* Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Stanley Mosk*, Attorney General of California, and *Arlo E. Smith*, Deputy Attorney General, for respondents.

No. 32, Misc. *DOTSON v. BOLES, WARDEN.* Supreme Court of Appeals of West Virginia. Certiorari denied. Petitioner *pro se*. *C. Donald Robertson*, Attorney General of West Virginia, and *George H. Mitchell*, Assistant Attorney General, for respondent.

No. 34, Misc. *DUNCAN v. MAINE.* Supreme Judicial Court of Maine. Certiorari denied. Petitioner *pro se*. *Frank E. Hancock*, Attorney General of Maine, for respondent.

No. 40, Misc. *JACKSON v. MCGEE, CORRECTIONS DIRECTOR, ET AL.* Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Stanley Mosk*, Attorney General of California, *Doris H. Maier*, Assistant Attorney General, and *Raymond M. Momboisse*, Deputy Attorney General, for respondents.

No. 43, Misc. *JACKSON v. KENTUCKY.* Court of Appeals of Kentucky. Certiorari denied. Petitioner *pro se*. *John B. Breckinridge*, Attorney General of Kentucky, and *Troy D. Savage*, Assistant Attorney General, for respondent. Reported below: 344 S. W. 2d 381.

No. 44, Misc. *HARRIS v. ELLIS, CORRECTIONS DIRECTOR.* C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Will Wilson*, Attorney General of Texas, and *Riley Eugene Fletcher* and *W. V. Geppert*, Assistant Attorneys General, for respondent.

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No. 19, Misc. O'LEARY *v.* CITY OF AKRON. Supreme Court of Ohio. Certiorari denied. Reported below: 170 Ohio St. 366, 165 N. E. 2d 10.

No. 45, Misc. HURST *v.* MCGEE, CORRECTIONS DIRECTOR, ET AL. Supreme Court of California. Certiorari denied. Petitioner *pro se.* Stanley Mosk, Attorney General of California, and Doris H. Maier, Assistant Attorney General, for respondents.

No. 46, Misc. WELLS *v.* SACKS, WARDEN. C. A. 6th Cir. Certiorari denied. Petitioner *pro se.* Mark McElroy, Attorney General of Ohio, and Aubrey A. Wendt, Assistant Attorney General, for respondent. Reported below: 286 F. 2d 431.

No. 48, Misc. FERNANDEZ ET AL. *v.* FLINT BOARD OF EDUCATION ET AL. C. A. 6th Cir. Certiorari denied. James A. Jameson and Joseph Kadans for petitioners. Ralph E. Gault for Flint Board of Education, and L. J. Carey for George Odien, Inc., respondents. Reported below: 283 F. 2d 906.

No. 49, Misc. HUNTINGTON *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied. Petitioner *pro se.* Paul L. Adams, Attorney General of Michigan, Joseph B. Bilitzke, Solicitor General, and Robert Weinbaum and George Mason, Assistant Attorneys General, for respondent.

No. 54, Misc. SPRATT *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied. Petitioner *pro se.* Paul L. Adams, Attorney General of Michigan, Joseph B. Bilitzke, Solicitor General, and Robert Weinbaum and George Mason, Assistant Attorneys General, for respondent.

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No. 47, Misc. *RANKINS v. RANDOLPH, WARDEN*. Circuit Court of Randolph County, Illinois. Certiorari denied. Petitioner *pro se*. *William G. Clark*, Attorney General of Illinois, for respondent.

No. 55, Misc. *POLLOCK v. BOLES, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied. Petitioner *pro se*. *C. Donald Robertson*, Attorney General of West Virginia, and *George H. Mitchell* and *Simon M. Bailey*, Assistant Attorneys General, for respondent.

No. 56, Misc. *FULLER v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Petitioner *pro se*. *Isidore Dollinger* and *Walter E. Dillon* for respondent. Reported below: 8 N. Y. 2d 866, 168 N. E. 2d 716.

No. 57, Misc. *DEMARRIAS v. SOUTH DAKOTA*. Supreme Court of South Dakota. Certiorari denied. Petitioner *pro se*. *A. C. Miller*, Attorney General of South Dakota, and *Ernest W. Stephens* for respondent. Reported below: 79 S. D. 1, 107 N. W. 2d 255.

No. 58, Misc. *BRADLEY v. BANNAN, WARDEN*. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Paul L. Adams*, Attorney General of Michigan, *Joseph B. Bilitzke*, Solicitor General, and *Robert Weinbaum* and *George Mason*, Assistant Attorneys General, for respondent.

No. 62, Misc. *BROWN v. NEW YORK*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Louis J. Lefkowitz*, Attorney General of New York, and *Joseph J. Rose*, Assistant Attorney General, for respondent.

No. 67, Misc. *WILLIAMS v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Petitioner *pro se*. *William I. Siegel* for respondent.

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No. 59, Misc. *LARSEN v. MCGEE, CORRECTIONS DIRECTOR, ET AL.* Supreme Court of California. Certiorari denied. Petitioner *pro se.* *Stanley Mosk*, Attorney General of California, and *Arlo E. Smith*, Deputy Attorney General, for respondents.

No. 61, Misc. *WALTERS v. CUNNINGHAM, PENITENTIARY SUPERINTENDENT.* Supreme Court of Appeals of Virginia. Certiorari denied. Petitioner *pro se.* *Reno S. Harp III*, Assistant Attorney General of Virginia, for respondent.

No. 63, Misc. *DAVIDSON v. KENTUCKY ET AL.* Court of Appeals of Kentucky. Certiorari denied. Petitioner *pro se.* *John B. Breckinridge*, Attorney General of Kentucky, and *David B. Sebree*, Assistant Attorney General, for respondents. Reported below: 344 S. W. 2d 814.

No. 65, Misc. *RINE v. BOLES, WARDEN.* Supreme Court of Appeals of West Virginia. Certiorari denied. Petitioner *pro se.* *C. Donald Robertson*, Attorney General of West Virginia, and *George H. Mitchell* and *Simon M. Bailey*, Assistant Attorneys General, for respondent.

No. 70, Misc. *MUNSEY v. SMYTH, PENITENTIARY SUPERINTENDENT.* Supreme Court of Appeals of Virginia. Certiorari denied. Petitioner *pro se.* *Reno S. Harp III*, Assistant Attorney General of Virginia, for respondent.

No. 72, Misc. *JOHNSON 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. Reported below: 289 F. 2d 743.

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No. 73, Misc. *GARNER v. MURPHY, WARDEN*. Court of Appeals of New York. Certiorari denied.

No. 76, Misc. *CHEESEBORO v. WARDEN, MARYLAND PENITENTIARY, ET AL.* Court of Appeals of Maryland. Certiorari denied. Reported below: 224 Md. 660, 168 A. 2d 181.

No. 77, Misc. *ALLEN v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 78, Misc. *DELANE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Marshall, Beatrice Rosenberg and Felicia Dubrovsky* for the United States.

No. 80, Misc. *BUONO v. KENTON, WARDEN*. C. A. 2d Cir. Certiorari denied. *Macgregor Kilpatrick, Richard W. Kahl and Stanley D. Josephson* for petitioner. *Solicitor General Cox, Assistant Attorney General Marshall and Harold H. Greene* for respondent. Reported below: 287 F. 2d 534.

No. 81, Misc. *DENNIS v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 84, Misc. *HORN v. CALIFORNIA*. Supreme Court of California. Certiorari denied. Reported below: See 187 Cal. App. 2d 68, 9 Cal. Rptr. 578.

No. 98, Misc. *SMITH v. UNITED STATES*. C. A. 5th 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 164.

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No. 85, Misc. TAYLOR *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied.

No. 86, Misc. MURPHY *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. *Bernard H. Sokol* for petitioner. Reported below: 21 Ill. 2d 149, 171 N. E. 2d 618.

No. 87, Misc. UTT *v.* BOLES, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 88, Misc. HARVELL ET AL. *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 91, Misc. DEGENNARO *v.* DENNO, WARDEN. Court of Appeals of New York. Certiorari denied. *Frances Kahn* for petitioner. *Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, and *Winifred C. Stanley*, Assistant Attorney General, for respondent.

No. 94, Misc. BUCKLES *v.* SIGLER, WARDEN. Supreme Court of Nebraska. Certiorari denied.

No. 95, Misc. WASHINGTON *v.* BOLES, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 96, Misc. GAILLES ET AL. *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied.

No. 101, Misc. CAPECE *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Sidney W. Rothstein*, *Louis G. Greenfield* and *Jules E. Yarnell* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 287 F. 2d 537.

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No. 97, Misc. *HARDT v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 99, Misc. *JOHNSTON v. COCHRAN, CORRECTIONS DIRECTOR*. Supreme Court of Florida. Certiorari denied.

No. 100, Misc. *PITTS v. FAY, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 102, Misc. *HAMMOND ET AL. v. KIRBY, JUDGE*. Supreme Court of Arkansas. Certiorari denied. *Thad D. Williams* for petitioners. Reported below: — Ark. —, 345 S. W. 2d 910.

No. 106, Misc. *SANCHEZ v. HERITAGE, WARDEN*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Marshall, Harold H. Greene and Isabel L. Blair* for respondent.

No. 111, Misc. *LUCERO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States.

No. 114, Misc. *NARUM v. UNITED STATES*. Court of Claims. Certiorari denied. *Robert H. Reiter* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick and John G. Laughlin, Jr.* for the United States. Reported below: — Ct. Cl. —, 287 F. 2d 897.

No. 115, Misc. *HOOVER v. RHAY, PENITENTIARY SUPERINTENDENT*. Supreme Court of Washington. Certiorari denied.

No. 116, Misc. *LUZZI v. BANMILLER, WARDEN*. Supreme Court of Pennsylvania. Certiorari denied.

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No. 117, Misc. *EDELL v. NICHOLAS, TRUSTEE*. C. A. 5th Cir. Certiorari denied. Reported below: 285 F. 2d 430.

No. 118, Misc. *MILLER v. THORN*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Charles William Freeman* for petitioner.

No. 119, Misc. *WYATT v. CUNNINGHAM, PENITENTIARY SUPERINTENDENT*. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 121, Misc. *MILLER 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 Kirby W. Patterson* for the United States.

No. 122, Misc. *SCOTT v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied.

No. 124, Misc. *ALFORD ET AL. v. GEORGIA*. Supreme Court of Georgia. Certiorari denied. *James E. Weldon* and *L. M. Wyatt* for petitioners. *Eugene Cook*, Attorney General of Georgia, *Wright Lipford* and *E. W. Fleming* for respondent. Reported below: 216 Ga. 606, 118 S. E. 2d 574.

No. 126, Misc. *BOROWY v. CITY OF DETROIT ET AL.* Supreme Court of Michigan. Certiorari denied.

No. 127, Misc. *CORNES v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 128, Misc. *RITCHIE v. ILLINOIS*. Circuit Court of Will County, Illinois. Certiorari denied.

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No. 130, Misc. PARKER *v.* O'BOYLE, ROMAN CATHOLIC ARCHBISHOP OF WASHINGTON, D. C., ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* William B. Jones for respondents.

No. 131, Misc. CARPENTER *v.* ARIZONA. Supreme Court of Arizona. Certiorari denied.

No. 132, Misc. CHICK *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied.

No. 134, Misc. BRANUM *v.* WIMAN, WARDEN. Circuit Court of Alabama, Montgomery County. Certiorari denied. Petitioner *pro se.* MacDonald Gallion, Attorney General of Alabama, and Bernard F. Sykes and Robert M. Hill, Assistant Attorneys General, for respondent.

No. 136, Misc. OLIVER *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. Reported below: 290 F. 2d 255.

No. 139, Misc. DOERFLEIN *v.* IOWA. Supreme Court of Iowa. Certiorari denied. Reported below: 252 Iowa 947, 107 N. W. 2d 439.

No. 140, Misc. CUMMINGS *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Petitioner *pro se.* Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Felicia Dubrovsky for the United States. Reported below: 289 F. 2d 904.

No. 142, Misc. COLLINS *v.* DICKSON, WARDEN. Supreme Court of California. Certiorari denied.

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No. 143, Misc. SOLOMON *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 145, Misc. THOMASTON *v.* GLADDEN, WARDEN. Supreme Court of Oregon. Certiorari denied.

No. 146, Misc. ADAMSON *v.* NEW YORK. Appellate Division, Supreme Court of New York, Second Judicial Department. Certiorari denied. Petitioner *pro se.* *Edward S. Silver* and *William I. Siegel* for respondent. Reported below: 12 App. Div. 2d 654, 210 N. Y. S. 2d 795.

No. 148, Misc. HELWIG *v.* MARONEY, CORRECTIONAL SUPERINTENDENT. Supreme Court of Pennsylvania. Certiorari denied.

No. 155, Misc. TINSLEY *v.* SIGLER, WARDEN. Supreme Court of Nebraska. Certiorari denied.

No. 157, Misc. FAUST *v.* NORTH CAROLINA. Supreme Court of North Carolina. Certiorari denied. Petitioner *pro se.* *T. W. Bruton*, Attorney General of North Carolina, and *Ralph Moody* and *Harry W. McGalliard*, Assistant Attorneys General, for respondent. Reported below: 254 N. C. 101, 118 S. E. 2d 769.

No. 158, Misc. SMITH *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, *Assistant Attorney General Miller*, *Robert G. Maysack* and *Beatrice Rosenberg* for the United States.

No. 161, Misc. RADER *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. Reported below: 288 F. 2d 452.

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No. 159, Misc. *BANDY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox* for the United States.

No. 234, Misc. *BANDY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox* for the United States. Reported below: — F. 2d —.

No. 235, Misc. *BANDY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: — F. 2d —.

No. 160, Misc. *ANTHONY 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. 162, Misc. *LARSON v. BOLES, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 165, Misc. *DANIELS v. BANNAN, WARDEN*. Supreme Court of Michigan. Certiorari denied.

No. 167, Misc. *TRUMBLAY 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.

No. 168, Misc. *GEORGE v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 175, Misc. *ODELL v. BURKE*. Supreme Court of Wisconsin. Certiorari denied.

No. 171, Misc. *HINES v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

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No. 170, Misc. UNITED STATES EX REL. STEVENS *v.* WILKINS, WARDEN. C. A. 2d Cir. Certiorari denied. Reported below: 287 F. 2d 865.

No. 172, Misc. LEWIS *v.* DISTRICT COURT OF LINN COUNTY, IOWA. Supreme Court of Iowa. Certiorari denied.

No. 176, Misc. BRINSON *v.* SACKS, WARDEN. Supreme Court of Ohio. Certiorari denied. Reported below: 172 Ohio St. 256, 175 N. E. 2d 85.

No. 177, Misc. BURD *v.* WILKINS, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 178, Misc. BLEDSOE *v.* MISSOURI. Supreme Court of Missouri. Certiorari denied.

No. 179, Misc. BRINKLEY *v.* MARYLAND. Court of Appeals of Maryland. Certiorari denied. Reported below: 224 Md. 391, 168 A. 2d 191.

No. 182, Misc. FINK *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 194, Misc. MOORE *v.* TAYLOR, WARDEN. C. A. 10th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Marshall, Harold H. Greene and Howard A. Glickstein* for respondent. Reported below: 289 F. 2d 450.

No. 185, Misc. BUTLER *v.* REID, JAIL SUPERINTENDENT. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Marshall, Harold H. Greene and Howard A. Glickstein* for respondent.

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No. 184, Misc. COULTON *v.* SACKS, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: — F. 2d —.

No. 186, Misc. ALLEN *v.* ADAMS, ATTORNEY GENERAL OF MICHIGAN, ET AL. C. A. 6th Cir. Certiorari denied.

No. 189, Misc. OVERSTREET *v.* ELLIS, CORRECTIONS DIRECTOR. Court of Criminal Appeals of Texas. Certiorari denied.

No. 190, Misc. HOLLEY *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied. Reported below: 34 N. J. 9, 166 A. 2d 758.

No. 195, Misc. MALDONADO *v.* SUPERIOR COURT, LOS ANGELES COUNTY, CALIFORNIA, ET AL. Supreme Court of California. Certiorari denied.

No. 201, Misc. BAKER *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 Marshall and Beatrice Rosenberg* for the United States. Reported below: — U. S. App. D. C. —, — F. 2d —.

No. 203, Misc. RICH *v.* MITCHELL, SECRETARY OF LABOR. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Orrick and Alan S. Rosenthal* for respondent.

No. 207, Misc. GERNIE *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 287 F. 2d 637.

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No. 204, Misc. COOPER *v.* MISSOURI. Supreme Court of Missouri. Certiorari denied. Reported below: 344 S. W. 2d 72.

No. 208, Misc. FERRELL *v.* ELLIS, CORRECTIONS DIRECTOR. Court of Criminal Appeals of Texas. Certiorari denied.

No. 209, Misc. DEAN *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 210, Misc. DEUTSCHMANN *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Julia P. Cooper for the United States.

No. 211, Misc. COPPEDGE *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 Julia P. Cooper for the United States.

No. 213, Misc. GOODLET ET AL. *v.* GOODMAN, WARDEN. Supreme Court of New Jersey. Certiorari denied. Reported below: 34 N. J. 358, 169 A. 2d 140.

No. 214, Misc. RENTERIA *v.* SUPERIOR COURT, LOS ANGELES COUNTY, ET AL. Supreme Court of California. Certiorari denied.

No. 218, Misc. ELLIS *v.* PATE, WARDEN. Circuit Court of Will County, Illinois. Certiorari denied.

No. 225, Misc. TURPIN *v.* SACKS, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 291 F. 2d 223.

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No. 221, Misc. *SHARP v. ECKLE, PRISON FARM SUPERINTENDENT*. Supreme Court of Ohio. Certiorari denied. Reported below: 172 Ohio St. 279, 175 N. E. 2d 76.

No. 222, Misc. *WILLIS 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. Reported below: 289 F. 2d 581.

No. 224, Misc. *ROBINSON 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.

No. 226, Misc. *SCHREINER v. COLORADO*. Supreme Court of Colorado. Certiorari denied. Petitioner *pro se*. *J. F. Brauer*, Assistant Attorney General of Colorado, for respondent. Reported below: 146 Colo. 19, 360 P. 2d 443.

No. 228, Misc. *HERNANDEZ v. SUPERIOR COURT, LOS ANGELES COUNTY, ET AL.* Supreme Court of California. Certiorari denied.

No. 230, Misc. *CALITRI v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 233, Misc. *JOHNSON v. ECKLE, PRISON FARM SUPERINTENDENT*. Supreme Court of Ohio. Certiorari denied. Reported below: 172 Ohio St. 291, 175 N. E. 2d 173.

No. 236, Misc. *McCOWN v. TEXAS ET AL.* Court of Criminal Appeals of Texas. Certiorari denied. Reported below: — Tex. Cr. R. —, — S. W. 2d —.

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No. 231, Misc. PINCKNEY *v.* PENNSYLVANIA. Supreme Court of Pennsylvania. Certiorari denied.

No. 239, Misc. GEORGES *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: 288 F. 2d 889.

No. 241, Misc. GHOLSTON *v.* BOLES, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 242, Misc. MASON *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. Reported below: 110 U. S. App. D. C. 199, 290 F. 2d 742.

No. 244, Misc. REED *v.* WASHINGTON. Supreme Court of Washington. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States. Reported below: 56 Wash. 2d 668, 354 P. 2d 935.

No. 249, Misc. GEORGE *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. 250, Misc. WRIGHT *v.* SUPERIOR COURT, TRINITY COUNTY, ET AL. Supreme Court of California. Certiorari denied.

No. 251, Misc. ROBINSON *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

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No. 252, Misc. *JASSO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 290 F. 2d 671.

No. 253, Misc. *LEE v. LANE, WARDEN*. Supreme Court of Indiana. Certiorari denied.

No. 256, Misc. *BENFORD v. SUPERIOR COURT, LOS ANGELES COUNTY, ET AL.* Supreme Court of California. Certiorari denied.

No. 257, Misc. *FLEISCHER v. SUPERIOR COURT, LOS ANGELES COUNTY, ET AL.* Supreme Court of California. Certiorari denied.

No. 259, Misc. *MONTOS 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: 291 F. 2d 855.

No. 260, Misc. *ODY v. NEW YORK*. 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: — N. Y. 2d —, — N. E. 2d —.

No. 269, Misc. *MOORE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Leon Silverman* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Julia P. Cooper* for the United States. Reported below: 290 F. 2d 436.

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No. 263, Misc. JOHNSON *v.* BRITTON, DEPUTY COMMISSIONER, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Philip J. Lesser* and *I. Irwin Volotin* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Orrick* and *Alan S. Rosenthal* for respondents. Reported below: 110 U. S. App. D. C. 164, 290 F. 2d 355.

No. 265, Misc. BRADLEY *v.* KENTUCKY. Court of Appeals of Kentucky. Certiorari denied. Reported below: 347 S. W. 2d 532.

No. 270, Misc. SMITH *v.* INDUSTRIAL ACCIDENT COMMISSION ET AL. District Court of Appeal of California, First Appellate District. Certiorari denied.

No. 271, Misc. ZAVALA *v.* SUPERIOR COURT, LOS ANGELES COUNTY, ET AL. Supreme Court of California. Certiorari denied.

No. 272, Misc. CIEHALA *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. *Rebecca M. Cutter* for petitioner.

No. 273, Misc. COVARRUBIAS *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. Reported below: 290 F. 2d 157.

No. 280, Misc. KESSLER, ADMINISTRATOR, *v.* NATIONAL AIRLINES, INC. C. A. 2d Cir. Certiorari denied. *Theodore E. Wolcutt* for petitioner. *John L. Quinlan* for respondent. Reported below: 288 F. 2d 621.

No. 278, Misc. GORDON *v.* LAVALLEE, WARDEN. Court of Appeals of New York. Certiorari denied.

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No. 276, Misc. *ESLINGER v. ELLIS, CORRECTIONS DIRECTOR, ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 282, Misc. *JOHNSON v. NEW YORK.* Court of Appeals of New York. Certiorari denied.

No. 283, Misc. *LOCKHART v. MYERS, CORRECTIONAL SUPERINTENDENT.* Supreme Court of Pennsylvania. Certiorari denied.

No. 284, Misc. *WEBER v. SUPERIOR COURT, SOLANO COUNTY, CALIFORNIA, ET AL.* Supreme Court of California. Certiorari denied.

No. 285, Misc. *TUTTLE v. SUPERIOR COURT, HUMBOLDT COUNTY, CALIFORNIA, ET AL.* Supreme Court of California. Certiorari denied.

No. 286, Misc. *MOKUS 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. 287, Misc. *CHAPMAN v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Joseph H. Davis* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller and Robert S. Erdahl* for the United States. Reported below: 289 F. 2d 539.

No. 293, Misc. *ANTIPAS 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, Robert S. Erdahl and J. F. Bishop* for the United States. Reported below: 110 U. S. App. D. C. 143, 289 F. 2d 884.

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No. 288, Misc. TAYLOR *v.* BANMILLER, WARDEN. Supreme Court of Pennsylvania. Certiorari denied. Petitioner *pro se.* *William H. Wolf* and *James C. Crumlish* for respondent. Reported below: See 194 Pa. Super. 609, 169 A. 2d 574.

No. 295, Misc. HILL *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, *Assistant Attorney General Miller*, *Robert S. Erdahl* and *Julia P. Cooper* for the United States. Reported below: 291 F. 2d 627.

No. 296, Misc. MASSENGALE *v.* CINCINNATI BAR ASSN. Supreme Court of Ohio. Certiorari denied. Petitioner *pro se.* *Joseph E. Rosen* and *Robert M. Dennis* for respondent. Reported below: 171 Ohio St. 442, 171 N. E. 2d 713.

No. 298, Misc. HOLLOWAY *v.* WARDEN, MARYLAND PENITENTIARY. Court of Appeals of Maryland. Certiorari denied. Reported below: 225 Md. 626, 169 A. 2d 681.

No. 299, Misc. WASHINGTON *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. Reported below: See 106 U. S. App. D. C. 140, 270 F. 2d 333.

No. 300, Misc. GREEN *v.* SUPERIOR COURT OF CALIFORNIA, IN AND FOR LOS ANGELES COUNTY, APPELLATE DEPARTMENT, ET AL. District Court of Appeal of California, Second Appellate District. Certiorari denied. *Samuel Carter McMorris* for petitioner. *Harold W. Kennedy* and *William E. Lamoreaux* for respondents. Reported below: 191 Cal. App. 2d 484, 12 Cal. Rptr. 796.

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No. 301, Misc. GIBBS *v.* GLADDEN, WARDEN. Supreme Court of Oregon. Certiorari denied.

No. 302, Misc. BAILLEAUX ET AL. *v.* HATFIELD, GOVERNOR OF OREGON, ET AL. C. A. 9th Cir. Certiorari denied. *Rowland Watts* for petitioners. *Robert Y. Thornton*, Attorney General of Oregon, and *Peter S. Herman*, Assistant Attorney General, for respondents. Reported below: 290 F. 2d 632.

No. 303, Misc. WORTH *v.* MICHIGAN. C. A. 6th Cir. Certiorari denied. Reported below: 291 F. 2d 621.

No. 304, Misc. GLASS *v.* TINSLEY, WARDEN. Supreme Court of Colorado. Certiorari denied. Petitioner *pro se*. *Duke W. Dunbar*, Attorney General of Colorado, *Frank E. Hickey*, Deputy Attorney General, and *J. F. Brauer*, Assistant Attorney General, for respondent.

No. 306, Misc. MATLOCK *v.* DICKSON, WARDEN. Supreme Court of California. Certiorari denied.

No. 308, Misc. STRASBURG *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. *Frances Kahn* for petitioner. *Edward J. Silver* and *William I. Siegel* for respondent.

No. 309, Misc. McLAUGHLIN *v.* VIRGINIA. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 310, Misc. ENGLISH *v.* WILKINS, WARDEN. Court of Appeals of New York. Certiorari denied.

No. 315, Misc. SWINGLE *v.* PENNSYLVANIA. Supreme Court of Pennsylvania. Certiorari denied. *Lawrence Goldberg* and *A. Harry Levitan* for petitioner. Reported below: 403 Pa. 293, 169 A. 2d 871.

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No. 316, Misc. DEGROAT *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 318, Misc. TOMPA *v.* CUNNINGHAM, PENITENTIARY SUPERINTENDENT. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 320, Misc. GREEN *v.* ELLIS, CORRECTIONS DIRECTOR. Court of Criminal Appeals of Texas. Certiorari denied.

No. 322, Misc. SLECHTA *v.* ILLINOIS. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 324, Misc. BRAUN *v.* RHAY, PENITENTIARY SUPERINTENDENT. Supreme Court of Washington. Certiorari denied.

No. 327, Misc. WILLIAMS *v.* NASH, WARDEN. Supreme Court of Missouri. Certiorari denied.

No. 328, Misc. MARTINEZ *v.* COX, WARDEN. Supreme Court of New Mexico. Certiorari denied.

No. 329, Misc. ROBERTS *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. Reported below: See 109 U. S. App. D. C. 75, 284 F. 2d 209.

No. 332, Misc. HANOVICH *v.* SACKS, WARDEN, ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 290 F. 2d 798.

No. 334, Misc. MOSES *v.* HAND, WARDEN. Supreme Court of Kansas. Certiorari denied.

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No. 330, Misc. JACKSON ET UX. *v.* CALIFORNIA. District Court of Appeal of California, Second Appellate District. Certiorari denied. *Samuel Carter McMorris* for petitioners.

No. 333, Misc. STURDIVANT *v.* NEW JERSEY. C. A. 3d Cir. Certiorari denied. *Gregory J. Castano* for petitioner. Reported below: 289 F. 2d 846.

No. 335, Misc. KENT *v.* TINSLEY, WARDEN. Supreme Court of Colorado. Certiorari denied.

No. 337, Misc. POWERS *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 338, Misc. CARTER *v.* NEW YORK. Appellate Division, Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

No. 343, Misc. MILLER *v.* NASH, WARDEN. Supreme Court of Missouri. Certiorari denied.

No. 348, Misc. FERGUSON ET AL. *v.* HEINZE, WARDEN. Supreme Court of California. Certiorari denied.

No. 349, Misc. GRAHAM *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 353, Misc. BURGE *v.* MARONEY, CORRECTIONAL SUPERINTENDENT. C. A. 3d Cir. Certiorari denied.

No. 354, Misc. WALKER *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 355, Misc. SOSTRE *v.* NEW YORK. Appellate Division, Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

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No. 357, Misc. *DOERFLEIN v. IOWA ET AL.* Supreme Court of Iowa. Certiorari denied.

No. 358, Misc. *LEVY v. MARYLAND.* Court of Appeals of Maryland. Certiorari denied. *Clyde W. Woody* for petitioner. Reported below: 225 Md. 201, 170 A. 2d 216.

No. 360, Misc. *FREY v. TEXAS.* Court of Criminal Appeals of Texas. Certiorari denied. Reported below: 171 Tex. Cr. R. —, 345 S. W. 2d 416.

No. 361, Misc. *REEVES v. MARYLAND.* Court of Appeals of Maryland. Certiorari denied. Reported below: 224 Md. 436, 168 A. 2d 353.

No. 362, Misc. *LYNCH v. NEW JERSEY.* Supreme Court of New Jersey. Certiorari denied.

No. 366, Misc. *WRIGHT v. CALIFORNIA.* Supreme Court of California. Certiorari denied. Reported below: 55 Cal. 2d 560, 360 P. 2d 325.

No. 369, Misc. *LARK v. WEST, CHAIRMAN, ET AL., COMMITTEE ON ADMISSIONS AND GRIEVANCES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *James J. Laughlin* for petitioner. *Roger Robb* for respondents. Reported below: 110 U. S. App. D. C. 157, 289 F. 2d 898.

No. 372, Misc. *COCHRAN v. HENDRICK, PRISONS SUPERINTENDENT.* Supreme Court of Pennsylvania. Certiorari denied.

No. 374, Misc. *ROOT v. MCGEE, CORRECTIONS DIRECTOR, ET AL.* Supreme Court of California. Certiorari denied.

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No. 373, Misc. CUMMINGS *v.* BENNETT, WARDEN. District Court of Lee County, Iowa. Certiorari denied.

No. 376, Misc. ELLIOTT *v.* MARYLAND. Court of Appeals of Maryland. Certiorari denied.

No. 425, Misc. ROBINSON *v.* NEW YORK CENTRAL RAILROAD Co. Court of Appeals of New York. Certiorari denied. Reported below: 9 N. Y. 2d 836, 175 N. E. 2d 455.

No. 381, Misc. SCHOEL *v.* WASHINGTON. Supreme Court of Washington. Certiorari denied.

No. 385, Misc. MCGUIRE *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 386, Misc. BALES *v.* CALIFORNIA ET AL. Supreme Court of California. Certiorari denied.

No. 389, Misc. KIYAMA ET UX. *v.* RUSK, SECRETARY OF STATE. C. A. 9th Cir. Certiorari denied. *A. L. Wirin* and *Fred Okrand* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Orrick* and *Morton Hollander* for respondent. Reported below: 291 F. 2d 10.

No. 404, Misc. ROSARIO *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 407, Misc. PINEIRO-LOPEZ *v.* KENNEDY, ATTORNEY GENERAL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *J. J. Kilimnik* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Kirby W. Patterson* for respondent. Reported below: 110 U. S. App. D. C. 352, 293 F. 2d 540.

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No. 377, Misc. *McGINTY v. UNITED STATES*. Court of Claims. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Orrick, Alan S. Rosenthal and Pauline B. Heller* for the United States. Reported below: — Ct. Cl. —, — F. 2d —.

No. 446, Misc. *SINGLETON v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. Reported below: 171 Tex. Cr. R. —, 346 S. W. 2d 328.

No. 21, Misc. *FRENCH v. DOWNIE, PRISON SUPERINTENDENT*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied in light of the representations of the State Attorney General as to the adequacy of state remedies. Petitioner *pro se*. *Eugene Cook, Attorney General of Georgia, Earl Hickman, Assistant Attorney General, and Paul Rodgers, Deputy Attorney General*, for respondent. Reported below: 283 F. 2d 303.

No. 30, Misc. *VITORATOS, ALIAS VICTOR, v. OHIO*. Petition for writ of certiorari and for other relief to the Supreme Court of Ohio denied.

No. 262, Misc. *MORRISON v. HERITAGE, WARDEN*. Petition for writ of certiorari and for other relief to the United States Court of Appeals for the Fifth Circuit denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Marshall, Harold H. Greene and Howard A. Glickstein* for respondent.

No. 107, Misc. *HALL v. WARDEN, MARYLAND PENITENTIARY*. Court of Appeals of Maryland. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *William F. Mosner* for petitioner. Reported below: 224 Md. 662, 168 A. 2d 373.

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No. 112, Misc. *ANDREWS v. KANSAS*. Supreme Court of Kansas. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. Petitioner *pro se*. *William M. Ferguson*, Attorney General of Kansas, and *J. Richard Foth* and *Robert E. Hoffman*, Assistant Attorneys General, for respondent. Reported below: 187 Kan. 458, 357 P. 2d 739.

No. 206, Misc. *RUCKER v. PENNSYLVANIA*. Supreme Court of Pennsylvania. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. Petitioner *pro se*. *James C. Crumlish* for respondent. Reported below: 403 Pa. 262, 168 A. 2d 732.

No. 240, Misc. *FULCHER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *William R. Willis* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 289 F. 2d 331.

No. 254, Misc. *MOSS v. JONES, WARDEN*. C. A. 6th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. Reported below: 288 F. 2d 342.

No. 258, Misc. *BLOETH v. NEW YORK*. Court of Appeals of New York. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. Reported below: 9 N. Y. 2d 211, 173 N. E. 2d 782.

No. 279, Misc. *YOUNG v. SOUTH CAROLINA*. Supreme Court of South Carolina. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted.

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No. 346, Misc. *NEWTON v. LOUISIANA*. Supreme Court of Louisiana. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *C. F. Gravel, Jr.* for petitioner. Reported below: 241 La. 261, 128 So. 2d 651.

No. 344, Misc. *KENNARD v. MISSISSIPPI*. Supreme Court of Mississippi. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Thurgood Marshall, Constance Baker Motley* and *R. Jess Brown* for petitioner. Reported below: — Miss. —, 128 So. 2d 572.

Rehearing Denied.

No. 28, October Term, 1960. *KONIGSBERG v. STATE BAR OF CALIFORNIA ET AL.*, 366 U. S. 36;

No. 36, October Term, 1960. *TWO GUYS FROM HARRISON-ALLENTOWN, INC., v. MCGINLEY, DISTRICT ATTORNEY, LEHIGH COUNTY, PENNSYLVANIA, ET AL.*, 366 U. S. 582;

No. 58, October Term, 1960. *IN RE ANASTAPLO*, 366 U. S. 82;

No. 60, October Term, 1960. *POE ET AL. v. ULLMAN, STATE'S ATTORNEY*, 367 U. S. 497;

No. 61, October Term, 1960. *BUXTON v. ULLMAN, STATE'S ATTORNEY*, 367 U. S. 497;

No. 67, October Term, 1960. *BRAUNFELD ET AL. v. BROWN, COMMISSIONER OF POLICE OF PHILADELPHIA, ET AL.*, 366 U. S. 599;

No. 97, October Term, 1960. *CAFETERIA & RESTAURANT WORKERS UNION, LOCAL 473, AFL-CIO, ET AL. v. McELROY ET AL.*, 367 U. S. 886; and

No. 257, October Term, 1960. *H. K. PORTER CO., INC., ET AL. v. CENTRAL VERMONT RAILWAY, INC., ET AL.*, 366 U. S. 272. Petitions for rehearing denied.

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No. 258, October Term, 1960. *INTERSTATE COMMERCE COMMISSION v. CENTRAL VERMONT RAILWAY, INC., ET AL.*, 366 U. S. 272;

No. 266, October Term, 1960. *UNITED STATES v. CENTRAL VERMONT RAILWAY, INC., ET AL.*, 366 U. S. 272;

No. 288, October Term, 1960. *AMERICAN AUTOMOBILE ASSOCIATION v. UNITED STATES*, 367 U. S. 687;

No. 329, October Term, 1960. *UNITED STATES, TRUSTEE, v. OREGON*, 366 U. S. 643;

No. 478, October Term, 1960. *HORTON v. LIBERTY MUTUAL INSURANCE Co.*, 367 U. S. 348;

No. 486, October Term, 1960. *GORI v. UNITED STATES*, 367 U. S. 364;

No. 552, October Term, 1960. *ESTATE OF CUNHA v. COMMISSIONER OF INTERNAL REVENUE*, 364 U. S. 942;

No. 724, October Term, 1960. *HAZELTON, ADMINISTRATOR, v. CITY OF SAN DIEGO ET AL.*, 366 U. S. 910;

No. 868, October Term, 1960. *DENNY ET AL. v. BUSH ET AL.*, 367 U. S. 908;

No. 870, October Term, 1960. *HOLEKAMP ET AL. v. HOLEKAMP LUMBER Co. ET AL.*, 366 U. S. 715;

No. 893, October Term, 1960. *LICAVOLI v. UNITED STATES*, 366 U. S. 936;

No. 920, October Term, 1960. *MILLET ET AL. v. UNITED STATES*, 366 U. S. 944;

No. 927, October Term, 1960. *ROGERS ET AL. v. UNITED STATES*, 366 U. S. 951;

No. 928, October Term, 1960. *MILWAUKEE & SUBURBAN TRANSPORT CORP. v. COMMISSIONER OF INTERNAL REVENUE*, 366 U. S. 965;

No. 948, October Term, 1960. *CLIETT v. HAMMONDS ET AL.*, 366 U. S. 960; and

No. 959, October Term, 1960. *AIR LINE PILOTS ASSOCIATION, INTERNATIONAL, ET AL. v. QUESADA, ADMINISTRATOR, FEDERAL AVIATION AGENCY*, 366 U. S. 962. Petitions for rehearing denied.

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No. 12, October Term, 1960. COMMUNIST PARTY OF THE UNITED STATES *v.* SUBVERSIVE ACTIVITIES CONTROL BOARD, 367 U. S. 1. The motion for issuance of mandate in addition to certified copy of judgment is granted. Petition for rehearing denied.

No. 180, October Term, 1960. PAYNE *v.* MADIGAN, WARDEN, 366 U. S. 761; and

No. 184, October Term, 1960. YOUNG *v.* UNITED STATES, 366 U. S. 761. Petitions for rehearing denied. MR. JUSTICE FRANKFURTER took no part in the consideration or decision of these applications.

No. 200, October Term, 1960. LATHROP *v.* DONOHUE, 367 U. S. 820. Petition for rehearing and for other relief denied.

No. 236, October Term, 1960. MAPP *v.* OHIO, 367 U. S. 643. Motion of National District Attorneys' Association for leave to file brief, as *amicus curiae*, granted. Petition for rehearing denied.

No. 731, October Term, 1960. CARMINATI *v.* UNITED STATES, 366 U. S. 960. Motions to dispense with printing the petition for rehearing and for leave to supplement the petition for rehearing granted. Petition for rehearing denied.

No. 325, Misc., October Term, 1960. HORNBECK *v.* WILKINS, WARDEN, 365 U. S. 845;

No. 666, Misc., October Term, 1960. WALKER *v.* MCGINNIS, COMMISSIONER, ET AL., 366 U. S. 966; and

No. 925, Misc., October Term, 1960. ADAMES *v.* UNITED STATES, 366 U. S. 939. Motions for leave to file petitions for rehearing denied.

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No. 736, Misc., October Term, 1960. *HARTFORD v. WICK, STATE HOSPITAL DIRECTOR, ET AL.*, 365 U. S. 839;

No. 874, Misc., October Term, 1960. *MEDRANO v. UNITED STATES*, 366 U. S. 968;

No. 929, Misc., October Term, 1960. *KILLILEA ET AL. v. UNITED STATES*, 366 U. S. 969;

No. 930, Misc., October Term, 1960. *NICOL v. NATIONAL SAVINGS & TRUST Co.*, 366 U. S. 914;

No. 949, Misc., October Term, 1960. *HILDERBRAND v. UNITED STATES*, 366 U. S. 932;

No. 984, Misc., October Term, 1960. *BYARS v. UNITED STATES*, 366 U. S. 946;

No. 1002, Misc., October Term, 1960. *BAYLESS v. UNITED STATES*, 366 U. S. 971;

No. 1110, Misc., October Term, 1960. *SHORTER v. UNITED STATES*, 366 U. S. 975;

No. 1111, Misc., October Term, 1960. *GENCO v. GENCO*, 366 U. S. 976;

No. 1113, Misc., October Term, 1960. *HARDEN v. UNITED STATES*, 366 U. S. 976;

No. 1138, Misc., October Term, 1960. *BENSINGER v. STEINER, WARDEN*, 366 U. S. 957;

No. 1158, Misc., October Term, 1960. *DEFINO v. McNAMARA, SECRETARY OF DEFENSE, ET AL.*, 366 U. S. 976; and

No. 1194, Misc., October Term, 1960. *TAYLOR v. FLOETE, DIRECTOR, GENERAL SERVICES ADMINISTRATION, ET AL.*, 366 U. S. 955. Petitions for rehearing denied.

No. 918, October Term, 1960. *GREAT LAKES AIRLINES, INC., ET AL. v. CIVIL AERONAUTICS BOARD*, 366 U. S. 965. Petition for rehearing denied. MR. JUSTICE BRENNAN took no part in the consideration or decision of this application.

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No. 629, October Term, 1960. COMMISSIONER OF INTERNAL REVENUE *v.* SCHLUDE ET UX., 367 U. S. 911. Petition for rehearing denied. The *per curiam* order heretofore entered herein is amended to read as follows: "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."

No. 979, October Term, 1960. BROTHERHOOD OF RAILROAD TRAINMEN ET AL. *v.* DENVER & RIO GRANDE WESTERN RAILROAD Co., 366 U. S. 966. Motion of Railway Labor Executives' Association for leave to file brief, as *amicus curiae*, granted. Petition for rehearing denied.

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Miscellaneous Orders.

No. 66. BLAU *v.* LEHMAN ET AL. Certiorari, 366 U. S. 902, to the United States Court of Appeals for the Second Circuit. Motion of the Solicitor General for leave to participate in oral argument granted. *Solicitor General Cox* for the Securities and Exchange Commission, as *amicus curiae*.

No. 468, Misc. RILEY *v.* OHIO ET AL. Motion for leave to file petition for writ of certiorari denied.

No. 87. MANAGED FUNDS, INC., *v.* BROUK ET AL. Certiorari, 366 U. S. 958, to the United States Court of Appeals for the Eighth Circuit. Motion of the Solicitor General for leave to participate in oral argument granted. *Solicitor General Cox* for the Securities and Exchange Commission, as *amicus curiae*.

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No. 205, Misc. LLOYD *v.* DICKSON, WARDEN;

No. 470, Misc. MILLER *v.* OBERHAUSER, SUPERINTENDENT, INSTITUTION FOR MEN; and

No. 477, Misc. MALLONEE *v.* LANIER, WARDEN, ET AL. Motions for leave to file petitions for writs of habeas corpus denied.

No. 305, Misc. EX PARTE JACKSON. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied.

Certiorari Granted. (See also No. 60, Misc., ante, p. 13, and No. 281, Misc., ante, p. 14.)

No. 282. ATLANTIC & GULF STEVEDORES, INC., *v.* ELLERMAN LINES, LTD., ET AL. C. A. 3d Cir. Certiorari granted. *James J. Davis, Jr.* for petitioner. *T. E. Byrne, Jr.* for respondents. Reported below: 289 F. 2d 201.

No. 244. DAIRY QUEEN, INC., *v.* WOOD, U. S. DISTRICT JUDGE, ET AL. C. A. 3d Cir. Certiorari granted. *Donald M. Bowman* for petitioner. *Mark D. Alspach* for respondents.

Certiorari Denied. (See also No. 305, Misc., supra, and No. 427, Misc., ante, p. 11.)

No. 206. CALLAWAY ET AL. *v.* GARBER ET AL. C. A. 9th Cir. Certiorari denied. *Myles J. Thomas* for petitioners. *Solicitor General Cox, Assistant Attorney General Orrick* and *Morton Hollander* for respondents. Reported below: 289 F. 2d 171.

No. 284. ELLERMAN LINES, LTD., ET AL. *v.* BEARD. C. A. 3d Cir. Certiorari denied. *T. E. Byrne, Jr.* for petitioners. *Abraham E. Freedman* and *Milton M. Borowsky* for respondent. Reported below: 289 F. 2d 201.

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No. 213. UNITED MINE WORKERS OF AMERICA *v.* GILCHRIST ET AL. C. A. 6th Cir. Certiorari denied. *Willard P. Owens* and *E. H. Rayson* for petitioner. *Howard H. Baker, Jr.* for respondents. Reported below: 290 F. 2d 36.

No. 232. MARKOS *v.* OHIO. Supreme Court of Ohio. Certiorari denied. *William Patrick Clyne* and *Ian Bruce Hart* for petitioner. *Mark McElroy*, Attorney General of Ohio, and *Theodore R. Saker*, First Assistant Attorney General, for respondent. Reported below: 172 Ohio St. 134, 173 N. E. 2d 686.

No. 238. KOWALSKY *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Ben F. Foster* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *Meyer Rothwacks* for the United States. Reported below: 290 F. 2d 161.

No. 271. PAGE *v.* WORK ET AL.; and

No. 272. C. A. PAGE PUBLISHING CO. *v.* WORK ET AL. C. A. 9th Cir. Certiorari denied. *Dudley K. Wright* for petitioners. *Rollin L. McNitt* and *Edythe Jacobs* for respondents. Reported below: 290 F. 2d 334.

No. 293. ALEXANDER ET AL. *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. *George N. Leighton* for petitioners. *William G. Clark*, Attorney General of Illinois, for respondent. Reported below: 21 Ill. 2d 347, 172 N. E. 2d 785.

No. 294. ROBBINS COAL CO., INC., *v.* FIREMEN'S INSURANCE COMPANY OF NEWARK, NEW JERSEY. C. A. 5th Cir. Certiorari denied. *Douglass P. Wingo* for petitioner. *George W. Yancey* for respondent. Reported below: 288 F. 2d 349.

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No. 292. PORT ANGELES & WESTERN RAILWAY CO. ET AL. *v.* ARNHOLD ET AL. C. A. 9th Cir. Certiorari denied. *Donald A. Schmechel* for petitioners. Reported below: 284 F. 2d 326; 289 F. 2d 924.

No. 295. RUTLAND RAILWAY CORP. *v.* DEBEVOISE, ATTORNEY GENERAL OF VERMONT, ET AL. C. A. 2d Cir. Certiorari denied. *Donald L. Wallace* for petitioner. *Thomas M. Debevoise* and *John D. Carbine* for respondents. Reported below: 291 F. 2d 379.

No. 296. CHRYSLER CORPORATION *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 6th Cir. Certiorari denied. *Theodore Pearson* and *John J. Costello* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *Melva M. Graney* for respondent. Reported below: 289 F. 2d 643.

No. 302. HYLAND ET AL. *v.* WATSON ET AL. C. A. 6th Cir. Certiorari denied. *William R. Coen* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Orrick* and *Morton Hollander* for respondents. Reported below: 287 F. 2d 884.

No. 305. MISSISSIPPI VALLEY BARGE LINE CO. *v.* INLAND WATERWAYS SHIPPERS ASSN. ET AL. C. A. 8th Cir. Certiorari denied. *James M. Douglas*, *Robert Neill*, *Charles Kohlmeyer, Jr.* and *George B. Matthews* for petitioner. *Wilder Lucas* for respondents. Reported below: 289 F. 2d 374.

No. 307. LEWIS, ALIAS ERLICH, *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. *Charles A. Bellows* for petitioner. *William G. Clark*, Attorney General of Illinois, for respondent. Reported below: 22 Ill. 2d 68, 174 N. E. 2d 197.

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No. 308. *EISTRAT v. NORTHERN LUMBER CO. ET AL.* District Court of Appeal of California, Second Appellate District. Certiorari denied. Petitioner *pro se*. *Vincent Scott* for respondents. Reported below: 190 Cal. App. 2d 267, 12 Cal. Rptr. 194.

No. 227. *ZIEMER v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Edward S. Grodin* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 291 F. 2d 100.

No. 250. *ELLIS, CORRECTIONS DIRECTOR, v. MACKENNA.* Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. *Will Wilson*, Attorney General of Texas, and *John L. Estes*, Assistant Attorney General, for petitioner. Respondent *pro se*. Reported below: 280 F. 2d 592; 289 F. 2d 928.

No. 273. *HENSLEE, PENITENTIARY SUPERINTENDENT, v. BAILEY.* Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. *Frank Holt*, Attorney General of Arkansas, and *Thorp Thomas*, Assistant Attorney General, for petitioner. Respondent *pro se*. Reported below: 287 F. 2d 936.

No. 199, Misc. *CLINTON v. BENNETT, DIRECTOR, BUREAU OF PRISONS, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Marshall* and *Harold H. Greene* for respondents.

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No. 306. STATE FARM MUTUAL AUTOMOBILE INSURANCE Co. *v.* MORRIS ET AL. Motion of petitioner for leave to add to the record granted. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied. *Edward F. Streit* and *Russell H. Matthias* for petitioner. *Thomas P. O'Malley* for some of the respondents. Reported below: 29 Ill. App. 2d 451, 173 N. E. 2d 590.

No. 38, Misc. KRUPNICK *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox*, *Assistant Attorney General Marshall* and *Harold H. Greene* for the United States. Reported below: 286 F. 2d 45.

No. 120, Misc. SCHWERTFEGER *v.* CUNNINGHAM, PENITENTIARY SUPERINTENDENT. Supreme Court of Appeals of Virginia. Certiorari denied. Petitioner *pro se*. *Reno S. Harp III*, Assistant Attorney General of Virginia, for respondent.

No. 133, Misc. BISHOP *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied.

No. 144, Misc. STIGLER *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. Reported below: 9 N. Y. 2d 717, 174 N. E. 2d 324.

No. 156, Misc. GALLAGHER *v.* SACKS, WARDEN, ET AL. Supreme Court of Ohio. Certiorari denied. Reported below: 172 Ohio St. 37, 172 N. E. 2d 913.

No. 191, Misc. WRIGHT *v.* MCGINNIS, CORRECTION COMMISSIONER. 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. 229, Misc. KUHN *v.* BOLES, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 261, Misc. OWENS *v.* ELLIS, CORRECTIONS DIRECTOR. C. A. 5th Cir. Certiorari denied.

No. 289, Misc. DEGROAT *v.* MINO, DISTRICT ATTORNEY OF ULSTER COUNTY, ET AL. 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 respondents.

No. 325, Misc. BURGER *v.* HEINZE, WARDEN. Supreme Court of California. Certiorari denied. Reported below: 55 Cal. 2d 663, 361 P. 2d 417.

No. 336, Misc. SCOTT *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: 292 F. 2d 49.

No. 370, Misc. RAMSOUR *v.* UNITED STATES ET AL. 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. 367, Misc. PEARSON *v.* LAVALLEE, WARDEN. Appellate Division, Supreme Court of New York, Third Judicial Department. Certiorari denied. Petitioner *pro se.* Louis J. Lefkowitz, Attorney General of New York, Paxton Blair, Solicitor General, and Winifred C. Stanley, Assistant Attorney General, for respondent. Reported below: 13 App. Div. 2d 560, 211 N. Y. S. 2d 738.

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No. 352, Misc. THOMPSON *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Robert G. Maysack* for the United States.

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

No. 383, Misc. SAVAGE *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Edward Q. Carr, Jr.* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States. Reported below: 292 F. 2d 264.

No. 393, Misc. RICHER *v.* MINNESOTA. Supreme Court of Minnesota. Certiorari denied.

No. 394, Misc. DiPAOLO *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied. Reported below: 34 N. J. 279, 168 A. 2d 401.

No. 398, Misc. CARPENTER *v.* SHUTZER, STATE HOSPITAL DIRECTOR. C. A. 2d Cir. Certiorari denied.

No. 399, Misc. JOHNSON *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *William M. Howard* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States. Reported below: 291 F. 2d 150.

No. 403, Misc. ARNOLD *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Edward Q. Carr, Jr.* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 292 F. 2d 500.

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No. 412, Misc. COHEN *v.* WARDEN, BALTIMORE CITY JAIL. Baltimore City Court. Certiorari denied.

No. 414, Misc. HUNTER *v.* PENNSYLVANIA ET AL. Supreme Court of Pennsylvania. Certiorari denied.

No. 416, Misc. HART *v.* PENNSYLVANIA. Supreme Court of Pennsylvania. Certiorari denied. *H. David Rothman* for petitioner. Reported below: 403 Pa. 652, 170 A. 2d 850.

No. 419, Misc. CAMP *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied. Reported below: 35 N. J. 57, 171 A. 2d 97.

No. 420, Misc. NICKERSON *v.* NEW YORK. Appellate Division, Supreme Court of New York, Fourth Judicial Department. Certiorari denied. Reported below: 13 App. Div. 2d 890, 217 N. Y. S. 2d 574.

No. 422, Misc. GARNETT *v.* CUNNINGHAM, PENITENTIARY SUPERINTENDENT. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 432, Misc. MILLER *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 434, Misc. OBLATORE *v.* UNITED STATES ET AL. C. A. 2d Cir. Certiorari denied. *Harvey Goldstein* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick and John G. Laughlin, Jr.* for the United States, and *George J. Conway* for American Stevedores, Inc., respondents. Reported below: 289 F. 2d 400.

No. 435, Misc. GRUBBS *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. Reported below: — N. Y. 2d —, — N. E. 2d —.

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No. 436, Misc. *WELLS v. PATE, WARDEN*. Circuit Court of Will County, Illinois. Certiorari denied.

No. 437, Misc. *CONVERSE v. JOSLIN*. Appellate Department, Superior Court of California, Los Angeles County. Certiorari denied.

No. 438, Misc. *PENNSYLVANIA EX REL. WHALEN v. CAVELL, WARDEN*. Supreme Court of Pennsylvania. Certiorari denied.

No. 445, Misc. *DULBERG v. SCOVILL MANUFACTURING CO. ET AL.* C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Nichol M. Sandoe, Thomas F. Reddy, Jr. and George B. Finnegan, Jr.* for respondents. Reported below: 290 F. 2d 821.

No. 455, Misc. *FINLEY v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied.

No. 463, Misc. *SEPULVEDA v. COLORADO*. Supreme Court of Colorado. Certiorari denied. Petitioner *pro se*. *J. F. Brauer*, Assistant Attorney General of Colorado, for respondent.

No. 464, Misc. *RUSSELL v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 469, Misc. *AZERIA v. DICKSON, WARDEN*. Supreme Court of California. Certiorari denied.

No. 471, Misc. *FREEMAN v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 442, Misc. *WELDON v. IOWA ET AL.* Petition for writ of certiorari and for other relief to the Supreme Court of Iowa denied.

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No. 519, Misc. *SIDES v. COLORADO*. Supreme Court of Colorado. Certiorari denied. Petitioner *pro se*. *Duke W. Dunbar*, Attorney General of Colorado, *Frank E. Hickey*, Deputy Attorney General, and *J. F. Brauer*, Assistant Attorney General, for respondent.

No. 527, Misc. *HABLE v. LEE, CORRECTIONS COMMISSIONER, ET AL.* Court of Appeals of Alabama. Certiorari denied. Petitioner *pro se*. *MacDonald Gallion*, Attorney General of Alabama, and *George D. Mentz*, Assistant Attorney General, for respondents. Reported below: — Ala. App. —, 132 So. 2d 271.

No. 220, Misc. *SMITH v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *J. E. Winfree, Jr.* for petitioner. *Will Wilson*, Attorney General of Texas, and *Sam R. Wilson* and *Houghton Brownlee, Jr.*, Assistant Attorneys General, for respondent. Reported below: — Tex. Cr. R. —, — S. W. 2d —.

No. 246, Misc. *REYNOLDS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. Petitioner *pro se*. *Solicitor General Cox*, Assistant Attorney General *Miller* and *Beatrice Rosenberg* for the United States. Reported below: 288 F. 2d 78.

No. 424, Misc. *PAYNE v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *S. White Rhyne, Jr.* for petitioner. *Solicitor General Cox*, Assistant Attorney General *Miller* and *Beatrice Rosenberg* for the United States. Reported below: 111 U. S. App. D. C. 94, 294 F. 2d 723.

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No. 255, Misc. SULLIVAN *v.* DICKSON, WARDEN. Petition for writ of certiorari and for other relief to the United States Court of Appeals for the Ninth Circuit denied.

No. 481, Misc. GREEN *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

Rehearing Denied.

No. 76, October Term, 1960. BARGAIN TOWN, U. S. A., INC., ET AL. *v.* WHITMAN, DISTRICT ATTORNEY OF LEBANON COUNTY, PA., ET AL., 367 U. S. 903; and

No. 955, October Term, 1960. THOMAS *v.* UNITED STATES, 366 U. S. 961. Petitions for rehearing denied.

OCTOBER 20, 1961.

Certiorari Denied.

No. 629, Misc. SCHUCK *v.* PENNSYLVANIA. Supreme Court of Pennsylvania. Certiorari denied.

OCTOBER 23, 1961.

Order Appointing Clerk.

IT IS ORDERED that John F. Davis be appointed Clerk of this Court to succeed James R. Browning effective at the commencement of business October 23, 1961, and that he take the oath of office and give bond as required by statute and the order of this Court entered November 22, 1948.

Miscellaneous Orders.

No. 357, October Term, 1960. UNITED STATES *v.* CONSOLIDATED EDISON CO. OF NEW YORK, INC., 366 U. S. 380. Motion of *A. Chauncey Newlin* for leave to file petition for rehearing, as *amicus curiae*, denied. *James K. Polk*, *Richard Joyce Smith* and *Julius M. Jacobs*, for respondent, in opposition.

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No. 42. CAMPBELL, COMMISSIONER OF AGRICULTURE OF GEORGIA, ET AL. *v.* HUSSEY ET AL. Appeal from the United States District Court for the Southern District of Georgia. (Probable jurisdiction noted, 365 U. S. 866.) Motion of the Solicitor General for leave to participate in oral argument, as *amicus curiae*, granted. *Solicitor General Cox* on the motion.

No. 46. HUTCHESON *v.* UNITED STATES. Certiorari, 365 U. S. 866, to the United States Court of Appeals for the District of Columbia Circuit. Motion of *M. Joseph Matan* for leave to withdraw his appearance as counsel for petitioner granted.

No. 66. BLAU *v.* LEHMAN ET AL. Certiorari, 366 U. S. 902, to the United States Court of Appeals for the Second Circuit. Motion of the Society of Corporate Secretaries for leave to file brief, as *amicus curiae*, granted. *Bruce Bromley* on the motion.

No. 74. FEDERAL TRADE COMMISSION *v.* HENRY BROCH & Co. Certiorari, 366 U. S. 923, to the United States Court of Appeals for the Seventh Circuit. Motion of respondent to remove this case from the summary calendar granted. *Frederick M. Rowe, Joseph DuCoeur* and *Harold Orlinsky* on the motion.

No. 242. GLIDDEN COMPANY *v.* ZDANOK ET AL. Certiorari, *ante*, p. 814, to the United States Court of Appeals for the Second Circuit. Motion of the United States for leave to intervene granted. *Solicitor General Cox* on the motion.

No. 461, Misc. CRISAFI *v.* MCGEE, CORRECTIONS DIRECTOR, 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 denied.

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Probable Jurisdiction Noted.

NO. 2. METLAKATLA INDIAN COMMUNITY, ANNETTE ISLAND RESERVE, *v.* EGAN, GOVERNOR OF ALASKA, ET AL.; and

NO. 3. ORGANIZED VILLAGE OF KAKE ET AL. *v.* EGAN, GOVERNOR OF ALASKA. Appeals from the Supreme Court of Alaska. (See 363 U. S. 555.) Probable jurisdiction noted. *Richard Schifter* and *Theodore H. Little* for appellant in No. 2. *John H. Cragun* and *Frances L. Horn* for appellants in No. 3. *Ralph E. Moody*, Attorney General of Alaska, for appellees. Reported below: — Alaska —, 362 P. 2d 901.

Certiorari Granted. (See also No. 303, ante, p. 16.)

NO. 234. BENZ *v.* NEW YORK STATE THRUWAY AUTHORITY. Court of Appeals of New York. Certiorari granted. *Lauren D. Rachlin* for petitioner. *Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, and *Julius L. Sackman* for respondent. Reported below: 9 N. Y. 2d 486, 174 N. E. 2d 727.

NO. 278. PRESSER *v.* UNITED STATES. C. A. 6th Cir. Certiorari granted. *Edwin Knachel* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Sidney M. Glazer* for the United States. Reported below: 292 F. 2d 171.

NO. 304. CONTINENTAL ORE CO. ET AL. *v.* UNION CARBIDE & CARBON CORP. ET AL. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted limited to Questions 2, 5, and 6 presented by the petition, which read as follows:

"2. Whether an Appellate Court can take away from a jury the question of causal effect concerning an injury by

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a 100% two-company monopoly (admittedly achieved pursuant to an intent to monopolize) when the question of violation is confessed and the issue of measurement of damages is more than sufficiently supported by relevant economic data and where the destruction of the plaintiff company (petitioners herein) was admitted to be, by a chief executive officer of a defendant, an important goal of the monopolist?"

"5. Whether petitioners, an American company, can claim damages under the anti-trust laws for injury caused by their elimination from the Canadian market when it was shown that two other American companies had entered into a conspiracy to eliminate all competition and to monopolize the industry and when it is shown that as part of this conspiracy one of the American companies utilized its domination and control over a wholly owned Canadian subsidiary, which had been given a discretionary power by the Canadian government to allocate the importation of vanadium into Canada during the war, to exclude the exports of petitioners (competitors) from entering Canada for sale to petitioners' Canadian customers and when it is shown that the refusal of the Canadian subsidiary to allocate vanadium to petitioners' Canadian customers was directed by its American parent company pursuant to the overall conspiracy to eliminate all competition and specifically to eliminate petitioners. This issue was erroneously decided against petitioners on the Court of Appeals' manifest misapplication of this Court's recent opinion in *Eastern Railroad Pres. Conf. v. Noerr Motor Frgt., Inc.* (1961), 365 U. S. 127, 81 S. Ct. 523."

"6. Whether petitioners, against whom a directed verdict was ordered by the Appellate Court, were deprived of a trial by jury by the Appellate Court below which weighed the evidence, made factual rulings on the suffi-

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ciency of evidence of causation, did not view the evidence as a whole, did not allow petitioners the benefit of all their evidence, did not allow petitioners the benefit of all inferences and presumptions to be drawn from the evidence and did not resolve all conflicts in the evidence in favor of petitioners in direct conflict with this Court's opinion in *Beacon Theatres, Inc., v. Westover*, 359 U. S. 500 (1959)."

Joseph L. Alioto and Maxwell Keith for petitioners. *Herbert W. Clark, Richard J. Archer and Girvan Peck* for Union Carbide Corp. and United States Vanadium Corp., and *Edward R. Neaher and Francis N. Marshall* for Vanadium Corporation of America, respondents. Reported below: 289 F. 2d 86.

No. 323. VAUGHAN *v.* ATKINSON ET AL. Motion to dispense with printing petition for writ of certiorari granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted. *Jacob L. Morewitz* for petitioner. *Barron F. Black* for respondents. Reported below: 291 F. 2d 813.

Certiorari Denied. (See also No. 461, *Misc., supra*; No. 298, *ante*, p. 15; and No. 326, *ante*, p. 18.)

No. 167. OAKLEY *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *O. John Rogge and Josiah Lyman* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Robert S. Erdahl and Jerome M. Feit* for the United States. Reported below: 290 F. 2d 517.

No. 210. FOLEY *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Morris A. Shenker* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Meyer Rothwacks and Jack M. Cotton* for the United States. Reported below: 290 F. 2d 562.

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No. 291. DUNLAP ET AL. *v.* SPILKA, TRUSTEE IN BANKRUPTCY. Supreme Court of Ohio. Certiorari denied. *Joseph E. Finley* and *Mortimer Riemer* for petitioners. *Welles K. Stanley* for respondent. Reported below: 172 Ohio St. 341, 175 N. E. 2d 516.

No. 319. WOLFIES REST, INC., *v.* LINCOLN RESTAURANT CORP. ET AL. C. A. 2d Cir. Certiorari denied. *Theodore R. Kupferman* and *Sidney O. Raphael* for petitioner. *Irving Sonnenschein* for respondents. Reported below: 291 F. 2d 302.

No. 310. VIRGINIA METAL PRODUCTS, INC., *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 3d Cir. Certiorari denied. *James A. Cuddihy* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *Meyer Rothwacks* and *Kenneth E. Levin* for respondent. Reported below: 290 F. 2d 675.

No. 311. SAMUEL B. FRANKLIN & Co. *v.* SECURITIES & EXCHANGE COMMISSION. C. A. 9th Cir. Certiorari denied. *Solicitor General Cox*, *Peter Dammann* and *David Ferber* for respondent. Reported below: 290 F. 2d 719.

No. 313. KIRKLAND ET AL. *v.* JOHNSON ET AL. C. A. 5th Cir. Certiorari denied. *Sander W. Shapiro* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Orrick*, *John G. Laughlin, Jr.* and *Herbert E. Morris* for respondents. Reported below: 290 F. 2d 440.

No. 309. MAYER ET AL. *v.* ZIM ISRAEL NAVIGATION Co., LTD. C. A. 2d Cir. Certiorari denied. *Silas B. Axtell* and *Charles A. Ellis* for petitioners. *Matthew L. Danahar* for respondent. Reported below: 289 F. 2d 562.

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No. 184. *FIRESTONE v. ALUMINUM COMPANY OF AMERICA ET AL.*; and

No. 316. *ALUMINUM COMPANY OF AMERICA ET AL. v. SPERRY PRODUCTS, INC., ET AL.* C. A. 6th Cir. Certiorari denied. *Albert R. Teare* for petitioner in No. 184 and for respondent Firestone in No. 316. *Carlton Hill* for petitioners in No. 316 and for respondents in No. 184. *R. Morton Adams* for respondent Sperry Products, Inc., in No. 316. Reported below: 285 F. 2d 911.

No. 314. *KINNEAR-WEED CORP. v. HUMBLE OIL & REFINING Co.* C. A. 5th Cir. Certiorari denied. *William E. Kinnear* for petitioner. Reported below: 296 F. 2d 215.

No. 103, Misc. *KINNEAR-WEED CORP. v. UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT ET AL.* Motion for leave to file petition for writ of certiorari and/or mandamus and/or prohibition denied. *William E. Kinnear* for petitioner.

No. 318. *GREAT LAKES AIRLINES, INC., ET AL. v. CIVIL AERONAUTICS BOARD.* C. A. 9th Cir. Certiorari denied. Mr. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Abe Krash* and *Roland E. Ginsburg* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Loevinger*, *Richard A. Solomon*, *Joseph B. Goldman*, *O. D. Ozment* and *William F. Becker* for respondent. Reported below: 291 F. 2d 354.

No. 321. *LUX v. ILLINOIS EX REL. MILLER.* Supreme Court of Illinois. Certiorari denied. *Andrew J. O'Connor* for petitioner. *William Zwanzig* for respondent. Reported below: 22 Ill: 2d 211, 174 N. E. 2d 830.

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No. 320. GREENBERG *v.* PANAMA TRANSPORT CO. ET AL. C. A. 1st Cir. Certiorari denied. *Francis H. Farrell* for petitioner. *Walter X. Connor, James P. O'Neill* and *Joseph F. Dolan* for respondents. Reported below: 290 F. 2d 125.

No. 327. NEW YORK CENTRAL RAILROAD CO. *v.* INTERSTATE COMMODITIES, INC. C. A. 2d Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion certiorari should be granted. *Charles E. Nichols* for petitioner. *Samuel Gottesman* for respondent. Reported below: 291 F. 2d 548.

No. 324. ELGIN, JOLIET & EASTERN RAILWAY CO. *v.* BORRERO ET AL. Appellate Court of Illinois, First District. Certiorari denied. *Harlan L. Hackbert* for petitioner. *Fred Lambruschi* for respondents. Reported below: 28 Ill. App. 2d 362, 171 N. E. 2d 673.

No. 418. TEGARDEN *v.* CRIMINAL COURT OF MARION COUNTY ET AL. The application for stay presented to MR. JUSTICE CLARK, and by him referred to the Court, is denied. Petition for writ of certiorari to the Supreme Court of Indiana denied. *Thomas M. Lofton* for petitioner. Reported below: 242 Ind. —, 173 N. E. 2d 308.

No. 323, Misc. ALEXANDER *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: 290 F. 2d 252.

No. 417, Misc. WILLIAMS *v.* BELL, SHERIFF. C. A. 6th Cir. Certiorari denied. *Max Dean* for petitioner. Reported below: 291 F. 2d 627.

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Dismissal Under Rule 60.

No. 328. WALLACH *v.* UNITED STATES. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Petition dismissed pursuant to Rule 60 of the Rules of this Court. *Jacob Rassner* for petitioner. *Solicitor General Cox* for the United States. Reported below: 291 F. 2d 69.

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Miscellaneous Orders.

- No. 26. GARNER ET AL. *v.* LOUISIANA,
No. 27. BRISCOE ET AL. *v.* LOUISIANA, and
No. 28. HOSTON ET AL. *v.* LOUISIANA, certiorari, 365 U. S. 840, to the Supreme Court of Louisiana;
No. 32. HAMILTON *v.* ALABAMA, certiorari, 364 U. S. 931, to the Supreme Court of Alabama;
No. 85. AVENT ET AL. *v.* NORTH CAROLINA, and
No. 86. FOX ET AL. *v.* NORTH CAROLINA, on petitions for writs of certiorari to the Supreme Court of North Carolina; and
No. 248. RANDOLPH ET AL. *v.* VIRGINIA, on petition for writ of certiorari to the Supreme Court of Appeals of Virginia. Motions of *Thurgood Marshall* for leave to withdraw appearances as counsel for petitioners granted.
No. 78. GOLDBLATT ET AL. *v.* TOWN OF HEMPSTEAD. Appeal from the Court of Appeals of New York. (Probable jurisdiction noted, 366 U. S. 942.) Motion of the National Crushed Stone Association for leave to file brief, as *amicus curiae*, granted. *John F. Lane* and *Jerome Powell* for movants. *Richard P. Charles*, *John A. Morhous*, *William C. Mattison* and *Mario Matthew Cuomo* for appellee, in opposition. Reported below: 9 N. Y. 2d 101, 172 N. E. 2d 562.

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No. 8, Original. ARIZONA *v.* CALIFORNIA ET AL. The joint request for allotment of and division of time for oral argument is approved. The case is set for argument on Monday, January 8, 1962, and a total of sixteen hours is allotted for that purpose to be apportioned as follows:

California.—Five and one-half hours for opening and rebuttal.

Arizona.—Five and one-half hours.

United States.—Three hours.

Nevada.—One and one-quarter hours.

Utah.—Fifteen minutes.

New Mexico.—Thirty minutes.

THE CHIEF JUSTICE took no part in the consideration or decision of this case. [For earlier orders herein, see 344 U. S. 806, 919; 345 U. S. 914, 968; 347 U. S. 985, 986; 348 U. S. 947; 350 U. S. 114, 812, 880, 955; 351 U. S. 977; 354 U. S. 918; 357 U. S. 902; 364 U. S. 940.]

No. 2. METLAKATLA INDIAN COMMUNITY, ANNETTE ISLAND RESERVE, *v.* EGAN, GOVERNOR OF ALASKA, ET AL.; and

No. 3. ORGANIZED VILLAGE OF KAKE ET AL. *v.* EGAN, GOVERNOR OF ALASKA. Appeals from the Supreme Court of Alaska. (Probable jurisdiction noted, *ante*, p. 886.) The motion of appellants to dispense with printing the record is granted. The motions to accelerate the filing of briefs and to set the cases for early hearing are granted and the cases are set for argument on Wednesday, December 13, 1961. The briefs of the appellants and the brief of the United States, as *amicus curiae*, are to be filed on or before November 17, 1961, and the briefs of the appellees are to be filed on or before December 6, 1961. *Richard Schifter* for appellant in No. 2. *John H. Cragun* for appellants in No. 3. *Ralph E. Moody*, Attorney General of Alaska, for appellees. Reported below: — Alaska —, 362 P. 2d 901.

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No. 71. *DREWS ET AL. v. MARYLAND*, on appeal from the Court of Appeals of Maryland;

No. 84. *TURNER v. CITY OF MEMPHIS ET AL.*, on appeal from the United States District Court for the Western District of Tennessee (question of jurisdiction postponed, *ante*, p. 808); and

No. 315. *TINSLEY v. CITY OF RICHMOND* (appeal dismissed, *ante*, p. 18). Motions of *Thurgood Marshall* for leave to withdraw appearances as counsel for appellants granted.

Probable Jurisdiction Noted.

No. 286. *UNITED STATES v. DIEBOLD, INC.* Appeal from the United States District Court for the Southern District of Ohio. Probable jurisdiction noted. *Solicitor General Cox, Assistant Attorney General Loevinger, Richard A. Solomon* and *Irwin A. Seibel* for the United States. *Thurman Arnold, Abe Fortas, William L. McGovern, Victor H. Kramer* and *Abe Krash* for appellee. Reported below: 197 F. Supp. 902.

Certiorari Granted. (See also No. 93, *Misc.*, *ante*, p. 34.)

No. 312. *IN RE GREEN*. Supreme Court of Ohio. Certiorari granted. *Fred A. Smith* and *Merritt W. Green* for petitioner. *Harry Friberg* for respondent. Reported below: 172 Ohio St. 269, 175 N. E. 2d 59.

No. 369. *WOOD v. GEORGIA*. Court of Appeals of Georgia. Certiorari granted. *Milton Kramer* for petitioner. *Eugene Cook*, Attorney General of Georgia, *E. Freeman Leverett*, Deputy Assistant Attorney General, *William M. West*, Solicitor General, and *Jack J. Gautier*, Assistant Solicitor General, for respondent. Reported below: 103 Ga. App. 305, 119 S. E. 2d 261.

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No. 358. *GUZMAN v. RUIZ PICHIRILO*. C. A. 1st Cir. Certiorari granted. *Max Goldman* for petitioner. *Seymour P. Edgerton* for respondent. Reported below: 290 F. 2d 812.

Certiorari Denied. (See also No. 345, ante, p. 31; No. 357, ante, p. 32; No. 362, ante, p. 32; and No. 373, ante, p. 33.)

No. 290. *AMERICAN-FOREIGN STEAMSHIP CORP. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Arthur M. Becker, Eugene Gressman and Gerald B. Greenwald* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick, Alan S. Rosenthal, Leavenworth Colby and Herbert E. Morris* for the United States. Reported below: 291 F. 2d 598.

No. 332. *STOCKARD STEAMSHIP CORP. ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *J. Franklin Fort, John Cunningham and Israel Convisser* for petitioners. *Solicitor General Cox, Assistant Attorney General Orrick, Alan S. Rosenthal, Leavenworth Colby and Herbert E. Morris* for the United States. Reported below: 291 F. 2d 598.

No. 438. *UNITED STATES v. STOCKARD STEAMSHIP CORP. ET AL.* C. A. 2d Cir. Certiorari denied. *Solicitor General Cox, Assistant Attorney General Orrick, Alan S. Rosenthal, Leavenworth Colby and Herbert E. Morris* for the United States. *J. Franklin Fort, John Cunningham and Israel Convisser* for respondents. Reported below: 291 F. 2d 598.

No. 335. *CIA. DE NAV. SAN GEORGE, S. A., ET AL. v. KOUFOPANTELIS ET AL.* C. A. 2d Cir. Certiorari denied. *Robert C. Thompson, Jr.* for petitioners. *Edward B. Joachim* for respondents. Reported below: 291 F. 2d 709.

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No. 322. U. S. HEALTH CLUB, INC., *v.* MAJOR, POSTMASTER, BERGENFIELD, NEW JERSEY. C. A. 3d Cir. Certiorari denied. *Milton A. Bass, Solomon H. Friend and Harold Friedman* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick and John G. Laughlin, Jr.* for respondent. Reported below: 292 F. 2d 665.

No. 330. SHEET METAL WORKERS' INTERNATIONAL ASSN., AFL-CIO, ET AL. *v.* NATIONAL LABOR RELATIONS BOARD. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Donald W. Fisher and Mortimer Riemer* for petitioners. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli and Norton J. Come* for respondent. Reported below: 110 U. S. App. D. C. 302, 293 F. 2d 141.

No. 347. FINE FASHIONS, INC., *v.* GROSS, DISTRICT DIRECTOR OF INTERNAL REVENUE, ET AL. C. A. 3d Cir. Certiorari denied. *Leonard M. Wallstein, Jr.* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer and Robert N. Anderson* for respondents. Reported below: 290 F. 2d 871.

No. 338. AAA MOTOR LINES, INC., *v.* ALABAMA PUBLIC SERVICE COMMISSION ET AL. Supreme Court of Alabama. Certiorari denied. *Truman Hobbs* for petitioner. *McDonald Gallion, Attorney General of Alabama, and J. Taylor Hardin, Assistant Attorney General,* for respondents. Reported below: 272 Ala. 362, 131 So. 2d 172.

No. 340. BURGERMEISTER BREWING CORP. *v.* LINDSTROM ET AL. Superior Court of California, San Francisco County. Certiorari denied. *William French Smith* for petitioner. *Herbert S. Thatcher* for respondents.

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No. 333. COLLE *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *O. B. Cline, Jr.* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 283 F. 2d 306; 292 F. 2d 392.

No. 339. AMERICAN PRESIDENT LINES, LTD., *v.* LEVET, U. S. DISTRICT JUDGE. C. A. 2d Cir. Certiorari denied. *William Garth Symmers* for petitioner. *John J. Greaney* for respondent. Reported below: — F. 2d —.

No. 341. HERMAN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Irving M. Wolff* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 289 F. 2d 362.

No. 343. DANA ET AL. *v.* WILLIAM GOLDMAN THEATRES, INC., ET AL. Supreme Court of Pennsylvania. Certiorari denied. *Anne X. Alpern*, Attorney General of Pennsylvania, and *Alan Miles Ruben*, Assistant Attorney General, for petitioners. *Edwin P. Rome* for William Goldman Theatres, Inc., et al., and *William A. Schnader, Bernard G. Segal, Arlin M. Adams* and *Samuel D. Slade* for Twentieth Century-Fox Film Corp., respondents. Reported below: 405 Pa. 83, 173 A. 2d 59.

No. 368. MICHIGAN GAS & ELECTRIC Co. *v.* FEDERAL POWER COMMISSION ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Reuben Goldberg* and *Melvin Richter* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick, Alan S. Rosenthal, Ralph S. Spritzer, Arthur H. Fribourg* and *David J. Bardin* for the Federal Power Commission, and *Charles V. Shannon* and *Louis Flax* for Wisconsin Pipe Line Co., respondents. Reported below: 110 U. S. App. D. C. 183, 290 F. 2d 374.

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No. 344. RADIO CORPORATION OF AMERICA *v.* ASSOCIATION OF PROFESSIONAL ENGINEERING PERSONNEL ET AL. C. A. 3d Cir. Certiorari denied. *Bernard G. Segal* and *Samuel D. Slade* for petitioner. *Arthur S. Keyser* for respondents. Reported below: 291 F. 2d 105.

No. 348. MARSHALL *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *George J. Francis* and *Frances De Lost* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 293 F. 2d 561.

No. 350. FIAT MOTOR CO. *v.* ALABAMA IMPORTED CARS, INC. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Oscar Cox* and *Elliott Solomon* for petitioner. Reported below: 110 U. S. App. D. C. 252, 292 F. 2d 745.

No. 351. COOK *v.* STATE FARM INSURANCE CO. Supreme Court of Mississippi. Certiorari denied. *W. E. Morse* for petitioner. Reported below: 241 Miss. 371, 128 So. 2d 363.

No. 363. O LIQUIDATING CORP. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 3d Cir. Certiorari denied. *John S. Chapman* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *Melva M. Graney* and *Douglas A. Kahn* for respondent. Reported below: 292 F. 2d 225.

No. 356. BURKS *v.* CALIFORNIA. District Court of Appeal of California, First Appellate District. Certiorari denied. *George Olshausen* for petitioner. *Stanley Mosk*, Attorney General of California, and *Arlo E. Smith*, *John S. McInerney* and *Robert R. Granucci*, Deputy Attorneys General, for respondent. Reported below: 189 Cal. App. 2d 313, 11 Cal. Rptr. 200.

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No. 355. *GOLDBERG v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Arnold Bauman* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Jerome M. Feit* for the United States. Reported below: 290 F. 2d 729.

No. 364. *RAMSEY ET AL. v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States. Reported below: 291 F. 2d 737.

No. 354. *LOS ANGELES COUNTY ET AL. v. SCANDINAVIAN AIRLINES SYSTEM, INC.* Supreme Court of California. Certiorari denied. *Harold W. Kennedy* for petitioners. *Roderick M. Hills* for respondent. Reported below: 56 Cal. 2d 11, 363 P. 2d 25.

No. 371. *BLAISE D'ANTONI & ASSOCIATES, INC., ET AL. v. SECURITIES AND EXCHANGE COMMISSION*. C. A. 5th Cir. Certiorari denied. *Eberhard P. Deutsch* for petitioners. *Solicitor General Cox, Peter A. Dammann and David Ferber* for respondent. Reported below: 289 F. 2d 276; 290 F. 2d 688.

No. 372. *HART v. UNITED STATES FIDELITY & GUARANTY Co.* C. A. 5th Cir. Certiorari denied. *William VanDer creek* and *Marvin Jones* for petitioner. *Reo Knowles* for respondent. Reported below: — F. 2d —.

No. 380. *ELOF HANSSON, INC., v. UNITED STATES*. United States Court of Customs and Patent Appeals. Certiorari denied. *James R. Sharp* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick and Alan S. Rosenthal* for the United States. Reported below: 48 C. C. P. A. (Cust.) 91, 296 F. 2d 779.

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No. 375. GREAT AMERICAN INDEMNITY CO. ET AL. *v.* BRITTON, DEPUTY COMMISSIONER, BUREAU OF EMPLOYEES' COMPENSATION. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Paul Sedgwick* and *Philip J. Lesser* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Orrick* and *Morton Hollander* for respondent. Reported below: 110 U. S. App. D. C. 190, 290 F. 2d 381.

No. 376. FIVE BORO CONSTRUCTION CORP. *v.* GOLDBERG, SECRETARY OF LABOR. C. A. 1st Cir. Certiorari denied. *Joseph N. Friedman* for petitioner. *Solicitor General Cox*, *Morton Liftin* and *Beate Bloch* for respondent. Reported below: 291 F. 2d 371.

No. 353. HILBERT ET AL. *v.* PENNSYLVANIA RAILROAD Co. C. A. 7th Cir. Certiorari denied. THE CHIEF JUSTICE, MR. JUSTICE BLACK and MR. JUSTICE BRENNAN are of the opinion certiorari should be granted. *Edward J. Fillenwarth* and *Harold N. McLaughlin* for petitioners. *John B. Prizer* and *Richard N. Clattenburg* for respondent. Reported below: 290 F. 2d 881.

No. 331. SHELL PETROLEUM Co., LTD., *v.* PESCHKEN. Motion of American Waterways Operators, Inc., for leave to file brief, as *amicus curiae*, granted. Motion of Seaway Excursion Lines, Inc., for leave to file brief, as *amicus curiae*, denied. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. *Robert M. Julian* for petitioner. *David D. Furman*, Attorney General of New Jersey, *Theodore I. Botter*, Assistant Attorney General, and *Elias Abelson*, Deputy Attorney General, for respondent. *John H. Eisenhart, Jr.* for American Waterways Operators, Inc., as *amicus curiae*, in opposition to the petition. Reported below: 290 F. 2d 685.

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No. 334. *HEINECKE v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion certiorari should be granted. *Stanley M. Dietz* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Kirby W. Patterson* for the United States. Reported below: 111 U. S. App. D. C. 98, 294 F. 2d 727.

No. 342. *HILLIARD v. TENNESSEE*. Motion of respondent for leave to supplement the record granted. Petition for writ of certiorari to the Supreme Court of Tennessee denied. *Robert C. Boyce, Jr. and E. C. Yokley* for petitioner. *George F. McCanless, Attorney General of Tennessee, and Walker T. Tipton, Assistant Attorney General,* for respondent.

No. 367. *CITY OF LONG BEACH ET AL. v. NATIONAL DEVELOPMENT CO. ET AL.* C. A. 9th Cir. Certiorari denied. *Arch E. Ekdale* for petitioners. *William A. C. Roethke* for respondents. Reported below: 289 F. 2d 586.

No. 377. *ROGERS ET AL. v. ALASKA STEAMSHIP CO. ET AL.* C. A. 9th Cir. Certiorari denied. *Allan Brotsky* for petitioners. *William R. Wallace, Jr., Edward D. Ranson, Alvin J. Rockwell, Richard Ernst, Richard G. Logan and George D. Wick, Jr.* for respondents. Reported below: 290 F. 2d 116; 291 F. 2d 740.

No. 365. *NOLAN, ADMINISTRATOR, ET AL. v. TRANS-OCEAN AIR LINES*. C. A. 2d Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion certiorari should be granted. *Edward M. O'Brien* for petitioners. *William J. Junkerman* for respondent. Reported below: 290 F. 2d 904.

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No. 359. *GOLDBERG, SECRETARY OF LABOR, v. WADE LAHAR CONSTRUCTION CO.* C. A. 8th Cir. Certiorari denied. THE CHIEF JUSTICE, MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion certiorari should be granted. *Solicitor General Cox, Bessie Margolin and Beate Bloch* for petitioner. *Herschel H. Friday, Jr.* for respondent. Reported below: 290 F. 2d 408.

No. 69, Misc. *BRIONES ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Petitioners *pro se.* *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States.

No. 370. *POSS v. RIBICOFF, SECRETARY OF HEALTH, EDUCATION AND WELFARE.* Motion to dispense with printing the petition for certiorari granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Orrick and Alan S. Rosenthal* for respondent. Reported below: 289 F. 2d 10.

No. 17, Misc. *IN RE WILSON.* Superior Court of New Jersey, Appellate Division. Certiorari denied. Petitioner *pro se.* *Stanley E. Rutkowski* for respondent.

No. 27, Misc. *WALDEN v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied. *George N. Leighton* for petitioner. *William G. Clark, Attorney General of Illinois,* for respondent. Reported below: 19 Ill. 2d 602, 169 N. E. 2d 241.

No. 137, Misc. *MORROW v. DAVIS, WARDEN.* Court of Appeals of Kentucky. Certiorari denied. Petitioner *pro se.* *John B. Breckinridge, Attorney General of Kentucky,* and *Ray Corns, Assistant Attorney General,* for respondent.

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No. 52, Misc. SMITH ET AL. *v.* DOUGHERTY, CHIEF JUSTICE, COOK COUNTY CRIMINAL COURT, ET AL. C. A. 7th Cir. Certiorari denied. Petitioners *pro se.* *Harold Marovitz* for Hon. Charles A. Dougherty, and *Charles D. Snewind* for John Gretknecht, respondents. Reported below: 286 F. 2d 777.

No. 123, Misc. MULLIGAN *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. Petitioner *pro se.* *Louis M. Greenblott* for respondent.

No. 51, Misc. GILES *v.* OHIO ET AL. Supreme Court of Ohio. Certiorari denied. Petitioner *pro se.* *John T. Corrigan* for respondents.

No. 138, Misc. DUNLAP *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied.

No. 166, Misc. WARREN *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. 173, Misc. RUBLE *v.* SACKS, WARDEN. Supreme Court of Ohio. Certiorari denied. Petitioner *pro se.* *Mark McElroy, Attorney General of Ohio, and Aubrey A. Wendt, Assistant Attorney General,* for respondent.

No. 192, Misc. HAMMIL *v.* COLORADO. Supreme Court of Colorado. Certiorari denied. *Samuel D. Menin* for petitioner. *Duke W. Dunbar, Attorney General of Colorado, Frank E. Hickey, Deputy Attorney General, and J. F. Brauer, Assistant Attorney General,* for respondent. Reported below: 145 Colo. 577, 361 P. 2d 117.

No. 340, Misc. PITCHCUSKIE *v.* BANMILLER, WARDEN. Supreme Court of Pennsylvania. Certiorari denied.

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No. 174, Misc. *McGANN 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. Reported below: 289 F. 2d 820.

No. 181, Misc. *LAMOS v. SACKS, WARDEN*. Supreme Court of Ohio. Certiorari denied. Petitioner *pro se*. *Mark McElroy*, Attorney General of Ohio, and *Aubrey A. Wendt*, Assistant Attorney General, for respondent. Reported below: 172 Ohio St. 295, 175 N. E. 2d 177.

No. 188, Misc. *ROSS v. PENNSYLVANIA*. Supreme Court of Pennsylvania. Certiorari denied. Reported below: 403 Pa. 358, 169 A. 2d 780.

No. 198, Misc. *BENAVIDEZ v. CALIFORNIA*. Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Stanley Mosk*, Attorney General of California, and *John S. McInerney* and *Albert W. Harris, Jr.*, Deputy Attorneys General, for respondent.

No. 245, Misc. *WAGNER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Marshall* and *Harold H. Greene* for the United States.

No. 313, Misc. *HILLS 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. Reported below: 291 F. 2d 755.

No. 317, Misc. *DAVIS v. MONTANA*. Supreme Court of Montana. Certiorari denied. Petitioner *pro se*. *Forrest H. Anderson*, Attorney General of Montana, and *M. James Sorte*, Assistant Attorney General, for respondent.

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No. 321, Misc. LINDSEY *v.* MYERS, CORRECTIONAL SUPERINTENDENT. Supreme Court of Pennsylvania. Certiorari denied. Petitioner *pro se.* *Louis F. McCabe* for respondent.

No. 350, Misc. STERLING *v.* CALIFORNIA ET AL. Supreme Court of California. Certiorari denied. Petitioner *pro se.* *Stanley Mosk*, Attorney General of California, *Doris H. Maier*, Assistant Attorney General, and *Edsel W. Haws*, Deputy Attorney General, for respondents.

No. 351, Misc. DUNCAN *v.* MADIGAN, WARDEN. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, Assistant Attorney General *Marshall*, *Harold H. Greene* and *David Rubin* for respondent.

No. 363, Misc. PALUMBO *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied.

No. 380, Misc. VELA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Harry D. Lewis* for petitioner. *Solicitor General Cox*, Assistant Attorney General *Miller* and *Beatrice Rosenberg* for the United States. Reported below: 287 F. 2d 680.

No. 384, 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. Reported below: 290 F. 2d 515.

No. 387, Misc. MORRIS *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, Assistant Attorney General *Miller*, *Beatrice Rosenberg* and *Julia P. Cooper* for the United States.

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No. 391, Misc. RUSH *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 G. Gilinsky* for the United States.

No. 409, Misc. JOHNSTON *v.* UNITED STATES. C. A. 10th 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: 292 F. 2d 51.

No. 410, Misc. BLOCK *v.* BLOCK. Supreme Court of Wisconsin. Certiorari denied.

No. 421, Misc. CONNOR *v.* MARYLAND. Court of Appeals of Maryland. Certiorari denied. Reported below: 225 Md. 543, 171 A. 2d 699.

No. 429, Misc. AUTH *v.* MURPHY, WARDEN. Appellate Division, Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

No. 453, Misc. PERRY *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Felicia Dubrovsky* for the United States. Reported below: 292 F. 2d 476.

No. 456, Misc. O'LEARY *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Reported below: 22 Ill. 2d 52, 174 N. E. 2d 191.

No. 486, Misc. ISLE *v.* TAHASH, WARDEN. Supreme Court of Minnesota. Certiorari denied. Reported below: 260 Minn. 156, 109 N. W. 2d 54.

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No. 457, Misc. REED *v.* MARONEY, WARDEN. Supreme Court of Pennsylvania. Certiorari denied.

No. 467, Misc. RICKERSON *v.* WILKINS, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 484, Misc. WASHINGTON *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. Reported below: 292 F. 2d 452.

No. 485, Misc. NORRIS *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 488, Misc. BARTON *v.* IOWA. Supreme Court of Iowa. Certiorari denied.

No. 674, Misc. BARNARD *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox* for the United States.

No. 494, Misc. WOLFE *v.* MISSOURI ET AL. Petition for writ of certiorari to the Supreme Court of Missouri denied without prejudice to the petitioner's habeas corpus proceeding now pending in the United States District Court for the Western District of Missouri. *Bernard J. Mellman* for petitioner. *Thomas F. Eagleton, Attorney General of Missouri, and Ben Ely, Jr., Assistant Attorney General*, for respondents.

Rehearing Denied.

No. 902, October Term, 1960. MOHEGAN INTERNATIONAL CORP. *v.* CITY OF NEW YORK ET AL., 366 U. S. 764. Motion for leave to file petition for rehearing denied.

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- No. 92. VAN ALLEN *v.* UNITED STATES, *ante*, p. 836;
No. 104. RELIANCE PICTURE FRAME CO. *v.* COVENTRY
WARE, INC., *ante*, p. 818;
No. 108, Misc. CEPERO *v.* RINCON DE GAUTIER, CITY
MANAGER, SAN JUAN, *ante*, p. 9;
No. 164, Misc. CEPERO *v.* PUERTO RICO ET AL., *ante*,
p. 9;
No. 194, Misc. MOORE *v.* TAYLOR, WARDEN, *ante*, p.
853;
No. 203, Misc. RICH *v.* MITCHELL, SECRETARY OF
LABOR, *ante*, p. 854;
No. 224, Misc. ROBINSON *v.* UNITED STATES, *ante*,
p. 856; and
No. 382, Misc. CEPERO *v.* PUERTO RICO ET AL., *ante*,
p. 9. Petitions for rehearing denied.

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Miscellaneous Orders.

No. 80. LYNUM *v.* ILLINOIS. On petition for writ of certiorari to the Supreme Court of Illinois. Consideration of the petition for certiorari is deferred to accord counsel for petitioner opportunity to secure a certificate from the Supreme Court of Illinois as to whether the judgment herein was intended to rest on an adequate and independent state ground, or whether decision of the federal claim, identified in respondent's second response as having been asserted by the petitioner at pages 66-67 in her brief in the Supreme Court of Illinois, was necessary to the judgment rendered. Cf. *Loftus v. Illinois*, 334 U. S. 804; *Herb v. Pitcairn*, 324 U. S. 117.

MR. JUSTICE FRANKFURTER, dissenting.

Petitioner was tried and convicted for the unlawful sale, dispensing and possession of narcotics, and her conviction was affirmed, 21 Ill. 2d 63, 171 N. E. 2d 17. She seeks certiorari to review the judgment of the Illinois

Supreme Court, on the ground that incriminating statements drawn from her by threats and promises were used against her at trial in contravention of the Due Process Clause of the Fourteenth Amendment. 28 U. S. C. § 1257.

Rule 23 (1)(f) of this Court requires that a petitioner seeking review of a state court decision shall "specify the stage in the proceedings in the court of first instance and in the appellate court, at which, and the manner in which, the federal questions sought to be reviewed were raised" There is no such specification in the present petition; it is merely asserted that the Supreme Court of Illinois "overlooked the fact" that involuntary admissions are not competent evidence.

Respondent argues that certiorari should be denied for failure to comply with this Rule. Discovering that petitioner had invoked the Due Process Clause in her brief before the Illinois Supreme Court, this Court requested a response to this from Illinois. Respondent now urges that the Due Process Clause was not cited until appeal, that the Illinois Supreme Court does not determine constitutional questions unless they have been specifically raised at trial, and that the judgment was accordingly based on an adequate and independent ground of state law.

The opinion of the Illinois Court does not mention the claim of involuntary admissions. It expressly rejects a claim that petitioner was surprised by their introduction without proper statutory notice and concludes with an omnium-gatherum clause, "We have examined numerous other allegations of error and find that they are of insufficient merit to justify further discussion. Suffice it to say that, on the entire record, the defendant received a fair trial and was proved guilty beyond a reasonable doubt." A petition for rehearing, assigning the admission of the statements as error and citing *Brown v. Mississippi*, 297

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U. S. 278, was denied without opinion. An abstract of the trial court record indicates that the admissions were objected to at trial but does not show whether the Due Process Clause was invoked. This Court today defers consideration of the petition pending clarification by the Illinois Court whether its disposition of the due process issue was based on its merits or on an independent state ground.

The constitutional basis for this Court's review of state court judgments derives from the Supremacy Clause of Article VI, statutorily enforced by the famous § 25 of the First Judiciary Act, 1 Stat. 73, 85 (1789), now 28 U. S. C. § 1257. Accordingly, if a state judgment rests on an adequate, independent ground of state law, this Court is without power to review the judgment, since its decision of the federal issue could not affect the result. *Murdock v. Memphis*, 20 Wall. 590, 632, 634-635; *Herb v. Pitcairn*, 324 U. S. 117, 125-126. Since judicial opinions are not mathematically formulated and the dubieties of language are what they are, a particular opinion of a state court sometimes raises a solid doubt whether a judgment does rest on an adequate, independent state ground and whether the disposition of a federal claim was not necessary to the challenged judgment. Lest a federal right properly reviewable here be lost through such ambiguity, this Court has utilized the procedure of holding a case here until opportunity has been afforded for an appropriate certificate by the state court for clarification of the ambiguity, *i. e.*, to make unambiguously clear that its judgment has not adjudicated a federal claim but rests on an independent state ground. See *Herb v. Pitcairn*, *supra*, 324 U. S., at 128; *Loftus v. Illinois*, 334 U. S. 804. Instead of awaiting this Court's initiation of such a procedure, in some jurisdictions counsel on their own initiative secure a certificate from their state tribunal, in order to leave no doubt before the case is brought here that it

does turn on a claim of a federal right. See *Herb v. Pitcairn*, *supra*, 324 U. S., at 127; *Honeyman v. Hanan*, 300 U. S. 14, 18; *Whitney v. California*, 274 U. S. 357, 360-361.

In either case, however, such a procedure for clarification does not come into play when the state court opinion in the case sought to be reviewed does not mention the federal ground, when counsel make no assertion that the judgment was based on a determination of the federal issue, and when state law affords an adequate ground for the disposition below. On full canvass of our jurisdiction in this class of cases, the Court not so long ago made this authoritative pronouncement:

“Before we may undertake to review a decision of the court of a State it must appear affirmatively from the record, not only that the federal question was presented for decision to the highest court of the State having jurisdiction but that its decision of the federal question was necessary to the determination of the cause.” *Honeyman v. Hanan*, 300 U. S. 14, 18 (1937).

Thus, when the state court writes no opinion and from the record it cannot be said that its judgment was not based on an adequate non-federal ground, this Court will not take jurisdiction. *Woods v. Nierstheimer*, 328 U. S. 211, 214-216; *White v. Ragen*, 324 U. S. 760, 765-767. In this case the Supreme Court of Illinois wrote an opinion, but it did not so much as advert to the issue raised by the petition. It cited only Illinois cases; nowhere in the opinion was there a reference to the Federal Constitution or to any decision of this Court. It is not evident from the papers filed here that the issue was raised in the trial court. There is not the faintest indication that the judgment was not based on the Illinois rule that in order that an issue be reviewable by the State Supreme Court, it must have been explicitly tendered at trial. *Orton Crane & Shovel Co. v. Federal Reserve*

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Bank, 409 Ill. 285, 288-289, 99 N. E. 2d 14, 15-16; *People v. Cosper*, 405 Ill. 543, 92 N. E. 2d 173.

It is not our business—indeed it interferes with the effective use of our time for the conduct of our business—to be excavating records in order to find out whether a federal question somehow or other lurks in a record although counsel, as required by our own Rule, has not called our attention to the place in the record where it is unequivocally set forth. In these circumstances, I see no reason for asking the Supreme Court of Illinois to clarify something that does not call for clarification. This constrains me not to join in the Court's order.

Jewel Stradford Rogers for petitioner. *William G. Clark*, Attorney General of Illinois, for respondent. Reported below: 21 Ill. 2d 63, 171 N. E. 2d 17.

No. 476. DOUGLAS ET AL. *v.* CALIFORNIA. Certiorari, *ante*, p. 815, to the Supreme Court of California. Motion for appointment of counsel denied.

Question as to Jurisdiction Postponed.

No. 400. CENTRAL RAILROAD COMPANY OF PENNSYLVANIA *v.* PENNSYLVANIA. Appeal from the Supreme Court of Pennsylvania. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits. *Roy J. Keefer* for appellant. *David Stahl*, Attorney General of Pennsylvania, and *George W. Keitel*, Deputy Attorney General, for appellee. Reported below: 403 Pa. 419, 169 A. 2d 878.

Certiorari Granted.

No. 384. COMMISSIONER OF INTERNAL REVENUE *v.* BILDER, EXECUTRIX. C. A. 3d Cir. Certiorari granted. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *I. Henry Kutz* and *Joseph Kovner* for petitioner. Reported below: 289 F. 2d 291.

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No. 396. RUDOLPH ET UX. *v.* UNITED STATES. C. A. 5th Cir. Certiorari granted. *Felix Atwood* for petitioners. *Solicitor General Cox, Acting Assistant Attorney General Jones, I. Henry Kutz and Norman H. Wolfe* for the United States. Reported below: 291 F. 2d 841.

Certiorari Denied. (See also No. 385, ante, p. 56.)

No. 67. MCKNIGHT *v.* N. M. PATERSON & SONS, LTD. C. A. 6th Cir. Certiorari denied. *S. Eldridge Sampliner, William H. Thompson and Jacob Rassner* for petitioner. *Gilbert R. Johnson* for respondent. Reported below: 286 F. 2d 250.

No. 389. SIMMONS *v.* UNION TERMINAL CO. C. A. 5th Cir. Certiorari denied. *J. O. Bean* for petitioner. *D. L. Case and Jack Pew, Jr.* for respondent. Reported below: 290 F. 2d 453.

No. 390. MORRIS, COMMISSIONER OF PARKS OF NEW YORK CITY, *v.* ROCKWELL. Court of Appeals of New York. Certiorari denied. *Leo A. Larkin and Seymour B. Quel* for petitioner. *Emanuel Redfield* for respondent. Reported below: 10 N. Y. 2d 721, 176 N. E. 2d 836.

No. 386. McCLANAHAN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Irving L. Goldberg* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer and Meyer Rothwacks* for the United States. Reported below: 292 F. 2d 630.

No. 387. KHURI *v.* UNITED STATES. Court of Claims. Certiorari denied. *Walter E. Barton* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick and John G. Laughlin, Jr.* for the United States. Reported below: — Ct. Cl. —, — F. 2d —.

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No. 379. *SHARE ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Morris A. Shenker* and *Murry L. Randall* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States. Reported below: 291 F. 2d 689.

No. 383. *YING ET AL. v. KENNEDY, ATTORNEY GENERAL*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *David Carliner* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Sidney M. Glazer* for respondent. Reported below: 110 U. S. App. D. C. 247, 292 F. 2d 740.

No. 393. *BAKER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Albert A. Fiok* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 293 F. 2d 613.

No. 360. *NAMROW ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 4th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Bennett Boskey* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *Melva M. Graney* and *Fred E. Youngman* for respondent. Reported below: 288 F. 2d 648.

No. 391. *LEGGETT ET AL. v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Joseph I. Bulger* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 292 F. 2d 423.

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No. 399. SHELL OIL Co. v. FEDERAL POWER COMMISSION ET AL. C. A. 3d Cir. Certiorari denied. *Oliver L. Stone, George C. Schoenberger, Jr. and William F. Kenney* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick, John G. Laughlin, Jr., Ralph S. Spritzer, Howard E. Wahrenbrock and Luke R. Lamb* for the Federal Power Commission, *Mathias F. Correa* for Texas Gas Transmission Corp., and *Gavin H. Cochran* for Louisville Gas & Electric Co., respondents. Reported below: 292 F. 2d 149.

No. 388. VILLAGE OF ESPANOLA, NEW MEXICO, v. YOUR FOOD STORES, INC. Supreme Court of New Mexico. Certiorari denied. *Fred M. Standley and Walter R. Kegel* for petitioner. *John S. Catron and Sumner S. Koch* for respondent. Reported below: 68 N. M. 327, 361 P. 2d 950.

No. 378. SHAFFER ET AL. v. UNITED STATES. C. A. 7th Cir. Certiorari denied. *Richard E. Gorman and Myer H. Gladstone* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Theodore George Gilinsky* for the United States. Reported below: 291 F. 2d 689.

No. 381. ABBOTT v. UNITED STATES. Court of Claims. Certiorari denied. *Leonard J. Calhoun* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick and John G. Laughlin, Jr.* for the United States. Reported below: — Ct. Cl. —, 287 F. 2d 573.

No. 392. BELL v. F. W. WOOLWORTH Co. C. A. 5th Cir. Certiorari denied. *Robert L. Ivy* for petitioner. *William L. Kerr* for respondent. Reported below: 291 F. 2d 912.

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No. 403. *SAWYER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Albert S. Lewis* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 294 F. 2d 24.

No. 402. *BROWN TELECASTERS, INC., v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Henry B. Weaver, Jr.* and *Quinn O'Connell* for petitioner. *Solicitor General Cox, Assistant Attorney General Loevinger, Irwin A. Seibel, Max D. Paglin, Daniel R. Ohlbaum* and *Ruth V. Reel* for the Federal Communications Commission, respondent. Reported below: 110 U. S. App. D. C. 127, 289 F. 2d 868.

No. 397. *BAXTER, EXECUTRIX, v. ROGERS*. District Court of Appeal of California, Second Appellate District. Certiorari denied. Petitioner *pro se*. *Henry F. Walker* for respondent. Reported below: 191 Cal. App. 2d 358, 12 Cal. Rptr. 635.

No. 398. *RANDOLPH v. MISSOURI BAR ADVISORY COMMITTEE*. Supreme Court of Missouri. Certiorari denied. MR. JUSTICE WHITTAKER took no part in the consideration or decision of this application. *Walter A. Raymond* for petitioner. *Gene Thompson* for respondent. Reported below: 347 S. W. 2d 91.

No. 669, Misc. *LINDSEY v. CALIFORNIA*. Supreme Court of California. Certiorari denied. *Lawrence Speiser* for petitioner. *Stanley Mosk*, Attorney General of California, and *Williams E. James*, Assistant Attorney General, for respondent. Reported below: 56 Cal. 2d 324, 363 P. 2d 910.

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No. 592, Misc. *IN RE ERNST*. C. A. 3d Cir. Certiorari denied. Petitioner *pro se*. *Norman Heine* for respondent. Reported below: 294 F. 2d 556.

Rehearing Denied.

No. 171. *CITY OF MIAMI BEACH ET AL. v. DADE COUNTY*, *ante*, p. 826;

No. 98, Misc. *SMITH v. UNITED STATES*, *ante*, p. 846;

No. 239, Misc. *GEORGES v. UNITED STATES*, *ante*, p. 857;

No. 246, Misc. *REYNOLDS v. UNITED STATES*, *ante*, p. 883;

No. 286, Misc. *MOKUS v. UNITED STATES*, *ante*, p. 860;

No. 296, Misc. *MASSENGALE v. CINCINNATI BAR ASSN.*, *ante*, p. 861;

No. 320, Misc. *GREEN v. ELLIS, CORRECTIONS DIRECTOR*, *ante*, p. 863; and

No. 425, Misc. *ROBINSON v. NEW YORK CENTRAL RAILROAD Co.*, *ante*, p. 866. Petitions for rehearing denied.

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Miscellaneous Orders.

No. 8, Original. *ARIZONA v. CALIFORNIA ET AL.* The motion of the Navajo Tribe of Indians of the Navajo Reservation of Arizona, New Mexico and Utah for leave to intervene is denied. THE CHIEF JUSTICE took no part in the consideration or decision of this motion. [For preceding order herein, see *ante*, p. 893.]

No. 740, Misc. *IN RE DISBARMENT OF BIRRELL*. It is ordered that Lowell M. Birrell of New York, New York, be suspended from the practice of the law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of the law in this Court.

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Probable Jurisdiction Noted.

No. 444, Misc. *ROBINSON v. CALIFORNIA*. Appeal from the Appellate Department, Superior Court of California, Los Angeles County. Motion for leave to proceed *in forma pauperis* granted. Probable jurisdiction noted and case transferred to appellate docket. *Samuel Carter McMorris* for appellant. *Roger Arnebergh* and *Philip E. Grey* for respondent.

Certiorari Granted.

No. 236. *LANZA v. NEW YORK*. Court of Appeals of New York. Certiorari granted. *Leo Pfeiffer* and *Jacob D. Fuchsberg* for petitioner. Reported below: 9 N. Y. 2d 895, 175 N. E. 2d 833.

No. 422. *LINK v. WABASH RAILROAD CO.* C. A. 7th Cir. Certiorari granted. *Jay E. Darlington* for petitioner. *Roger D. Branigin* for respondent. Reported below: 291 F. 2d 542.

Certiorari Denied. (See also No. 410, ante, p. 70.)

No. 118. *FOOD MACHINERY & CHEMICAL CORP. v. UNITED STATES*. Court of Claims. Certiorari denied. *Harry R. Horrow* and *Robert W. Morrison* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *Harry Baum* and *Harold M. Seidel* for the United States. Reported below: — Ct. Cl. —, 286 F. 2d 177.

No. 382. *HUDSON ET AL. v. ESPERDY, DISTRICT DIRECTOR, IMMIGRATION & NATURALIZATION SERVICE*. C. A. 2d Cir. Certiorari denied. *David I. Shapiro* and *Joseph J. Allen* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Kirby W. Patterson* for respondent. Reported below: 290 F. 2d 879.

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No. 243. ALBERT ET AL. *v.* LOUISIANA. Supreme Court of Louisiana. Certiorari denied. *J. Minos Simon* for petitioners. *Jack P. F. Gremillion*, Attorney General of Louisiana, for respondent.

No. 404. ANNUNZIATO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Morton Dimenstein* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Philip R. Monahan* for the United States. Reported below: 293 F. 2d 373.

No. 405. FASSOULIS *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *William F. Hamilton* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Sidney M. Glazer* for the United States. Reported below: 293 F. 2d 243.

No. 406. McDOWELL *v.* RIBICOFF, SECRETARY OF HEALTH, EDUCATION AND WELFARE. C. A. 3d Cir. Certiorari denied. *Bernard V. Lentz* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Orrick* and *Morton Hollander* for respondent. Reported below: 292 F. 2d 174.

No. 407. BINION *v.* U. S. MARSHAL FOR THE DISTRICT OF NEVADA. C. A. 9th Cir. Certiorari denied. *Jacob Kossman* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Marshall* and *Harold H. Greene* for respondent. Reported below: 292 F. 2d 494.

No. 409. ESTATE OF COOPER ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 4th Cir. Certiorari denied. *Edward W. Mullins* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *Meyer Rothwacks* for respondent. Reported below: 291 F. 2d 831.

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No. 420. *TURNER, ADMINISTRATRIX, ET AL. v. TIDMORE CONSTRUCTION Co.* C. A. 5th Cir. Certiorari denied. *William E. Chandler, Jr.* for petitioners. Reported below: 290 F. 2d 191.

No. 411. *TWEEDY, ADMINISTRATRIX, v. ESSO STANDARD OIL Co.* C. A. 2d Cir. Certiorari denied. *Maurice A. Krisel* for petitioner. *Walter X. Connor* for respondent. Reported below: 290 F. 2d 921.

No. 412. *INCISO v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. *George F. Callaghan* and *Melvin F. Wingersky* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 292 F. 2d 374.

No. 413. *CARLYON v. CALIFORNIA.* District Court of Appeal of California, Fourth Appellate District. Certiorari denied. *Robert William Stanley* for petitioner. Reported below: 191 Cal. App. 2d 617, 12 Cal. Rptr. 813.

No. 415. *EKBERG ET UX. v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. *Hubbard Fremont Fellows* for petitioners. *Solicitor General Cox, Acting Assistant Attorney General Jones, Melva M. Graney* and *Kenneth E. Levin* for the United States. Reported below: 291 F. 2d 913.

No. 416. *AMERICAN NEWS Co. ET AL. v. KING-SIZE PUBLICATIONS, INC.* C. A. 3d Cir. Certiorari denied. *Cornelius E. Gallagher* and *Eugene Frederick Roth* for petitioners. *Thurman Arnold, Lewis M. Dabney, Jr.* and *Jay E. Bailey* for respondent. Reported below: — F. 2d —.

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No. 423. FIREDOOR CORPORATION OF AMERICA *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 2d Cir. Certiorari denied. *Sidney O. Raphael* and *Leo M. Drachsler* for petitioner. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: 291 F. 2d 328.

No. 408. WAGONER ET AL., DOING BUSINESS AS STYLE WAGONER CONSTRUCTION CO., *v.* CONSOLIDATED FAIRVIEW SCHOOL DISTRICT No. 5 ET AL. C. A. 10th Cir. Certiorari denied. *Robert W. Fraser* for petitioners. Reported below: 289 F. 2d 480.

No. 424. CHERRY ET AL. *v.* BRAZIER. C. A. 5th Cir. Certiorari denied. *Charles J. Bloch* and *Ellsworth Hall, Jr.* for petitioners. *Jack Greenberg* for respondent. Reported below: 293 F. 2d 401.

No. 426. KONINKLIJKE LUCHTVAART MAATSCHAPPIJ N. V. ET AL. *v.* TULLER ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *William J. Junkerman* for petitioners. *Murdaugh Stuart Madden, Theodore E. Wolcott* and *John S. Chapman* for respondents. Reported below: 110 U. S. App. D. C. 282, 292 F. 2d 775.

No. 428. NARCISSE *v.* AMERICAN SUGAR REFINING Co. Supreme Court of Louisiana. Certiorari denied. *Benjamin E. Smith* for petitioner. *Leon Sarpy* for respondent. Reported below: See 128 So. 2d 689.

No. 238, Misc. NELSON *v.* SACKS, WARDEN. C. A. 6th Cir. Certiorari denied. Petitioner *pro se.* *Mark McElroy*, Attorney General of Ohio, and *Aubrey A. Wendt*, Assistant Attorney General, for respondent. Reported below: 290 F. 2d 604.

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No. 598, Misc. RIVENBURGH *v.* UTAH. Supreme Court of Utah. Certiorari denied. *George H. Searle* for petitioner.

No. 608, Misc. AUGUSTINE *v.* LOUISIANA. Supreme Court of Louisiana. Certiorari denied. *Eugene Stanley* for petitioner. Reported below: 241 La. 761, 131 So. 2d 56.

No. 593, Misc. AGRON *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. *Shad Polier* and *Charles A. Reich* for petitioner. *Frank S. Hogan* and *H. Richard Uviller* for respondent. Reported below: 10 N. Y. 2d 130, 176 N. E. 2d 556.

Rehearing Denied.

No. 126. MOHAMMED *v.* UNITED STATES, *ante*, p. 820;

No. 178. TUSKEGEE INSTITUTE *v.* BANK OF NEW YORK, TRUSTEE, ET AL., *ante*, p. 838;

No. 263. PATTERSON, WARDEN, ET AL. *v.* MEDBERRY, *ante*, p. 839;

No. 276. GRAY *v.* JOHANSSON ET AL., *ante*, p. 835;

No. 277. G. & H. TOWING CO. *v.* JOHANSSON ET AL., *ante*, p. 835;

No. 19, Misc. O'LEARY *v.* CITY OF AKRON, *ante*, p. 843;

No. 48, Misc. FERNANDEZ ET AL. *v.* FLINT BOARD OF EDUCATION ET AL., *ante*, p. 843;

No. 254, Misc. MOSS *v.* JONES, WARDEN, *ante*, p. 868;

No. 262, Misc. MORRISON *v.* HERITAGE, WARDEN, *ante*, p. 867;

No. 307, Misc. HUBBARD *v.* BOARD OF EDUCATION OF NEW YORK CITY, *ante*, p. 1;

No. 427, Misc. RILEY *v.* PENNSYLVANIA READING SEASHORE LINES, *ante*, p. 11; and

No. 428, Misc. MCCARY *v.* HAND, WARDEN, *ante*, p. 807. Petitions for rehearing denied.

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No. 21, Misc. FRENCH *v.* DOWNIE, PRISON SUPERINTENDENT, *ante*, p. 867. Motion for leave to file petition for rehearing and for other relief denied.

No. 965, October Term, 1960. SING ET AL. *v.* FLORIDA, 366 U. S. 964. Motion to supplement the record granted. Petition for rehearing denied.

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Miscellaneous Orders.

No. 79. LEHIGH VALLEY COOPERATIVE FARMERS, INC., ET AL. *v.* UNITED STATES ET AL. Certiorari, 366 U. S. 957, to the United States Court of Appeals for the Third Circuit. Motion of the Dairymen's League Cooperative Association, Inc., et al. for leave to file brief, as *amici curiae*, granted. *Frederic P. Lee, John A. Cardon, Leslie H. Deming, Frederick U. Conard, Jr., Thomas O. Berryhill, Reuben Hall and George M. St. Peter* on the motion. *Willis F. Daniels and Donn L. Snyder* for petitioners, in opposition.

No. 93. UNITED STATES *v.* KOENIG. Certiorari, *ante*, p. 812, to the United States Court of Appeals for the Fifth Circuit. Motion of respondent for leave to proceed *in forma pauperis* granted.

No. 150, Misc. EDGERTON *v.* NORTH CAROLINA. Motion for leave to file petition for writ of habeas corpus denied. Petitioner *pro se*. *Thomas Wade Bruton*, Attorney General of North Carolina, and *Ralph Moody*, Assistant Attorney General, for respondent.

No. 406, Misc. LOTZ *v.* SACKS, WARDEN, 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 denied.

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Probable Jurisdiction Noted.

No. 439. UNITED STATES *v.* BORDEN COMPANY ET AL. Appeal from the United States District Court for the Northern District of Illinois. Probable jurisdiction noted. *Solicitor General Cox, Assistant Attorney General Loevinger and Richard A. Solomon* for the United States. *Stuart S. Ball* for Borden Company, and *L. Edward Hart and John Paul Stevens* for Bowman Dairy Co., appellees. Reported below: — F. Supp. —.

Certiorari Granted. (See also No. 319, Misc., ante, p. 144.)

No. 468. ENGEL ET AL. *v.* VITALE ET AL. Court of Appeals of New York. Certiorari granted. *William J. Butler and Stanley Geller* for petitioners. *Bertram B. Daiker, Wilford E. Neier, Thomas J. Ford and Porter R. Chandler* for respondents. *Charles A. Brind* for the Board of Regents of the University of the State of New York, as *amicus curiae*, in opposition to the petition. Reported below: 10 N. Y. 2d 174, 176 N. E. 2d 579.

No. 469. INCRES STEAMSHIP CO., LTD., *v.* INTERNATIONAL MARITIME WORKERS UNION ET AL. Court of Appeals of New York. Certiorari granted. *George S. Leisure and Breck P. McAllister* for petitioner. *Herman E. Cooper and H. Howard Ostrin* for respondents. Reported below: 10 N. Y. 2d 218, 176 N. E. 2d 719.

No. 464. NATIONAL LABOR RELATIONS BOARD *v.* WASHINGTON ALUMINUM Co. C. A. 4th Cir. Certiorari granted. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli, Norton J. Come and Samuel M. Singer* for petitioner. *Robert R. Bair* for respondent. Reported below: 291 F. 2d 869.

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No. 436. GRUMMAN *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *David Rein, Joseph Forer and Victor Rabinowitz* for petitioner. *Solicitor General Cox, Assistant Attorney General Yeagley and George B. Searls* for the United States. Reported below: 111 U. S. App. D. C. 79, 294 F. 2d 708.

No. 454. SILBER *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *Victor Rabinowitz and Leonard B. Boudin* for petitioner. *Solicitor General Cox, Assistant Attorney General Yeagley and George B. Searls* for the United States. Reported below: 111 U. S. App. D. C. 331, 296 F. 2d 588.

Certiorari Denied. (See also No. 406, *Misc., supra*, and No. 26, *Misc., ante*, p. 143.)

No. 401. NATIONAL LABOR RELATIONS BOARD *v.* CELANESE CORP. OF AMERICA. C. A. 7th Cir. Certiorari denied. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli and Norton J. Come* for petitioner. *Gerard D. Reilly and Joseph C. Wells* for respondent. Reported below: 291 F. 2d 224.

No. 414. CONFORTE *v.* NEVADA. Supreme Court of Nevada. Certiorari denied. *A. L. Wirin and Fred Okrand* for petitioner. *Roger D. Foley*, Attorney General of Nevada, and *William J. Raggio* for respondent. Reported below: 77 Nev. 269, 362 P. 2d 274.

No. 429. GIBRALTOR AMUSEMENTS, LTD., *v.* WURLITZER COMPANY ET AL. C. A. 2d Cir. Certiorari denied. *Eugene Gressman and George Becker* for petitioner. *Edward R. Neaher* for respondents. Reported below: 291 F. 2d 22.

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No. 417. NATIONAL LABOR RELATIONS BOARD *v.* SYLVANIA ELECTRIC PRODUCTS, INC. C. A. 1st Cir. Certiorari denied. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli and Norton J. Come* for petitioner. *Gerard D. Reilly* for respondent. Reported below: 291 F. 2d 128.

No. 433. CAMERON IRON WORKS, INC., *v.* LODGE No. 12, DISTRICT No. 37, INTERNATIONAL ASSOCIATION OF MACHINISTS. C. A. 5th Cir. Certiorari denied. *John Leroy Jeffers* for petitioner. *Plato E. Papps and Chris Dixie* for respondent. Reported below: 292 F. 2d 112.

No. 440. BORUM *v.* INDUSTRIAL COMMISSION OF WISCONSIN ET AL. Supreme Court of Wisconsin. Certiorari denied. *Max Raskin* for petitioner. *John W. Reynolds*, Attorney General of Wisconsin, and *Mortimer Levitan*, Assistant Attorney General, for Industrial Comm'n of Wisconsin, and *Alfred E. LaFrance* for American Motors Corp., respondents. Reported below: 13 Wis. 2d 570, 108 N. W. 2d 918.

No. 441. WYNGAARD *v.* KENNEDY, ATTORNEY GENERAL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Jack Wasserman and David Carliner* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for respondent. Reported below: 111 U. S. App. D. C. 197, 295 F. 2d 184.

No. 442. LEE ET AL. *v.* KENNEDY, ATTORNEY GENERAL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Jack Wasserman and David Carliner* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Kirby W. Patterson* for respondent. Reported below: 111 U. S. App. D. C. 35, 294 F. 2d 231.

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No. 435. *IN RE UNION LEADER CORP.* C. A. 1st Cir. Certiorari denied. *James M. Malloy* and *Ralph Warren Sullivan* for petitioner. *Frank Goldman* for the Haverhill Gazette Co., respondent and intervenor. Reported below: 292 F. 2d 381.

No. 437. *GODUTO ET AL. v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied. *S. G. Lippman* and *Tim L. Bornstein* for petitioners. Reported below: 21 Ill. 2d 605, 174 N. E. 2d 385.

No. 443. *WILSON, ATTORNEY GENERAL OF TEXAS, ET AL. v. STUART ET AL.* C. A. 5th Cir. Certiorari denied. *Will Wilson*, Attorney General of Texas, and *Tom I. McFarling*, *Sam R. Wilson* and *Leon F. Pesek*, Assistant Attorneys General, for petitioners. *James L. McNeese, Jr.* for respondents. Reported below: 293 F. 2d 914.

No. 444. *MASSEY v. KOSTER & WYTHE.* C. A. 9th Cir. Certiorari denied. *Roy C. Hall* for petitioner. Reported below: 293 F. 2d 922.

No. 445. *DAVIS v. NATIONAL BANK OF MATTOON ET AL.* Circuit Court of Coles County, Illinois. Certiorari denied.

No. 450. *EASTERN AIR LINES, INC., v. CIVIL AERONAUTICS BOARD ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *E. Smythe Gambrell* and *Harold L. Russell* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Loevinger*, *Richard A. Solomon*, *John H. Wanner*, *Joseph B. Goldman* and *O. D. Ozment* for Civil Aeronautics Board, and *Howard C. Westwood*, *Alfred V. J. Prather* and *William H. Allen* for American Airlines, Inc., et al., respondents. Reported below: 111 U. S. App. D. C. 39, 294 F. 2d 235.

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No. 446. *DAYAN v. CALIFORNIA*. C. A. 9th Cir. Certiorari denied. *Nathan Newby, Jr.* and *A. L. Wirin* for petitioner. *Roger Arnebergh* and *Philip E. Grey* for respondent. Reported below: 293 F. 2d 46.

No. 449. *IRIZARRY v. ARMOUR*. Supreme Court of Pennsylvania. Certiorari denied. *Charles E. Rankin* for petitioner. Reported below: See 195 Pa. Super. 104, 169 A. 2d 307.

No. 451. *PERKINS, ADMINISTRATOR, v. WAUKESHA NATIONAL BANK ET AL.* C. A. 7th Cir. Certiorari denied. *Carl Hoppe* for petitioner. *Floyd A. Brynson* for respondents. Reported below: 290 F. 2d 912.

No. 452. *GOLDSTEIN ET AL. v. DABANIAN ET AL.* C. A. 3d Cir. Certiorari denied. *M. Stuart Goldin* for petitioners. *Morris M. Wexler* for respondents. Reported below: 291 F. 2d 208.

No. 453. *CHAPMAN ET AL. v. LEHIGH VALLEY RAILROAD Co.* Supreme Court of New Jersey. Certiorari denied. *Philip L. Strong* for petitioners. *Charles W. Hutchinson* for respondent. Reported below: 35 N. J. 177, 171 A. 2d 653.

No. 456. *UNITED STATES COLD STORAGE CORP. v. MINUTE MAID CORP.* C. A. 5th Cir. Certiorari denied. *H. Bascom Thomas, Jr.* and *Hubard T. Bowyer* for petitioner. *Leland E. Fiske* for respondent. Reported below: 291 F. 2d 577.

No. 457. *ZILKY ET AL. v. LAKE SUPERIOR COURT ET AL.* Supreme Court of Indiana. Certiorari denied. *C. Severin Buschmann* for petitioners. *Owen W. Crumpacker* for respondents. Reported below: 242 Ind. —, —, 175 N. E. 2d 3, 9.

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No. 459. SEARS ET AL. *v.* AUSTIN. C. A. 9th Cir. Certiorari denied. *Jack K. Berman* for petitioners. Reported below: 292 F. 2d 690.

No. 460. NEW YORK ET AL. *v.* ANDREWS ET AL. Court of Claims of New York. Certiorari denied. *Louis J. Lefkowitz*, Attorney General of New York, and *Thomas F. Moore, Jr.* for petitioners. *George J. Skivington, Jr.* for respondents. Reported below: See 9 N. Y. 2d 606, 176 N. E. 2d 42.

No. 461. POLICE BENEVOLENT ASSOCIATION OF THE NEW YORK STATE POLICE, INC., ET AL. *v.* TRAINOR, DISTRICT ATTORNEY OF WESTCHESTER COUNTY, ET AL. Court of Appeals of New York. Certiorari denied. *Arthur L. Reuter* for petitioners. *Robert J. Trainor* and *Warren J. Schneider* for respondents. Reported below: 9 N. Y. 2d 803, 175 N. E. 2d 170.

No. 463. SOLOMON DEHYDRATING Co., INC., *v.* GUYTON ET AL. C. A. 8th Cir. Certiorari denied. *Joseph T. Votava* for petitioner. *James J. Fitzgerald, Jr.* for respondents. Reported below: 294 F. 2d 439.

No. 465. GRAHAM, DOING BUSINESS AS MAINE CHANCE FARM, *v.* HERTZ. C. A. 2d Cir. Certiorari denied. *Andrew L. Hughes* for petitioner. *Edwin L. Weisl*, *William J. Manning* and *Rolon W. Reed* for respondent. Reported below: 292 F. 2d 443.

No. 474. AKOPIANTZ *v.* BOARD OF MEDICAL EXAMINERS OF CALIFORNIA. Supreme Court of California. Certiorari denied. *John Wattawa* and *Charles J. Miller* for petitioner. *Stanley Mosk*, Attorney General of California, and *Eimo G. Funke* and *Charles A. Barrett*, Assistant Attorneys General, for respondent.

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No. 466. *BROWDER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Richard R. Booth* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 292 F. 2d 44.

No. 467. *SCHMIDT v. UNITED STATES*. Court of Claims. Certiorari denied. *Frank L. Nikolay* for petitioner. *Solicitor General Cox* for the United States. Reported below: — Ct. Cl. —, — F. 2d —.

No. 470. *HALQUIST ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 7th Cir. Certiorari denied. *Herman E. Friedrich* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *Melva M. Graney* for respondent. Reported below: 291 F. 2d 49.

No. 471. *BURKE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. *Solomon Sandler* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *Joseph M. Howard* for the United States. Reported below: 293 F. 2d 398.

No. 473. *MARGOLES v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Charles A. Bellows* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States. Reported below: 294 F. 2d 371.

No. 485. *ALABAMA STATE BOARD OF EDUCATION ET AL. v. DIXON ET AL.* C. A. 5th Cir. Certiorari denied. *MacDonald Gallion*, Attorney General of Alabama, *Willard W. Livingston, Leslie Hall* and *Gordon Madison*, Assistant Attorneys General, and *Robert P. Bradley* for petitioners. *Fred D. Gray, Jack Greenberg* and *James M. Nabrit III* for respondents. Reported below: 294 F. 2d 150.

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No. 483. *ANDERSON ET AL. v. CALIFORNIA*. Supreme Court of California. Certiorari denied. *Russell E. Parsons* for petitioners. Reported below: 55 Cal. 2d 655, 361 P. 2d 32.

No. 484. *BLAUNER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Roberts P. Elam* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *Joseph M. Howard* for the United States. Reported below: 293 F. 2d 723.

No. 487. *DEHYDRATING PROCESS CO. v. A. O. SMITH CORP.* C. A. 1st Cir. Certiorari denied. *James M. Malloy, Richard A. Sullivan* and *Ralph Warren Sullivan* for petitioner. *Warren F. Farr* and *William D. Andrews* for respondent. Reported below: 292 F. 2d 653.

No. 432. *EMPIRE STATE HIGHWAY TRANSPORTATION ASSN., INC., v. UNITED STATES ET AL.* Motion of American Export Lines, Inc., et al. to be named parties respondent granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. *Herbert Burstein* for petitioner. *Solicitor General Cox, Assistant Attorney General Loevinger, Richard A. Solomon, Robert E. Mitchell* and *Edward Aptaker* for the United States et al., and *Mark P. Schlefer* and *T. S. L. Perlman* for American Export Lines, Inc., et al., respondents. Reported below: 110 U. S. App. D. C. 208, 291 F. 2d 336.

No. 458. *EMPIRE STATE EXPRESS, INC., v. TRUCK DRIVERS & HELPERS LOCAL UNION NO. 728*. C. A. 5th Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion certiorari should be granted. *W. Edward Swinson* for petitioner. *Edwin M. Pearce, William B. Paul* and *John S. Patton* for respondent. Reported below: 293 F. 2d 414.

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No. 361. *KEMP v. CALIFORNIA*. Supreme Court of California. Certiorari denied. THE CHIEF JUSTICE and MR. JUSTICE DOUGLAS are of the opinion certiorari should be granted on Question 3. *Russell E. Parsons* for petitioner. *Stanley Mosk*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Philip C. Griffin*, Deputy Attorney General, for respondent. Reported below: 55 Cal. 2d 458, 359 P. 2d 913.

No. 53, Misc. *BROWN v. MONTANA*. Supreme Court of Montana. Certiorari denied. Petitioner *pro se*. *Forest H. Anderson*, Attorney General of Montana, and *Donald A. Garrity*, Assistant Attorney General, for respondent.

No. 79, Misc. *BONOMI v. MASSACHUSETTS ET AL.* C. A. 1st Cir. Certiorari denied. Petitioner *pro se*. *Edward J. McCormack, Jr.*, Attorney General of Massachusetts, and *Joseph T. Doyle*, Assistant Attorney General, for respondents.

No. 83, Misc. *WILLIAMS v. BOLES, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied. Petitioner *pro se*. *C. Donald Robertson*, Attorney General of West Virginia, and *George H. Mitchell* and *Simon M. Bailey*, Assistant Attorneys General, for respondent.

No. 113, Misc. *ELLIS v. ALABAMA*. Supreme Court of Alabama. Certiorari denied. Petitioner *pro se*. *MacDonald Gallion*, Attorney General of Alabama, and *Jerry L. Coe*, Assistant Attorney General, for respondent.

No. 135, Misc. *HOGUE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 287 F. 2d 99.

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No. 462. SEIDENBACH'S *v.* BLAND TERRY SHOE CORP. Motion to supplement the petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. *Morrison Shafroth, John F. Shafroth, Robert J. Woolsey and Frank Settle* for petitioner. Reported below: 292 F. 2d 206.

No. 147, Misc. JOHNSON ET AL. *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied. *Stanford Shmukler* for petitioners. *Norman Heine* for respondent. Reported below: 34 N. J. 212, 168 A. 2d 1.

No. 197, Misc. CUNNINGHAM *v.* CALIFORNIA. District Court of Appeal of California, Second Appellate District. Certiorari denied. Petitioner *pro se.* *Stanley Mosk*, Attorney General of California, *Doris H. Maier*, Assistant Attorney General, and *Raymond M. Momboisse*, Deputy Attorney General, for respondent. Reported below: 188 Cal. App. 2d 606, 10 Cal. Rptr. 604.

No. 356, Misc. SZOPENSKE *v.* HAND, WARDEN. Supreme Court of Kansas. Certiorari denied. Petitioner *pro se.* *William M. Ferguson*, Attorney General of Kansas, and *J. Richard Foth*, Assistant Attorney General, for respondent. Reported below: 188 Kan. 590, 363 P. 2d 410.

No. 364, Misc. PETILLO *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. 433, Misc. SHIELDS *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, Assistant Attorney General *Miller*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States.

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No. 431, Misc. LLOYD *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. *Clyde W. Woody* for petitioner.

No. 390, Misc. MACON *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 439, Misc. GRESSETTE *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. 440, Misc. GILMER *v.* CUNNINGHAM, PENITENTIARY SUPERINTENDENT. C. A. 4th Cir. Certiorari denied.

No. 441, Misc. PREIS *v.* ARIZONA. Supreme Court of Arizona. Certiorari denied. Petitioner *pro se.* *Robert W. Pickrell, Attorney General of Arizona, and Alvin E. Larsen, Assistant Attorney General,* for respondent. Reported below: 89 Ariz. 336, 362 P. 2d 660.

No. 443, Misc. WATSON *v.* BANMILLER, WARDEN. Supreme Court of Pennsylvania. Certiorari denied. Petitioner *pro se.* *Glenn R. Toothman, Jr.* for respondent.

No. 451, Misc. BLAIR *v.* CALIFORNIA ET AL. Supreme Court of California. Certiorari denied.

No. 452, Misc. SERRA *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Donald T. Dorsey* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 291 F. 2d 625.

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No. 450, Misc. CALHOUN *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Reported below: 22 Ill. 2d 31, 174 N. E. 2d 166.

No. 458, Misc. CLARK *v.* WARDEN, MARYLAND PENITENTIARY. Court of Appeals of Maryland. Certiorari denied.

No. 459, Misc. WALLACH *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Orrick and Alan S. Rosenthal* for the United States. Reported below: 291 F. 2d 69.

No. 462, Misc. DOYLE *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 465, Misc. VAUGHN *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 487, Misc. WHITE *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.

No. 498, Misc. TIMMONS *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 413, Misc. STEWART *v.* ARKANSAS. Supreme Court of Arkansas. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Harold B. Anderson and Thaddeus D. Williams* for petitioner. *Frank Holt, Attorney General of Arkansas, and Thorp Thomas, Assistant Attorney General,* for respondent. Reported below: 233 Ark. 458, 345 S. W. 2d 472.

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Rehearing Denied.

- No. 110. *LOVETT v. UNITED STATES*, *ante*, p. 818;
No. 146. *CHOBOT v. WISCONSIN*, *ante*, p. 15;
No. 167. *OAKLEY v. UNITED STATES*, *ante*, p. 888;
No. 274. *CAFFERATA v. OHIO*, *ante*, p. 834;
No. 314. *KINNEAR-WEED CORP. v. HUMBLE OIL & REFINING Co.*, *ante*, p. 890;
No. 318. *GREAT LAKES AIRLINES, INC., ET AL. v. CIVIL AERONAUTICS BOARD*, *ante*, p. 890;
No. 324. *ELGIN, JOLIET & EASTERN RAILWAY Co. v. BORRERO ET AL.*, *ante*, p. 891;
No. 445, Misc. *DULBERG v. SCOVILL MANUFACTURING CO. ET AL.*, *ante*, p. 882;
No. 463, Misc. *SEPULVEDA v. COLORADO*, *ante*, p. 882;
and
No. 506, Misc. *OWENS v. ELLIS, CORRECTIONS DIRECTOR, ET AL.*, *ante*, p. 33. Petitions for rehearing denied.

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Order Appointing Chief Deputy Clerk.

It is ordered that Edmund P. Cullinan be, and he hereby is, appointed Chief Deputy Clerk of this Court.

Miscellaneous Order.

No. 244. *DAIRY QUEEN, INC., v. WOOD, U. S. DISTRICT JUDGE, ET AL.* Certiorari, *ante*, p. 874, to the United States Circuit Court of Appeals for the Third Circuit. Motion of *Donald M. Bowman* for leave to withdraw his appearance as counsel for petitioner granted.

Certiorari Granted.

No. 498. *IN RE McCONNELL*. C. A. 7th Cir. Certiorari granted. Reported below: 294 F. 2d 310.

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No. 430. ATKINSON ET AL. *v.* SINCLAIR REFINING CO.;
and

No. 434. SINCLAIR REFINING CO. *v.* ATKINSON ET AL.
C. A. 7th Cir. Certiorari granted. *William E. Rentfro*
for petitioners in No. 430 and respondents in No. 434.
George B. Christensen for petitioner in No. 434 and
respondent in No. 430. Reported below: 290 F. 2d 312.

No. 493. ENOCHS, DISTRICT DIRECTOR OF INTERNAL
REVENUE, *v.* WILLIAMS PACKING & NAVIGATION CO., INC.
C. A. 5th Cir. Certiorari granted. *Solicitor General Cox*,
Acting Assistant Attorney General Jones, *Meyer Roth-*
wacks and *George F. Lynch* for petitioner. *W. E. Morse*
and *George E. Morse* for respondent. Reported below:
291 F. 2d 402.

No. 549, Misc. PORTER *v.* AETNA CASUALTY & SURETY
Co. 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. *Ethelbert B. Frey*
for petitioner. *John L. Laskey* for respondent. *Solici-*
tor General Cox and *Assistant Attorney General Orrick*
filed a memorandum for the United States, as *amicus*
curiae, in support of the petition. Reported below: 111
U. S. App. D. C. 267, 296 F. 2d 389.

Certiorari Denied. (See also No. 486, ante, p. 289, and
No. 503, ante, p. 290.)

No. 492. ADELMAN ET AL. *v.* ST. LOUIS FIRE & MARINE
INSURANCE CO. United States Court of Appeals for the
District of Columbia Circuit. Certiorari denied. *Mark P.*
Friedlander and *Charles Walker* for petitioners. *Andrew*
D. Sharpe for respondent. Reported below: 110 U. S.
App. D. C. 392, 293 F. 2d 869.

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No. 494. MANDEL ET VIR *v.* PENNSYLVANIA RAILROAD Co. C. A. 2d Cir. Certiorari denied. *Conrad B. Duberstein* for petitioners. *James S. Rowen* for respondent. Reported below: 291 F. 2d 433.

No. 489. TAK TRAK, INC., *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 9th Cir. Certiorari denied. *George R. Richter, Jr.* for petitioner. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: 293 F. 2d 270.

No. 495. TRUCK DRIVERS LOCAL UNION No. 299 ET AL. *v.* GOLDBERG, SECRETARY OF LABOR. C. A. 6th Cir. Certiorari denied. *Jacob Kossman* for petitioners. *Solicitor General Cox, Assistant Attorney General Orrick, Alan S. Rosenthal* and *Charles Donahue* for respondent. *Herbert S. Thatcher* filed a brief for International Brotherhood of Boilermakers et al., as *amici curiae*, in support of the petition. Reported below: 293 F. 2d 807.

No. 499. CHUNG WING PING ET AL. *v.* KENNEDY, ATTORNEY GENERAL, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Abraham Lebenkoff* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller* and *Beatrice Rosenberg* for respondents. Reported below: 111 U. S. App. D. C. 106, 294 F. 2d 735.

No. 502. WISCONSIN BANKERS ASSN. ET AL. *v.* ROBERTSON ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Harvey W. Peters* and *Percy W. Phillips* for petitioners. *Solicitor General Cox, Assistant Attorney General Orrick* and *John G. Laughlin, Jr.* for respondents. Reported below: 111 U. S. App. D. C. 85, 294 F. 2d 714.

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No. 497. ESTATE OF DAVISON *v.* UNITED STATES. Court of Claims. Certiorari denied. *W. Lee McLane, Jr.* and *Nola McLane* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *Melva M. Graney* and *George F. Lynch* for the United States. Reported below: — Ct. Cl. —, 292 F. 2d 937.

No. 501. DYKE WATER CO. *v.* PUBLIC UTILITIES COMMISSION OF CALIFORNIA. Supreme Court of California. Certiorari denied. *Arlyne Lansdale* and *Edgar P. Boyko* for petitioner. *William M. Bennett* and *J. Thomason Phelps* for respondent. Reported below: 56 Cal. 2d 105, 363 P. 2d 326.

No. 507. MARYLAND CASUALTY CO. *v.* FIRST NATIONAL BANK IN YONKERS ET AL. C. A. 2d Cir. Certiorari denied. *Franklin Nevius* and *J. Edward Davey, Jr.* for petitioner. *Samuel Gottesman* for First National Bank in Yonkers, respondent. Reported below: 290 F. 2d 246.

No. 509. BORG-WARNER CORP. *v.* YORK-SHIPLEY, INC. C. A. 7th Cir. Certiorari denied. *Edward A. Haight* and *Stuart S. Ball* for petitioner. *Beverly W. Pattishall* for respondent. Reported below: 293 F. 2d 88.

No. 510. SACHS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Hosea Alexander Stephens* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 293 F. 2d 623.

No. 516. BORNE CHEMICAL CO., INC., ET AL. *v.* McCLURE ET AL. C. A. 3d Cir. Certiorari denied. *William T. Coleman, Jr.* for petitioners. *Arnold R. Ginsburg* for respondents. Reported below: 292 F. 2d 824.

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No. 508. WOODLAND TERRACE, INC., *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Frederick Bernays Wiener, J. C. Long, W. Turner Logan* and *Louis M. Shimel* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick* and *Alan S. Rosenthal* for the United States. Reported below: 293 F. 2d 505.

No. 512. SCOTT PUBLISHING CO., INC., *v.* COLUMBIA BASIN PUBLISHERS, INC., ET AL. C. A. 9th Cir. Certiorari denied. *Herbert W. Clark* and *Robert D. Raven* for petitioner. *Alfred J. Schweppe, Sidney Dickstein* and *David I. Shapiro* for respondents. Reported below: 293 F. 2d 15.

No. 515. ROOT *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Oberdorfer, A. F. Prescott* and *Norman H. Wolfe* for the United States. Reported below: 294 F. 2d 484.

No. 518. BOARD OF EDUCATION OF NEW ROCHELLE ET AL. *v.* TAYLOR ET AL. C. A. 2d Cir. Certiorari denied. *Julius Weiss* and *Murray C. Fuerst* for petitioners. *Constance Baker Motley* and *Jack Greenberg* for respondents. Reported below: 294 F. 2d 36.

No. 427. VIRGINIA PETROLEUM JOBBERS ASSN. *v.* FEDERAL POWER COMMISSION ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

MR. JUSTICE BLACK, with whom MR. JUSTICE DOUGLAS concurs, dissenting from denial of certiorari.

This case raises a very important question which I think we should grant certiorari to settle. That question is whether the Federal Power Commission has authority

to refuse to summon a witness to testify to relevant facts in a hearing before it on the ground that the party summoning that witness refuses to compensate him as an expert witness over and above the amount authorized to be paid witnesses in courts under 28 U. S. C. § 1821.

The issue before the Federal Power Commission was the economic feasibility of a project of the Blue Ridge Gas Company to supply natural gas to Harrisonburg, Virginia. The witness desired was an engineer who had previously prepared a study of the project for Blue Ridge¹ and who had reported to it that the economic feasibility of the project was highly doubtful. The subpoena requested was for the engineer to appear and bring the papers and documents he had already prepared and used in his previous report. This would have been offered to rebut the evidence of Blue Ridge, favorable to the project, given by a second engineer who had been hired by Blue Ridge after the first engineer had given his unfavorable report. Since this evidence was heavily relied on by the Commission in finding that the project was feasible, there can be no doubt that the witness desired, the first engineer, could have given evidence highly relevant to a proper decision of the question before the Commission. Nevertheless, and in spite of the fact that § 6 (c) of the Administrative Procedure Act, 5 U. S. C. § 1005 (c), provides that agency subpoenas "shall be issued to any party upon request . . . upon a statement or showing of general relevance and reasonable scope of the evidence sought," the Commission refused to summon the witness on the ground that petitioner "should arrange for compensation to be paid to him as an expert witness, and for his voluntary attendance at the hearing." 21 F. P. C. 901, 902. This petition seeks certiorari to review the decision of the

¹ At that time Blue Ridge was known as Consumers Utility Company.

Court of Appeals, 110 U. S. App. D. C. 339, 293 F. 2d 527, upholding the Commission.

Since petitioner was willing to pay the fees prescribed for witnesses by Congress in 28 U. S. C. § 1821, the issue presented here seems to be substantially the same as that in *Henkel v. Chicago, St. P., M. & O. R. Co.*, 284 U. S. 444. There the plaintiff, Henkel, who had recovered a judgment against the railroad under the FELA, asked the court for an order allowing fees above the amounts provided in 28 U. S. C. § 1821 for ordinary witnesses in order to give extra compensation to expert witnesses who had testified in his behalf. This Court, in an opinion by Mr. Chief Justice Hughes, unanimously held that the only fees to expert witnesses allowable as costs in the federal courts were those provided for in § 1821. Since that time this Court has never modified or criticized in any way its statement that:

“The Congress has dealt with the subject comprehensively and has made no exception of the fees of expert witnesses. Its legislation must be deemed controlling and excludes the application in the federal courts of any different state practice.” *Id.*, at 447.²

Even so the Government seeks to justify enforced payment of extra fees by petitioner on two grounds: (1) that the Federal Power Commission acted within a discretion allowed it, and (2) that the error of the Commission, if any, in refusing to subpoena the witness was harmless. But administrative agencies, no more than courts, have inherent powers of discretion to nullify the mandatory provisions of 28 U. S. C. § 1821, and the Commission has pointed to no statute which gives it power to compel the payment of greater fees to expert witnesses than are paid

² See *In re Hayes*, 200 N. C. 133, 156 S. E. 791, for a general discussion of compelled testimony of expert witnesses.

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to witnesses who testify in the courts. As for the Commission's argument that the error was harmless, I can find nothing in this record to justify such a contention. The witness the Commission refused to summon had a broad knowledge of the economic feasibility of the gas project under consideration—his unfavorable report apparently being chiefly responsible for the dropping of the project once before. To sustain the Commission's contention of harmless error in this case would be to assume that no evidence could possibly have been introduced that would have changed the Commission's mind or altered the result on judicial review of the Commission's order by the Court of Appeals. I am not willing to make any such assumption, nor am I willing to leave unchallenged the decision in this case which suggests that administrative agencies have a broad discretion in matters involving large public interests such as here to force parties before administrative agencies to pay burdensome expert witness fees in order to present admittedly relevant evidence to them. It is for that reason that I am expressing my objection to the denial of certiorari in this case.

Bryce Rea, Jr. for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick, Morton Hollander, Ralph S. Spritzer* and *Howard E. Wahrenbrock* for the Federal Power Commission, and *Donald E. Van Koughnet* for the Blue Ridge Gas Company, respondents. Reported below: 110 U. S. App. D. C. 339, 293 F. 2d 527.

No. 496. *FIANO v. UNITED STATES*. 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 Ninth Circuit denied. *Nathan Kestnbaum* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 291 F. 2d 113.

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No. 431. *PARMELEE TRANSPORTATION Co. v. KEESHIN ET AL.* C. A. 7th Cir. Certiorari denied. THE CHIEF JUSTICE, MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. *Lee A. Freeman, Thomas C. McConnell, Herbert B. Lazarus and John Paul Stevens* for petitioner. *Edward R. Johnston, Albert E. Jenner, Jr., Philip W. Tone, Albert J. Meserow and Amos M. Mathews* for respondents. Reported below: 292 F. 2d 794.

No. 455. *ALLEN ET AL. v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. MR. JUSTICE WHITTAKER is of the opinion that certiorari should be granted. *John D. M. Hamilton and Ben S. Wendelken* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer, I. Henry Kutz and L. W. Post* for the United States. Reported below: 293 F. 2d 916.

No. 379, Misc. *TORRES v. DELGADO, WARDEN.* C. A. 1st Cir. Certiorari denied. *Santos P. Amadeo and Gerardo Ortiz del Rivero* for petitioner. *J. B. Fernandez Badillo*, Solicitor General of Puerto Rico, and *Arturo Estrella*, Deputy Solicitor General, for respondent.

No. 466, Misc. *GLASS v. MISSOURI PACIFIC RAILROAD Co.* Court of Civil Appeals of Texas, Fourth Supreme Judicial District. Certiorari denied. *Floyd McGowan, Jr. and John P. Spiller* for petitioner. *Josh H. Groce* for respondent. Reported below: 343 S. W. 2d 288.

No. 89, Misc. *ESTELLE v. PENNSYLVANIA ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 287 F. 2d 888.

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

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No. 625, Misc. BUTLER *v.* PENNSYLVANIA. Supreme Court of Pennsylvania. Certiorari denied. *Marjorie Hanson Matson* for petitioner. Reported below: 405 Pa. 36, 173 A. 2d 468.

Rehearing Denied.

No. 30. MARTIN *v.* WALTON, PROBATE JUDGE OF JOHN-SON COUNTY, KANSAS, *ante*, p. 25. Petition for rehearing denied. MR. JUSTICE WHITTAKER took no part in the consideration or decision of this application.

No. 117, Misc. EDELL *v.* NICHOLAS, TRUSTEE, *ante*, p. 849; and

No. 410, Misc. BLOCK *v.* BLOCK, *ante*, p. 906. Petitions for rehearing denied.

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Miscellaneous Order.

No. 79. LEHIGH VALLEY COOPERATIVE FARMERS, INC., ET AL. *v.* UNITED STATES ET AL. Certiorari, 366 U. S. 957, to the United States Court of Appeals for the Third Circuit. Motion of the Lawson Milk Company for leave to file brief, as *amicus curiae*, granted. *Landon Gerald Dowdey* on the motion.

Probable Jurisdiction Noted.

No. 488. UNITED STATES *v.* WISE. Appeal from the United States District Court for the Western District of Missouri. Probable jurisdiction noted. *Solicitor General Cox*, *Assistant Attorney General Loevinger* and *Richard A. Solomon* for the United States. *John T. Chadwell*, *Martin J. Purcell* and *John H. Lashly* for appellee. Reported below: 196 F. Supp. 155.

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Certiorari Granted. (See also No. 325, ante, p. 347.)

No. 142. SHOTWELL MANUFACTURING CO. ET AL. v. UNITED STATES. C. A. 7th Cir. Certiorari granted. *George B. Christensen, Harold A. Smith and William T. Kirby* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Joseph M. Howard, Vincent P. Russo and Charles A. McNelis* for the United States. Reported below: 287 F. 2d 667.

No. 532. CALBECK, DEPUTY COMMISSIONER, BUREAU OF EMPLOYEES' COMPENSATION, v. TRAVELERS INSURANCE CO. ET AL. C. A. 5th Cir. Certiorari granted. *Solicitor General Cox, Assistant Attorney General Orrick, Morton Hollander and David L. Rose* for petitioner. *Ewell Strong* for respondents. *Herman Wright* for McGuyer et al., as *amici curiae*, in support of the petition. Reported below: 293 F. 2d 51, 52.

Certiorari Denied. (See also No. 527, ante, p. 348, and No. 533, ante, p. 345.)

No. 521. POWELL v. NATIONAL SAVINGS & TRUST CO. ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Diana Kearny Powell pro se.* Reported below: 111 U. S. App. D. C. 290, 296 F. 2d 412.

No. 522. AMERICAN EMPLOYERS INSURANCE CO. v. ZABLOSKY. C. A. 5th Cir. Certiorari denied. *James A. Williams* for petitioner. *Irving L. Goldberg* for respondent. Reported below: 292 F. 2d 412.

No. 535. MOORE v. JACK P. HENNESSY CO., INC., ET AL. C. A. 3d Cir. Certiorari denied. Petitioner *pro se.* *Albert M. Parker* for respondents. Reported below: 293 F. 2d 44.

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No. 300. *GOMEZ v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. *Bernard A. Golding* for petitioner. *Will Wilson*, Attorney General of Texas, and *Leon F. Pesek*, *Frank J. Maloney* and *Sam Wilson*, Assistant Attorneys General, for respondent. Reported below: 171 Tex. Cr. R. —, 346 S. W. 2d 847.

No. 525. *SAIER v. STATE BAR OF MICHIGAN ET AL.* C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Paul L. Adams*, Attorney General of Michigan, and *Joseph B. Bilitzke*, Solicitor General, for the Supreme Court of Michigan, and *J. Cameron Hall* for the State Bar of Michigan et al., respondents. Reported below: 293 F. 2d 756.

No. 534. *AMERICAN RESEARCH COUNCIL, INC., ET AL. v. ATTORNEY GENERAL OF NEW YORK*. Court of Appeals of New York. Certiorari denied. *Milton A. Bass*, *Solomon H. Friend* and *Harold Friedman* for petitioners. *Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, *Samuel A. Hirshowitz*, First Assistant Attorney General, and *Daniel M. Cohen*, Assistant Attorney General, for respondent. Reported below: 10 N. Y. 2d 108, 176 N. E. 2d 402.

No. 536. *MOSS, ALIAS MARTINE, v. CALIFORNIA*. Appellate Department, Superior Court of California, Los Angeles County. Certiorari denied. *Rex H. Minter* for petitioner. *Roger Arnebergh* and *Philip E. Grey* for respondent.

No. 528. *BRUNER 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: 293 F. 2d 621.

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No. 524. *RAYMOND I. SMITH, INC., v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. *Valentine Brookes* and *Paul E. Anderson* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *Melva M. Graney* for respondent. Reported below: 292 F. 2d 470.

No. 526. *SHELL OIL CO. v. PUBLIC SERVICE COMMISSION OF NEW YORK*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Oliver L. Stone* and *William F. Kenney* for petitioner. *Kent H. Brown* and *Barbara M. Suchow* for respondent. Reported below: 111 U. S. App. D. C. 153, 295 F. 2d 140.

No. 539. *PEOPLES BANK OF HAVERSTRAW v. FELDMAN, TRUSTEE IN BANKRUPTCY*. C. A. 2d Cir. Certiorari denied. *John M. Friedman* for petitioner. *Harold Harper* and *Arthur R. Gaetjens* for respondent. Reported below: 293 F. 2d 889.

No. 707, Misc. *REID v. RICHMOND, WARDEN*. C. A. 2d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. *Louis H. Pollak*, *William D. Graham*, *Jack Greenberg* and *James M. Nabrit III* for petitioner. *John D. LaBelle* for respondent. Reported below: 295 F. 2d 83.

No. 529. *LOFFLAND BROTHERS CO. ET AL. v. TEICHMAN ET AL.* C. A. 5th Cir. Certiorari denied. *Bryan F. Williams, Jr.* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Orrick*, *Morton Hollander* and *David L. Rose* for Calbeck, Deputy Commissioner, Bureau of Employees' Compensation, and *Herman Wright* for Teichman, respondents. Reported below: 294 F. 2d 175.

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No. 243, Misc. LEWIS ET AL. *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Alfred V. J. Prather* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and J. F. Bishop* for the United States. Reported below: 111 U. S. App. D. C. 13, 294 F. 2d 209.

No. 584. ANDERSON *v.* GLADDEN, WARDEN. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *Robert Y. Thornton*, Attorney General of Oregon, and *Harold W. Adams*, Assistant Attorney General, for respondent. Reported below: 293 F. 2d 463.

No. 694, Misc. JACKSON *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. *Nathan Kestnbaum* for petitioner. *Edward S. Silver and William I. Siegel* for respondent. Reported below: 10 N. Y. 2d 780, 177 N. E. 2d 59.

Rehearing Denied.

No. 302. HYLAND ET AL. *v.* WATSON ET AL., *ante*, p. 876;

No. 348. MARSHALL *v.* UNITED STATES, *ante*, p. 898; and

No. 353. HILBERT ET AL. *v.* PENNSYLVANIA RAILROAD Co., *ante*, p. 900. Petitions for rehearing denied.

No. 229. DALY *v.* UNITED STATES ET AL., *ante*, p. 831. Motion to dispense with printing petition granted. Motion for leave to file petition for rehearing denied.

No. 470, Misc. MILLER *v.* OBERHAUSER, SUPERINTENDENT, INSTITUTION FOR MEN, *ante*, p. 874. Motion for leave to file petition for rehearing denied.

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Miscellaneous Orders.

No. 8, Original. ARIZONA *v.* CALIFORNIA ET AL. The motion of the Navajo Indian Tribe for reconsideration of its motion for leave to intervene and for order to the United States to show cause why it should not be ordered to account to the Court as to the adequacy of its representation of Navajo interests is denied. THE CHIEF JUSTICE took no part in the consideration or decision of this motion.

No. 61. UNITED GAS PIPE LINE Co. *v.* IDEAL CEMENT Co. ET AL. Appeal from the United States Court of Appeals for the Fifth Circuit. (Question of jurisdiction postponed to hearing on the merits, 366 U. S. 916.) Motion of Stone Container Corporation for leave to file brief, as *amicus curiae*, granted. Robert B. Wilkins on the motion. E. Dixie Beggs, George E. Stone, Jr. and Saunders Gregg for appellant, in opposition. Reported below: 282 F. 2d 574.

No. 138. IDLEWILD BON VOYAGE LIQUOR CORP. *v.* EPSTEIN [FORMERLY ROHAN] ET AL. Certiorari, *ante*, p. 812, to the United States Court of Appeals for the Second Circuit. Motion to substitute Robert E. Doyle, John C. Hart and Benjamin H. Balcom in the place of Grant F. Daniels, Thomas E. Rohan and Samuel M. Birnbaum as parties respondent granted. Charles H. Tuttle for movant. Reported below: 289 F. 2d 426.

No. 282. ATLANTIC AND GULF STEVEDORES, INC., *v.* ELLERMAN LINES, LTD., ET AL. Certiorari, *ante*, p. 874, to the United States Court of Appeals for the Third Circuit. Motion of the National Association of Stevedores for leave to file brief, as *amicus curiae*, granted. Martin J. McHugh on the motion. T. E. Byrne, Jr. for respondents, in opposition. Reported below: 289 F. 2d 201.

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Probable Jurisdiction Noted.

No. 513. McNEILL, STATE HOSPITAL SUPERINTENDENT, *v.* CARROLL. Appeal from the United States Court of Appeals for the Second Circuit. Probable jurisdiction noted. *Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, and *Isadore Siegel*, Assistant Attorney General, for appellant. *Melvin L. Wulf* for appellee. Reported below: 294 F. 2d 117.

No. 336. BURLINGTON TRUCK LINES, INC., ET AL. *v.* UNITED STATES ET AL.; and

No. 337. GENERAL DRIVERS & HELPERS UNION, LOCAL 554, INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS OF AMERICA, *v.* UNITED STATES ET AL. Appeals from the United States District Court for the Southern District of Illinois. Probable jurisdiction noted. *David Axelrod*, *Jack Goodman*, *Carl L. Steiner* and *Russell B. James* for Burlington Truck Lines, Inc., et al., and *Starr Thomas* and *Roland J. Lehman* for Santa Fe Trail Transportation Co., appellants in No. 336. *David D. Weinberg* for appellant in No. 337. *Robert W. Ginnane* and *I. K. Hay* for the United States et al., and *Robert A. Nelson* for Nebraska Short Line Carriers, Inc., appellees. Reported below: 194 F. Supp. 31.

Certiorari Granted.

No. 491. HEWITT-ROBINS INCORPORATED *v.* EASTERN FREIGHT-WAYS, INC. C. A. 2d Cir. Certiorari granted. *Harry Teichner* for petitioner. *Milton D. Goldman* and *Wilfred R. Caron* for respondent. Reported below: 293 F. 2d 205.

No. 548. FOMAN *v.* DAVIS, EXECUTRIX. C. A. 1st Cir. Certiorari granted. *Milton Bordwin* for petitioner. *Roland E. Shaine* and *Richard R. Caples* for respondent. Reported below: 292 F. 2d 85.

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Certiorari Denied. (See also Nos. 546 and 547, ante, p. 350.)

No. 505. *WIRIN v. OSTLY, COUNTY CLERK OF LOS ANGELES COUNTY, CALIFORNIA.* District Court of Appeal of California, Second Appellate District. *Certiorari* denied. *A. L. Wirin* and *Fred Okrand* for petitioner. *Harold W. Kennedy* for respondent. Reported below: 191 Cal. App. 2d 710, 13 Cal. Rptr. 31.

No. 519. *BEERY BEDDING CORP. ET AL. v. CASTRO CONVERTIBLE CORP.* C. A. 2d Cir. *Certiorari* denied. *A. Robert Theibault* for petitioners. *Daniel L. Morris* for respondent. Reported below: 291 F. 2d 306.

No. 523. *UNION EQUITY COOPERATIVE EXCHANGE, INC., v. OKLAHOMA STATE BOARD OF EQUALIZATION.* Supreme Court of Oklahoma. *Certiorari* denied. *Frank Carter* for petitioner. *Mac Q. Williamson*, Attorney General of Oklahoma, *Fred Hansen*, First Assistant Attorney General, and *R. O. Ingle*, Assistant Attorney General, for respondent. Reported below: — P. 2d —.

No. 530. *INDEPENDENT ICE & COLD STORAGE CO., INC., ET AL. v. GOLDBERG, SECRETARY OF LABOR.* C. A. 5th Cir. *Certiorari* denied. *Arthur A. Simpson* for petitioners. *Solicitor General Cox*, *Charles Donahue*, *Morton Liftin* and *Jacob I. Karro* for respondent. Reported below: 294 F. 2d 186.

No. 538. *CLINTON WATCH CO. ET AL. v. FEDERAL TRADE COMMISSION.* C. A. 7th Cir. *Certiorari* denied. *Paul G. Annes*, *Frank E. Gettleman*, *Arthur Gettleman* and *Franklin M. Lazarus* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Loevinger*, *Richard A. Solomon* and *James McI. Henderson* for respondent. Reported below: 291 F. 2d 838.

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No. 537. MONFRED ET AL. *v.* MARYLAND. Court of Appeals of Maryland. Certiorari denied. *Stanley Fleishman* and *Sam Rosenwein* for petitioners. *Thomas B. Finan*, Attorney General of Maryland, and *Clayton A. Dietrich*, Assistant Attorney General, for respondent. Reported below: 226 Md. 312, 173 A. 2d 173.

No. 540. WES CHAPTER, FLIGHT ENGINEERS' INTERNATIONAL ASSN., AFL-CIO, *v.* NATIONAL MEDIATION BOARD ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *I. J. Gromfine*, *Herman Sternstein* and *Isaac N. Groner* for petitioner. *I. Welch Pogue* and *Hugh W. Darling* for Western Air Lines, Inc., respondent.

No. 543. MONICA *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Allen S. Stim* and *Menahem Stim* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 295 F. 2d 400.

No. 549. DRIVERS & CHAUFFEURS LOCAL UNION No. 816, INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS OF AMERICA, *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 2d Cir. Certiorari denied. *Samuel J. Cohen* for petitioner. *Solicitor General Cox*, *Stuart Rothman*, *Dominick L. Manoli*, *Norton J. Come* and *Allan I. Mendelsohn* for respondent. Reported below: 292 F. 2d 329.

No. 551. FETZER TELEVISION, INC., *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 6th Cir. Certiorari denied. *John C. Howard* for petitioner. *Solicitor General Cox*, *Stuart Rothman*, *Dominick L. Manoli*, *Norton J. Come* and *Melvin Pollack* for respondent. Reported below: 295 F. 2d 244.

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No. 545. *McCLURE v. McCAUSLAND MOTORS, INC.* Supreme Court of Pennsylvania. Certiorari denied.

No. 550. *MARCHITTO v. WATERFRONT COMMISSION OF NEW YORK HARBOR.* Court of Appeals of New York. Certiorari denied. *Leonard B. Boudin* and *Victor Rabinowitz* for petitioner. *William P. Sirignano* and *Irving Malchman* for respondent.

No. 552. *ESTATE OF GARTLAND v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 7th Cir. Certiorari denied. *Sol Goodman* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *Meyer Rothwacks* and *Joseph Kovner* for respondent. Reported below: 293 F. 2d 575.

No. 558. *LEVENSON v. MILLS, U. S. ATTORNEY.* C. A. 1st Cir. Certiorari denied. *Harold Rosenwald* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Orrick* and *Morton Hollander* for respondent. Reported below: 294 F. 2d 397.

No. 560. *TRAHER ET UX. v. DE HAVILLAND AIRCRAFT OF CANADA, LTD.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Philip J. Lesser* and *I. Irwin Bolotin* for petitioners. *Frank F. Roberson* and *E. Barrett Prettyman, Jr.* for respondent. Reported below: 111 U. S. App. D. C. 33, 294 F. 2d 229.

No. 565. *ARIS GLOVES, INC., v. UNITED STATES.* United States Court of Customs and Patent Appeals. Certiorari denied. *Raoul Berger* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Orrick* and *Alan S. Rosenthal* for the United States. Reported below: 48 C. C. P. A. (Cust.) 126, — F. 2d —.

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No. 561. *HOSTETLER ET AL. v. BROTHERHOOD OF RAILROAD TRAINMEN ET AL.* C. A. 4th Cir. Certiorari denied. *Herbert M. Brune* and *Meyer Fix* for petitioners. *Bernard M. Savage* and *Wayland K. Sullivan* for respondents. Reported below: 287 F. 2d 457.

No. 563. *CEDILLO ET AL. v. STANDARD OIL Co.* C. A. 5th Cir. Certiorari denied. *Ernest Guinn* for petitioners. *J. F. Hulse* for respondent. Reported below: 291 F. 2d 246.

No. 566. *FULTON v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. *Francis Heisler* and *Jerome Rotenberg* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 295 F. 2d 280.

No. 568. *BERRY v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. *Merle L. Silverstein* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States. Reported below: 295 F. 2d 192.

No. 570. *McRAE ET UX. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 9th Cir. Certiorari denied. *Jerome B. Rosenthal* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *Harry Baum* and *Norman H. Wolfe* for respondent. Reported below: 294 F. 2d 56.

No. 572. *COPELAND v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. *Albert S. Lewis* and *Gerald F. White* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 295 F. 2d 635.

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No. 578. HEARST CONSOLIDATED PUBLICATIONS, INC., ET AL. v. HOPE. C. A. 2d Cir. Certiorari denied. *James M. McInerney* and *Frederick Bernays Wiener* for petitioners. *Morris K. Siegel* for respondent. Reported below: 294 F. 2d 681.

No. 531. UNA CHAPTER, FLIGHT ENGINEERS' INTERNATIONAL ASSN., AFL-CIO, v. NATIONAL MEDIATION BOARD ET AL. Motion of the Railway Labor Executives' Assn. for leave to file brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. *I. J. Gromfine*, *Herman Sternstein* and *Isaac N. Groner* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Orrick* and *Morton Hollander* for the National Mediation Board; *Clarence M. Mulholland*, *Richard R. Lyman* and *Edward J. Hickey, Jr.* for the Railway Labor Executives' Assn.; *Robert L. Stern* for United Air Lines, Inc.; *Samuel J. Cohen* and *Benedict F. Fitzgerald, Jr.* for Air Line Pilots Assn., International; and *Andrew G. Haley* and *J. Roger Wollenberg* for Richard L. Keller et al., respondents. Reported below: 111 U. S. App. D. C. 121, 294 F. 2d 905.

No. 544. SHAFFER ET AL., INDENTURE TRUSTEES, v. ANDERSON, TRUSTEE IN REORGANIZATION. Motion to correct and amend title to show the Protective Committee for Independent Stockholders of TMT Trailer Ferry, Inc., as a party respondent granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. *M. James Spitzer* for petitioners. *Harry N. Boureau* for respondent. *Solicitor General Cox*, *Peter A. Dammann* and *David Ferber* for the Securities and Exchange Commission. *Malcolm S. Mason* and *Irwin L. Langbein* for the Protective Committee. Reported below: 292 F. 2d 455.

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No. 514. GUESS, ADMINISTRATRIX, *v.* READ. C. A. 5th Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion certiorari should be granted. *Donald V. Organ* for petitioner. Reported below: 290 F. 2d 622.

No. 28, Misc. BURNS *v.* OHIO. Supreme Court of Ohio. Certiorari denied. Petitioner *pro se.* *C. Watson Hover* and *Harry C. Schoettmer* for respondent.

No. 217, Misc. PRESLEY *v.* MARYLAND. Court of Appeals of Maryland. Certiorari denied. *George B. Cavanagh* for petitioner. *Thomas B. Finan*, Attorney General of Maryland, and *Robert F. Sweeney*, Assistant Attorney General, for respondent. Reported below: 224 Md. 550, 168 A. 2d 510.

No. 275, Misc. AGNELLO *v.* BRYANT ET AL. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se.* *William G. Clark*, Attorney General of Illinois, for respondents.

No. 365, Misc. MARTIN *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 292 F. 2d 702.

No. 411, Misc. MILES *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. 478, Misc. DREW *v.* MYERS, CORRECTIONAL SUPERINTENDENT. Supreme Court of Pennsylvania. Certiorari denied. Petitioner *pro se.* *Louis F. McCabe* and *James C. Crumlish, Jr.* for respondent.

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No. 400, Misc. *LAMPE v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Monroe H. Freedman, Alvin Newmyer and Lawrence Speiser* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Sidney M. Glazer* for the United States. Reported below: 110 U. S. App. D. C. 69, 288 F. 2d 881.

No. 479, Misc. *CAMPISI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Daniel H. Greenberg* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Kirby W. Patterson* for the United States. Reported below: 292 F. 2d 811.

No. 483, Misc. *JACKOVICK v. RHAY, PENITENTIARY SUPERINTENDENT*. Supreme Court of Washington. Certiorari denied.

No. 489, Misc. *OREBO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Roderick M. Hills* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States. Reported below: 293 F. 2d 747.

No. 490, Misc. *GORE 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: 293 F. 2d 747.

No. 492, Misc. *REED v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. Reported below: 225 Md. 566, 171 A. 2d 464.

No. 493, Misc. *ALBANESE v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

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No. 495, Misc. SHUTTLESWORTH *v.* CITY OF BIRMINGHAM. Court of Appeals of Alabama. Certiorari denied. *Arthur D. Shores* and *Orzell Billingsley, Jr.* for petitioner. *Earl McBee* for respondent. Reported below: — Ala. App. —, 130 So. 2d 236.

No. 497, Misc. BISNO ET UX. *v.* HYDE. C. A. 9th Cir. Certiorari denied. Reported below: 290 F. 2d 560.

No. 500, Misc. PHIFER *v.* CITY OF BIRMINGHAM. Court of Appeals of Alabama. Certiorari denied. *Arthur D. Shores* and *Orzell Billingsley, Jr.* for petitioner. *Earl McBee* for respondent. Reported below: — Ala. App. —, 130 So. 2d 237.

No. 501, Misc. McLAIN *v.* CAROLINA POWER & LIGHT Co. C. A. 4th Cir. Certiorari denied. *William E. Chandler* for petitioner. *A. Y. Arledge* and *David W. Robinson* for respondent. Reported below: 286 F. 2d 816.

No. 502, Misc. HOLLEY *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 503, Misc. PLAYER *v.* STEINER, WARDEN. C. A. 4th Cir. Certiorari denied. Reported below: 292 F. 2d 1.

No. 507, Misc. HOPKINS *v.* ELLIS, CORRECTIONS DIRECTOR. Court of Criminal Appeals of Texas. Certiorari denied.

No. 508, Misc. MURDAUGH *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 512, Misc. KASEY *v.* GOODWYN, WARDEN. C. A. 4th Cir. Certiorari denied. *Alfred Avins* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Marshall* and *Harold H. Greene* for respondent. Reported below: 291 F. 2d 174.

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No. 513, Misc. CHANDLER ET AL. *v.* MARKLEY, WARDEN. C. A. 7th Cir. Certiorari denied. *Alfred Avins* for petitioners. *Solicitor General Cox, Assistant Attorney General Marshall* and *Harold H. Greene* for respondent. Reported below: 291 F. 2d 157.

No. 514, Misc. WALKER *v.* WARDEN, MARYLAND PENITENTIARY. Court of Appeals of Maryland. Certiorari denied.

No. 516, Misc. HENSLER *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 517, Misc. JOHNSON *v.* MYERS, CORRECTIONAL SUPERINTENDENT. Supreme Court of Pennsylvania. Certiorari denied.

No. 518, Misc. KEHL *v.* MYERS, CORRECTIONAL SUPERINTENDENT. Supreme Court of Pennsylvania. Certiorari denied.

No. 520, Misc. LEWIS *v.* ELLIS, CORRECTIONS DIRECTOR. Court of Criminal Appeals of Texas. Certiorari denied.

No. 543, Misc. ERVING *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. *Rex H. Minter* for petitioner. Reported below: See 189 Cal. App. 2d 283, 11 Cal. Rptr. 203.

No. 567, Misc. PONS *v.* REPUBLIC OF CUBA. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Thomas A. Ziebarth* for petitioner. *Victor Rabinowitz* and *Leonard B. Boudin* for respondent. *William Harvey Reeves, Chauncey B. Garver* and *Isadore G. Alk* for the First National City Bank of New York, as *amicus curiae*, in support of petitioner. Reported below: 111 U. S. App. D. C. 141, 294 F. 2d 925.

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No. 560, Misc. *MCABEE v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Raymond W. Bergan* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States. Reported below: 111 U. S. App. D. C. 74, 294 F. 2d 703.

No. 600, Misc. *LAURELLI v. UNITED STATES*. C. A. 3d 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: 293 F. 2d 830.

No. 618, Misc. *POINDEXTER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Sidney M. Glazer* for the United States. Reported below: 293 F. 2d 329.

No. 619, Misc. *CARRELL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Sidney M. Glazer* for the United States. Reported below: 293 F. 2d 329.

No. 620, Misc. *MARTIN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Sidney M. Glazer* for the United States. Reported below: 293 F. 2d 329.

No. 641, Misc. *BRANSON v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Arthur J. Hilland* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Theodore George Gilinsky* for the United States.

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No. 187, Misc. BAUMGART *v.* MARTIN, WARDEN. Court of Appeals of New York. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. 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 351, 174 N. E. 2d 475.

No. 292, Misc. TREAT *v.* SACHS, WARDEN. Supreme Court of Ohio. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion certiorari should be granted. Petitioner *pro se.* *Mark McElroy*, Attorney General of Ohio, and *Aubrey A. Wendt*, Assistant Attorney General, for respondent. Reported below: 172 Ohio St. 246, 175 N. E. 2d 86.

Rehearing Denied.

No. 378. SHAFFER ET AL. *v.* UNITED STATES, *ante*, p. 915;

No. 379. SHARE ET AL. *v.* UNITED STATES, *ante*, p. 914;

No. 433, Misc. SHIELDS *v.* UNITED STATES, *ante*, p. 933; and

No. 466, Misc. GLASS *v.* MISSOURI PACIFIC RAILROAD Co., *ante*, p. 944. Petitions for rehearing denied.

No. 551, October Term, 1960. GINSBURG *v.* GINSBURG ET AL., 364 U. S. 934. Motion for leave to file supplemental brief granted. Petition for rehearing of motion to vacate order denying certiorari denied.

No. 15, Misc. O'NEAL *v.* MCGEE, CORRECTIONS DIRECTOR, ET AL., *ante*, p. 840; and

No. 255, Misc. SULLIVAN *v.* DICKSON, WARDEN, *ante*, p. 884. Motions for leave to file petitions for rehearing denied.

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No. 370. *POSS v. RIBICOFF, SECRETARY OF HEALTH, EDUCATION, AND WELFARE*, *ante*, p. 902. Motion to dispense with printing petition for rehearing granted. Petition for rehearing denied.

JANUARY 11, 1962.

Dismissal Under Rule 60.

No. 648, Misc. *WINEFIELD v. NEW YORK ET AL.* On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Petition dismissed pursuant to Rule 60 of the Rules of this Court.

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Miscellaneous Orders.

No. 439. *UNITED STATES v. BORDEN COMPANY ET AL.* Appeal from the United States District Court for the Northern District of Illinois. (Probable jurisdiction noted, *ante*, p. 924.) The motions of the Borden Company and the Bowman Dairy Company that separate records be printed are denied. In so far as the motions request the filing of separate briefs and separate hearings on the merits, the motions are granted. *Stuart S. Ball* for the Borden Company, and *L. Edward Hart* and *John Paul Stevens* for the Bowman Dairy Company, movants. Reported below: — F. Supp. —.

No. 643. *BAILEY ET AL. v. PATTERSON, ATTORNEY GENERAL OF MISSISSIPPI, ET AL.* Appeal from the United States District Court for the Southern District of Mississippi. Motion for order limiting the time permitted to file motion to dismiss or affirm, advancing the argument on appeal, etc., denied. *Constance Baker Motley*, *Jack Greenberg*, *James M. Nabrit III* and *R. Jess Brown* on the motion. *Thomas H. Watkins* for the City of Jackson et al., appellees, in opposition. Reported below: 199 F. Supp. 595.

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No. 552, Misc. THOMAS *v.* UNITED STATES. Motion for leave to file petition for writ of certiorari denied.

No. 550, Misc. LUNSFORD *v.* SHERIFF, HANSFORD COUNTY, TEXAS, ET AL. Motion for leave to file petition for writ of habeas corpus denied.

No. 499, Misc. FITZGERALD *v.* UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION, ET AL. Motion for leave to file petition for writ of mandamus denied. *John O'C. FitzGerald pro se. Solicitor General Cox* for respondents.

No. 778, Misc. AN-SON OFFSHORE DRILLING Co. *v.* LEVET, U. S. DISTRICT JUDGE. Motion for leave to file petition for writ of mandamus and/or prohibition denied. *Eberhard P. Deutsch, Malcolm W. Monroe and Eugene Underwood* on the motion.

Probable Jurisdiction Noted or Question Postponed.

No. 257. PAN AMERICAN WORLD AIRWAYS, INC., *v.* UNITED STATES. Appeal from the United States District Court for the Southern District of New York. Further consideration of the question of jurisdiction postponed to the hearing of the case on the merits. *David W. Peck* for appellant. Reported below: 193 F. Supp. 18.

No. 557. FLORIDA LIME & AVOCADO GROWERS, INC., ET AL. *v.* PAUL, DIRECTOR OF DEPARTMENT OF AGRICULTURE OF CALIFORNIA, ET AL. Appeal from the United States District Court for the Northern District of California. Probable jurisdiction noted. *Isaac E. Ferguson* for appellants. *Stanley Mosk*, Attorney General of California, *Walter S. Rountree*, Assistant Attorney General, and *Lawrence E. Dorse* and *John Fourt*, Deputy Attorneys General, for appellees. Reported below: 197 F. Supp. 780; — F. Supp. —.

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No. 511. LOS ANGELES MEAT & PROVISION DRIVERS UNION ET AL. *v.* UNITED STATES. Appeal from the United States District Court for the Southern District of California. Probable jurisdiction noted. *David Previant* for appellants. *Solicitor General Cox*, *Assistant Attorney General Loevinger* and *Richard A. Solomon* for the United States. Reported below: 196 F. Supp. 12.

No. 599. PAUL, DIRECTOR OF DEPARTMENT OF AGRICULTURE OF CALIFORNIA, ET AL. *v.* FLORIDA LIME & AVOCADO GROWERS, INC., ET AL. Appeal from the United States District Court for the Northern District of California. Probable jurisdiction noted. *Stanley Mosk*, Attorney General of California, *Walter S. Rountree*, Assistant Attorney General, and *Lawrence E. Doxsee* and *John Fourt*, Deputy Attorneys General, for appellants. *Isaac E. Ferguson* for appellees. Reported below: 197 F. Supp. 780; — F. Supp. —.

No. 239. PAUL, DIRECTOR OF DEPARTMENT OF AGRICULTURE OF CALIFORNIA, ET AL. *v.* UNITED STATES. Appeal from the United States District Court for the Northern District of California. Further consideration of the question of jurisdiction is postponed until a hearing of the case on the merits. Counsel are requested to brief and argue, in addition to the merits, the question of this Court's jurisdiction on direct appeal under 28 U. S. C. § 1253; see 28 U. S. C. § 2281. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS would note jurisdiction since none of the parties has raised the question concerning the propriety of convening a three-judge court in this case and since the convening of a three-judge court was not palpably erroneous. *Stanley Mosk*, Attorney General of California, *Walter S. Rountree*, Assistant Attorney General, *Lawrence E. Doxsee* and *John Fourt*, Deputy Attorneys General, and *Roger Kent* for appellants. *Solicitor General Cox* for the

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United States. Briefs of *amici curiae* in support of appellants were filed for the State of Virginia by *Fredrick T. Gray*, Attorney General, and *M. Harris Parker*, Assistant Attorney General; for the State of Montana by *Forrest H. Anderson*, Attorney General, and *Geoffrey L. Brazier*, Special Assistant Attorney General; for the State of Maine by *Frank E. Hancock*, Attorney General, and *Thomas W. Tavenner*, Assistant Attorney General; for the State of Mississippi et al. by *Joe T. Patterson*, Attorney General, and *John L. Hatcher*; for the State of Nevada by *Roger D. Foley*, Attorney General, and *Joseph J. Kay, Jr.*, Special Deputy Attorney General; for the State of North Carolina by *T. Wade Bruton*, Attorney General; for the State of Oregon by *Robert Y. Thornton*, Attorney General; for the State of Louisiana by *Jack P. F. Gremillion*, Attorney General; for Consolidated Milk Producers of San Francisco, Inc., by *Gerald D. Marcus*; for the Dairy Institute of California et al. by *Thomas G. Baggot* and *Jesse E. Baskette*; and for Petaluma Cooperative Creamery by *Joseph A. Rattigan*. Reported below: 190 F. Supp. 645.

No. 583. UNITED STATES *v.* PAN AMERICAN WORLD AIRWAYS, INC., ET AL. Appeal from the United States District Court for the Southern District of New York. Further consideration of the question of jurisdiction postponed to the hearing of the case on the merits. *Solicitor General Cox*, *Assistant Attorney General Loevinger* and *Lionel Kestenbaum* for the United States. Reported below: 193 F. Supp. 18.

Certiorari Granted. (See also No. 35, *ante*, p. 399; No. 38, *ante*, p. 400; and No. 39, *ante*, p. 401.)

No. 639. SIMLER *v.* CONNER. C. A. 10th Cir. *Certiorari granted.* *John B. Ogden* for petitioner. *Peyton Ford* for respondent. Reported below: 295 F. 2d 534.

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Certiorari Denied. (See also No. 149, Misc., ante, p. 402.)

No. 447. ESTATE OF SMITH ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 3d Cir. *Certiorari denied.* *Samuel J. Foosaner* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer and Harry Baum* for respondent. Reported below: 292 F. 2d 478.

No. 472. FITZGERALD *v.* IGOE, U. S. DISTRICT JUDGE, ET AL. C. A. 7th Cir. *Certiorari denied.* *John O'C. FitzGerald pro se.* *Solicitor General Cox* for respondents. Reported below: — F. 2d —.

No. 541. SPARTON CORPORATION *v.* EVANS PRODUCTS CO. C. A. 6th Cir. *Certiorari denied.* *Townsend F. Beaman and Raymond J. Patch* for petitioner. *Arthur W. Dickey and Cyrus G. Minkler* for respondent. Reported below: 293 F. 2d 699.

No. 577. HAITH *v.* UNITED STATES. C. A. 3d Cir. *Certiorari denied.* *W. A. Hall, Jr.* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 295 F. 2d 489.

No. 580. FIORELLO *v.* NEW JERSEY. Supreme Court of New Jersey. *Certiorari denied.* *Joseph F. Walsh* for petitioner. Reported below: 36 N. J. 80, 174 A. 2d 900.

No. 581. AN-SON OFFSHORE DRILLING CO. *v.* LEVET, U. S. DISTRICT JUDGE. C. A. 2d Cir. *Certiorari denied.* *Eberhard P. Deutsch, Malcolm W. Monroe and Eugene Underwood* for petitioner. *Edward C. Kalaidjian* for Texas San Juan Oil Corp.

No. 74, Misc. SAMMARCO *v.* NEW YORK. Appellate Division of the Supreme Court of New York, First Judicial Department. *Certiorari denied.*

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No. 585. *N. SIMS ORGAN & Co., INC., ET AL. v. SECURITIES & EXCHANGE COMMISSION*. C. A. 2d Cir. Certiorari denied. *Harold Unterberg* for petitioners. Reported below: 293 F. 2d 78.

No. 75, 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. 141, Misc. *CRAWFORD v. UNITED STATES ET AL.* C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Marshall and Harold H. Greene* for the United States et al.

No. 264, Misc. *BEGGS v. ELLIS, CORRECTIONS DIRECTOR*. Court of Criminal Appeals of Texas. Certiorari denied. Petitioner *pro se*. *Will Wilson, Attorney General of Texas, and F. J. Maloney, Jr., Leon F. Pesek and Marvin F. Sentell, Assistant Attorneys General*, for respondent. Reported below: See 170 Tex. Cr. R. 162, 339 S. W. 2d 527.

No. 475, Misc. *GRACE v. CUNNINGHAM, PENITENTIARY SUPERINTENDENT*. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 476, Misc. *BUGELY v. RILEY, DISTRICT COURT JUSTICE, ET AL.* Superior Court of Massachusetts, Suffolk County. Certiorari denied.

No. 522, Misc. *DYSON v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. Reported below: 226 Md. 18, 171 A. 2d 505.

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No. 402, Misc. *CHAPMAN v. MOORE, WARDEN, ET AL.* Court of Criminal Appeals of Texas. Certiorari denied. Petitioner *pro se*. *Will Wilson*, Attorney General of Texas, and *Irwin R. Salmanson* and *Houghton Brownlee, Jr.*, Assistant Attorneys General, for respondents.

No. 504, Misc. *SILIA v. PENNSYLVANIA.* Supreme Court of Pennsylvania. Certiorari denied.

No. 505, Misc. *JOHNSON v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox*, Acting Assistant Attorney General *Jones* and *I. Henry Kutz* for the United States. Reported below: 291 F. 2d 908.

No. 515, Misc. *KERN v. PRUDENTIAL INSURANCE CO. OF AMERICA.* C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Walter R. Mayne* for respondent. Reported below: 293 F. 2d 251.

No. 523, Misc. *KEYS v. MCGEE, CORRECTIONS DIRECTOR, ET AL.* Supreme Court of California. Certiorari denied.

No. 524, Misc. *HANZ v. CALIFORNIA.* Supreme Court of California. Certiorari denied.

No. 525, Misc. *MARSHALL 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.

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

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No. 528, Misc. GIVENS *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 529, Misc. BOLAND *v.* MURPHY, WARDEN. Court of Appeals of New York. Certiorari denied.

No. 532, Misc. COOK *v.* MARYLAND. Court of Appeals of Maryland. Certiorari denied. Reported below: 225 Md. 603, 171 A. 2d 460.

No. 534, Misc. MILLER *v.* NEW MEXICO. Supreme Court of New Mexico. Certiorari denied:

No. 536, Misc. BECKER *v.* WEBCOR, INC. C. A. 7th Cir. Certiorari denied. Petitioner *pro se.* *William A. Snow* for respondent. Reported below: 289 F. 2d 357.

No. 537, Misc. MORGAN, ALIAS HARRIS, *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *King David* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States.

No. 551, Misc. WISSENFELD *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 553, Misc. WHITE *v.* INDIANA. Supreme Court of Indiana. Certiorari denied.

No. 555, Misc. MANSFIELD *v.* ELLIS, CORRECTIONS DIRECTOR. Court of Criminal Appeals of Texas. Certiorari denied.

No. 556, Misc. TALBERT *v.* BANNAN ET AL. Supreme Court of Michigan. Certiorari denied.

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No. 558, Misc. DEC *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 559, Misc. McDONALD *v.* IOWA. Supreme Court of Iowa. Certiorari denied.

No. 561, Misc. MARTIN *v.* WARDEN, MARYLAND PENITENTIARY. Court of Appeals of Maryland. Certiorari denied. Reported below: 226 Md. 658, 172 A. 2d 412.

No. 563, Misc. IN RE JOHNSON. C. A. 8th Cir. Certiorari denied. Reported below: 291 F. 2d 910.

No. 564, Misc. BUTCHER *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 565, Misc. JACKSON *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 566, Misc. MILLER *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 571, Misc. RAY *v.* HEINZE, WARDEN. Supreme Court of California. Certiorari denied.

No. 572, Misc. GARLOCK *v.* UNITED STATES. Court of Claims. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Orrick and John G. Laughlin, Jr.* for the United States.

No. 573, Misc. SNEBOLD *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 575, Misc. ADMIRE *v.* GLADDEN, WARDEN. Supreme Court of Oregon. Certiorari denied.

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No. 576, Misc. *MONROE v. CALIFORNIA STATE LEGISLATURE ET AL.* Supreme Court of California. Certiorari denied.

No. 577, Misc. *HUNT v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox* for the United States.

No. 578, Misc. *MAHURIN v. SWINK, CIRCUIT COURT JUDGE, ET AL.* Supreme Court of Missouri. Certiorari denied.

No. 580, Misc. *ABNEY v. SACKS, WARDEN.* Supreme Court of Ohio. Certiorari denied.

No. 125, Misc. *BILOCHE v. UNITED STATES.* Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied without prejudice to future certiorari proceedings to review the further actions of the courts below on petitioner's application to appeal his conviction *in forma pauperis* as suggested by the Solicitor General. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States.

Rehearing Denied.

No. 47. *ST. REGIS PAPER CO. v. UNITED STATES, ante*, p. 208;

No. 431. *PARMELEE TRANSPORTATION CO. v. KEESHIN ET AL., ante*, p. 944;

No. 135, Misc. *HOGUE v. UNITED STATES, ante*, p. 932;

No. 459, Misc. *WALLACH v. UNITED STATES, ante*, p. 935; and

No. 625, Misc. *BUTLER v. PENNSYLVANIA, ante*, p. 945. Petitions for rehearing denied.

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Miscellaneous Orders.

No. 242. GLIDDEN COMPANY *v.* ZDANOK ET AL. Certiorari, *ante*, p. 814, to the United States Court of Appeals for the Second Circuit. The motion of *Francis M. Shea, Esquire*, for leave to participate in oral argument on behalf of the United States Court of Claims, as *amicus curiae*, is granted. Reported below: 288 F. 2d 99.

No. 479. WONG SUN ET AL. *v.* UNITED STATES. Certiorari, *ante*, p. 817, to the United States Court of Appeals for the Ninth Circuit. It is ordered that *Edward Bennett Williams, Esquire*, of Washington, D. C., a member of the bar of this Court, be, and he is hereby, appointed to serve as counsel for the petitioners in this case. Reported below: 288 F. 2d 366.

No. 612, Misc. FEATHERINGHAM *v.* OHIO ET AL. Motion for leave to file petition for writ of certiorari denied.

No. 606, Misc. EASTER *v.* ILLINOIS. Motion for leave to file petition for writ of habeas corpus denied.

No. 609, Misc. SAYAD *v.* SCHAEFER, CHIEF JUSTICE, ILLINOIS SUPREME COURT, ET AL. Motion for leave to file petition for writ of prohibition and/or mandamus denied.

Probable Jurisdiction Noted.

No. 553. UNITED STATES *v.* LOEW'S INCORPORATED ET AL.;

No. 555. LOEW'S INCORPORATED ET AL. *v.* UNITED STATES; and

No. 556. C & C SUPER CORP. *v.* UNITED STATES. Appeals from the United States District Court for the

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Southern District of New York. Probable jurisdiction noted. *Solicitor General Cox, Assistant Attorney General Loevinger, Lionel Kestenbaum and Richard A. Solomon* for the United States. *Louis Nizer, Myles J. Lane and Benjamin Melniker* for appellees in No. 553 and appellants in No. 555. *Mervin C. Pollak* for appellant in No. 556. Reported below: 189 F. Supp. 373.

Certiorari Granted. (See also No. 448, Misc., ante, p. 439.)

No. 617. *KER ET UX. v. CALIFORNIA.* District Court of Appeal of California, Second Appellate District. *Certiorari* granted. *Al Matthews and Robert W. Stanley* for petitioners. *Stanley Mosk, Attorney General of California, William E. James, Assistant Attorney General, and George W. Kell, Deputy Attorney General,* for respondent. Reported below: 195 Cal. App. 2d 246, 15 Cal. Rptr. 767.

No. 591. *FEDERAL POWER COMMISSION v. TENNESSEE GAS TRANSMISSION Co. ET AL.; and*

No. 605. *CITY OF PITTSBURGH v. TENNESSEE GAS TRANSMISSION Co. ET AL.* C. A. 5th Cir. *Certiorari* granted. *Solicitor General Cox, Assistant Attorney General Orrick, Morton Hollander, Ralph S. Spritzer, Howard E. Wahrenbrock, Luke R. Lamb and Peter H. Schiff* for petitioner in No. 591. *Charles S. Rhyne and Herzel H. E. Plaine* for petitioner in No. 605. *Harry S. Littman, William C. Braden, Jr., Jack Werner, Harold L. Talisman, Brooks E. Smith and Herbert W. Bryan* for respondents. *David Stahl, Attorney General of Pennsylvania, and Herbert E. Squires* for the Commonwealth of Pennsylvania and the Pennsylvania Public Utility Commission, respectively, as *amici curiae*, in support of petitioners. Reported below: 293 F. 2d 761.

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No. 574. SOUTHERN CONSTRUCTION CO., INC., ET AL. v. PICKARD, DOING BUSINESS AS PICKARD ENGINEERING Co. C. A. 6th Cir. Certiorari granted. *Charles C. Trabue, Jr.* and *Harry S. McCowen* for petitioners. Reported below: 293 F. 2d 493.

No. 598. DRAKE BAKERIES INCORPORATED v. LOCAL 50, AMERICAN BAKERY & CONFECTIONERY WORKERS INTERNATIONAL, AFL-CIO, ET AL. C. A. 2d Cir. Certiorari granted. *Horace S. Manges* and *Marshall C. Berger* for petitioner. *Paul O'Dwyer* and *Howard N. Meyer* for respondents. Reported below: 294 F. 2d 399.

Certiorari Denied.

No. 506. WILLMUT GAS & OIL Co. v. FEDERAL POWER COMMISSION ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Bryce Rea, Jr.* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Orrick*, *John G. Laughlin, Jr.*, *Kathryn H. Baldwin*, *Ralph S. Spritzer*, *Howard E. Wahrenbrock*, *Luke R. Lamb* and *Peter H. Schiff* for the Federal Power Commission, and *Thomas Fletcher* and *C. Huffman Lewis* for the United Gas Pipe Line Company, respondents. Reported below: 111 U. S. App. D. C. 49, 294 F. 2d 245.

No. 579. UNITED STATES v. McCRORY HOLDING Co. ET AL. C. A. 5th Cir. Certiorari denied. *Solicitor General Cox* and *Roger P. Marquis* for the United States. *J. R. Wells* for respondents. Reported below: 294 F. 2d 812.

No. 592. JORDAN v. UNITED STATES. C. A. 10th Cir. Certiorari denied. *Edward L. Carey* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 295 F. 2d 355.

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No. 564. *AMERADA PETROLEUM CORP. v. FEDERAL POWER COMMISSION*. C. A. 10th Cir. Certiorari denied. *Robert E. May* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick, John G. Laughlin, Jr., Kathryn H. Baldwin, Ralph S. Spritzer, Howard E. Wahrenbrock, Luke R. Lamb and Peter H. Schiff* for respondent. Reported below: 293 F. 2d 572.

No. 590. *CHESAPEAKE & OHIO RAILWAY Co. v. LOUISVILLE & NASHVILLE RAILROAD Co.* C. A. 6th Cir. Certiorari denied. *Louis Seelbach* for petitioner. *R. P. Hobson, J. P. Sandidge, H. G. Breetz, W. L. Grubbs and Joseph L. Lenihan* for respondent. Reported below: 295 F. 2d 308.

No. 597. *RUBBER CORPORATION OF CALIFORNIA v. NATIONAL SPONGE CUSHION Co., INC.* C. A. 9th Cir. Certiorari denied. *Allan D. Mockabee* for petitioner. *Richard P. Schulze, Louis M. Welsh and Robert L. Harrington* for respondent. Reported below: 286 F. 2d 731.

No. 603. *MILWAUKEE & SUBURBAN TRANSPORT CORP. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 7th Cir. Certiorari denied. *Richard R. Teschner* for petitioner. *Solicitor General Cox, Acting Assistant Attorney General Jones and Joseph Kovner* for respondent. Reported below: See 283 F. 2d 279.

No. 593. *DEGILLIO ET AL. v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied. MR. JUSTICE BLACK, MR. JUSTICE DOUGLAS and MR. JUSTICE BRENNAN are of the opinion certiorari should be granted. *Alan J. Stone* for petitioners. *Paul L. Adams, Attorney General of Michigan, Joseph B. Bilitzke, Solicitor General, and Robert Weinbaum and George Mason, Assistant Attorneys General, for respondent.*

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No. 573. LEWIS ET AL. *v.* LOWRY, DOING BUSINESS AS LOWRY COAL CO. C. A. 4th Cir. Certiorari denied. THE CHIEF JUSTICE, MR. JUSTICE BLACK and MR. JUSTICE BRENNAN are of the opinion certiorari should be granted. *Val J. Mitch, Harold H. Bacon* and *M. E. Boiarsky* for petitioners. *Robert T. Winston* for respondent. Reported below: 295 F. 2d 197.

No. 392, Misc. BROWN *v.* ARIZONA. Supreme Court of Arizona. Certiorari denied. Petitioner *pro se.* *Robert W. Pickrell*, Attorney General of Arizona, and *Stirley Newell*, Assistant Attorney General, for respondent.

No. 472, Misc. TYSON *v.* PENNSYLVANIA. Supreme Court of Pennsylvania. Certiorari denied.

No. 473, Misc. KIMBLE *v.* KEENAN, WORKHOUSE SUPERINTENDENT. Supreme Court of Pennsylvania. Certiorari denied.

No. 589, Misc. KOURY *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Sidney M. Glazer* for the United States.

No. 579, Misc. ARGO *v.* WIMAN, WARDEN. 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. 587, Misc. WILLIAMS *v.* SAHLI, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 6th Cir. Certiorari denied. *George W. Crockett, Jr.* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller* and *Beatrice Rosenberg* for respondent. Reported below: 292 F. 2d 249.

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No. 539, Misc. *CASTLE v. MINNESOTA*. Supreme Court of Minnesota. Certiorari denied.

No. 591, Misc. *MORELOS v. CALIFORNIA STATE LEGISLATURE ET AL.* Supreme Court of California. Certiorari denied.

No. 594, Misc. *MORGAN 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. Reported below: 111 U. S. App. D. C. 127, 294 F. 2d 911.

No. 597, Misc. *WRIGHT v. WARDEN, MARYLAND PENITENTIARY*. C. A. 4th Cir. Certiorari denied.

No. 599, Misc. *WILSON v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 601, Misc. *RAU v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Robert G. Maysack* for the United States.

No. 603, Misc. *CRUZ v. COLORADO*. Supreme Court of Colorado. Certiorari denied.

No. 604, Misc. *HARRIS v. MYERS, CORRECTIONAL SUPERINTENDENT*. Supreme Court of Pennsylvania. Certiorari denied.

No. 605, Misc. *TRANOWSKI v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 611, Misc. *LOPER v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied.

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No. 706, Misc. *YOUNG v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 294 F. 2d 517.

No. 800, Misc. *THORNE v. SOUTH CAROLINA*. Supreme Court of South Carolina. Certiorari denied. Reported below: 239 S. C. 164, 121 S. E. 2d 623.

Rehearing Denied.

No. 391. *LEGGETT ET AL. v. UNITED STATES*, *ante*, p. 914;

No. 427. *VIRGINIA PETROLEUM JOBBERS ASSN. v. FEDERAL POWER COMMISSION ET AL.*, *ante*, p. 940;

No. 502. *WISCONSIN BANKERS ASSN. ET AL. v. ROBERTSON ET AL.*, *ante*, p. 938;

No. 536. *MOSS, ALIAS MARTINE, v. CALIFORNIA*, *ante*, p. 947; and

No. 707, Misc. *REID v. RICHMOND, WARDEN*, *ante*, p. 948. Petitions for rehearing denied.

No. 7. *KILLIAN v. UNITED STATES*, *ante*, p. 231. Petition for rehearing and motion for leave to file petition for rehearing from limitation on order granting certiorari denied.

Dismissals Under Rule 60.

No. 620. *SICILIANO v. DENVER & RIO GRANDE WESTERN RAILROAD Co.* On petition for writ of certiorari to the Supreme Court of Utah. Petition dismissed pursuant to Rule 60 of the Rules of this Court. *Clarence M. Beck* and *George M. McMillan* for petitioner. *Dennis McCarthy* and *Grant MacFarlane, Jr.* for respondent. Reported below: 12 Utah 2d 183, 364 P. 2d 413.

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No. 650, Misc. *WHITLEY v. STEINER, WARDEN*. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Petition dismissed pursuant to Rule 60 of the Rules of this Court. *David B. Isbell* and *Stephen J. Pollak* for petitioner. Reported below: 293 F. 2d 895.

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Order Appointing Deputy Clerk.

It is ordered that Rodolph deB. Waggaman be, and he hereby is, appointed a Deputy Clerk of this Court.

Miscellaneous Orders.

No. 663, October Term, 1959. *GINSBURG v. GOURLEY, CHIEF JUDGE, U. S. DISTRICT COURT*, 362 U. S. 917. The motion for leave to file supplemental appendix is denied. *Paul Ginsburg* on the motion.

No. 257. *PAN AMERICAN WORLD AIRWAYS, INC., v. UNITED STATES*; and

No. 583. *UNITED STATES v. PAN AMERICAN WORLD AIRWAYS, INC., ET AL.* Appeals from the United States District Court for the Southern District of New York. The motion to advance is denied. *Thomas Kiernan*, for Pan American-Grace Airways, Inc., on the motion. *Lawrence J. McKay* and *Raymond L. Falls, Jr.*, for W. R. Grace & Co., in support of the motion. *David W. Peck*, for Pan American World Airways, Inc., in opposition.

No. 740, Misc. *IN RE DISBARMENT OF BIRRELL*. Lowell M. Birrell, Esquire, of New York, New York, having resigned as a member of the Bar of this Court, it is ordered that his name be stricken from the roll of attorneys admitted to practice in this Court. The rule to show cause heretofore issued is discharged.

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- No. 652, Misc. MUHLENBROICH *v.* HEINZE, WARDEN;
No. 655, Misc. O'ROURKE *v.* NEW YORK;
No. 673, Misc. EX PARTE SCHLETTE;
No. 690, Misc. JACKSON *v.* HEINZE, WARDEN;
No. 696, Misc. BARNES *v.* MAXWELL, WARDEN;
No. 708, Misc. YARBOROUGH *v.* OHIO ET AL.;
No. 777, Misc. JUSTUS *v.* NEW MEXICO;
No. 803, Misc. ANTIPAS *v.* OVERHOLSER, HOSPITAL
SUPERINTENDENT;
No. 808, Misc. PHILLIPS *v.* TAYLOR, WARDEN;
No. 813, Misc. RAYMOND *v.* RANDOLPH ET AL.;
No. 823, Misc. HARRELL *v.* REID, JAIL SUPERIN-
TENDENT;
No. 845, Misc. FURMAN *v.* DEPARTMENT OF PUBLIC
SAFETY OF ILLINOIS ET AL.;
No. 865, Misc. RINKES *v.* RHAY, PENITENTIARY
SUPERINTENDENT, ET AL.;
No. 904, Misc. SCHMITT *v.* WISCONSIN ET AL.; and
No. 946, Misc. SMITH *v.* NEW MEXICO. Motions for
leave to file petitions for writs of habeas corpus denied.
- No. 614, Misc. BISHOP *v.* COOPER, SUPERINTENDENT.
The motion to substitute Dr. A. A. Birzgalis in the place
of Dr. R. E. Cooper as the party respondent is granted.
The motion for leave to file petition for writ of habeas
corpus is denied.
- No. 544, Misc. TAYLOR *v.* CUNNINGHAM, PENITEN-
TIARY SUPERINTENDENT;
No. 636, Misc. SAULSBURY *v.* OHIO;
No. 639, Misc. DRAPER *v.* RHAY, PENITENTIARY
SUPERINTENDENT, ET AL.; and
No. 647, Misc. LORENTZEN *v.* RHAY, PENITENTIARY
SUPERINTENDENT. Motions for leave to file petitions for
writs of habeas corpus denied. Treating the papers sub-
mitted as petitions for writs of certiorari, certiorari is
denied.

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No. 22. SCHOLLE *v.* HARE, SECRETARY OF STATE OF MICHIGAN, ET AL. Appeal from the Supreme Court of Michigan. The motion of Melvin Nord et al. for leave to file brief, as *amici curiae*, is granted. *Harold Norris* on the motion.

No. 468. ENGEL ET AL. *v.* VITALE ET AL. Certiorari, *ante*, p. 924, to the Court of Appeals of New York. The motion of the American Jewish Committee et al. for leave to file brief, as *amici curiae*, is granted. *Theodore Leskes, Sol Rabkin* and *Paul Hartman* on the motion.

No. 616, Misc. CLAYTON *v.* CALIFORNIA. Motion for leave to file petition for writ of certiorari and for other relief denied.

No. 656, Misc. GLENN *v.* KENNEDY. Motion for leave to file petition for writ of habeas corpus and for other relief denied.

No. 731, Misc. INTERNATIONAL ASSOCIATION OF MACHINISTS ET AL. *v.* DUCKWORTH ET AL.;

No. 754, Misc. BRADLEY *v.* KAESS, U. S. DISTRICT JUDGE;

No. 787, Misc. JOHNSON *v.* COURT OF COMMON PLEAS OF CUYAHOGA COUNTY, OHIO, ET AL.;

No. 793, Misc. YOUNG *v.* SMITH, U. S. DISTRICT JUDGE; and

No. 810, Misc. SNEBOLD *v.* HALBERT, U. S. DISTRICT JUDGE. Motions for leave to file petitions for writs of mandamus denied. *Milton Kramer* and *Lester P. Schoene* for petitioners in No. 731, Misc. *E. Smythe Gambrell, W. Glen Harlan* and *Charles A. Moye, Jr.* for Street et al., respondents in No. 731, Misc. Reported below: No. 731, Misc., 217 Ga. 351, 122 S. E. 2d 220.

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No. 628, Misc. *PENDLETON v. ELLIS, CORRECTIONS DIRECTOR, ET AL.* The motion to substitute Jack F. Heard in the place of O. B. Ellis as a party respondent is granted. The motion for leave to file petition for writ of habeas corpus is denied.

No. 718, Misc. *FERGUSON v. MAXWELL, WARDEN.* Motions for leave to file petition and supplemental petition for writ of habeas corpus denied. Petitioner *pro se.* *Mark McElroy*, Attorney General of Ohio, and *Aubrey A. Wendt*, Assistant Attorney General, for respondent.

No. 821, Misc. *LUNDBERG v. BUCHKOE, WARDEN, ET AL.* Motion for leave to file petition for writ of habeas corpus and for other relief denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied.

Probable Jurisdiction Noted.

No. 542. *GILBERTVILLE TRUCKING CO., INC., ET AL. v. UNITED STATES ET AL.* Appeal from the United States District Court for the District of Massachusetts. Probable jurisdiction noted. *Henry E. Foley* for appellants. *Solicitor General Cox, Assistant Attorney General Loevinger, Lionel Kestenbaum, Robert W. Ginnane* and *James Y. Piper* for the United States and the Interstate Commerce Commission, respondents. Reported below: 196 F. Supp. 351.

Certiorari Granted.

No. 611. *BEST ET AL. v. HUMBOLDT PLACER MINING CO. ET AL.* C. A. 9th Cir. Certiorari granted. *Solicitor General Cox, Roger P. Marquis* and *A. Donald Mileur* for petitioners. *Charles L. Gilmore* for respondents. Reported below: 293 F. 2d 553.

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No. 629. FEDERAL TRADE COMMISSION *v.* SUN OIL CO. C. A. 5th Cir. Certiorari granted. *Solicitor General Cox, Assistant Attorney General Loevinger, Richard A. Solomon, Elliott Moyer and James McI. Henderson* for petitioner. *Leonard J. Emmerglick, Henry A. Frye and Richard L. Freeman* for respondent. Reported below: 294 F. 2d 465.

No. 632. CLEARY *v.* BOLGER. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted. *William P. Sirignano and Irving Malchman* for petitioner. Reported below: 293 F. 2d 368.

Certiorari Denied. (See also *Misc. Nos. 544, 636, 639, 647 and 821, supra; No. 700, Misc., ante, p. 515; No. 762, Misc., ante, p. 517; No. 805, Misc., ante, p. 517; and No. 835, Misc., ante, p. 516.*)

No. 191. LOWY *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. *Maurice V. Seligson and Myer I. Kleinberg* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Meyer Rothwacks and Carolyn R. Just* for respondent. Reported below: 288 F. 2d 517.

No. 587. MITTELMAN *v.* UNITED STATES;

No. 588. PETTIT *v.* UNITED STATES; and

No. 589. MEREDITH *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Osmond K. Fraenkel* for petitioner in No. 587. *Frederick W. Scholem* for petitioners in Nos. 588 and 589. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Theodore G. Gilinsky* for the United States. Reported below: 294 F. 2d 928.

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No. 504. *SCRIPTURE PRESS FOUNDATION v. UNITED STATES*. Court of Claims. Certiorari denied. *Robert V. Smith* and *Eugene Gressman* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *John B. Jones, Jr.*, *Harry Baum* and *Harold M. Seidel* for the United States. Reported below: — Ct. Cl. —, 285 F. 2d 800.

No. 562. *SCHROEDER ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 8th Cir. Certiorari denied. *Daniel L. Brenner* and *Bert B. Rand* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *Robert N. Anderson* for respondent. Reported below: 291 F. 2d 649.

No. 596. *JOHNINA, INC., v. SPACH, TRUSTEE IN BANKRUPTCY*. C. A. 5th Cir. Certiorari denied. *Irving M. Wolff* for petitioner. *Robert R. Frank* for respondent. Reported below: 291 F. 2d 619.

No. 607. *GREATER BATON ROUGE PORT COMMISSION ET AL. v. UNITED STATES ET AL.* C. A. 5th Cir. Certiorari denied. *George Mathews* for Greater Baton Rouge Port Commission, and *Weston B. Grimes* for Cargill, Incorporated, petitioners. *Solicitor General Cox*, *Assistant Attorney General Loevinger*, *Richard A. Solomon*, *James L. Pimper* and *Robert E. Mitchell* for the United States et al. Reported below: 287 F. 2d 86.

No. 610. *SOULE v. SOULE*. Supreme Court of California. Certiorari denied. *A. M. Mull, Jr.* and *Cecil J. Bishop* for petitioner. *David G. McInnes* for respondent.

No. 613. *JACKSON v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Reported below: 22 Ill. 2d 382, 176 N. E. 2d 803.

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No. 616. *SINCLAIR ET AL. v. CALIFORNIA ET AL.* District Court of Appeal of California, Fourth Appellate District. Certiorari denied. *Phill Silver* for petitioners. *Stanley Mosk*, Attorney General, *Howard S. Goldin*, Assistant Attorney General, *Robert E. Reed*, *R. B. Pegram*, *N. B. Peek* and *Paul E. Overton* for respondents. Reported below: 194 Cal. App. 2d 397, 15 Cal. Rptr. 493.

No. 618. *QUARLES v. STATE BAR OF TEXAS ET AL.* Supreme Court of Texas. Certiorari denied. *Harry P. Jarvis* for petitioner. *Davis Grant* for respondents. Reported below: — Tex. —, — S. W. 2d —.

No. 622. *ABERNATHY ET AL. v. PATTERSON, GOVERNOR OF ALABAMA, ET AL.* C. A. 5th Cir. Certiorari denied. *Charles S. Conley*, *Eugene Cotton* and *Richard F. Watt* for petitioners. *Robert E. Steiner III*, *Sam Rice Baker* and *M. Roland Nachman, Jr.* for respondents. Reported below: 295 F. 2d 452.

No. 624. *HENDRICKSON v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Hiram W. Kwan* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 295 F. 2d 63.

No. 625. *DAWSON, U. S. DISTRICT JUDGE, v. LUMMUS COMPANY.* C. A. 2d Cir. Certiorari denied. *David W. Peck*, *Ruben Rodriguez-Antongiorgi*, *Richard deY. Manning* and *Milton Pollack* for petitioner. *John T. Cahill*, *Lawrence J. McKay* and *Raymond L. Falls, Jr.* for respondent. Reported below: 297 F. 2d 80.

No. 630. *SPIERS v. CONSOLIDATED COMPANIES, INC., ET AL.* Supreme Court of Louisiana. Certiorari denied. *Fred G. Benton* for petitioner. Reported below: 241 La. 1012, 132 So. 2d 879.

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No. 626. UNITED STATES EX REL. CARTER-SCHNEIDER-NELSON, INC., *v.* CAMPBELL, DOING BUSINESS AS CAMPBELL CONSTRUCTION & EQUIPMENT CO., ET AL. C. A. 9th Cir. Certiorari denied. *Kenneth E. Lewis* for petitioner. *Arthur M. Bohnert, Jr.* and *George H. Hauerken* for respondents. Reported below: 293 F. 2d 816.

No. 631. MCINTOSH *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, *Assistant Attorney General Orrick*, *John G. Laughlin, Jr.* and *Sherman L. Cohn* for the United States. Reported below: 295 F. 2d 504.

No. 634. GINSBURG *v.* STERN ET AL. C. A. 3d Cir. Certiorari denied. *Paul Ginsburg pro se.* *Elder W. Marshall* for respondents. Reported below: 295 F. 2d 698.

No. 636. TEITELBAUM *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 7th Cir. Certiorari denied. *Abraham Teitelbaum pro se.* *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *I. Henry Kutz* and *Norman H. Wolfe* for respondent. Reported below: 294 F. 2d 541.

No. 640. SWANEE PAPER CORP. *v.* FEDERAL TRADE COMMISSION. C. A. 2d Cir. Certiorari denied. *Henry B. Singer* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Loevinger*, *Richard A. Solomon*, *Irwin A. Seibel* and *James McI. Henderson* for respondent. Reported below: 291 F. 2d 833.

No. 641. LUCAS ET AL. *v.* HAMM ET AL. Supreme Court of California. Certiorari denied. *Reginald G. Hearn* for petitioners. *Robert M. Adams, Jr.* and *Mose Silverman* for Hamm, respondent. Reported below: 56 Cal. 2d 583, 364 P. 2d 685.

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No. 637. UNDERWRITERS AT LLOYD'S, LONDON, ET AL. v. RAND. C. A. 2d Cir. Certiorari denied. *Frank A. Bull* and *Joseph P. Sullivan* for petitioners. *Leo T. Kissam* for respondent. Reported below: 295 F. 2d 342.

No. 642. WESTERN CONFERENCE OF TEAMSTERS v. DAIRY DISTRIBUTORS, INC. C. A. 10th Cir. Certiorari denied. *Clarence M. Beck* and *Herbert S. Thatcher* for petitioner. *Rex J. Hanson* and *Arthur A. Allen, Jr.* for respondent. Reported below: 294 F. 2d 348.

No. 644. CASEY v. UNITED STATES. C. A. 6th Cir. Certiorari denied. *Albert A. Goldfarb* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States. Reported below: 295 F. 2d 470.

No. 645. KEMMEL v. UNITED STATES. C. A. 3d Cir. Certiorari denied. *Stanford Shmukler* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 295 F. 2d 712.

No. 646. GALLEGOS ET AL. v. UNITED STATES. C. A. 9th Cir. Certiorari denied. *J. B. Tietz* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 295 F. 2d 879.

No. 647. GULLO v. GULLO. Circuit Court of Fairfax County, Virginia. Certiorari denied. *Joseph Samuel Gullo* for petitioner. *Bruce E. Lambert* for respondent.

No. 658. IN RE ESTATE OF OVERMYER. Court of Appeals of Ohio, Lucas County. Certiorari denied. *John W. Kitchen* for petitioner.

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No. 662. WOERNER ET AL. *v.* CITY OF INDIANAPOLIS. Supreme Court of Indiana. Certiorari denied. *Freeman Bradford* and *James W. Ingles* for petitioners. *Charles S. Rhyne* and *John J. Dillon* for respondent. Reported below: 242 Ind. —, 177 N. E. 2d 34.

No. 664. KELLY ET AL. *v.* HARTFORD ACCIDENT & INDEMNITY CO. C. A. 5th Cir. Certiorari denied. *Raymond H. Kierr* for petitioners. *Stanley E. Loeb* for respondent. Reported below: 294 F. 2d 400.

No. 667. RICHARDSON, EXECUTRIX, ET AL. *v.* MOORE-McCORMACK LINES, INC. C. A. 2d Cir. Certiorari denied. *Henry N. Longley*, *Benjamin H. Siff*, *Bernard Rolnick* and *Louis R. Harolds* for petitioners. *Eugene Underwood* for respondent. Reported below: 295 F. 2d 583.

No. 575. AMERICAN SURETY CO. OF NEW YORK *v.* SUNDBERG & SONS ET AL. Supreme Court of Washington. Certiorari denied. MR. JUSTICE DOUGLAS and MR. JUSTICE WHITTAKER are of the opinion that certiorari should be granted. *Edward Gallagher* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *I. Henry Kutz* and *Harold M. Seidel* for the United States, respondent. Reported below: 58 Wash. 2d 337, 363 P. 2d 99.

No. 627. TODISCO *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Maurice J. Hindin* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Julia P. Cooper* for the United States. *A. L. Wirin* and *Fred Okrand* filed a brief for the American Civil Liberties Union of Southern California, as *amicus curiae*, in support of the petition. Reported below: 298 F. 2d 208.

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No. 576. WILLIAMS ET AL. *v.* BALL, DISTRICT ATTORNEY OF ERIE COUNTY. C. A. 2d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Peter L. Parrino* for petitioners. Respondent *pro se*. Reported below: 294 F. 2d 94.

No. 649. LAYNE, EXECUTRIX, *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Ralph Hamill* and *John P. Price* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Orrick* and *Alan S. Rosenthal* for the United States. Reported below: 295 F. 2d 433.

No. 248, Misc. REED *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se*. *William G. Clark*, Attorney General of Illinois, for respondent.

No. 395, Misc. DRYMAN, ALIAS VALENTINE, *v.* MONTANA ET AL. Supreme Court of Montana. Certiorari denied. Petitioner *pro se*. *Forrest H. Anderson*, Attorney General of Montana, and *James J. Sinclair*, Assistant Attorney General, for respondents. Reported below: 139 Mont. 141, 361 P. 2d 959.

No. 430, Misc. ORLANDO *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. Petitioner *pro se*. *William I. Siegel* for respondent.

No. 454, Misc. BUCHANAN *v.* MCGEE, CORRECTIONS DIRECTOR, ET AL. C. A. 9th Cir. Certiorari denied.

No. 460, Misc. STOCKMAN *v.* RHAY, PENITENTIARY SUPERINTENDENT. Supreme Court of Washington. Certiorari denied. Petitioner *pro se*. *John J. O'Connell*, Attorney General of Washington, and *Stephen C. Way*, Assistant Attorney General, for respondent.

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No. 538, Misc. NUNLEY *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Petitioner *pro se.* Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Julia P. Cooper for the United States. Reported below: 294 F. 2d 579.

No. 541, Misc. BAERCHUS *v.* MYERS, CORRECTIONAL SUPERINTENDENT. Supreme Court of Pennsylvania. Certiorari denied.

No. 542, Misc. CURRY *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 Marshall and Harold H. Greene for the United States.

No. 545, Misc. HECTOR *v.* DICKSON, WARDEN, ET AL. Supreme Court of California. Certiorari denied.

No. 546, Misc. SCHAMING *v.* NEW YORK. Appellate Division of the Supreme Court of New York, Second Judicial Department. Certiorari denied.

No. 547, Misc. HAZEL *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 548, Misc. TORZILLO *v.* GOLDMANN, JUDGE, ET AL. C. A. 3d Cir. Certiorari denied. Petitioner *pro se.* David D. Furman, Attorney General of New Jersey, and Theodore I. Botter, Assistant Attorney General, for respondents. Reported below: 293 F. 2d 273.

No. 615, Misc. BROOKS *v.* ALABAMA. Supreme Court of Alabama. Certiorari denied. Petitioner *pro se.* MacDonald Gallion, Attorney General of Alabama, and Jerry L. Coe, Assistant Attorney General, for respondent. Reported below: 272 Ala. 561, 133 So. 2d 198.

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No. 617, Misc. CRAIG *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Petitioner *pro se.* Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Julia P. Cooper for the United States. Reported below: 293 F. 2d 272.

No. 621, Misc. LAYTHAM *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied.

No. 622, Misc. JONES *v.* HEINZE, WARDEN. Supreme Court of California. Certiorari denied.

No. 623, Misc. RUSSELL *v.* MADIGAN, WARDEN. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* Solicitor General Cox, Assistant Attorney General Miller and Harold H. Greene for respondent.

No. 626, Misc. BELL *v.* WARDEN, MARYLAND PENITENTIARY. C. A. 4th Cir. Certiorari denied.

No. 630, Misc. WHITE ET AL. *v.* CLEMMER, CORRECTIONS DIRECTOR, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioners *pro se.* Chester H. Gray, Milton D. Korman and Hubert P. Pair for respondents. Reported below: 111 U. S. App. D. C. 145, 295 F. 2d 132.

No. 637, Misc. JOHNSON *v.* CUNNINGHAM, PENITENTIARY SUPERINTENDENT. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 633, Misc. LYLES *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 J. F. Bishop for the United States.

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No. 631, Misc. *LANE v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied.

No. 635, Misc. *STANMORE v. COLORADO*. Supreme Court of Colorado. Certiorari denied.

No. 642, Misc. *GLASS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Felicia Dubrovsky* for the United States.

No. 643, Misc. *OVERMAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 645, Misc. *WILSON v. LEE COUNTY DISTRICT COURT OF IOWA ET AL.* Supreme Court of Iowa. Certiorari denied.

No. 646, Misc. *FOSTER v. KENTUCKY*. Court of Appeals of Kentucky. Certiorari denied.

No. 649, Misc. *STEWART v. ELLIS, CORRECTIONS DIRECTOR*. Court of Criminal Appeals of Texas. Certiorari denied.

No. 651, Misc. *FLETCHER v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Gerhard P. Van Arkel* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Theodore George Gilinsky* for the United States. Reported below: 111 U. S. App. D. C. 192, 295 F. 2d 179.

No. 664, Misc. *HERR v. RHAY, PENITENTIARY SUPERINTENDENT*. Supreme Court of Washington. Certiorari denied.

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No. 657, Misc. TROIANI *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 659, Misc. SLIVA *v.* PENNSYLVANIA ET AL. C. A. 3d Cir. Certiorari denied.

No. 661, Misc. FERRAN *v.* ILLINOIS CENTRAL RAILROAD CO. ET AL. C. A. 5th Cir. Certiorari denied. *Felicien Y. Lozes* for petitioner. *Harry B. Kelleher, Stanley E. Loeb* and *J. W. Freels* for respondents. Reported below: 293 F. 2d 487.

No. 662, Misc. CARTER *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 665, Misc. FORTE *v.* WALKER, WARDEN, ET AL. Supreme Court of Louisiana. Certiorari denied.

No. 666, Misc. SMITH *v.* RHAY, PENITENTIARY SUPERINTENDENT. Supreme Court of Washington. Certiorari denied.

No. 667, Misc. NAYLOR *v.* WALKER, WARDEN, ET AL. Supreme Court of Louisiana. Certiorari denied.

No. 668, Misc. MITCHELL *v.* ELLIS, CORRECTIONS DIRECTOR, ET AL. Court of Criminal Appeals of Texas. Certiorari denied.

No. 670, Misc. SMITH *v.* SETTLE, WARDEN. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Marshall* and *Harold H. Greene* for respondent.

No. 672, Misc. OSTER *v.* COLORADO. Supreme Court of Colorado. Certiorari denied.

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No. 676, Misc. ELLINGTON *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 677, Misc. BURKETT *v.* HAND, WARDEN, ET AL. Supreme Court of Kansas. Certiorari denied.

No. 679, Misc. BURTON *v.* CALIFORNIA STATE LEGISLATURE ET AL. Supreme Court of California. Certiorari denied.

No. 680, Misc. BUNKLEY *v.* BENNETT, WARDEN. Supreme Court of Iowa. Certiorari denied.

No. 681, Misc. SHARPE *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied. Petitioner *pro se.* *Augustine A. Repetto* and *Morgan E. Thomas* for respondent.

No. 683, Misc. KIRSCH *v.* PATE, WARDEN, ET AL. C. A. 7th Cir. Certiorari denied.

No. 684, Misc. HILL *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *J. F. Bishop* for the United States.

No. 685, Misc. ROBINSON *v.* PATE, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 689, Misc. NEAL *v.* CALIFORNIA. C. A. 9th Cir. Certiorari denied.

No. 693, Misc. RABURN *v.* NEW MEXICO. Supreme Court of New Mexico. Certiorari denied.

No. 695, Misc. DARLING *v.* WILKINS, WARDEN. C. A. 2d Cir. Certiorari denied.

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No. 692, Misc. WASHINGTON *v.* CALIFORNIA ADULT AUTHORITY. Supreme Court of California. Certiorari denied.

No. 697, Misc. BAXTER *v.* RHAY, PENITENTIARY SUPERINTENDENT. Supreme Court of Washington. Certiorari denied.

No. 698, Misc. BRYANT *v.* CUNNINGHAM, PENITENTIARY SUPERINTENDENT. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 699, Misc. SCOTT *v.* SUPERIOR COURT OF LOS ANGELES COUNTY. Supreme Court of California. Certiorari denied.

No. 701, Misc. HOWARD *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. 702, Misc. NANCE *v.* WARDEN, MARYLAND PENITENTIARY. Baltimore City Court, Maryland. Certiorari denied.

No. 703, Misc. WALKER ET AL. *v.* WALKER ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 295 F. 2d 35.

No. 710, Misc. CAINS *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied.

No. 711, Misc. BARDE *v.* MICHIGAN ET AL. C. A. 6th Cir. Certiorari denied.

No. 717, Misc. HAWKINS *v.* CALIFORNIA STATE LEGISLATURE ET AL. Supreme Court of California. Certiorari denied.

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No. 720, Misc. WILLIAMS *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: 296 F. 2d 216.

No. 723, Misc. BLY *v.* MCGEE, CORRECTIONS DIRECTOR, ET AL. Supreme Court of California. Certiorari denied.

No. 724, Misc. SCHNEIDER *v.* SOUTH CAROLINA ET AL. C. A. 4th Cir. Certiorari denied.

No. 726, Misc. JAVOR *v.* DUNBAR, CORRECTIONS DIRECTOR. Supreme Court of California. Certiorari denied.

No. 727, Misc. BURNETT *v.* PATE, WARDEN. Supreme Court of Illinois. Certiorari denied. *John R. Snively* for petitioner.

No. 730, Misc. MITCHELL *v.* MCGEE, CORRECTIONS DIRECTOR, ET AL. Supreme Court of California. Certiorari denied.

No. 732, Misc. DEVORE *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 734, Misc. JONES *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Reported below: 110 U. S. App. D. C. 68, 288 F. 2d 880.

No. 736, Misc. BROWN *v.* DAVIS, WARDEN, ET AL. Court of Appeals of Kentucky. Certiorari denied. Petitioner *pro se.* *John B. Breckinridge, Attorney General of Kentucky, and Ray Corns, Assistant Attorney General,* for respondent. Reported below: 351 S. W. 2d 183.

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No. 735, Misc. *GAITO ET AL. v. PENNSYLVANIA*. Supreme Court of Pennsylvania. Certiorari denied.

No. 739, Misc. *BENNETT v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 742, Misc. *WILLIAMS v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 744, Misc. *DUNCAN v. MAINE ET AL.* C. A. 1st Cir. Certiorari denied. Petitioner *pro se*. *Frank E. Hancock*, Attorney General of Maine, and *Richard A. Foley*, Assistant Attorney General, for respondents. Reported below: 295 F. 2d 528.

No. 746, Misc. *HENSLEY v. BOLES, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 747, Misc. *BUTLER v. YEAGER, PRISON KEEPER*. Supreme Court of New Jersey. Certiorari denied.

No. 748, Misc. *FREDERICKS v. HEINZE, WARDEN, ET AL.* Supreme Court of California. Certiorari denied.

No. 749, Misc. *DUSKY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *James W. Benjamin* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Sidney M. Glazer* for the United States. Reported below: 295 F. 2d 743.

No. 750, Misc. *DAVIS v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied.

No. 759, Misc. *JOHNSON v. UNITED STATES*. C. A. 10th Cir. 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. 752, Misc. *IN RE DISBARMENT OF SANTANA*. Supreme Court of Puerto Rico. Certiorari denied.

No. 753, Misc. *CAMBIANO 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: 295 F. 2d 13.

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

No. 756, Misc. *KNOWLES v. GLADDEN, WARDEN*. Supreme Court of Oregon. Certiorari denied. Reported below: 227 Ore. 408, 362 P. 2d 763.

No. 757, Misc. *WARD v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 758, Misc. *LLOYD v. COCHRAN, CORRECTIONS DIRECTOR*. Supreme Court of Florida. Certiorari denied.

No. 761, Misc. *GRANT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox* for the United States. Reported below: 291 F. 2d 746.

No. 764, Misc. *JACKSON v. WARDEN, MARYLAND PENITENTIARY*. Court of Appeals of Maryland. Certiorari denied.

No. 765, Misc. *NEWLON v. DISTRICT COURT OF POTTAWATTAMIE COUNTY, IOWA*. Supreme Court of Iowa. Certiorari denied.

No. 767, Misc. *JAMES v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

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No. 768, Misc. *ELLIS v. RAINES, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 294 F. 2d 414.

No. 769, Misc. *KIRSCH v. PATE, WARDEN, ET AL.* C. A. 7th Cir. Certiorari denied.

No. 770, Misc. *KRZYWOSZ v. NEW YORK*. Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

No. 771, Misc. *JORDAN 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. 772, Misc. *MORRIS v. JOHNSON*. Supreme Court of Texas. Certiorari denied.

No. 774, Misc. *BARNETT v. JUDGE, MARION COUNTY CRIMINAL COURT*. Supreme Court of Indiana. Certiorari denied.

No. 775, Misc. *POTTER v. LAVALLEE, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 776, Misc. *CORSO v. MURPHY, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 779, Misc. *MUMMIANI v. NEW YORK*. C. A. 2d Cir. Certiorari denied.

No. 781, Misc. *SAUNDERS v. RICHMOND, WARDEN*. Supreme Court of Errors of Connecticut. Certiorari denied.

No. 783, Misc. *PELKE v. MONTANA ET AL.* Supreme Court of Montana. Certiorari denied.

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No. 788, Misc. HENSON *v.* WARDEN, MARYLAND PENITENTIARY. Court of Appeals of Maryland. Certiorari denied.

No. 789, Misc. BATEMAN *v.* TINSLEY, WARDEN. Supreme Court of Colorado. Certiorari denied. Petitioner *pro se.* *Duke W. Dunbar*, Attorney General of Colorado, *Frank E. Hickey*, Deputy Attorney General, and *J. F. Brauer*, Assistant Attorney General, for respondent.

No. 790, Misc. ALLEN *v.* ALABAMA ET AL. Supreme Court of Alabama. Certiorari denied. Petitioner *pro se.* *MacDonald Gallion*, Attorney General of Alabama, and *John C. Tyson III*, Assistant Attorney General, for respondents. Reported below: See — Ala. App. —, 132 So. 2d 327.

No. 791, Misc. HALE *v.* BOLES, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 794, Misc. RODRIGUEZ *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.

No. 795, Misc. SNYDER *v.* WARDEN, MARYLAND PENITENTIARY. Court of Appeals of Maryland. Certiorari denied.

No. 796, Misc. KALEC *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 804, Misc. DANIELS *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.

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No. 798, Misc. HANLEY *v.* LANGLOIS, WARDEN. Supreme Court of Rhode Island. Certiorari denied.

No. 799, Misc. LIPARI *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 809, Misc. STEELE *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.

No. 816, Misc. ENRIQUEZ ET AL. *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 819, Misc. SCOTT *v.* CITIZENS NATIONAL TRUST & SAVINGS BANK OF LOS ANGELES ET AL. Supreme Court of California. Certiorari denied.

No. 820, Misc. DAVENPORT *v.* SUPERIOR COURT OF CALIFORNIA, FOR LOS ANGELES COUNTY, ET AL. Supreme Court of California. Certiorari denied.

No. 822, Misc. KIRBY *v.* WARDEN, MARYLAND PENITENTIARY. C. A. 4th Cir. Certiorari denied. Reported below: 296 F. 2d 151.

No. 824, Misc. WILLIAMS *v.* MARYLAND. Circuit Court for Prince Georges County, Maryland. Certiorari denied.

No. 826, Misc. SATTERFIELD *v.* COCHRAN, CORRECTIONS DIRECTOR. Supreme Court of Florida. Certiorari denied.

No. 827, Misc. TAYLOR *v.* WARDEN, MARYLAND PENITENTIARY. Circuit Court of Baltimore County, Maryland. Certiorari denied.

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No. 829, Misc. HAYNES *v.* VIRGINIA. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 830, Misc. LOCKHART *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. Reported below: 293 F. 2d 314.

No. 831, Misc. TROIANI *v.* FAY, WARDEN. Court of Appeals of New York. Certiorari denied. Petitioner *pro se*. *Louis J. Lefkowitz, Attorney General of New York, Paxton Blair, Solicitor General, Irving Galt, Assistant Solicitor General, and John J. O'Grady, Assistant Attorney General*, for respondent.

No. 833, Misc. LEE *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 838, Misc. BEADLE *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 839, Misc. DIXON *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 846, Misc. FINLEY *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 842, Misc. SORENSEN *v.* ALASKA. Supreme Court of Alaska. Certiorari denied.

No. 847, Misc. LINK *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. Reported below: 295 F. 2d 259.

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No. 840, Misc. BARNES *v.* DIRECTOR OF THE PATUXENT INSTITUTION. Court of Appeals of Maryland. Certiorari denied.

No. 850, Misc. HAZEL *v.* MARYLAND. Court of Appeals of Maryland. Certiorari denied.

No. 852, Misc. ROTH *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Roy Cook* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States. Reported below: 295 F. 2d 364.

No. 892, Misc. MORRIS *v.* WILSON ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 295 F. 2d 36.

No. 715, Misc. HAMMONDS *v.* ELLIS, CORRECTIONS DIRECTOR. The motion to substitute Jack Heard in the place of O. B. Ellis as the party respondent is granted. The petition for writ of certiorari to the Court of Criminal Appeals of Texas is denied.

No. 737, Misc. ANDERTEN *v.* UNITED STATES. The motion for leave to amend petition is granted. Petition for writ of certiorari to the Court of Claims denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Orrick and John G. Laughlin, Jr.* for the United States.

No. 751, Misc. LANKFORD *v.* INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO, ET AL. C. A. 5th Cir. Certiorari denied. MR. JUSTICE BLACK took no part in the consideration or decision of this application. *Frontis H. Moore* for petitioner. *Louis Sherman and Jerome A. Cooper* for respondents. Reported below: 293 F. 2d 928.

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No. 825, Misc. LEACH ET AL. *v.* FLORIDA. Supreme Court of Florida. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Thomas A. Larkin* for petitioners. Reported below: 132 So. 2d 329.

No. 934, Misc. CIUCCI *v.* SAIN, SHERIFF OF COOK COUNTY, ET AL. C. A. 7th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *George N. Leighton* for petitioner. *Daniel P. Ward* and *John T. Gallagher* for respondents.

Rehearing Denied.

No. 42. CAMPBELL, COMMISSIONER OF AGRICULTURE OF GEORGIA, ET AL. *v.* HUSSEY ET AL., *ante*, p. 297;

No. 521. POWELL *v.* NATIONAL SAVINGS & TRUST CO. ET AL., *ante*, p. 946;

No. 552. ESTATE OF GARTLAND *v.* COMMISSIONER OF INTERNAL REVENUE, *ante*, p. 954;

No. 568. BERRY *v.* UNITED STATES, *ante*, p. 955;

No. 570. MACRAE ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE, *ante*, p. 955;

No. 558, Misc. DEC *v.* NEW YORK, *ante*, p. 971; and

No. 567, Misc. PONS *v.* REPUBLIC OF CUBA, *ante*, p. 960. Petitions for rehearing denied.

