

ORDERS FROM FEBRUARY 26 THROUGH
MAY 21, 1962.

FEBRUARY 26, 1962.

Miscellaneous Orders.

No. 634. GINSBURG *v.* STERN ET AL., 368 U. S. 987. The motion to stay issuance of order denying certiorari presented to MR. JUSTICE BRENNAN, and by him referred to the Court, is denied. *Paul Ginsburg pro se*, on the motion.

No. 897, Misc. BRADEN *v.* HICKMAN ET AL.; and
No. 909, Misc. MILLER *v.* BENNETT, WARDEN. Motions for leave to file petitions for writs of certiorari denied.

No. 554, Misc. GORDON *v.* NORTH CAROLINA. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied.

No. 910, Misc. FERLITO *v.* IMMIGRATION AND NATURALIZATION SERVICE. Motion for leave to file petition for writ of mandamus denied.

No. 901, Misc. SHOTKIN *v.* OLNEY ET AL. Motion for leave to file petition for writ of mandamus and/or prohibition denied.

Certiorari Granted. (See also No. 1073, Misc., ante, p. 35.)

No. 663. FORD *v.* FORD. Supreme Court of South Carolina. Certiorari granted. *O. G. Calhoun* for peti-

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tioner. *John S. Davenport III, Angus H. Macaulay, Jr. and Wesley M. Walker* for respondent. Reported below: 239 S. C. 305, 123 S. E. 2d 33.

No. 656. INTERNATIONAL ASSOCIATION OF MACHINISTS, AFL-CIO, ET AL. v. CENTRAL AIRLINES, INC. C. A. 5th Cir. Certiorari granted. *Charles J. Morris, Plato E. Papps and L. N. D. Wells, Jr.* for petitioners. *Luther Hudson* for respondent. Reported below: 295 F. 2d 209.

Certiorari Denied. (See also No. 554, Misc., supra; and No. 884, Misc., ante, p. 36.)

No. 600. RICHARDSON ET AL. v. UNITED STATES. C. A. 6th Cir. Certiorari denied. *John C. Evans* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer and Meyer Rothwacks* for the United States. Reported below: 294 F. 2d 593.

No. 601. BALLANTYNE v. UNITED STATES. C. A. 5th Cir. Certiorari denied. *Joseph W. Cash* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer and Joseph M. Howard* for the United States. Reported below: 293 F. 2d 112; 294 F. 2d 958.

No. 602. SHERLOCK, EXECUTRIX, v. COMMISSIONER OF INTERNAL REVENUE. C. A. 5th Cir. Certiorari denied. *William S. Pritchard and Winston B. McCall* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Harry Baum and Douglas A. Kahn* for respondent. Reported below: 294 F. 2d 863.

No. 608. ELLA SHURE CAHEN TRUST ET AL. v. UNITED STATES. C. A. 7th Cir. Certiorari denied. *Benjamin M. Brodsky and Claude A. Roth* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Harry Baum and Joseph Kovner* for the United States. Reported below: 292 F. 2d 33.

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No. 635. *KABOT v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Henry G. Singer* and *Maurice Edelbaum* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 295 F. 2d 848.

No. 653. *REDFIELD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Eli Grubic* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *Joseph M. Howard* and *John M. Brant* for the United States. Reported below: 295 F. 2d 249.

No. 657. *KENTUCKY HOME MUTUAL LIFE INSURANCE CO. v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Louis Lusky* and *Charles I. Dawson* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *Melva M. Graney* and *Arthur I. Gould* for the United States. Reported below: 292 F. 2d 39.

No. 661. *WEBB ET UX. v. OXLEY*. Court of Appeals of Maryland. Certiorari denied. Reported below: 226 Md. 339, 173 A. 2d 358.

No. 665. *WOODMAR REALTY CO. v. MCLEAN, TRUSTEE, ET AL.* C. A. 7th Cir. Certiorari denied. *Benjamin Wham* and *Owen W. Crumpacker* for petitioner. *Harry Long* for respondents. Reported below: 294 F. 2d 785.

No. 212, Misc. *CLINTON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Jerome M. Feit* for the United States.

No. 496, Misc. *DIBLIN v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Petitioner *pro se*. *Frank D. O'Connor* for respondent.

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No. 666. *HAITH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *W. A. Hall, Jr.* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 297 F. 2d 65.

No. 668. *GARRISON ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *George C. Dyer* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 296 F. 2d 461.

No. 594. *UNITED STATES v. REPUBLIC OF FRANCE ET AL.*; and

No. 595. *TEXAS CITY TERMINAL RAILWAY CO. v. REPUBLIC OF FRANCE ET AL.* C. A. 5th Cir. Certiorari denied. *THE CHIEF JUSTICE, MR. JUSTICE BLACK* and *MR. JUSTICE BRENNAN* are of the opinion that certiorari should be granted. *Solicitor General Cox, Assistant Attorney General Orrick* and *Morton Hollander* for the United States, petitioner in No. 594. *Preston Shirley* for petitioner in No. 595. *Edwin Longcope* for respondents. Reported below: 290 F. 2d 395.

No. 531, Misc. *POINDEXTER v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 540, Misc. *TSIMPIDES ET AL. v. GILES, CIRCUIT COURT JUDGE*. Supreme Court of Alabama. Certiorari denied. *George D. Finley* for petitioners. *Reid B. Barnes* for respondent. Reported below: 272 Ala. 430, 131 So. 2d 873.

No. 574, Misc. *BANKS v. UNITED STATES*. C. A. 7th 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. 713, Misc. GLASPER *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Julia P. Cooper* for the United States.

No. 745, Misc. HOPKINS *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. 786, Misc. SLATER *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. 806, Misc. MOORE *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 837, Misc. OPPENHEIMER *v.* CALIFORNIA. Appellate Department of the Superior Court of California, Los Angeles County. Certiorari denied. Petitioner *pro se.* *Roger Arnebergh, Philip E. Grey and Charles W. Sullivan* for respondent.

No. 853, Misc. PRUITT *v.* VIRGINIA. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 854, Misc. HAMLIN *v.* HAMLIN. District Court of Appeal of California, Second Appellate District. Certiorari denied.

No. 855, Misc. GARY *v.* ILLINOIS. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 858, Misc. SMITH *v.* NEW YORK. Appellate Division of the Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

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No. 856, Misc. *WILLIAMS v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 859, Misc. *GOSLEE v. WARDEN, MARYLAND PENITENTIARY*. Baltimore City Court, Maryland. Certiorari denied.

No. 860, Misc. *GARDNER v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 862, Misc. *DAVIS v. WEST VIRGINIA ET AL.* Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 866, Misc. *SCOTT v. SUPERIOR COURT OF LOS ANGELES COUNTY*. Supreme Court of California. Certiorari denied.

No. 872, Misc. *YARBER v. HEARD, CORRECTIONS DIRECTOR, ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 873, Misc. *FRANKLIN v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 874, Misc. *GOFF v. MONTANA ET AL.* Supreme Court of Montana. Certiorari denied.

No. 876, Misc. *PRUITT v. CUNNINGHAM, PENITENTIARY SUPERINTENDENT*. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 877, Misc. *SHOEMAKE v. NASH, WARDEN*. Supreme Court of Missouri. Certiorari denied.

No. 881, Misc. *GOSLEE v. WARDEN, MARYLAND PENITENTIARY*. Baltimore City Court, Maryland. Certiorari denied.

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No. 878, Misc. *HOLT v. KENTUCKY ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 296 F. 2d 722.

No. 879, Misc. *LUPO v. NEW YORK.* Court of Appeals of New York. Certiorari denied.

No. 882, Misc. *LEWIS v. NEW YORK.* Court of Appeals of New York. Certiorari denied.

No. 883, Misc. *EASTMAN v. FAY, WARDEN.* C. A. 2d Cir. Certiorari denied.

No. 885, Misc. *ELLIS v. ALABAMA.* Supreme Court of Alabama. Certiorari denied. Petitioner *pro se.* *MacDonald Gallion*, Attorney General of Alabama, and *John C. Tyson III*, Assistant Attorney General, for respondent.

No. 886, Misc. *MULLENIX v. RHAY, PENITENTIARY SUPERINTENDENT.* Supreme Court of Washington. Certiorari denied.

No. 888, Misc. *TURNER v. NEW YORK.* Court of Appeals of New York. Certiorari denied.

No. 893, Misc. *FLETCHER v. NEW YORK.* Court of Appeals of New York. Certiorari denied.

No. 894, Misc. *BLAIR v. CALIFORNIA ET AL.* District Court of Appeal of California, Second Appellate District. Certiorari denied.

No. 898, Misc. *OUTING v. NORTH CAROLINA.* Supreme Court of North Carolina. Certiorari denied. Petitioner *pro se.* *T. W. Bruton*, Attorney General of North Carolina, and *H. Horton Rountree*, Assistant Attorney General, for respondent. Reported below: 255 N. C. 468, 121 S. E. 2d 847.

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No. 896, Misc. *BURAGE v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 905, Misc. *POLLACK v. MYERS, POST OFFICE INSPECTOR, ET AL.* C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Orrick, Alan S. Rosenthal and David A. Tickin* for respondents.

No. 906, Misc. *WHITE v. HEARD, CORRECTIONS DIRECTOR, ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 922, Misc. *HEATH ET AL. v. DUNBAR, CORRECTIONS DIRECTOR.* C. A. 9th Cir. Certiorari denied.

No. 935, Misc. *BURRELL v. NEW YORK.* Court of Appeals of New York. Certiorari denied.

No. 968, Misc. *McGRATH v. NEW YORK.* Court of Appeals of New York. Certiorari denied.

Rehearing Denied.

No. 68. *HILL v. UNITED STATES*, 368 U. S. 424; and No. 497, Misc. *BISNO ET UX. v. HYDE*, 368 U. S. 959. Petitions for rehearing denied.

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Certiorari Denied.

No. 1084, Misc. *MOSS v. JONES, WARDEN.* Application for stay of execution and petition for writ of certiorari to the Court of Appeals of Kentucky denied. MR. JUSTICE DOUGLAS is of the opinion that the application for stay and the petition for certiorari should be granted. Reported below: 352 S. W. 2d 557.

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Miscellaneous Orders.

No. 47. ST. REGIS PAPER CO. *v.* UNITED STATES, 368 U. S. 208. The motion of petitioner to recall and amend or correct the judgment is denied. *Horace R. Lamb* for petitioner. *Solicitor General Cox* for the United States. Reported below: 285 F. 2d 607.

No. 468. ENGEL ET AL. *v.* VITALE ET AL., CONSTITUTING THE BOARD OF EDUCATION OF UNION FREE SCHOOL DISTRICT NO. 9, NEW HYDE PARK. Certiorari, 368 U. S. 924, to the Court of Appeals of New York. The motion of Synagogue Council of America et al. for leave to file brief, as *amici curiae*, is granted. The motion of the American Ethical Union for leave to file brief, as *amicus curiae*, is granted. *Leo Pfeffer* for Synagogue Council of America et al., and *Leo Rosen* and *Nancy F. Wechsler* for the American Ethical Union. *Bertram B. Daiker*, *Thomas J. Ford*, *Wilford E. Neier* and *Porter R. Chandler* for respondents and intervenors-respondents in opposition. Reported below: 10 N. Y. 2d 174, 176 N. E. 2d 579.

Certiorari Granted.

No. 660, Misc. JONES *v.* CUNNINGHAM, PENITENTIARY SUPERINTENDENT. Motion for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted limited to the question of "mootness." Case transferred to the appellate docket. *F. D. G. Ribble* and *Daniel J. Meador* for petitioner. *Reno S. Harp III*, Assistant Attorney General of Virginia, for respondent. *Lawrence Speiser* filed a brief for the American Civil Liberties Union, as *amicus curiae*, in support of the petition. Reported below: 294 F. 2d 608.

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No. 674. WEYERHAEUSER STEAMSHIP CO. *v.* UNITED STATES. C. A. 9th Cir. Certiorari granted. *Chalmers G. Graham* and *Henry R. Rolph* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick, John G. Laughlin, Jr.* and *Kathryn H. Baldwin* for the United States. Reported below: 294 F. 2d 179.

Certiorari Denied.

No. 614. AIR LINE STEWARDS AND STEWARDESSES ASSOCIATION, INTERNATIONAL, *v.* NATIONAL MEDIATION BOARD ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Ruth Weyand* and *Rita C. Davidson* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick* and *Morton Hollander* for the National Mediation Board et al., *Harold A. Katz* and *Irving M. Friedman* for Air Line Pilots Association, International, and *Robert L. Stern* and *Stuart Bernstein* for United Air Lines, Inc., respondents. Reported below: 111 U. S. App. D. C. 126, 294 F. 2d 910.

No. 621. CORAL GABLES FIRST NATIONAL BANK ET AL. *v.* CONSTRUCTORS OF FLORIDA, INC., ET AL. District Court of Appeal of Florida, Third District. Certiorari denied. *W. G. Ward* and *Leo L. Foster* for petitioners. *William L. Gray, Fuller Warren, Tom Maxey, William L. Gray, Jr., Grover C. Herring* and *Egbert Beall* for respondents. Reported below: 132 So. 2d 806.

No. 672. PORETTO ET AL. *v.* USRY, DISTRICT DIRECTOR OF INTERNAL REVENUE. C. A. 5th Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *Lee A. Jackson* for respondent. Reported below: 295 F. 2d 499.

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Memorandum of WARREN, C. J.

No. 864, Misc. DAVIS v. BALKCOM, WARDEN. Supreme Court of Georgia. Certiorari denied. *Melvin L. Wulf* and *Lawrence Speiser* for petitioner. *Eugene Cook*, Attorney General of Georgia, and *Earl L. Hickman*, Assistant Attorney General, for respondent. Reported below: 217 Ga. 205, 121 S. E. 2d 505.

THE CHIEF JUSTICE, with whom MR. JUSTICE DOUGLAS joins, has filed the following memorandum:

While it is not our custom to state reasons when denying a writ of certiorari, there are occasions when the gravity of the allegations in a petition makes it appropriate to state what the denial does *not* mean* in order to give assurance that this Court is not insensible to charges of egregious violations of constitutional rights.

The denial of a writ of certiorari does not mean that this Court approves the decision below nor, in state criminal cases, that the petitioner is necessarily precluded from obtaining relief in some other appropriate proceeding. Both state and federal courts have an equally binding obligation to uphold the Constitution, and when a state court fails to vindicate rights guaranteed by the Constitution in a criminal proceeding upon a proper demand, the federal courts are open to an aggrieved petitioner.

In this case the state courts refused to grant a hearing to the petitioner on procedural grounds. However, a life is at stake, and unless some court, state or federal, entertains his petition, this petitioner will be executed without a hearing on charges that strike at the very foundation of American justice. He contends that, under a statute recently declared unconstitutional by this Court, he was

*See, e. g., *English v. Cunningham*, 361 U. S. 905; *Sheppard v. Ohio*, 352 U. S. 910; *Rosenberg v. United States*, 344 U. S. 889; *Bondholders, Inc., v. Powell*, 342 U. S. 921; *Maryland v. Baltimore Radio Show*, 338 U. S. 912.

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denied the right to be a witness in his own defense or even to testify that the confession used against him was coerced during a two-month period of illegal detention. He also claims that he was denied the right to trial by jury of his peers under a valid indictment through the systematic exclusion of members of his race from the jury lists, a practice which has often been condemned as unconstitutional by this Court and which Congress has made criminal.

No man should ever be imprisoned—let alone executed—in this country if such charges can be substantiated.

No. 675. *BROWN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *John H. Wrihten* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Theodore George Gilinsky* for the United States. Reported below: 296 F. 2d 565.

No. 677. *MORGAN ET AL. v. PRESBYTERY OF THE EVERGLADES ET AL.* Supreme Court of Florida. Certiorari denied. *Robert A. Peterson* for petitioners. *Marion E. Sibley* for respondents. Reported below: 133 So. 2d 318.

No. 684. *AMANA REFRIGERATION, INC., v. COLUMBIA BROADCASTING SYSTEM, INC.* C. A. 7th Cir. Certiorari denied. *L. M. McBride and John P. Ryan, Jr.* for petitioner. *Bruce Bromley, Ralph L. McAfee, Hammond E. Chaffetz, John H. Pickering and Charles G. Moerdler* for respondent. Reported below: 295 F. 2d 375.

No. 405, Misc. *SWEPSTON v. UNITED STATES*. C. A. 8th 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: 289 F. 2d 166.

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No. 676. STARNES *v.* PENNSYLVANIA RAILROAD Co. C. A. 2d Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion that certiorari should be granted. *Ira Gammerman* for petitioner. *David J. Mountan, Jr.* and *James S. Rowen* for respondent. Reported below: 295 F. 2d 704.

No. 680. CONTRACTORS ASSOCIATION OF PHILADELPHIA AND EASTERN PENNSYLVANIA ET AL. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 3d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Manus McHugh* for petitioners. *Solicitor General Cox*, *Stuart Rothman*, *Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: 295 F. 2d 526.

No. 714, Misc. COLEMAN *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE BRENNAN and MR. JUSTICE STEWART are of the opinion that certiorari should be granted. *Edward Bennett Williams* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 111 U. S. App. D. C. 210, 295 F. 2d 555.

No. 899, Misc. RALPH *v.* MARYLAND. Court of Appeals of Maryland. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Walter H. Moorman* for petitioner.

Rehearing Denied.

No. 506. WILLMUT GAS & OIL Co. *v.* FEDERAL POWER COMMISSION ET AL., 368 U. S. 975; and

No. 573. LEWIS ET AL. *v.* LOWRY, DOING BUSINESS AS LOWRY COAL Co., 368 U. S. 977. Petitions for rehearing denied.

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Dismissal Under Rule 60.

No. 247, Misc. SMITH *v.* OKLAHOMA. On petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma. Petition dismissed pursuant to Rule 60 of the Rules of this Court. Petitioner *pro se*. Mac Q. Williamson, Attorney General of Oklahoma, for respondent. Reported below: 362 P. 2d 113.

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Miscellaneous Orders.

No. 551, October Term, 1960. GINSBURG *v.* GINSBURG ET AL., 364 U. S. 934. The motion for reconsideration of petition for rehearing is denied.

No. 394. GEAGAN ET AL. *v.* GAVIN, CORRECTIONAL SUPERINTENDENT. On petition for writ of certiorari to the United States Court of Appeals for the First Circuit. The motion of Robert J. DeGiacomo for leave to withdraw his appearance as counsel for petitioner Maffie is granted.

No. 659. NORTHERN NATURAL GAS CO. *v.* STATE CORPORATION COMMISSION OF KANSAS. Appeal from the Supreme Court of Kansas. The Solicitor General is invited to file a brief expressing the views of the United States.

No. 678, Misc. DE SHORE *v.* CALIFORNIA ET AL. Motion for leave to file petition for writ of certiorari denied.

*MR. JUSTICE WHITTAKER took no part in the consideration or decision of cases in which orders were this day announced.

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No. 532. CALBECK, DEPUTY COMMISSIONER, BUREAU OF EMPLOYEES' COMPENSATION, ET AL. *v.* TRAVELERS INSURANCE CO. ET AL. Certiorari, 368 U. S. 946, to the United States Court of Appeals for the Fifth Circuit. The motion of Isabell Scott McGuyer for leave to participate in oral argument, as *amicus curiae*, is denied.

No. 704, Misc. WOMACK *v.* MAXWELL, WARDEN;

No. 1008, Misc. PRICE *v.* OHIO; and

No. 1014, Misc. MYERS *v.* BLALOCK, HOSPITAL SUPERINTENDENT. Motions for leave to file petitions for writs of habeas corpus denied.

No. 658, Misc. BANDY *v.* UNITED STATES. Motion for leave to file petition for writ of habeas corpus denied.

MR. JUSTICE DOUGLAS dissenting:

We remanded this petitioner's case to the Court of Appeals for the Eighth Circuit on December 5, 1960, for a hearing on questions admittedly not "frivolous" within the meaning of Rule 46 (a)(2) of the Federal Rules of Criminal Procedure. 364 U. S. 477. But as of the date of this application the appeal had not been disposed of. Meanwhile Bandy had spent over two years in jail, time not credited on any sentence he may ultimately serve. I would therefore treat this application as one for release on personal recognizance and grant the relief for the reasons stated in my opinion as Circuit Justice in *Bandy v. United States*, 82 Sup. Ct. 11.

No. 1002, Misc. MORGAN *v.* MCNEILL, HOSPITAL SUPERINTENDENT. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied.

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No. 1081, Misc. *EX PARTE LEE*. Motion for leave to file petition for writ of habeas corpus denied. MR. JUSTICE BLACK took no part in the consideration or decision of this application.

No. 2, Misc. *COPLEY v. ADAMS, WARDEN*;

No. 8, Misc. *McCLURE v. ADAMS, WARDEN*; and

No. 10, Misc. *CLARK v. ADAMS, WARDEN*. The motions to substitute Otto C. Boles in the place of D. E. Adams as the party respondent are granted. The petitions for writs of certiorari to the Supreme Court of Appeals of West Virginia are denied. Petitioners *pro se*. *Fred H. Caplan* and *Clement R. Bassett*, Assistant Attorneys General of West Virginia, for respondent.

Certiorari Granted. (See No. 7, Misc., ante, p. 152.)

Certiorari Denied. (See also No. 5, Misc., ante, p. 151; and Misc. Nos. 2, 8, 10 and 1002, supra.)

No. 633. *GENERAL GAS CORP. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 5th Cir. Certiorari denied. *Paul O. H. Pigman* and *Charles W. Wilson* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *Carolyn R. Just* for respondent. Reported below: 293 F. 2d 35.

No. 670. *ASSOCIATION FOR THE PRESERVATION OF FREEDOM OF CHOICE, INC., ET AL. v. POWER ET AL., CONSTITUTING THE NEW YORK CITY BOARD OF ELECTIONS, ET AL.* Court of Appeals of New York. Certiorari denied. *Alfred Avins* for petitioners. *Leo A. Larkin* and *Seymour B. Quel* for respondents constituting the New York City Board of Elections. Reported below: 110 N. Y. 2d 886.

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No. 679. *BARROW MANUFACTURING Co., Inc., v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 5th Cir. Certiorari denied. *William R. Frazier* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *I. Henry Kutz* for respondent. Reported below: 294 F. 2d 79.

No. 682. *SPECTOR v. LADD, COMMISSIONER OF PATENTS*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Richard S. Friedman, Armin R. St. George* and *Paul L. O'Brien* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick* and *Morton Hollander* for respondent. Reported below: 111 U. S. App. D. C. 298, 296 F. 2d 420.

No. 685. *STATE OF WASHINGTON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *John J. O'Connell*, Attorney General of Washington, for petitioner. *Solicitor General Cox, Roger P. Marquis* and *George S. Swarth* for the United States. Reported below: 294 F. 2d 830.

No. 686. *CRUZ DE ORONA v. ORONA, ADMINISTRATRIX, ET AL.* C. A. 2d Cir. Certiorari denied. *Milton Garber* for petitioner. *Daniel Flynn* and *Sidney Schmuckler* for respondents. Reported below: — F. 2d —

No. 690. *NUNN, RECEIVER, ET AL. v. FELTINTON ET AL.* C. A. 5th Cir. Certiorari denied. *Boyd Laughlin* for petitioners. *William D. Neary* and *Morris Harrell* for respondents. Reported below: 294 F. 2d 450.

No. 691. *ALAIMO 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. Reported below: 297 F. 2d 604.

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No. 692. CLUB RAMON, INC., *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Frederick Bernays Wiener* and *LeRoy Katz* for petitioner. *Solicitor General Cox* and *Assistant Attorney General Oberdorfer* for the United States. Reported below: 296 F. 2d 837.

No. 693. FRANK *v.* LEVY ET AL. C. A. 7th Cir. Certiorari denied. *Maurice J. Walsh* for petitioner. Reported below: 295 F. 2d 580.

No. 695. WHITEFOOT *v.* UNITED STATES. Court of Claims. Certiorari denied. *L. Frederick Paul, Raymond C. Cushwa, Albert A. Grorud, William L. Paul, Sr., John Spiller* and *James Craig Peacock* for petitioner. *Solicitor General Cox* and *Roger P. Marquis* for the United States. Reported below: — Ct. Cl. —, 293 F. 2d 658.

No. 696. ROSENZWEIG *v.* BOUTIN, GENERAL SERVICES ADMINISTRATOR. United States Emergency Court of Appeals. Certiorari denied. *Joseph Henry Wolf* and *Paul Wylter* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick* and *John G. Laughlin, Jr.* for respondent. Reported below: 299 F. 2d 22.

No. 697. UNITED FRUIT Co. *v.* UNITED STATES. Court of Claims. Certiorari denied. *William I. Denning* and *Alan F. Wohlstetter* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick* and *John G. Laughlin, Jr.* for the United States. Reported below: — Ct. Cl. —, 288 F. 2d 489.

No. 699. ATLAS LIFE INSURANCE Co. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 10th Cir. Certiorari denied. *Harry D. Moreland* and *Harold C. Stuart* for petitioner. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: 295 F. 2d 327.

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No. 698. HOWARD *v.* COLORADO. Supreme Court of Colorado. Certiorari denied. *Arthur E. Neuman* and *John B. Bromell* for petitioner. *Duke W. Dunbar*, Attorney General of Colorado, *Frank E. Hickey*, Deputy Attorney General, and *Richard A. Zarlengo*, Assistant Attorney General, for respondent. Reported below: 140 Colo. 151, 342 P. 2d 635; 147 Colo. 501, 364 P. 2d 380.

No. 700. HALLATT ET AL. *v.* MARYLAND CASUALTY CO. C. A. 5th Cir. Certiorari denied. *Roy H. Brooks, Jr.* for petitioners. *Dewey Knight* for respondent. Reported below: 295 F. 2d 64.

No. 702. RAPID TRANSIT CO. *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *Clifford L. Malone* and *Charles E. Jones* for petitioner. *Solicitor General Cox* and *Roger P. Marquis* for the United States. Reported below: 295 F. 2d 465.

No. 704. SIEGFRIED *v.* KANSAS CITY STAR CO. ET AL. C. A. 8th Cir. Certiorari denied. *Ray D. Jones, Jr.* and *Carrol C. Kennett* for petitioner. *Carl E. Enggas* for respondents. Reported below: 298 F. 2d 1.

No. 706. BLOOM *v.* LUNDBURG, TROOPER. Supreme Court of Errors of Connecticut. Certiorari denied. *David Goldstein*, *Jacob D. Zeldes*, *Max Kabatznick* for petitioner. *Joseph J. Rose*, Assistant Attorney General of New York, for respondent. Reported below: 149 Conn. 67, 175 A. 2d 568.

No. 707. E. TOTONELLY SONS, INC., *v.* TOWN OF FAIRFIELD. C. A. 2d Cir. Certiorari denied. *Eugene Gressman* for petitioner. *Norman K. Parsells* and *John J. Darcy* for respondent. Reported below: 292 F. 2d 403.

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No. 712. GRECO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *John D. Roeder* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 298 F. 2d 247.

No. 650. SHERMAN *v.* HAMILTON, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 1st Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Allan R. Rosenberg* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Jerome M. Feit* for respondent. Reported below: 295 F. 2d 516.

No. 688. DAVIS *v.* LOUISVILLE & NASHVILLE RAILROAD Co. ET AL. Appellate Court of Indiana. Certiorari denied. MR. JUSTICE BLACK is of the opinion that certiorari should be granted. *Russell S. Armstrong* and *John D. Clouse* for petitioner. *William T. Fitzgerald, William L. Grubbs, Joe S. Hatfield* and *Charles H. Sparrenberger* for respondents. Reported below: 132 Ind. App. 419, 173 N. E. 2d 749.

No. 4, Misc. BEVELHYMER *v.* HAND, WARDEN. Supreme Court of Kansas. Certiorari denied. Petitioner *pro se*. *John Anderson, Jr.*, Attorney General of Kansas, and *J. Richard Foth*, Assistant Attorney General, for respondent.

No. 11, Misc. YOWELL *v.* HAND, WARDEN. Supreme Court of Kansas. Certiorari denied. Petitioner *pro se*. *William M. Ferguson*, Attorney General of Kansas, and *Charles N. Henson, Jr.* and *J. Richard Foth*, Assistant Attorneys General, for respondent.

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No. 681. MIAMI HERALD PUBLISHING CO. *v.* BRAUTIGAM, ADMINISTRATRIX. District Court of Appeal of Florida, Third Appellate District. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. *Elisha Hanson, John G. Thompson, Arthur B. Hanson, Calvin H. Cobb, Jr., Emmett E. Tucker, Jr., Hervey Yancey and L. S. Bonsteel* for petitioner. *Paul A. Louis and Melvin M. Belli* for respondent. Reported below: 127 So. 2d 718.

No. 1, Misc. AKERS *v.* BOLES, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied. Petitioner *pro se.* *Fred H. Caplan*, Assistant Attorney General of West Virginia, for respondent.

No. 3, Misc. DELONG *v.* BOLES, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied. Petitioner *pro se.* *Fred H. Caplan*, Assistant Attorney General of West Virginia, for respondent.

No. 6, Misc. SCALF *v.* BOLES, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied. Petitioner *pro se.* *Fred H. Caplan*, Assistant Attorney General of West Virginia, for respondent.

No. 12, Misc. KILGALLEN *v.* LAVALLEE, WARDEN. Supreme Court of New York, Clinton County. Certiorari denied. Petitioner *pro se.* *Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, and *Joseph J. Rose*, Assistant Attorney General, for respondent.

No. 20, Misc. BROWNING *v.* HAND, WARDEN. C. A. 10th Cir. Certiorari denied. Petitioner *pro se.* *William M. Ferguson*, Attorney General of Kansas, and *J. Richard Foth*, Assistant Attorney General, for respondent. Reported below: 284 F. 2d 346.

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No. 37, Misc. PHILLIPS *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: 187 Kan. 488, 357 P. 2d 856.

No. 64, Misc. BECKETT *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. 71, Misc. TICHNELL *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. 152, Misc. NOLAN *v.* NASH, WARDEN. Supreme Court of Missouri. Certiorari denied. Petitioner *pro se.* *Thomas F. Eagleton*, Attorney General of Missouri, and *Ben Ely, Jr.*, Assistant Attorney General, for respondent.

No. 153, Misc. MERCER *v.* KENTUCKY ET AL. Court of Appeals of Kentucky. Certiorari denied. Petitioner *pro se.* *John B. Breckinridge*, Attorney General of Kentucky, for respondents.

No. 196, Misc. COLBERT *v.* MISSOURI. Supreme Court of Missouri. Certiorari denied.

No. 266, Misc. MCCOY *v.* BOLES, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied. Petitioner *pro se.* *C. Donald Robertson*, Attorney General of West Virginia, and *C. Robert Sarver*, Assistant Attorney General, for respondent.

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No. 482, Misc. *LUPPO v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 491, Misc. *DOSTER v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied. Petitioner *pro se*. *Frank J. Kelley*, Attorney General of Michigan, *Eugene Krasicky*, Solicitor General, and *Robert Weinbaum*, Assistant Attorney General, for respondent.

No. 533, Misc. *RODRIGUEZ v. CALIFORNIA*. Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Stanley Mosk*, Attorney General of California, *William E. James*, Assistant Attorney General, and *S. Clark Moore*, Deputy Attorney General, for respondent.

No. 562, Misc. *DANIELS ET AL. v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied. Petitioners *pro se*. *Frank J. Kelley*, Attorney General of Michigan, *Eugene Krasicky*, Solicitor General, and *Robert Weinbaum*, Assistant Attorney General, for respondent.

No. 582, Misc. *CHAPMAN v. COURT OF CRIMINAL APPEALS OF TEXAS ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 586, Misc. *TAFARELLA v. HAND, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 294 F. 2d 67.

No. 663, Misc. *VITA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Daniel H. Greenberg* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States. Reported below: 294 F. 2d 524.

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No. 688, Misc. *McKoy v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 716, Misc. *VAN EYK v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 719, Misc. *BENDER v. PATE, WARDEN*. Circuit Court of Macoupin County, Illinois. Certiorari denied.

No. 721, Misc. *MOULSDALE v. DIRECTOR OF PATUXENT INSTITUTION*. Court of Appeals of Maryland. Certiorari denied.

No. 741, Misc. *ROBISON v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 780, Misc. *MACGREGOR v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 784, Misc. *LINK v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 801, Misc. *SMITH v. DUNCAN, U. S. DISTRICT JUDGE*. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Marshall, Harold H. Greene and Isabel L. Blair* for respondent.

No. 811, Misc. *LADSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Daniel H. Greenberg* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Julia P. Cooper* for the United States. Reported below: 294 F. 2d 535.

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No. 844, Misc. *CAMPBELL 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. 891, Misc. *GLOUSER v. UNITED STATES*. C. A. 8th 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: 296 F. 2d 853.

No. 908, Misc. *ROBERTS v. WARDEN, MARYLAND PENITENTIARY*. Court of Appeals of Maryland. Certiorari denied.

No. 911, Misc. *RENTERIA v. CALIFORNIA STATE LEGISLATURE ET AL.* Supreme Court of California. Certiorari denied.

No. 912, Misc. *CASTEDY v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 913, Misc. *CLINE v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 914, Misc. *DEAN v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied.

No. 915, Misc. *NERWINSKI v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied.

No. 919, Misc. *BROWN v. DIRECTOR, TEXAS DEPARTMENT OF CORRECTIONS, ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

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No. 918, Misc. LEWIS *v.* HAND, WARDEN. Supreme Court of Kansas. Certiorari denied.

No. 988, Misc. MILLER *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 1007, Misc. BUCK *v.* OHIO. Supreme Court of Ohio. Certiorari denied. *Bernard I. Rosen* for petitioner.

No. 1053, Misc. COLEMAN *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 763, Misc. LIPSCOMB *v.* UNITED STATES BOARD OF PAROLE. The petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit and for other relief is denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Marshall, Harold H. Greene and David Rubin* for respondent.

Rehearing Denied.

No. 634. GINSBURG *v.* STERN ET AL., 368 U. S. 987;

No. 542, Misc. CURRY *v.* UNITED STATES, 368 U. S. 991;

No. 670, Misc. SMITH *v.* SETTLE, WARDEN, 368 U. S. 994;

No. 703, Misc. WALKER ET AL. *v.* WALKER ET AL., 368 U. S. 996; and

No. 803, Misc. ANTIPAS *v.* OVERHOLSER, HOSPITAL SUPERINTENDENT, 368 U. S. 981. Petitions for rehearing denied.

No. 96. MORGAN ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE, 368 U. S. 836. The motion for leave to file petition for rehearing is denied.

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No. 469. INCREAS STEAMSHIP CO., LTD., *v.* INTERNATIONAL MARITIME WORKERS UNION ET AL. Certiorari, 368 U. S. 924, to the Court of Appeals of New York. The motion of the Republic of Liberia for leave to file brief, as *amicus curiae*, is granted.

No. 1078, Misc. WHITE *v.* TAYLOR, WARDEN. Motion for leave to file petition for writ of habeas corpus denied.

No. 1021, Misc. MARSH *v.* BANNAN, WARDEN. Motion for leave to file petition for writ of habeas corpus and for other relief denied.

Certiorari Granted. (See also No. 84, ante, p. 350.)

No. 89. SMITH *v.* EVENING NEWS ASSOCIATION. Supreme Court of Michigan. Certiorari granted. The Solicitor General is invited to file a brief expressing the views of the United States. *Thomas E. Harris* for petitioner. *Phillip T. Van Zile II* for respondent. Reported below: 362 Mich. 350, 106 N. W. 2d 785.

Certiorari Denied.

No. 660. TEXACO PUERTO RICO INC. *v.* ARMAIZ ET AL. Supreme Court of Puerto Rico and Superior Court of Puerto Rico. Certiorari denied. *Milton Handler* for petitioner. *James R. Withrow, Jr.* and *Jose Trias Monge* for respondents.

*MR. JUSTICE WHITTAKER took no part in the consideration or decision of cases in which orders were this day announced.

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No. 673. *NUGENT v. YELLOW CAB CO.* C. A. 7th Cir. Certiorari denied. *Albert E. Jenner, Jr., Thomas P. Sullivan and Peter Fitzpatrick* for petitioner. *Charles D. Snewind* for respondent. Reported below: 295 F. 2d 794.

No. 689. *LEWIS ET AL., DOING BUSINESS AS LEWIS AND MURRAY, ET AL. v. FITZGERALD, TRUSTEE IN BANKRUPTCY.* C. A. 10th Cir. Certiorari denied. *Bentley M. McMullin* for petitioners. Reported below: 295 F. 2d 877.

No. 708. *MONTOUR RAILROAD CO., INC., v. ZIMMERMAN.* C. A. 3d Cir. Certiorari denied. *Harold R. Schmidt* for petitioner. Reported below: 296 F. 2d 97.

No. 709. *RICHTER ET AL. v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. *Marvin Garfinkel, Stephen B. Narin and Theodore R. Mann* for petitioners. *Solicitor General Cox, Assistant Attorney General Orrick and Alan S. Rosenthal* for the United States. Reported below: 296 F. 2d 509.

No. 713. *MURRAY v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. *Louis Bender* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Joseph M. Howard and John M. Brant* for the United States. Reported below: 297 F. 2d 812.

No. 718. *EAGLE-PICHER CO. v. HAYNES ET AL.* C. A. 10th Cir. Certiorari denied. *John R. Wallace and A. C. Wallace* for petitioner. Reported below: 295 F. 2d 761.

No. 719. *KLEIN, TRUSTEE IN BANKRUPTCY, v. HERMAN.* C. A. 7th Cir. Certiorari denied. *Thomas D. Nash, Jr.* for petitioner. Respondent *pro se*. Reported below: 295 F. 2d 324.

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No. 724. *ANDREWS ET AL. v. UNITED STATES*. Court of Claims. Certiorari denied. *Robert E. Burns* for petitioners. *Solicitor General Cox* for the United States. Reported below: — Ct. Cl. —, 295 F. 2d 819.

No. 736. *WHITEFISH LUMBER CO. v. INDUSTRIAL SUPPLY CO. ET AL.* C. A. 9th Cir. Certiorari denied. *Leif Erickson* for petitioner. *Calvin S. Robinson* for respondents. Reported below: 296 F. 2d 136.

No. 559. *CHOCTAWHATCHEE ELECTRICAL CO-OPERATIVES, INC., v. GREEN, COMPTROLLER OF FLORIDA*. Supreme Court of Florida. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Alex Akerman, Jr., Thomas A. Ziebarth, Roscoe Pickett* and *W. J. Oven, Jr.* for petitioner. *Richard W. Ervin*, Attorney General of Florida, *Joseph C. Jacobs* and *Sam Spector*, Assistant Attorneys General, for respondent. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Joseph Kovner* and *William Massar* for the United States, in opposition to the petition. Reported below: 132 So. 2d 556.

No. 652. *SHAPIRO ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Conrad T. Hubner* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Meyer Rothwacks* and *Carolyn R. Just* for respondent. Reported below: 295 F. 2d 306.

No. 509, Misc, *ANDERSON v. KENTUCKY*. Court of Appeals of Kentucky. Certiorari denied. Petitioner *pro se*. *John B. Breckinridge*, Attorney General of Kentucky, for respondent.

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No. 717. *CRUMP v. SAIN, SHERIFF*. C. A. 7th Cir. Certiorari denied. Mr. JUSTICE DOUGLAS and Mr. JUSTICE BRENNAN are of the opinion that certiorari should be granted. *Donald Page Moore* for petitioner. *Daniel P. Ward* and *Edward J. Hladis* for respondent. Reported below: 295 F. 2d 699.

No. 744. *UNION LEADER CORP., DOING BUSINESS AS MANCHESTER UNION LEADER ET AL., v. CHAGNON, DOING BUSINESS AS CHAGNON'S GARDEN CENTER*. Supreme Court of New Hampshire. Certiorari denied. Mr. JUSTICE BLACK and Mr. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. *Edward P. Morgan* and *Herbert E. Forrest* for petitioner. *Stanley M. Brown* for respondent. Reported below: 103 N. H. 426, 174 A. 2d 825.

No. 480, Misc. *McCALLUM v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 705, Misc. *VALENTINE 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 708.

No. 812, Misc. *BAGGETT v. ALABAMA*. Court of Appeals of Alabama. Certiorari denied. *Patrick W. Richardson* for petitioner. *MacDonald Gallion*, Attorney General of Alabama, and *John C. Tyson III*, Assistant Attorney General, for respondent. Reported below: — Ala. App. —, 133 So. 2d 33.

No. 815, Misc. *EX PARTE BLAKELY*. Court of Criminal Appeals of Texas. Certiorari denied.

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No. 836, Misc. *WOLFE 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 Robert G. Maysack* for the United States.

No. 863, Misc. *PETERS v. NEW MEXICO ET AL.* Supreme Court of New Mexico. Certiorari denied.

No. 869, Misc. *SPENCER v. GLADDEN, WARDEN*. Supreme Court of Oregon. Certiorari denied.

No. 871, Misc. *RAMIREZ v. NEW YORK*. Court of Appeals of New York. Certiorari denied. *Whitman Knapp* for petitioner. Reported below: 10 N. Y. 2d 774, 177 N. E. 2d 56.

No. 925, Misc. *TURNBAUGH v. RANDOLPH, WARDEN, ET AL.* C. A. 7th Cir. Certiorari denied.

No. 930, Misc. *LIPSCOMB v. WARDEN, MARYLAND PENITENTIARY*. Court of Appeals of Maryland. Certiorari denied.

No. 932, Misc. *SPRINGER v. RICHMOND, WARDEN*. Superior Court of Connecticut. Certiorari denied.

No. 933, Misc. *FLOWERS v. RICHMOND, WARDEN*. Superior Court of Connecticut. Certiorari denied.

No. 848, Misc. *BANDY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Oberdorfer and Joseph M. Howard* for the United States. Reported below: 296 F. 2d 882.

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*Rehearing Denied.*No. 647. GULLO *v.* GULLO, 368 U. S. 988;No. 212, Misc. CLINTON *v.* UNITED STATES, *ante*, p. 803;No. 574, Misc. BANKS *v.* UNITED STATES, *ante*, p. 804;No. 659, Misc. SLIVA *v.* PENNSYLVANIA ET AL., 368 U. S. 994;No. 699, Misc. SCOTT *v.* SUPERIOR COURT OF LOS ANGELES COUNTY, 368 U. S. 996;No. 819, Misc. SCOTT *v.* CITIZENS NATIONAL TRUST & SAVINGS BANK OF LOS ANGELES ET AL., 368 U. S. 1002; andNo. 835, Misc. RAINSBERGER *v.* LEYPOLDT, SHERIFF, 368 U. S. 516. Petitions for rehearing denied.

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Dismissal Under Rule 60.

No. 567. CALLAHAN, COMMISSIONER OF LABOR AND INDUSTRIES OF MASSACHUSETTS, ET AL. *v.* GENERAL ELECTRIC Co. On petition for writ of certiorari to the United States Court of Appeals for the First Circuit. Petition dismissed pursuant to Rule 60 of the Rules of this Court. *Edward J. McCormack*, Attorney General of Massachusetts, *Joseph T. Doyle* and *Theodore R. Stanley*, Assistant Attorneys General, for petitioners. *Lewis H. Weinstein* and *F. Gerald Toye* for respondent. Reported below: 294 F. 2d 60.

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Miscellaneous Orders.

No. 19. KENNEDY, ATTORNEY GENERAL OF THE UNITED STATES, *v.* MENDOZA-MARTINEZ. Appeal from the United States District Court for the Southern District of California. (Probable jurisdiction noted, 365 U. S. 809.) Argued October 10-11, 1961. This case is restored to the calendar for reargument. *Oscar H. Davis* argued the

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cause for appellant. With him on the briefs were former *Solicitor General Rankin*, *Solicitor General Cox*, *Assistant Attorney General Miller*, *Assistant Attorney General Wilkey*, *Beatrice Rosenberg* and *Jerome M. Feit*. *Thomas R. Davis* argued the cause for appellee. With him on the brief was *John W. Willis*. *Jacob Wasserman*, *David Carliner*, *Rowland Watts*, *Stephen J. Pollak* and *Osmond K. Fraenkel* filed a brief for the American Civil Liberties Union, as *amicus curiae*, in support of appellee. Reported below: 192 F. Supp. 1.

NO. 44. NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE *v.* GRAY, ATTORNEY GENERAL OF VIRGINIA, ET AL. Certiorari, 365 U. S. 842, to the Supreme Court of Appeals of Virginia. Argued November 8, 1961. This case is restored to the calendar for reargument. *Robert L. Carter* argued the cause for petitioner. With him on the briefs were *Oliver W. Hill*, *Herbert O. Reid* and *Frank D. Reeves*. *Henry T. Wickham* argued the cause for respondents. With him on the briefs was *David J. Mays*. Reported below: 202 Va. 142, 116 S. E. 2d 55.

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, 368 U. S. 808.) Argued March 21, 1962. This case is restored to the calendar for reargument. *Solicitor General Cox* argued the cause for appellant. With him on the briefs were *Assistant Attorney General Loevinger*, *Daniel M. Friedman*, *Lionel Kestbaum* and *Richard A. Solomon*. *John T. Chadwell* argued the cause for appellees. With him on the briefs were *Richard W. McLaren*, *James A. Rahl*, *Jean Engstrom*, *Martin J. Purcell* and *John H. Lashly*.

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No. 70. *GIBSON v. FLORIDA LEGISLATIVE INVESTIGATION COMMITTEE*. Certiorari, 366 U. S. 917, to the Supreme Court of Florida. Argued December 5, 1961. This case is restored to the calendar for reargument. *Robert L. Carter* argued the cause for petitioner. With him on the brief was *Frank D. Reeves*. *Mark R. Hawes* argued the cause for respondent. With him on the brief was *Erle B. Askew*. Reported below: 126 So. 2d 129.

No. 76. *TOWNSEND v. SAIN, SHERIFF, ET AL.* Certiorari, 365 U. S. 866, to the United States Court of Appeals for the Seventh Circuit. Argued February 19, 1962. This case is restored to the calendar for reargument. *George N. Leighton* argued the cause and filed a brief for the petitioner. *Edward J. Hladis* argued the cause for respondents. With him on the briefs were *Daniel P. Ward* and *Benjamin S. Adamowski*. Reported below: 276 F. 2d 324.

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, 368 U. S. 809.) Argued February 27-28, 1962. These cases are restored to the calendar for reargument. MR. JUSTICE CLARK took no part in the consideration or decision of these cases. *Hubert D. Johnson* and *Neth L. Leachman* argued the cause for appellants. *Marvin S. Sloman* was with *Mr. Johnson* on the briefs for appellant in No. 90. *Mr. Leachman* was on the briefs for appellant in No. 91. *Quentin Keith* and *W. E. Cureton* argued the cause for appellee. With them on the briefs was *Cecil C. Rotsch*. Reported below: 161 Tex. 349, 341 S. W. 2d 161.

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No. 255. UNITED STATES *v.* GILMORE ET AL. Certiorari, 368 U. S. 816, to the Court of Claims. Argued March 27-28, 1962. This case is restored to the calendar for reargument. *Wayne G. Barnett* argued the cause for the United States. On the briefs were *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *Richard J. Medalie*, *Melva M. Graney*, *Harold C. Wilkenfeld* and *Arthur I. Gould*. *Eli Freed* argued the cause and filed briefs for respondents. Reported below: — Ct. Cl. —, 290 F. 2d 942.

No. 256. UNITED STATES *v.* PATRICK ET AL. Certiorari, 368 U. S. 817, to the United States Court of Appeals for the Fourth Circuit. Argued March 28, 1962. This case is restored to the calendar for reargument. *Wayne G. Barnett* argued the cause for the United States. On the briefs were *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *Richard J. Medalie*, *Melva M. Graney*, *Harold C. Wilkenfeld* and *Arthur I. Gould*. *Robert M. Ward* argued the cause and filed a brief for respondents. Reported below: 288 F. 2d 292.

No. 264. HALLIBURTON OIL WELL CEMENTING Co. *v.* REILY, COLLECTOR OF REVENUE OF LOUISIANA. Appeal from the Supreme Court of Louisiana. (Probable jurisdiction noted, 368 U. S. 809.) Argued March 26-27, 1962. This case is restored to the calendar for reargument. *Benjamin B. Taylor, Jr.* argued the cause for appellant. With him on the briefs were *Robert O. Brown*, *Robert E. Rice*, *C. Vernon Porter*, *Laurance W. Brooks*, *Frank W. Middleton, Jr.* and *Tom F. Phillips*. *Chapman L. Sanford* argued the cause for appellee. With him on the briefs were *John B. Smullin* and *Emmett E. Batson*. Briefs of *amici curiae*, in support of appellant, were filed by *Cicero C. Sessions* for Sperry Rand Corp.; *Forrest M. Darrough* for Humble Oil & Refining Co.;

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Charles D. Marshall for Thomas Jordan, Inc.; *Albert L. Hopkins* for Chicago Bridge & Iron Co.; *Ben R. Miller* for American Can Co.; and *Robert E. Leake, Jr.* for Rosson-Richards Processing Co. et al. Reported below: 241 La. 67, 127 So. 2d 502.

No. 278. *PRESSER v. UNITED STATES*. Certiorari, 368 U. S. 886, to the United States Court of Appeals for the Sixth Circuit. Argued March 22, 26, 1962. This case is restored to the calendar for reargument. *John G. Cardinal* argued the cause for petitioner. With him on the briefs were *Edwin Knachel* and *Robert E. Freed*. *Richard J. Medalie* argued the cause for the United States. On the briefs were *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Sidney M. Glazer*. Reported below: 292 F. 2d 171.

Probable Jurisdiction Noted.

No. 735. *UNITED STATES v. SAMPSON ET AL.* Appeal from the United States District Court for the Northern District of Georgia. The motion to remand is denied. Probable jurisdiction is noted. *Solicitor General Cox* for the United States. *Randolph W. Thrower* for appellees. Reported below: See 298 F. 2d 826.

Certiorari Granted. (See also No. 297, ante, p. 401; No. 317, ante, p. 402; and No. 687, ante, p. 403.)

No. 366. *DUGAN ET AL. v. RANK ET AL.*; and

No. 606. *CITY OF FRESNO v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari granted. THE CHIEF JUSTICE took no part in the consideration or decision of these applications. *Solicitor General Cox*, *J. William Doolittle*, *Roger P. Marquis* and *William H. Veeder* for petitioners in No. 366. *John H. Lauten* and *Claude L. Rowe* for petitioner in No. 606 and for respondents in No. 366. *Solicitor General Cox* and *Roger P. Marquis* for the United

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States et al., and *Stanley Mosk*, Attorney General of California, *B. Abbott Goldberg*, *Denver C. Peckinpah*, *Adolph Moskowitz*, *James K. Abercrombie*, *Irl Davis Brett* and *J. O. Reavis* for the State of California et al., respondents in No. 606. Reported below: 293 F. 2d 340.

No. 739. *WOLF ET AL. v. WEINSTEIN ET AL.* C. A. 2d Cir. Certiorari granted. *Melvin Lloyd Robbins* for petitioners. *Harold Harper*, *Arnold A. Weinstein*, *Alex L. Rosen* and *Marvin N. Rosen* for respondents. Reported below: 296 F. 2d 670, 678.

Certiorari Denied. (See also No. 425, ante, p. 400.)

No. 34. *SABA ET AL. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *J. Edward Worton* for petitioners. *Solicitor General Cox* for the United States. Reported below: 282 F. 2d 255.

No. 51. *UNITED GAS PIPE LINE CO. v. IDEAL CEMENT Co.* C. A. 5th Cir. Certiorari denied. *E. Dixie Beggs* for petitioner. *Marion R. Vickers* for respondent. *Charles S. Rhyne* and *Herzel H. E. Plaine* for the City of Mobile, Alabama, as *amicus curiae*, in support of petitioner. Reported below: 282 F. 2d 574.

No. 701. *KITCHENS v. UNITED STATES.* C. A. 5th 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: 295 F. 2d 508.

No. 733. *DE LUCIA v. FLAGG.* C. A. 7th Cir. Certiorari denied. *William Scott Stewart* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Philip R. Monahan* for respondent. Reported below: 297 F. 2d 58.

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No. 725. *TORRES v. CALIFORNIA*. Supreme Court of California. Certiorari denied. *Russell E. Parsons* for petitioner. Reported below: 56 Cal. 2d 864, 366 P. 2d 823.

No. 731. *CITIZENS UTILITIES CO. v. PROUTY ET AL.* Supreme Court of Vermont. Certiorari denied. *Jesse Climenko, George Trosk and Clifton G. Parker* for petitioner. *Arthur L. Graves and Edwin W. Lawrence* for respondents. Reported below: 122 Vt. 456, 176 A. 2d 751.

No. 732. *ATHENS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Gilbert S. Rosenthal* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States. Reported below: 297 F. 2d 639.

No. 737. *NORTHERN VIRGINIA SUN PUBLISHING CO. v. NATIONAL LABOR RELATIONS BOARD ET AL.* C. A. 4th Cir. Certiorari denied. *Philip W. Amram and Gilbert Hahn, Jr.* for petitioner. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli, Norton J. Come and Warren M. Davison* for the National Labor Relations Board, and *Seymour J. Spelman* for Wheeler et al., respondents. Reported below: 299 F. 2d 683.

No. 742. *MEJIA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Jack E. Hildreth and Arthur S. Bell, Jr.* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States. Reported below: 301 F. 2d 907.

No. 596, Misc. *BARBER v. GLADDEN, WARDEN*. Supreme Court of Oregon. Certiorari denied.

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No. 727. WASHINGTON STATE BOARD AGAINST DISCRIMINATION ET AL. *v.* O'MEARA ET AL.; and

No. 730. JONES ET AL. *v.* O'MEARA ET AL. Supreme Court of Washington. Certiorari denied. THE CHIEF JUSTICE and MR. JUSTICE STEWART are of the opinion that certiorari should be granted, the judgment vacated and the cases remanded to the Supreme Court of Washington to ascertain whether such judgment was based upon a nonfederal ground adequate to support it. *John J. O'Connell*, Attorney General of Washington, and *Herbert H. Fuller*, Deputy Attorney General, for petitioners in No. 727. *Francis Hoague* for petitioners in No. 730. Reported below: 58 Wash. 2d 793, 365 P. 2d 1.

No. 734. DELAWARE VALLEY MARINE SUPPLY Co. *v.* AMERICAN TOBACCO Co. ET AL. C. A. 3d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Edwin P. Rome* for petitioner. *R. Sturgis Ingersoll*, *H. Francis DeLone*, *C. Brewster Rhoads*, *Joseph W. Swain, Jr.* and *J. B. H. Carter* for respondents. Reported below: 297 F. 2d 199.

No. 474, Misc. HARRELL *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. 510, Misc. MUZA *v.* CALIFORNIA ET AL. Supreme Court of California. Certiorari denied. Petitioner *pro se.* *Stanley Mosk*, Attorney General of California, and *Robert R. Granucci*, Deputy Attorney General, for respondents.

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No. 671, Misc. WASHINGTON *v.* HEINZE, WARDEN. Supreme Court of California. Certiorari denied. Petitioner *pro se.* Stanley Mosk, Attorney General of California, and Doris H. Maier, Assistant Attorney General, for respondent.

No. 921, Misc. FLOURNOY *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.

No. 924, Misc. SWEENEY *v.* ILLINOIS. Circuit Court of Morgan County, Illinois. Certiorari denied.

No. 936, Misc. CLEGGETT *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 937, Misc. BURT *v.* KEATING. Supreme Court of California. Certiorari denied.

No. 938, Misc. EDWARDS *v.* MYERS, CORRECTIONAL INSTITUTION SUPERINTENDENT. Supreme Court of Pennsylvania. Certiorari denied.

No. 939, Misc. MILLS *v.* WILKINS, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 941, Misc. CRAWFORD *v.* HEARD, DIRECTOR, ET AL. Court of Criminal Appeals of Texas. Certiorari denied.

No. 942, Misc. BAKER *v.* HEINZE, WARDEN. Supreme Court of California. Certiorari denied.

No. 945, Misc. FLEISCHER *v.* DISTRICT COURT OF APPEAL, THIRD APPELLATE DISTRICT. Supreme Court of California. Certiorari denied.

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No. 943, Misc. STINSON *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 Robert G. Maysack* for the United States.

No. 944, Misc. SUMPTER *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 947, Misc. TURNER *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied.

No. 948, Misc. WILLIAMS *v.* WILKINS, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 949, Misc. WALKER *v.* ARIZONA. Supreme Court of Arizona. Certiorari denied.

No. 953, Misc. ALLEN *v.* OHIO. Supreme Court of Ohio. Certiorari denied. Petitioner *pro se.* *C. Watson Hover* for respondent.

No. 29, Misc. BURKS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Morris Lavine* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Jerome M. Feit* for the United States. Reported below: 287 F. 2d 117.

No. 521, Misc. MILLS *v.* COLORADO. Supreme Court of Colorado. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *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: 146 Colo. 457, 362 P. 2d 152.

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No. 581, Misc. CRAWFORD *v.* CIRCUIT COURT OF KALAMAZOO ET AL. C. A. 6th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted, the judgment vacated and the case remanded to the District Court for a hearing on the issue of the alleged illegal search and seizure.

No. 1085, Misc. JOHNSON *v.* ELLIS, CORRECTIONS DIRECTOR. C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted limited to the question of the alleged coerced confession. *Bernard A. Golding* for petitioner. *Frank Briscoe, Samuel H. Robertson, Jr. and Lee P. Ward, Jr.* for respondent. Reported below: 296 F. 2d 325.

Rehearing Denied.

No. 616. SINCLAIR ET AL. *v.* CALIFORNIA ET AL., 368 U. S. 986;

No. 624. HENDRICKSON *v.* UNITED STATES, 368 U. S. 986;

No. 636. TEITELBAUM *v.* COMMISSIONER OF INTERNAL REVENUE, 368 U. S. 987;

No. 635, Misc. STANMORE *v.* COLORADO, 368 U. S. 993;

No. 655, Misc. O'ROURKE *v.* NEW YORK, 368 U. S. 981;

No. 700, Misc. JOHNSON *v.* HORTON, 368 U. S. 515;

No. 866, Misc. SCOTT *v.* SUPERIOR COURT OF LOS ANGELES COUNTY, *ante*, p. 806; and

No. 901, Misc. SHOTKIN *v.* OLNEY ET AL., *ante*, p. 801. Petitions for rehearing denied.

No. 714, Misc. COLEMAN *v.* UNITED STATES, *ante*, p. 813. Petition for rehearing denied. MR. JUSTICE DOUGLAS is of the opinion that a response to the petition should be requested under Rule 58 (3).

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Miscellaneous Order.

No. 142. SHOTWELL MANUFACTURING CO. ET AL. *v.* UNITED STATES. Certiorari, 368 U. S. 946, to the United States Court of Appeals for the Seventh Circuit. The motion of petitioners to postpone oral argument is granted. *George T. Christensen* and *William T. Kirby* for petitioners. Reported below: 287 F. 2d 667.

Certiorari Granted. (See No. 29, ante, p. 422.)

Certiorari Denied.

No. 683. PINTO ET AL. *v.* STATES MARINE CORPORATION OF DELAWARE ET AL. C. A. 2d Cir. Certiorari denied. *Jacob Rassner* for petitioners. *Arthur M. Boal* for Volusia Steamship Co. et al., *Victor S. Cichanowicz* for Mathiasen's Tanker Industries, Inc., *Robert M. Pellegrino* for Terminal Steamship Co., and *Corydon B. Dunham* for States Marine Corporation of Delaware, respondents. Reported below: 296 F. 2d 1, 281; 297 F. 2d 215, 494.

No. 720. GULF BOTTLERS, INC., *v.* NATIONAL LABOR RELATIONS BOARD. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Conrad Meyer III* and *Charles A. Hobbs* for petitioner. *Solicitor General Cox*, *Stuart Rothman*, *Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: 111 U. S. App. D. C. 383, 298 F. 2d 297.

No. 738. HARRIS, TRUSTEE IN BANKRUPTCY, *v.* STANDARD ACCIDENT & INSURANCE CO. C. A. 2d Cir. Certiorari denied. *William A. Hyman* for petitioner. *James B. Donovan* and *Patrick J. Hughes* for respondent. Reported below: 297 F. 2d 627.

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No. 745. ORDER OF RAILWAY CONDUCTORS AND BRAKEMEN ET AL. *v.* CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC RAILROAD CO. C. A. 7th Cir. Certiorari denied. *Burke Williamson, Jack A. Williamson* and *Harry Wilmarth* for petitioners. *James P. Reedy* for respondent. Reported below: 296 F. 2d 453.

No. 746. DIMINICH *v.* ESPERDY, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 2d Cir. Certiorari denied. *Alfred Feingold* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Kirby W. Patterson* for respondent. Reported below: 299 F. 2d 244.

No. 752. DAI MING SHIH 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 *Robert G. Maysack* for respondent. Reported below: 111 U. S. App. D. C. 380, 297 F. 2d 791.

No. 703. MOORING ET AL. *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *James B. Swails* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States. Reported below: 299 F. 2d 92.

No. 570, Misc. MARTIN *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 *Thomas B. Yost*, Assistant Attorneys General, for respondent.

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No. 583, Misc. *WOODBURY v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Petitioner *pro se*. *Manuel W. Levine* for respondent.

No. 682, Misc. *ETHERTON v. THOMAS, WARDEN*. Court of Appeals of Kentucky. Certiorari denied. Petitioner *pro se*. *John B. Breckinridge*, Attorney General of Kentucky, and *Robert L. Montague III*, Assistant Attorney General, for respondent.

No. 916, Misc. *MARTIN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox*, *Assistant Attorney General Marshall* and *Harold H. Greene* for the United States.

No. 917, Misc. *PATRICK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States.

No. 931, Misc. *LANDRY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States.

No. 955, Misc. *EVANS v. DICKSON, WARDEN*. Supreme Court of California. Certiorari denied.

No. 959, Misc. *WHITE 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. 960, Misc. *HILL v. WARDEN, MARYLAND PENITENTIARY*. Court of Appeals of Maryland. Certiorari denied.

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No. 975, Misc. *BADAMO v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied.

No. 977, Misc. *BREWTON v. GLADDEN, WARDEN*. Supreme Court of Oregon. Certiorari denied.

Rehearing Denied.

No. 540, Misc. *TSIMPIDES ET AL. v. GILES, CIRCUIT COURT JUDGE*, *ante*, p. 804; and

No. 763, Misc. *LIPSCOMB v. UNITED STATES BOARD OF PAROLE*, *ante*, p. 826. Petitions for rehearing denied.

APRIL 13, 1962.

Certiorari Denied.

No. 853. *LUTON v. TEXAS ET AL.* The motion to dispense with printing the petition for certiorari is granted. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. MR. JUSTICE FRANKFURTER took no part in the consideration or decision of this motion and application. *William VanDercreek* and *Tom Ryan* for petitioner. *Henry Wade* for respondents.

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Miscellaneous Orders.

No. 617. *KER ET UX. v. CALIFORNIA*. Certiorari, 368 U. S. 974, to the District Court of Appeal of California, Second Appellate District. The motion of petitioner for leave to proceed further herein *in forma pauperis* is granted. *Robert W. Stanley* for George D. Ker, petitioner.

*MR. JUSTICE FRANKFURTER and MR. JUSTICE WHITE took no part in the consideration or decision of cases in which orders were this day announced.

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No. 754. WISCONSIN ET AL. *v.* FEDERAL POWER COMMISSION;

No. 755. CALIFORNIA ET AL. *v.* FEDERAL POWER COMMISSION; and

No. 756. LONG ISLAND LIGHTING CO. ET AL. *v.* FEDERAL POWER COMMISSION. On petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit. The motion of Phillips Petroleum Company to correct and amend titles and captions is granted. *Charles E. McGee, Lambert McAllister and Kenneth Heady* for movant.

No. 1273, Misc. IN RE DISBARMENT OF CHOPAK. It is ordered that Jules Chopak of New York, New York, be suspended from the practice of the law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of the law in this Court.

No. 985, Misc. RILEY *v.* OHIO ET AL. Motion for leave to file petition for writ of certiorari denied.

No. 1029, Misc. WILLIAMS *v.* HEINZE, WARDEN. Motion for leave to file petition for writ of habeas corpus denied.

No. 989, Misc. BENNETT *v.* SUPREME COURT OF ILLINOIS. Motion for leave to file petition for writ of mandamus denied.

Certiorari Granted. (See also No. 851, Misc., ante, p. 426.)

No. 771. PEARLMAN, TRUSTEE IN BANKRUPTCY, *v.* RELIANCE INSURANCE CO. C. A. 2d Cir. Certiorari granted. *Lowell Grosse* for petitioner. *Mark N. Turner* for respondent. Reported below: 298 F. 2d 655.

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No. 765. *GALLICK v. BALTIMORE & OHIO RAILROAD Co.* Court of Appeals of Ohio, Cuyahoga County. Certiorari granted. *Marshall I. Nurenberg* and *Meyer A. Cook* for petitioner. *Raymond T. Jackson* and *Alexander H. Hadden* for respondent. Reported below: 173 N. E. 2d 382.

Certiorari Denied. (See also No. 751, ante, p. 423; No. 624, Misc., ante, p. 425; and No. 926, Misc., ante, p. 428.)

No. 582. *LLOYD BRASILEIRO PATRIMONIO NACIONAL v. MURPHY-COOK & Co.* C. A. 3d Cir. Certiorari denied. *T. E. Byrne, Jr.* for petitioner. Reported below: 294 F. 2d 32.

No. 612. *SPEICE v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied. *Julius Lucius Echeles* for petitioner. *William G. Clark*, Attorney General of Illinois, and *William C. Wines*, Assistant Attorney General, for respondent. Reported below: 23 Ill. 2d 40, 177 N. E. 2d 233.

No. 651. *RHODES v. SIGLER.* Supreme Court of Nebraska. Certiorari denied. Petitioner *pro se.* *Clarence A. H. Meyer*, Attorney General of Nebraska, and *Cecil S. Brubaker*, Assistant Attorney General, for respondent. Reported below: 172 Neb. 439, 109 N. W. 2d 731.

No. 723. *ESTATE OF ARENTS v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 2d Cir. Certiorari denied. *Sidney W. Davidson* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *I. Henry Kutz* and *Carolyn R. Just* for respondent. Reported below: 297 F. 2d 894.

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No. 678. GENERAL GEOPHYSICAL CO. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Homer L. Bruce* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *Harry Baum* for the United States. Reported below: 296 F. 2d 86.

No. 711. NADLER *v.* SECURITIES AND EXCHANGE COMMISSION ET AL. C. A. 2d Cir. Certiorari denied. *Cameron I. Kay* and *Robert Reed Gray* for petitioner. *Solicitor General Cox*, *Peter A. Dammann* and *David Ferber* for the Securities and Exchange Commission, *Bruce Bromley*, *Allen F. Maulsby* and *John W. Barnum* for Dynamics Corporation of America, and *Bernard D. Cahn* for Securities Corporation General, respondents. Reported below: 296 F. 2d 63.

No. 714. ILLINOIS ET AL. *v.* UNITED STATES CIVIL SERVICE COMMISSION. C. A. 7th Cir. Certiorari denied. *William G. Clark*, Attorney General of Illinois, *William C. Wines*, *Raymond S. Sarnow*, *A. Zola Groves* and *Aubrey Kaplan*, Assistant Attorneys General, for petitioners. *Solicitor General Cox*, *Assistant Attorney General Orrick*, *Morton Hollander* and *Sherman L. Cohn* for respondent. Reported below: 297 F. 2d 450.

No. 740. WRIGHT ET AL. *v.* WAGNER ET AL. Supreme Court of Pennsylvania. Certiorari denied. *Isidor Ostroff* for petitioners. *James L. Stern* and *David Berger* for respondents. Reported below: 405 Pa. 546, 175 A. 2d 875.

No. 743. BLACK *v.* SINCLAIR OIL & GAS CO. C. A. 5th Cir. Certiorari denied. *Robert L. Ivy* for petitioner. Reported below: 294 F. 2d 580.

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No. 747. SHAW WAREHOUSE CO. ET AL. *v.* SOUTHERN RAILWAY CO. ET AL. C. A. 5th Cir. Certiorari denied. *A. Alvis Layne, David J. Vann, E. L. All and Francis H. Hare* for petitioners. *Joseph F. Johnston* for respondents. Reported below: 288 F. 2d 759; 294 F. 2d 850.

No. 749. MCCARTHY ET AL. *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Julius Lucius Echeles* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Julia P. Cooper* for the United States. Reported below: 297 F. 2d 183.

No. 753. WOOD ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Joe T. Patterson*, Attorney General of Mississippi, *Dugas Shands* and *Edward L. Cates*, Assistant Attorneys General, and *Peter M. Stockett, Jr.*, Special Assistant Attorney General, for petitioners. *Solicitor General Cox, Assistant Attorney General Marshall and Harold H. Greene* for the United States. Reported below: 295 F. 2d 772.

No. 757. CONSOLIDATED EDISON COMPANY OF NEW YORK, INC., *v.* UNITED STATES. Court of Claims. Certiorari denied. *James K. Polk, Richard Joyce Smith and Julius M. Jacobs* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer and John B. Jones, Jr.* for the United States.

No. 769. ROGERS *v.* HODGES, SECRETARY OF COMMERCE, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Andrew A. Lipscomb* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick and Alan S. Rosenthal* for respondents. Reported below: 111 U. S. App. D. C. 358, 297 F. 2d 435.

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No. 758. LOCKLIN ET AL., DOING BUSINESS AS RADIANT COLOR Co., *v.* SWITZER BROTHERS, INC., ET AL.; and

No. 759. SWITZER BROTHERS, INC., ET AL. *v.* LOCKLIN ET AL., DOING BUSINESS AS RADIANT COLOR Co. C. A. 7th Cir. Certiorari denied. *Carl Hoppe* for Locklin et al. *M. Hudson Rathburn* for Switzer Brothers, Inc., et al. Reported below: 297 F. 2d 39.

No. 760. VILLAGE OF MAYWOOD *v.* ILLINOIS COMMERCE COMMISSION ET AL. Supreme Court of Illinois. Certiorari denied. *F. Joseph Donohue* for petitioner. *William G. Clark*, Attorney General of Illinois, *Edward V. Hanrahan*, Assistant Attorney General, and *Justin A. Stanley* for respondents. Reported below: 23 Ill. 2d 447, 178 N. E. 2d 345.

No. 768. LOCAL UNION 760, INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, *v.* PRESLEY ET AL. C. A. 6th Cir. Certiorari denied. *Joe Van Derveer* for petitioner. *E. H. Rayson* and *R. R. Kramer* for respondents. Reported below: 296 F. 2d 731.

No. 770. ADELMAN *v.* PARAMOUNT PICTURES, INC., ET AL. C. A. 5th Cir. Certiorari denied. *Thomas C. McConnell* for petitioner. *William R. Brown* and *Joseph Irion Worsham* for respondents. Reported below: 296 F. 2d 308.

No. 774. HARRIS STRUCTURAL STEEL Co., INC., *v.* UNITED STEELWORKERS OF AMERICA, AFL-CIO, LOCAL 3682, ET AL. C. A. 3d Cir. Certiorari denied. *William W. Lanigan* and *M. Harvey Smedley* for petitioner. *David E. Feller*, *Elliott Bredhoff*, *Jerry D. Anker*, *Samuel L. Rothbard* and *Abraham L. Friedman* for respondents. Reported below: 298 F. 2d 363.

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No. 781. KYLES *v.* JAMES W. ELWELL & CO. ET AL. C. A. 7th Cir. Certiorari denied. Petitioner *pro se.* *Stuart B. Bradley* for respondents. Reported below: 296 F. 2d 703.

No. 802. SAN JUAN DARLINGTON, INC., *v.* NEGRON ET AL. Supreme Court of Puerto Rico. Motion of respondents to dispense with printing brief in opposition granted. Certiorari denied. *William G. Grant* and *Benicio F. Sanchez* for petitioner. *Santos P. Amadeo* for respondents. Reported below: 83 P. R. —.

No. 557, Misc. PETHICK *v.* PATE, WARDEN. Criminal Court of Cook County, Illinois. Certiorari denied. Petitioner *pro se.* *William G. Clark*, Attorney General of Illinois, for respondent.

No. 569, Misc. FORD *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 *Richard D. Lee*, Deputy Attorney General, for respondents.

No. 638, Misc. WHITE *v.* SACKS, WARDEN, ET AL. C. A. 6th Cir. Certiorari denied.

No. 644, Misc. WILLIAMS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States.

No. 785, Misc. MORONES *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.

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No. 797, Misc. *MYERS v. COX, WARDEN, ET AL.* Supreme Court of New Mexico. Certiorari denied. Petitioner *pro se.* *Earl E. Hartley*, Attorney General of New Mexico, for Cox, respondent.

No. 940, Misc. *HILDEBRANDT v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Robert G. Maysack* for the United States.

No. 950, Misc. *SIERRA 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: 297 F. 2d 531.

No. 961, Misc. *BOYES v. UNITED STATES.* C. A. 10th 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: — F. 2d —.

No. 963, Misc. *WATERSON, ALIAS JANDA, v. NEW YORK.* Appellate Division, Supreme Court of New York, Fourth Judicial Department. Certiorari denied.

No. 966, Misc. *NETTLES v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied. Reported below: 23 Ill. 2d 306, 178 N. E. 2d 361.

No. 979, Misc. *LIPSCOMB v. UNITED STATES.* C. A. 8th 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: 298 F. 2d 9.

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No. 967, Misc. RINKES *v.* RHAY, PENITENTIARY SUPERINTENDENT. Supreme Court of Washington. Certiorari denied.

No. 971, Misc. ENZOR *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Petitioner *pro se.* Solicitor General Cox, Assistant Attorney General Miller, Sidney M. Glazer and Beatrice Rosenberg for the United States. Reported below: 296 F. 2d 62.

No. 972, Misc. DISILVESTRO *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.

No. 976, Misc. BRATCHER *v.* WILKINS, WARDEN, ET AL. C. A. 2d Cir. Certiorari denied.

No. 981, Misc. REID *v.* RICHMOND, WARDEN. Supreme Court of Errors of Connecticut. Certiorari denied.

No. 982, 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, Harold H. Greene and Howard A. Glickstein for the United States.

No. 983, Misc. HAMLIN *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 987, Misc. URTADO *v.* HEARD, ACTING CORRECTIONS DIRECTOR. Court of Criminal Appeals of Texas. Certiorari denied.

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No. 992, Misc. *QUIRK v. CONNECTICUT*. Supreme Court of Errors of Connecticut. Certiorari denied.

No. 993, Misc. *JEFFERSON v. HEINZE, WARDEN*. Supreme Court of California. Certiorari denied.

No. 994, Misc. *MASON v. NEW YORK*. Appellate Division, Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 995, Misc. *KEY v. NEW YORK*. Appellate Division, Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 1003, Misc. *WILLIAMS v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 1004, Misc. *WILLIAMS v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. Reported below: 226 Md. 614, 174 A. 2d 719.

No. 1009, Misc. *BOYD v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. Reported below: 226 Md. 614, 174 A. 2d 719.

No. 1013, Misc. *CUMBERLAND v. WARDEN, MARYLAND PENITENTIARY*. Court of Appeals of Maryland. Certiorari denied. Reported below: 225 Md. 636, 171 A. 2d 709.

No. 1016, Misc. *McGRADY v. CUNNINGHAM, PENITENTIARY SUPERINTENDENT*. C. A. 4th Cir. Certiorari denied. *Perkins Wilson* for petitioner. Reported below: 296 F. 2d 600.

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No. 1015, Misc. POOLE *v.* HEARD, CORRECTIONS DIRECTOR, ET AL. Court of Criminal Appeals of Texas. Certiorari denied.

No. 1011, Misc. CLINTON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* Solicitor General Cox for the United States. Reported below: 297 F. 2d 899.

No. 1018, Misc. SMEICH ET AL. *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 1026, Misc. WILBURN *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. Reported below: See 195 Cal. App. 2d 702, 16 Cal. Rptr. 97.

No. 1030, Misc. BOWMAN *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: — F. 2d —.

No. 1042, Misc. EDWARDS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Jerome M. Feit for the United States. Reported below: — F. 2d —.

No. 1052, Misc. ALLISON *v.* ALABAMA. Supreme Court of Alabama. Certiorari denied. Petitioner *pro se.* MacDonald Gallion, Attorney General of Alabama, and John C. Tyson III, Assistant Attorney General, for respondent. Reported below: 137 So. 2d 761.

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No. 1031, Misc. COOPER *v.* PATE, WARDEN. Criminal Court of Cook County, Illinois. Certiorari denied.

No. 1034, Misc. SEARS *v.* WALKER, WARDEN, ET AL. Supreme Court of Louisiana. Certiorari denied.

No. 1035, Misc. IN RE HITCHCOCK. C. A. 9th Cir. Certiorari denied.

No. 530, Misc. FARLEY *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Petitioner *pro se*. Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Robert G. Maysack for the United States. Reported below: 292 F. 2d 789.

No. 954, Misc. GAITAN *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Walter L. Gerash* for petitioner. Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Jerome M. Feit for the United States. Reported below: 295 F. 2d 277.

Rehearing Denied.

No. 81. GRIGGS *v.* ALLEGHENY COUNTY, *ante*, p. 84;

No. 690. NUNN, RECEIVER, ET AL. *v.* FELTINTON ET AL., *ante*, p. 817;

No. 737, Misc. ANDERTEN *v.* UNITED STATES, 368 U. S. 1004; and

No. 825, Misc. LEACH ET AL. *v.* FLORIDA, 368 U. S. 1005. Petitions for rehearing denied.

No. 1081, Misc. EX PARTE LEE, *ante*, p. 816. Petition for rehearing denied. MR. JUSTICE BLACK took no part in the consideration or decision of this application.

April 20, 23, 1962.

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APRIL 20, 1962.

Dismissal Under Rule 60.

No. 814, Misc. CAULFIELD *v.* U. S. DEPARTMENT OF AGRICULTURE ET AL. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Petition dismissed pursuant to stipulation under Rule 60 of the Rules of this Court. *J. D. DeBlieux* for petitioner. *Solicitor General Cox* for respondents. Reported below: 293 F. 2d 217.

APRIL 23, 1962.*

Probable Jurisdiction Noted.

No. 619. WHITE MOTOR CO. *v.* UNITED STATES. Appeal from the United States District Court for the Northern District of Ohio. Probable jurisdiction noted. MR. JUSTICE WHITE took no part in the consideration or decision of this case. *Gerhard A. Gesell, John H. Watson, Jr., John T. Scott* and *Nestor S. Foley* for appellant. *Solicitor General Cox, Assistant Attorney General Loevinger* and *Richard A. Solomon* for the United States. Reported below: 194 F. Supp. 562.

Certiorari Granted. (See No. 396, Misc., ante, p. 436; and No. 634, Misc., ante, p. 437.)

Certiorari Denied.

No. 776. LONG *v.* ILLINOIS CENTRAL RAILROAD CO. Appellate Court of Illinois, Third District. Certiorari denied. *John Alan Appelman* and *Jo B. Gardner* for petitioner. *Enos L. Phillips, Herbert J. Deany, Robert S. Kirby* and *Joseph H. Wright* for respondent. Reported below: 32 Ill. App. 2d 103, 176 N. E. 2d 812.

*MR. JUSTICE FRANKFURTER took no part in the consideration or decision of cases in which orders were this day announced.

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April 23, 1962.

No. 767. JACKSON *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *William H. Collins* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 112 U. S. App. D. C. 191, 301 F. 2d 515.

No. 772. EISNER *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Henry J. Cook* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States. Reported below: 297 F. 2d 595.

No. 779. FIELD, TRUSTEE IN BANKRUPTCY, *v.* BANKERS TRUST CO. ET AL. C. A. 2d Cir. Certiorari denied. *Edward I. Koch* for petitioner. *Henry B. Singer* for Bankers Trust Co., and *John A. Wilson* for First National City Bank, respondents. Reported below: 296 F. 2d 109.

No. 785. KAHM *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *James Malcolm Williams* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Jerome M. Feit* for the United States. Reported below: 300 F. 2d 78.

No. 788. VON HENNIG, ANCILLARY EXECUTOR, *v.* KENNEDY, ATTORNEY GENERAL OF THE UNITED STATES AS SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *John W. Pehle* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick, John G. Laughlin, Jr.* and *Pauline B. Heller* for respondent. Reported below: 111 U. S. App. D. C. 298, 296 F. 2d 420.

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No. 775. HOHENSEE *v.* NIELSEN ET AL. Supreme Court of Washington. Certiorari denied. *Reginald B. Jackson* for petitioner. *Maurice Kadish* for Nielsen, respondent.

No. 780. BALTIMORE LUGGAGE CO. ET AL. *v.* FEDERAL TRADE COMMISSION. C. A. 4th Cir. Certiorari denied. *Albert L. Sklar* and *Robert L. Sullivan, Jr.* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Loevinger*, *Richard A. Solomon*, *Irwin A. Seibel* and *James McI. Henderson* for respondent. Reported below: 296 F. 2d 608.

No. 783. RAILWAY EXPRESS AGENCY, INC., *v.* JACKSONVILLE TERMINAL Co. C. A. 5th Cir. Certiorari denied. *John S. Cox*, *William Hart Sibley* and *James E. Thomas* for petitioner. *Elliott Adams* for respondent. Reported below: 296 F. 2d 256.

No. 784. GENERAL MOTORS CORP. *v.* ELLIOTT. C. A. 7th Cir. Certiorari denied. *Theodore L. Locke* and *Hugh E. Reynolds, Jr.* for petitioner. *Leon D. Cline* and *Howard S. Young, Jr.* for respondent. Reported below: 296 F. 2d 125.

No. 787. BRYSON *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *Edward Bennett Williams* and *Harold Ungar* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 298 F. 2d 619.

No. 790. D. LOVEMAN & SON EXPORT CORP. ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 6th Cir. Certiorari denied. *Richard Katcher* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *Harry Baum* for respondent. Reported below: 296 F. 2d 732.

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No. 791. CADEZ ET AL., DOING BUSINESS AS CENTRAL DISTRIBUTING CO., *v.* GENERAL CASUALTY COMPANY OF AMERICA ET AL. C. A. 10th Cir. Certiorari denied. Petitioners *pro se.* *Charles W. Johnson* and *Eugene S. Hames* for respondents. Reported below: 298 F. 2d 535.

No. 803. LOCKLIN ET AL., DOING BUSINESS AS RADIANT COLOR CO., *v.* SWITZER BROTHERS, INC. C. A. 9th Cir. Certiorari denied. *Stephen S. Townsend* and *Charles E. Townsend, Jr.* for petitioners. *Benjamin H. Sherman* and *John F. Swain* for respondent. Reported below: 299 F. 2d 160.

No. 822. TRINIDAD CORPORATION *v.* INDIAN TOWING Co., INC. C. A. 5th Cir. Certiorari denied. *Joseph M. Rault* for petitioner. *Eberhard P. Deutsch* for respondent. Reported below: 293 F. 2d 107.

No. 715. FLECK ET AL. *v.* CLEVELAND BAR ASSOCIATION. Supreme Court of Ohio. Certiorari denied. MR. JUSTICE BLACK is of the opinion that certiorari should be granted. *Frederick Bernays Wiener* and *David I. Sindell* for petitioners. *Paul J. Gnau* and *Burt J. Fulton* for respondent. Reported below: 172 Ohio St. 467, 178 N. E. 2d 782.

No. 786. CARNES ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Robert E. Andrews* and *Frank B. Stow* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Robert S. Erdahl* and *Philip R. Monahan* for the United States. Reported below: 295 F. 2d 598.

No. 590, Misc. SIMS *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

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No. 632, Misc. DANIELS *v.* MISSOURI. Supreme Court of Missouri. Certiorari denied.

No. 929, Misc. NEAR *v.* CUNNINGHAM, PENITENTIARY SUPERINTENDENT. Supreme Court of Appeals of Virginia. Certiorari denied. *Robert Randolph Jones, W. Griffith Purcell* and *W. A. Hall, Jr.* for petitioner. *Reno S. Harp III*, Assistant Attorney General of Virginia, for respondent. Reported below: See 202 Va. 20, 116 S. E. 2d 85.

No. 1019, Misc. RUSSELL *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 1024, Misc. DORES, ADMINISTRATOR, *v.* ANDERSON ET AL., DOING BUSINESS AS ANDERSON & NEAL TRUCKING CO., ET AL. C. A. 5th Cir. Certiorari denied. *Alex Akerman, Jr., Thomas A. Ziebarth* and *J. B. Hodges* for petitioner. Reported below: 295 F. 2d 496.

No. 1025, Misc. CASIAS *v.* COLORADO. Supreme Court of Colorado. Certiorari denied.

No. 1043, Misc. ARGO *v.* ALABAMA. Supreme Court of Alabama. Certiorari denied. Petitioner *pro se.* *MacDonald Gallion*, Attorney General of Alabama, and *John C. Tyson III*, Assistant Attorney General, for respondent. Reported below: 137 So. 2d 757.

No. 1044, Misc. HOLLIS *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied.

No. 1051, Misc. WALLACE *v.* CONNECTICUT. Superior Court of Connecticut. Certiorari denied.

No. 1055, Misc. LANDFORD *v.* COLORADO. Supreme Court of Colorado. Certiorari denied.

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April 23, 30, 1962.

No. 1056, Misc. *DRAKE 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.

No. 1107, Misc. *FENTON v. OHIO*. Supreme Court of Ohio. Certiorari denied. *Robert D. Moss* for petitioner.

No. 1235, Misc. *ANDERSON v. KENTUCKY*. Court of Appeals of Kentucky. Certiorari denied.

Rehearing Denied.

No. 653. *REDFIELD v. UNITED STATES*, *ante*, p. 803. Rehearing denied. MR. JUSTICE WHITE took no part in the consideration or decision of this application.

APRIL 30, 1962.*

Miscellaneous Order.

No. 22. *SCHOLLE v. HARE, SECRETARY OF STATE OF MICHIGAN, ET AL.*, *ante*, p. 429. The motion of the appellant for the immediate issuance of the mandate is denied.

Probable Jurisdiction Noted.

No. 763. *SCHROEDER v. CITY OF NEW YORK*. Appeal from the Court of Appeals of New York. The motion of Goldstein & Goldstein et al. for leave to file brief, as *amici curiae*, is granted. Probable jurisdiction noted. *Louis B. Scheinman* for appellant. *Leo A. Larkin and Seymour B. Quel* for appellee. *Benjamin M. Goldstein* for Goldstein & Goldstein et al. Reported below: 10 N. Y. 2d 522, 180 N. E. 2d 568.

*MR. JUSTICE FRANKFURTER took no part in the consideration or decision of cases in which orders were this day announced.

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Certiorari Denied. (See also No. 687, Misc., ante, p. 525.)

No. 741. ADAMS ET AL. *v.* FEDERAL TRADE COMMISSION. C. A. 8th Cir. Certiorari denied. *James C. Wilson* for petitioners. *Solicitor General Cox, Assistant Attorney General Loevinger, Richard A. Solomon, James McI. Henderson* and *Alvin L. Berman* for respondent. Reported below: 296 F. 2d 861.

No. 797. WESTON ET AL. *v.* NEW JERSEY STATE BOARD OF OPTOMETRISTS. Supreme Court of New Jersey. Certiorari denied. *Morton Stavis* for petitioners. *Arthur J. Sills, Attorney General of New Jersey, Robert B. Kroner, Deputy Attorney General, William K. Miller* and *Herman D. Ringle* for respondent. Reported below: 36 N. J. 258, 176 A. 2d 479.

No. 798. ALFRED DUNHILL OF LONDON, INC., *v.* DUNHILL TAILORED CLOTHES, INC. United States Court of Customs and Patent Appeals. Certiorari denied. *Leslie D. Taggart* and *Nicholas John Stathis* for petitioner. *Milton Handler* and *Sidney A. Diamond* for respondent. Reported below: 49 C. C. P. A. (Pat.) 730, 293 F. 2d 685.

No. 804. NEELY *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *John P. Frank* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *Joseph M. Howard* for the United States. Reported below: 300 F. 2d 67.

No. 808. GUNZBURG *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *G. Wray Gill* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 297 F. 2d 829.

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No. 812. MILES LABORATORIES, INC., *v.* FROLICH, DOING BUSINESS AS ENCINO CHEMICALS. C. A. 9th Cir. Certiorari denied. *William T. Woodson, Beverly W. Pattishall* and *Reginald E. Caughey* for petitioner. Respondent *pro se*. Reported below: 296 F. 2d 740.

No. 815. PALTIER CORPORATION *v.* UNION ASBESTOS & RUBBER CO. C. A. 7th Cir. Certiorari denied. *Edward W. Osann, Jr.* for petitioner. *Norman Lettvin* and *Edwin S. Booth* for respondent. Reported below: 298 F. 2d 48.

No. 818. UNITED STATES LINES CO. ET AL. *v.* VAN CARPALS. C. A. 2d Cir. Certiorari denied. *Thomas Coyne* and *Charles N. Fiddler* for petitioners. *Simone N. Gazan* for respondent. Reported below: 297 F. 2d 9.

No. 841. HERMAN SCHWABE, INC., *v.* UNITED SHOE MACHINERY CORP. C. A. 2d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *James M. Malloy, Richard A. Sullivan* and *Ralph Warren Sullivan* for petitioner. *Theodore Kiendl, Ralph M. Carson, Robert D. Salinger* and *Louis L. Stanton, Jr.* for respondent. Reported below: 297 F. 2d 906.

No. 795. COHEN *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. MR. JUSTICE WHITE took no part in the consideration or decision of this application. *A. L. Wirin* and *Fred Okrand* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *Joseph M. Howard* for the United States. Reported below: 297 F. 2d 760.

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No. 92, Misc. *COX v. ELLIS, CORRECTIONS DIRECTOR*. Court of Criminal Appeals of Texas. Certiorari denied. Petitioner *pro se*. *Will Wilson*, Attorney General of Texas, and *Sam R. Wilson, Leon F. Pesek* and *Charles Lind*, Assistant Attorneys General, for respondent. Reported below: 169 Tex. Cr. R. xii, 338 S. W. 2d 711.

No. 607, Misc. *KEENE v. ALABAMA*. Supreme Court of Alabama. Certiorari denied. Petitioner *pro se*. *MacDonald Gallion*, Attorney General of Alabama, and *John C. Tyson III*, Assistant Attorney General, for respondent. Reported below: 272 Ala. 596, 133 So. 2d 246.

No. 686, Misc. *FOSTER v. ELLIS, CORRECTIONS DIRECTOR*. Court of Criminal Appeals of Texas. Certiorari denied. Petitioner *pro se*. *Will Wilson*, Attorney General of Texas, *Leon F. Pesek* and *Norman V. Suarez*, Assistant Attorneys General, for respondent. Reported below: 170 Tex. Cr. R. 61, 338 S. W. 2d 458.

No. 712, Misc. *CARMEL v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox*, Assistant Attorney General *Miller* and *Beatrice Rosenberg* for the United States. Reported below: 294 F. 2d 524.

No. 766, Misc. *VAUGHN v. TEXAS ET AL.* Court of Criminal Appeal of Texas. Certiorari denied. Petitioner *pro se*. *Will Wilson*, Attorney General of Texas, and *Sam R. Wilson, Leon F. Pesek* and *Charles R. Lind*, Assistant Attorneys General, for the State of Texas, respondent.

No. 1141, Misc. *FORCELLA v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied. *Frank A. Paglianite* for petitioner. *Peter Murray* for respondent. Reported below: 35 N. J. 168, 171 A. 2d 649.

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No. 834, Misc. HAYES *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Stanley M. Rosenblum* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Jerome M. Feit* for the United States. Reported below: 296 F. 2d 657.

No. 889, Misc. ROBERTS *v.* UNITED STATES. C. A. 4th 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 198.

No. 902, Misc. CAMPBELL *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: 291 F. 2d 401.

No. 1050, Misc. WOYKOVSKY *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. Reported below: 297 F. 2d 179.

No. 1054, Misc. KARP *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: 296 F. 2d 564.

No. 1062, Misc. FILOCOMO *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 1063, Misc. MARQUEZ *v.* DISTRICT COURT OF APPEAL, THIRD APPELLATE DISTRICT. Supreme Court of California. Certiorari denied.

April 30, May 14, 1962.

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No. 1064, Misc. PERRY *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 1192, Misc. DUKES *v.* SAIN, SHERIFF. C. A. 7th Cir. Certiorari denied. *Charles A. Bellows* for petitioner. Reported below: 297 F. 2d 799.

No. 588, Misc. KOSTAL ET AL. *v.* STONER, JUDGE, ET AL. C. A. 10th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Petitioners *pro se.* *F. E. Dickerson* for respondents. Reported below: 292 F. 2d 492.

No. 907, Misc. EX PARTE STICKNEY. Court of Criminal Appeals of Texas. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Petitioner *pro se.* *Carl E. F. Dally* for the State of Texas, respondent.

Rehearing Denied.

No. 581, Misc. CRAWFORD *v.* CIRCUIT COURT OF KALAMAZOO ET AL., *ante*, p. 842. Rehearing denied. MR. JUSTICE WHITE took no part in the consideration or decision of this application.

MAY 14, 1962.*

Miscellaneous Orders.

No. —. CARBO *v.* UNITED STATES. The application for review of the order of the Circuit Justice denying bail pending appeal is denied. MR. JUSTICE DOUGLAS took no part in the consideration or decision of this application. *William B. Beirne, A. L. Wirin* and *Fred Okrand* for petitioner.

*MR. JUSTICE FRANKFURTER took no part in the consideration or decision of cases in which orders were this day announced.

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No. 13, Original. *TEXAS v. NEW JERSEY ET AL.* On a motion for leave to file a bill of complaint. The defendants are directed to file, on or before June 1st, a response, or responses, to the prayers for temporary injunctions contained in Paragraphs 3 and 4 of the motion for leave to file the bill of complaint. *Will Wilson*, Attorney General of Texas, and *Henry G. Braswell*, Assistant Attorney General, for the State of Texas, plaintiff.

No. 602, Misc. *CHAAPEL v. COCHRAN, CORRECTIONS DIRECTOR.* This motion for leave to file an application for a writ of habeas corpus is hereby transferred "for hearing and determination" to the United States District Court for the Southern District of Florida. 28 U. S. C. § 2241 (b); Rule 31 (5), Revised Rules of the Supreme Court of the United States (1954); *Ex parte Abernathy*, 320 U. S. 219. MR. JUSTICE WHITE took no part in the consideration or disposition of this motion.

No. 1119, Misc. *EX PARTE SCHLETTE.* Motion for leave to file petition for writ of habeas corpus denied.

No. 1040, Misc. *GEORGE v. UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA.* Motion for leave to file petition for writ of mandamus denied.

Certiorari Granted. (See also No. 214, ante, p. 659; No. 227, Misc., ante, p. 658; No. 311, Misc., ante, p. 661; No. 726, ante, p. 660; and No. 773, Misc., ante, p. 662.)

No. 809. *FAY, WARDEN, ET AL. v. NOIA.* C. A. 2d Cir. *Certiorari granted.* *Edward S. Silver* and *William I. Siegel* for petitioners. *Leon B. Polsky* for respondent. *Louis J. Lefkowitz*, Attorney General of New York, filed

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a brief as *amicus curiae* (*Joseph J. Rose*, Assistant Attorney General, of counsel) in support of the petition. Reported below: 300 F. 2d 345.

No. 819. EDWARDS ET AL. *v.* SOUTH CAROLINA. Supreme Court of South Carolina. Certiorari granted. *Jack Greenberg, Constance Baker Motley, James M. Nabrit III, Matthew J. Perry, Lincoln C. Jenkins, Jr.* and *Donald James Sampson* for petitioners. *Daniel R. McLeod*, Attorney General of South Carolina, *Everett N. Brandon*, Assistant Attorney General, and *J. C. Coleman, Jr.* for respondent. Reported below: 239 S. C. 339, 123 S. E. 2d 247.

No. 754. WISCONSIN ET AL. *v.* FEDERAL POWER COMMISSION ET AL.;

No. 755. CALIFORNIA ET AL. *v.* FEDERAL POWER COMMISSION ET AL.; and

No. 756. LONG ISLAND LIGHTING CO. ET AL. *v.* FEDERAL POWER COMMISSION ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *John W. Reynolds*, Attorney General of Wisconsin, *Roy G. Tulane*, Assistant Attorney General, *William E. Torkelson, Kent H. Brown, Barbara M. Suchow* and *Morton L. Simons* for petitioners in No. 754. *William M. Bennett* and *John T. Murphy* for petitioners in No. 755. *David K. Kadane, Bertram D. Moll, Vincent P. McDevitt, Samuel Graff Miller, J. David Mann, Jr., William W. Ross* and *John E. Holtzinger, Jr.* for petitioners in No. 756. *Solicitor General Cox, Assistant Attorney General Orrick, John G. Laughlin, Jr., Kathryn H. Baldwin, Ralph S. Spritzer, Howard E. Wahrenbrock* and *Arthur H. Fribourg* for the Federal Power Commission, and *Charles E. McGee, Lambert McAllister* and *Kenneth Heady* for Phillips Petroleum Co., respondents. Reported below: 112 U. S. App. D. C. 369, 303 F. 2d 380.

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Certiorari Denied. (See also No. 584, Misc., ante, p. 656; No. 1048, Misc., ante, p. 657; and No. 1110, Misc., ante, p. 658.)

No. 792. STEEL EQUIPMENT CO. ET AL. *v.* EBERHART, SPECIAL AGENT, INTERNAL REVENUE SERVICE. C. A. 6th Cir. *Certiorari denied.* *John Kennedy Lynch* and *Raymond E. Cookston* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *I. Henry Kutz* for respondent. Reported below: 296 F. 2d 685.

No. 806. GARFIELD *v.* PALMIERI. C. A. 2d Cir. *Certiorari denied.* *Gustave B. Garfield* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Orrick* and *Alan S. Rosenthal* for respondent. Reported below: 297 F. 2d 526.

No. 807. BRILLIANT *v.* UNITED STATES. C. A. 8th Cir. *Certiorari denied.* *Bernard J. Mellman* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Jerome M. Feit* for the United States. Reported below: 297 F. 2d 385.

No. 810. LIVINGSTONE *v.* FATIMA CHARITIES, INC., ET AL. C. A. 1st Cir. *Certiorari denied.* *Harry Sacher* for petitioner. *Earle W. Carr* for respondents. Reported below: 297 F. 2d 836.

No. 820. FLIGHT ENGINEERS' INTERNATIONAL ASSOCIATION, AFL-CIO, CAL CHAPTER, *v.* CONTINENTAL AIR LINES, INC., ET AL. C. A. 9th Cir. *Certiorari denied.* *I. J. Gromfine*, *Herman Sternstein* and *Charles K. Hackler* for petitioner. *Patrick M. Westfeldt* and *William E. Murane* for Continental Air Lines, Inc., and *Samuel J. Cohen* for Air Line Pilots Association, International, respondents. Reported below: 297 F. 2d 397.

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No. 811. *RODDY v. CIVIL AERONAUTICS BOARD ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Charles E. Robbins* for petitioner. *Solicitor General Cox, Assistant Attorney General Loevinger, Richard A. Solomon, Joseph B. Goldman, O. D. Ozment, William F. Becker, Nathaniel H. Goodrich and James D. Hill* for respondents. Reported below: 112 U. S. App. D. C. 52, 299 F. 2d 136.

No. 814. *IN RE APPLICATION OF ARTHUR J. PLANTAMURA FOR ADMISSION TO THE BAR.* Supreme Court of Errors of Connecticut. Certiorari denied. *Arthur J. Plantamura and William I. McCullough, Jr.* for petitioner. *Joseph G. Shapiro* for respondent. Reported below: 149 Conn. 111, 176 A. 2d 61.

No. 816. *RASSANO v. KENNEDY, ATTORNEY GENERAL.* C. A. 7th Cir. Certiorari denied. *Maurice J. Walsh and Anna R. Lavin* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Felicia Dubrovsky* for respondent.

No. 825. *FITZGERALD v. UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS, ET AL.* C. A. 7th Cir. Certiorari denied. *John O'C. FitzGerald pro se.* *Solicitor General Cox, Assistant Attorney General Oberdorfer and Joseph M. Howard* for respondents.

No. 801. *WILLIAMS v. WILLIAMS.* The motion to dispense with printing the petition for certiorari is granted. Petition for writ of certiorari to the Supreme Court of Ohio denied. Petitioner *pro se.* *Clayborne George* for respondent.

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No. 828. LOCAL No. 149, INTERNATIONAL UNION UNITED AUTOMOBILE, AIRCRAFT & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW-AFL-CIO) *v.* AMERICAN BRAKE SHOE Co. C. A. 4th Cir. Certiorari denied. *Lowell Goerlich, J. Lynn Lucas* and *Harold A. Cranefield* for petitioner. Reported below: 298 F. 2d 212.

No. 830. HOOVER ET AL. *v.* PENNSYLVANIA RAILROAD Co. Supreme Court of Pennsylvania. Certiorari denied. *Michael A. Foley* and *B. Nathaniel Richter* for petitioners. *Gordon W. Gerber* and *Philip Price* for respondent. Reported below: 405 Pa. 642, 177 A. 2d 98.

No. 832. NELSON *v.* MOORE-McCORMACK LINES, INC. C. A. 2d Cir. Certiorari denied. *Murray Gartner* for petitioner. *Eugene Underwood* for respondent. Reported below: 297 F. 2d 936.

No. 837. LEWIS ET AL., TRUSTEES, *v.* MEARS, DOING BUSINESS AS MEARS COAL Co. C. A. 3d Cir. Certiorari denied. *Val J. Mitch, Harold H. Bacon, Charles L. Widman, A. E. Kountz, Alexander Unkovic* and *M. E. Boiarsky* for petitioners. *J. Lee Miller* for respondent. Reported below: 297 F. 2d 101.

No. 848. SILVER *v.* CITY OF LOS ANGELES ET AL. Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Roger Arnebergh* and *Bourke Jones* for the City of Los Angeles, and *James J. Arditto* and *Joseph A. Ball* for Los Angeles Harbor Oil Development Co., respondents. Reported below: 57 Cal. 2d 39, 366 P. 2d 651.

No. 896. BASIC TOOL INDUSTRIES, INC., *v.* WIKLE, TRUSTEE. C. A. 9th Cir. Certiorari denied. *J. Robert Arkush* for petitioner. *Francis F. Quittner* for respondent.

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No. 813. *McCaw et al. v. Superior Court of California, In and for Los Angeles County*. The motion to correct title and caption to show Union Bank as a party respondent is granted. Petition for writ of certiorari to the Supreme Court of California denied. *Bernard Reich* for petitioners. *Howard I. Friedman* for Union Bank.

No. 826. *Morrisette et al. v. Chicago, Burlington & Quincy Railroad Co.* C. A. 7th Cir. Certiorari denied. Mr. Justice Black is of the opinion that certiorari should be granted. Petitioners *pro se*. *John H. Bishop* and *Eldon Martin* for respondent. Reported below: 299 F. 2d 502.

No. 9, Misc. *Jones v. Adams, Warden*. Supreme Court of Appeals of West Virginia. Certiorari denied. Petitioner *pro se*. *C. Donald Robertson*, Attorney General of West Virginia, *Fred H. Caplan* and *George H. Mitchell*, Assistant Attorneys General, for respondent.

No. 654, Misc. *Torres v. Cox, Warden*. Supreme Court of New Mexico. Certiorari denied. Petitioner *pro se*. *Earl E. Hartley*, Attorney General of New Mexico, for respondent.

No. 675, Misc. *Carasso et al. v. Commissioner of Internal Revenue*. C. A. 2d Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *I. Henry Kutz* and *Joseph Kovner* for respondent. Reported below: 292 F. 2d 367.

No. 857, Misc. *Kill (Smith) v. Settle, Warden*. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox*, *Assistant Attorney General Marshall*, *Harold H. Greene* and *Isabel L. Blair* for respondent.

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No. 725, Misc. TOMICH *v.* MONTANA ET AL. Supreme Court of Montana. Certiorari denied.

No. 807, Misc. WILLIAMS *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 Robert G. Maysack* for the United States.

No. 870, Misc. GENSBURG *v.* CALIFORNIA STATE LEGISLATURE 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. 923, Misc. MOORE *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Petitioner *pro se.* *William G. Clark, Attorney General of Illinois,* for respondent.

No. 952, Misc. ELLISON *v.* NASH, WARDEN. Supreme Court of Missouri. Certiorari denied. Petitioner *pro se.* *Thomas F. Eagleton, Attorney General of Missouri, and Howard L. McFadden, Assistant Attorney General,* for respondent.

No. 956, Misc. RAY *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Marshall and Harold H. Greene* for the United States. Reported below: 295 F. 2d 416.

No. 958, Misc. COLEMAN *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.

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No. 957, Misc. *VANDERSEE v. SECURITIES AND EXCHANGE COMMISSION*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox* and *Peter A. Dammann* for respondent.

No. 973, Misc. *BUSBY ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Cox* for the United States. Reported below: 296 F. 2d 328.

No. 978, Misc. *NIELSEN v. CHARLES KURZ & Co., INC., ET AL.* C. A. 2d Cir. Certiorari denied. *Charles Andrews Ellis* for petitioner. *Thomas Coyne* for respondents. Reported below: 295 F. 2d 692.

No. 980, Misc. *SMITH v. UNITED STATES*. C. A. 6th 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: 296 F. 2d 220.

No. 991, Misc. *BRINSON v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 998, Misc. *WISE v. UNITED STATES ET AL.* C. A. 10th Cir. Certiorari denied. *John J. Spriggs, Sr.* and *John J. Spriggs, Jr.* for petitioner. *Solicitor General Cox*, *Roger P. Marquis* and *Hugh Nugent* for the United States. Reported below: 297 F. 2d 822.

No. 999, Misc. *SPRIGGS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *John J. Spriggs, Sr.* and *John J. Spriggs, Jr.* for petitioner. *Solicitor General Cox*, *Roger P. Marquis* and *A. Donald Mileur* for the United States. Reported below: 297 F. 2d 460.

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No. 1000, Misc. *COPPERSMITH v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 1005, Misc. *LUDDY v. CONNECTICUT*. Superior Court of Connecticut, Hartford County. Certiorari denied.

No. 1006, Misc. *HUGHES v. RICHMOND, WARDEN*. Superior Court of Connecticut, Hartford County. Certiorari denied.

No. 1010, Misc. *CLARK v. WARDEN, MARYLAND PENITENTIARY*. C. A. 4th Cir. Certiorari denied.

No. 1028, Misc. *PETERSON 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. 1033, Misc. *SHELTON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Robert G. Maysack* for the United States.

No. 1036, Misc. *JOHNSTONE v. NASH, WARDEN*. Supreme Court of Missouri. Certiorari denied.

No. 1041, Misc. *SPURLOCK 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 387.

No. 1047, Misc. *STAFFORD v. CALIFORNIA ET AL.* District Court of Appeal of California, Second Appellate District. Certiorari denied.

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No. 1045, Misc. *McNICHOLAS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Jerome M. Feit* for the United States. Reported below: 298 F. 2d 914.

No. 1057, Misc. *HENDERSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Hugh Hafer and Richard P. Donaldson* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Sidney Glazer* for the United States. Reported below: 298 F. 2d 522.

No. 1059, Misc. *CRAIG v. PENNSYLVANIA*. Supreme Court of Pennsylvania. Certiorari denied.

No. 1065, Misc. *CUOMO v. NEW YORK*. County Court of Kings County, New York. Certiorari denied.

No. 1066, Misc. *CAPON v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 1067, Misc. *HODGES v. HEARD, CORRECTIONS DIRECTOR, ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 1068, Misc. *HELLAND v. RHAY, PENITENTIARY SUPERINTENDENT*. Supreme Court of Washington. Certiorari denied.

No. 1069, Misc. *JOHNSON v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 1071, Misc. *SCHACHEL 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.

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No. 1070, Misc. RAGUSA *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: 297 F. 2d 525.

No. 1072, Misc. WALKER *v.* EYMAN. Supreme Court of Arizona. Certiorari denied.

No. 1076, Misc. BRABSON *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 1077, Misc. MORRISON *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 1080, Misc. SPAULDING *v.* ALASKA. Supreme Court of Alaska. Certiorari denied.

No. 1090, Misc. NELSON *v.* NEW HAMPSHIRE. Supreme Court of New Hampshire. Certiorari denied. *Leo Patrick McGowan* for petitioner. *William Maynard, Attorney General of New Hampshire, Elmer T. Bourque, Deputy Attorney General, and Alexander J. Kalinski, Assistant Attorney General, for respondent.* Reported below: 103 N. H. 478, 175 A. 2d 814.

No. 1091, Misc. SCELLATO *v.* CUNNINGHAM, PENITENTIARY SUPERINTENDENT. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 1106, Misc. RUTLEDGE *v.* ESPERDY, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for respondent. Reported below: 297 F. 2d 532.

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No. 1098, Misc. *LITTERIO 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. 1108, Misc. *KETCHUM 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. 1113, Misc. *FLORES v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. *Floyd Duke James* for petitioner.

No. 1115, 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, Beatrice Rosenberg and Felicia Dubrovsky* for the United States.

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

No. 1117, Misc. *HAMLIN v. WILSON ET AL.* Supreme Court of California. Certiorari denied.

No. 1121, Misc. *TAPIA v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 1122, Misc. *FERRARO v. CONNECTICUT*. Supreme Court of Errors of Connecticut. Certiorari denied.

No. 1179, Misc. *SPENCER v. FLORIDA*. Supreme Court of Florida. Certiorari denied.

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No. 1203, Misc. *MARTINEAU v. NEW HAMPSHIRE*. Supreme Court of New Hampshire. Certiorari denied. *Julius H. Soble* for petitioner. *William Maynard*, Attorney General of New Hampshire, *Elmer T. Bourque*, Deputy Attorney General, and *Alexander J. Kalinski*, Assistant Attorney General, for respondent. Reported below: 103 N. H. 478, 175 A. 2d 814.

No. 640, Misc. *DAUGHERTY v. ELLIS, CORRECTIONS DIRECTOR*. Motion to substitute Jack Heard in the place of O. B. Ellis as the party respondent granted. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Petitioner *pro se*. *Will Wilson*, Attorney General of Texas, and *Sam R. Wilson*, *Leon F. Pesek* and *Charles R. Lind*, Assistant Attorneys General, for respondent.

No. 1075, Misc. *COLLINS v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *William F. Walsh* for petitioner. *Carl E. F. Dally* for respondent. Reported below: 171 Tex. Cr. R. 585, 352 S. W. 2d 841.

Rehearing Denied.

No. 587. *MITTELMAN v. UNITED STATES*, 368 U. S. 984. The motion for leave to file petition for rehearing is denied. MR. JUSTICE WHITE took no part in the consideration or decision of this application.

No. 707, Misc. *REID v. RICHMOND, WARDEN*, 368 U. S. 948. Motion for leave to file second petition for rehearing denied. MR. JUSTICE WHITE took no part in the consideration or decision of this application.

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No. 282. ATLANTIC & GULF STEVEDORES, INC., *v.* ELLERMAN LINES, LTD., ET AL., *ante*, p. 355;

No. 425. CROSS ET AL. *v.* FLORIDA, *ante*, p. 400;

No. 689. LEWIS ET AL., DOING BUSINESS AS LEWIS AND MURRAY, ET AL. *v.* FITZGERALD, TRUSTEE IN BANKRUPTCY, *ante*, p. 828;

No. 717. CRUMP *v.* SAIN, SHERIFF, *ante*, p. 830;

No. 29, Misc. BURKS *v.* UNITED STATES, *ante*, p. 841; and

No. 972, Misc. DISILVESTRO *v.* UNITED STATES, *ante*, p. 854. Petitions for rehearing denied. MR. JUSTICE WHITE took no part in the consideration or decision of these applications.

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Probable Jurisdiction Noted or Question Postponed.

No. 794. UNITED STATES *v.* GEORGIA PUBLIC SERVICE COMMISSION. Appeal from the United States District Court for the Northern District of Georgia. 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; cf. *Kesler v. Department of Public Safety*, 369 U. S. 153, 155-158. *Solicitor General Cox*, *Assistant Attorney General Loevinger* and *Richard A. Solomon* for the United States. *Eugene Cook*, *Attorney General of Georgia*, and *Paul Rodgers*, *Assistant Attorney General*, for appellee. Reported below: 197 F. Supp. 793.

*MR. JUSTICE FRANKFURTER took no part in the consideration or decision of cases in which orders were this day announced.

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No. 799. UNITED STATES *v.* PHILADELPHIA NATIONAL BANK ET AL. Appeal from the United States District Court for the Eastern District of Pennsylvania. Probable jurisdiction noted. MR. JUSTICE WHITE took no part in the consideration or decision of this case. *Solicitor General Cox, Assistant Attorney General Loevinger, Richard J. Medalie and Lionel Kestenbaum* for the United States. *Arthur Littleton, Ernest R. von Starck, Don B. Blenko and Donald A. Scott* for the Philadelphia National Bank, and *Philip Price, Carroll R. Wetzell, John J. Brennan and Minturn T. Wright III* for Girard Trust Corn Exchange Bank, appellees. Reported below: 201 F. Supp. 348.

Certiorari Granted.

No. 843. NATIONAL LABOR RELATIONS BOARD *v.* RELIANCE FUEL OIL CORP. C. A. 2d Cir. Certiorari granted. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli and Norton J. Come* for petitioner. Reported below: 297 F. 2d 94.

No. 839. LOCAL No. 438 CONSTRUCTION & GENERAL LABORERS' UNION, AFL-CIO, *v.* CURRY ET AL., DOING BUSINESS AS S. J. CURRY & Co. The petition for writ of certiorari to the Supreme Court of Georgia is granted limited to the question of whether the Supreme Court of Georgia erred as stated in Questions (d), (h) and (i) of the petition which read as follows:

"(d) In holding that it was illegal for the Petitioner to carry a placard in front of the construction job containing the statement: 'S. J. Curry & Company, Inc., violating contract with City of Atlanta by not paying wages conforming with those of a similar type of work in the Atlanta area. Construction & General Laborers' Union 438, AFL-CIO.' The Court so held, notwithstanding the

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fact that the Court found that the legend carried upon said sign was true and that S. J. Curry & Company was not paying the prevailing wage in the area even though it had executed a contract with the City of Atlanta for said construction which contract contained the provision: 'Wages will conform with those being paid on similar types of work in the Atlanta area.'

"(h) In granting said injunction, said court deprived Petitioner in Certiorari of rights protected by the National Labor Relations Act, Title 29, Section 157 of the United States Code Annotated.

"(i) In granting said injunction said court assumes jurisdiction of a cause, the subject matter of which had been pre-empted by enactment of the National Labor Relations Act, Title 29, Section 157-158 (b) of the United States Code Annotated."

Counsel are requested also to brief and argue the question of the Court's jurisdiction to review the judgment of the Supreme Court of Georgia under 28 U. S. C. § 1257; see *Montgomery Building & Construction Trades Council v. Ledbetter Erection Co.*, 344 U. S. 178.

Edwin Pearce and *John S. Patton* for petitioner. *H. H. Perry, Jr.* for respondents. Reported below: 217 Ga. 512, 123 S. E. 2d 653.

No. 1123, Misc. *WILLIAMS v. ZUCKERT, SECRETARY OF THE AIR FORCE, ET AL.* Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted. Case transferred to the appellate docket. *Sidney Dickstein, David I. Shapiro, Lawrence Speiser* and *Melvin Wulf* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick, Alan S. Rosenthal* and *Sherman L. Cohn* for respondents. Reported below: 111 U. S. App. D. C. 294, 296 F. 2d 416.

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Certiorari Denied. (See also No. 829, ante, p. 796.)

No. 764. WISCONSIN CENTRAL RAILROAD CO. v. UNITED STATES. Court of Claims. *Certiorari denied.* *Joseph M. Jones, Robert T. Molloy and Kenneth W. Moroney* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Philip R. Miller and Kenneth E. Levin* for the United States. Reported below: — Ct. Cl. —, 296 F. 2d 750.

No. 805. HAUSMAN ET AL. v. BUCKLEY ET AL. C. A. 2d Cir. *Certiorari denied.* *Frederick H. Block and Irving Sonnenschein* for petitioners. *Alexis C. Coudert* for Pantepec Oil Co., C. A., and *Thomas W. Hill, Jr.* for Buckley et al., respondents. Reported below: 299 F. 2d 696.

No. 821. LAS VEGAS HACIENDA, INC., v. CIVIL AERONAUTICS BOARD. C. A. 9th Cir. *Certiorari denied.* *Edward L. Compton and John W. Preston, Jr.* for petitioner. *Solicitor General Cox, Assistant Attorney General Loevinger, Irwin A. Seibel, Joseph B. Goldman, O. D. Ozment and Robert L. Toomey* for respondent. Reported below: 298 F. 2d 430.

No. 835. WOOTEN ET AL. v. TEXAS. Court of Civil Appeals of Texas, Third Supreme Judicial District. *Certiorari denied.* *Coleman Gay* for petitioners. Reported below: 348 S. W. 2d 281.

No. 838. DIVISION NO. 14, ORDER OF RAILROAD TELEGRAPHERS, BY R. D. WILSON, ET AL. v. LEIGHTY ET AL. C. A. 4th Cir. *Certiorari denied.* *L. S. Parsons, Jr.* for petitioners. *Edward J. Hickey, Jr. and Moses Ehrenworth* for respondents. Reported below: 298 F. 2d 17.

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No. 831. CAMDEN TRUST CO. *v.* GIDNEY, COMPTROLLER OF THE CURRENCY, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Bernard G. Segal* and *Samuel D. Slade* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Orrick* and *John G. Laughlin, Jr.* for the Comptroller of the Currency, and *Arthur Littleton* for Delaware Valley National Bank of Delaware Township, respondents. Briefs of *amici curiae*, in support of the petition, were filed by *Arthur J. Sills*, Attorney General of New Jersey, and *David Landau*, Deputy Attorney General, for the State of New Jersey, and by *James F. Bell* for the National Association of Supervisors of State Banks. Reported below: 112 U. S. App. D. C. 197, 301 F. 2d 521.

No. 834. SCOZZARI *v.* ROSENBERG, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 9th Cir. Certiorari denied. *Joseph S. Hertogs* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for respondent. Reported below: 302 F. 2d 592.

No. 840. ONSRUD MACHINE WORKS, INC., *v.* EKSTROM-CARLSON & Co. C. A. 7th Cir. Certiorari denied. *Charles W. Rummler* and *William A. Snow* for petitioner. *Richard R. Wolfe* for respondent. Reported below: 298 F. 2d 765.

No. 842. KELLY *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *John J. Nealon* 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. 360, 297 F. 2d 437.

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No. 849. LINCOLN ROCHESTER TRUST CO., ADMINISTRATOR, *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *T. Carl Nixon* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Robert N. Anderson* and *Harold M. Seidel* for the United States. Reported below: 297 F. 2d 891.

No. 850. BERNSTEIN *v.* RIBICOFF, SECRETARY OF HEALTH, EDUCATION, AND WELFARE. C. A. 3d Cir. Certiorari denied. *Benjamin Bernstein pro se.* *Solicitor General Cox, Assistant Attorney General Orrick* and *John G. Laughlin, Jr.* for respondent. Reported below: 299 F. 2d 248.

No. 851. WHITELIGHT PRODUCTS DIVISION OF WHITE METAL ROLLING AND STAMPING CORP. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 1st Cir. Certiorari denied. *Robert Abelow* for petitioner. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: 298 F. 2d 12.

No. 852. WOODARD ET AL., DOING BUSINESS AS WOODARD MOTOR Co., *v.* GENERAL MOTORS CORP. C. A. 5th Cir. Certiorari denied. *Irving L. Goldberg* for petitioners. *Ira Butler, Daniel Boone, Aloysius F. Power* and *Charles L. Stephens* for respondent. Reported below: 298 F. 2d 121.

No. 854. TORRANCE *v.* SALZINGER, WARDEN, ET AL. C. A. 3d Cir. Certiorari denied. *Elder W. Marshall* for petitioner. *David Stahl*, Attorney General of Pennsylvania, *Huette F. Dowling*, Special Deputy Attorney General, and *Alfred P. Filippone*, Deputy Attorney General, for respondents. Reported below: 297 F. 2d 902.

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No. 844. *FOX v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *C. Anthony Friloux, Jr.* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Jerome M. Feit* for the United States. Reported below: 296 F. 2d 217.

No. 855. *TORRANCE v. SALZINGER, WARDEN*. Supreme Court of Pennsylvania. Certiorari denied. *Elder W. Marshall* for petitioner. *David Stahl, Attorney General, Huette F. Dowling, Special Deputy Attorney General, and Alfred P. Filippone, Deputy Attorney General*, for respondent. Reported below: 406 Pa. 268, 177 A. 2d 619.

No. 857. *HIRSCH v. LADD, COMMISSIONER OF PATENTS*. Court of Customs and Patent Appeals. Certiorari denied. *Miles D. Pillars and Adolph C. Hugin* for petitioner. *Solicitor General Cox, Assistant Attorney General Orrick and Alan S. Rosenthal* for respondent. Reported below: 49 C. C. P. A. (Pat.) 745, 295 F. 2d 251.

No. 878. *CLINKSCALES v. GEORGIA*. Court of Appeals of Georgia. Certiorari denied. *Frank B. Stow and Robert E. Andrews* for petitioner. *H. W. Davis and Harry S. McCowen* for respondent. Reported below: 104 Ga. App. 723, 123 S. E. 2d 165.

No. 889. *FEDERAL TRADE COMMISSION v. EXQUISITE FORM BRASSIERE, INC.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE BLACK is of the opinion that certiorari should be granted. MR. JUSTICE WHITE took no part in the consideration or decision of this application. *James McI. Henderson and William A. Bailey* for petitioner. *Peyton Ford* for respondent. Reported below: 112 U. S. App. D. C. 175, 301 F. 2d 499.

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No. 893. NAVARRO *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Doyle Vernon Lawyer* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Sidney M. Glazer* for the United States. Reported below: 299 F. 2d 940.

No. 917. ZEGERS, DOING BUSINESS AS PRECISION WEATHERSTRIP CO., *v.* ZEGERS, INC. C. A. 7th Cir. Certiorari denied. *Junius F. Cook, Jr.* and *Daniel V. O'Keeffe* for petitioner. *Thomas F. McWilliams* for respondent. Reported below: 299 F. 2d 769.

No. 833. REICHERT *v.* BOROUGH OF SCHUYLKILL HAVEN. Motion to strike respondent's brief and petition for writ of certiorari to the Court of Common Pleas of Schuylkill County, Pennsylvania, denied. *George G. Lindsay* for petitioner. *Calvin J. Friedberg* for respondent.

No. 585, Misc. HANOVICH *v.* SACKS, WARDEN, ET AL. Supreme Court of Ohio. Certiorari denied. Petitioner *pro se.* *Mark McElroy*, Attorney General of Ohio, and *John J. Connors, Jr.*, Assistant Attorney General, for respondents.

No. 613, Misc. JUDD *v.* COX, COMMANDANT, UNITED STATES DISCIPLINARY BARRACKS, FORT LEAVENWORTH, KANSAS. C. A. 10th Cir. Certiorari denied. *Guy Emery* and *C. Robert Bard* for petitioner. *Solicitor General Cox, Assistant Attorney General Marshall* and *Harold H. Greene* for respondent.

No. 691, Misc. EASON *v.* MCGEE, CORRECTIONS DIRECTOR, ET AL. Supreme Court of California. Certiorari denied. Petitioner *pro se.* *Stanley Mosk*, Attorney General of California, *Robert R. Granucci* and *John S. McInerney*, Deputy Attorneys General, for respondents.

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No. 1017, Misc. MITCHELL *v.* BLACKWELL, WARDEN. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Marshall and Harold H. Greene* for respondent.

No. 1046, Misc. VACCARO *v.* UNITED STATES. C. A. 5th 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: 296 F. 2d 500.

No. 1082, Misc. WATSON *v.* ARIZONA. Supreme Court of Arizona. Certiorari denied.

No. 1083, Misc. TORRES *v.* WARDEN, MARYLAND PENITENTIARY. Court of Appeals of Maryland. Certiorari denied.

No. 1086, Misc. GLYNN *v.* RICHMOND, WARDEN. Supreme Court of Errors of Connecticut. Certiorari denied.

No. 1087, Misc. WEBER *v.* DIVISION OF PAROLE OF THE STATE OF NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 1088, Misc. BUTLER *v.* DAY. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 1094, Misc. MUMMIANI *v.* SILBERGLITT, WARDEN, ET AL. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 1104, Misc. FUENTES *v.* NEW YORK. Appellate Division of the Supreme Court of New York, First Judicial Department. Certiorari denied.

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No. 1093, Misc. CHAMBERS *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 1101, Misc. YOUNG *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg for the United States. Reported below: 297 F. 2d 593.

No. 1103, Misc. WORTHEM *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: 298 F. 2d 814.

No. 1105, Misc. WITT *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 1168, Misc. JACKSON *v.* COCHRAN, CORRECTIONS DIRECTOR. Supreme Court of Florida. Certiorari denied. Petitioner *pro se.* Richard W. Ervin, Attorney General of Florida, and James G. Mahorner, Assistant Attorney General, for respondent.

Rehearing Denied.

No. 803. LOCKLIN ET AL., DOING BUSINESS AS RADIANT COLOR Co., *v.* SWITZER BROTHERS, INC., *ante*, p. 851. Rehearing denied.

No. 678. GENERAL GEOPHYSICAL Co. *v.* UNITED STATES, *ante*, p. 849;

No. 683. PINTO ET AL. *v.* STATES MARINE CORPORATION OF DELAWARE ET AL., *ante*, p. 843; and

No. 979, Misc. LIPSCOMB *v.* UNITED STATES, *ante*, p. 853. Petitions for rehearing denied. MR. JUSTICE WHITE took no part in the consideration or decision of these applications.

