

ORDERS FROM END OF OCTOBER TERM, 1961,
THROUGH JANUARY 21, 1963.

CASES DISMISSED IN VACATION.

No. 66, Misc. *LENTZ v. UNITED STATES*. On petition for writ of certiorari to the Court of Claims. July 24, 1962. Dismissed pursuant to Rule 60 of the Rules of this Court. Petitioner *pro se*. *Solicitor General Cox* for the United States.

No. 85. *WADE ET AL. v. UNION CARBIDE & CARBON CORP. ET AL.* On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit. August 2, 1962. Dismissed pursuant to Rule 60 of the Rules of this Court. *Joseph L. Alioto, Maxwell Keith and Richard Saveri* for petitioners. Reported below: 300 F. 2d 561.

No. 101. *SEIBERLING RUBBER CO. v. UNITED STATES*. On petition for writ of certiorari to the Court of Claims. August 10, 1962. Dismissed pursuant to Rule 60 of the Rules of this Court. *Edward C. Park* for petitioner. *Solicitor General Cox* for the United States. Reported below: 156 Ct. Cl. —, 297 F. 2d 842.

No. 117. *PEERLESS WEIGHING & VENDING MACHINE CORP. v. PUBLIC BUILDING COMMISSION OF CHICAGO*. Appeal from the United States District Court for the Northern District of Illinois. August 22, 1962. Dismissed pursuant to Rule 60 of the Rules of this Court. *Louis M. Mantynband, Sidney R. Zatz and Edward J. Hladis* for appellant. *William R. Dillon* for appellee. Reported below: 209 F. Supp. 877.

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No. 268, Misc. HOLMES *v.* MISSISSIPPI SHIPPING CO., INC. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. August 23, 1962. Dismissed pursuant to Rule 60 of the Rules of this Court. *Samuel C. Gainsburgh* and *Raymond H. Kierr* for petitioner. Reported below: 301 F. 2d 474.

No. 311. SIDELL ET AL. *v.* HILL. On petition for writ of certiorari to the Court of Appeals of Kentucky. August 29, 1962. Dismissed pursuant to Rule 60 of the Rules of this Court. *Jerome M. Alper* for petitioners. Reported below: 357 S. W. 2d 318.

No. 106. SCHENLEY DISTILLERS, INC., *v.* JOHN P. DANT DISTILLERY CO. ET AL. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. September 7, 1962. Dismissed pursuant to Rule 60 of the Rules of this Court. *Milton Handler*, *Sidney A. Diamond* and *Ben F. Washer* for petitioner. *Oldham Clarke* for respondents. Reported below: 297 F. 2d 935.

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Assignment Orders.

An order of THE CHIEF JUSTICE designating and assigning MR. JUSTICE REED (retired) to perform judicial duties in the United States Court of Appeals for the District of Columbia Circuit beginning October 15, 1962, and ending June 30, 1963, and for such further time as may be required to complete unfinished business, pursuant to 28 U. S. C. § 294 (a), is ordered entered on the minutes of this Court, pursuant to 28 U. S. C. § 295.

An order of THE CHIEF JUSTICE designating and assigning MR. JUSTICE BURTON (retired) to perform judicial duties in the United States Court of Appeals for the Dis-

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trict of Columbia Circuit beginning October 1, 1962, and ending June 30, 1963, and for such further time as may be required to complete unfinished business, pursuant to 28 U. S. C. § 294 (a), is ordered entered on the minutes of this Court, pursuant to 28 U. S. C. § 295.

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Miscellaneous Orders.

No. 282, October Term, 1961. ATLANTIC & GULF STEVEDORES, INC., *v.* ELLERMAN LINES, LTD., ET AL., 369 U. S. 355, rehearing denied, 369 U. S. 882. The motion of respondents to recall and amend the judgment is denied. MR. JUSTICE WHITE took no part in the consideration or decision of this motion. *T. E. Byrne, Jr.* for respondents. *Francis E. Marshall* for petitioner.

No. 7, Misc., October Term, 1961. HARVEY, ALIAS McCARGO, *v.* CUNNINGHAM, PENITENTIARY SUPERINTENDENT, 369 U. S. 152; and

No. 63, October Term, 1961. CHEWNING *v.* CUNNINGHAM, PENITENTIARY SUPERINTENDENT, 368 U. S. 443. The motions of petitioners to clarify opinions and for other relief are denied. MR. JUSTICE WHITE took no part in the consideration or decision of these motions. Petitioners *pro se.* *Reno S. Harp III*, Assistant Attorney General of Virginia, for respondent.

No. 573, Misc. IN RE DISBARMENT OF BRODSTEIN. IT IS ORDERED that Ellis Brodstein, of Reading, Pennsylvania, 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.

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

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No. 12, Original. HAWAII *v.* BELL. The motion for leave to file bill of complaint is granted and the United States is allowed sixty days to answer. MR. JUSTICE WHITE took no part in the consideration or decision of this motion. *Shiro Kashiwa*, Attorney General of Hawaii, *Wilbur K. Watkins, Jr.*, Deputy Attorney General, *Thurman Arnold*, *Abe Fortas*, *Paul A. Porter* and *Dennis G. Lyons* for plaintiff. *Solicitor General Cox*, *Wayne G. Barnett*, *David R. Warner* and *Thos. L. McKevitt* for defendant.

No. 33. INCRES STEAMSHIP Co., LTD., *v.* INTERNATIONAL MARITIME WORKERS UNION ET AL. Certiorari, 368 U. S. 924, to the Court of Appeals of New York. The motions of the Republic of Panama; Government of the United Kingdom of Great Britain and Northern Ireland; and Seafarers' International Union of North America, Atlantic & Gulf District, AFL-CIO, for leave to file briefs, as *amici curiae*, are granted. *Herbert Brownell* and *Jack P. Jefferies* on the motion for the Republic of Panama. *Lawrence Hunt* on the motion for the Government of the United Kingdom of Great Britain and Northern Ireland. *Paul Barker* and *Neal Rutledge* on the motion for the Seafarers' International Union of North America, Atlantic & Gulf District, AFL-CIO.

No. 78. PEARLMAN, TRUSTEE IN BANKRUPTCY, *v.* RELIANCE INSURANCE Co. Certiorari, 369 U. S. 847, to the United States Court of Appeals for the Second Circuit. The motions of the Association of Casualty and Surety Companies and *Edward M. Murphy* for leave to file briefs, as *amici curiae*, are granted. *David Morgulas* for the Association of Casualty and Surety Companies, and *Edward M. Murphy, pro se*, on the motions.

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No. 57. *CLEARY v. BOLGER*. Certiorari, 368 U. S. 984, to the United States Court of Appeals for the Second Circuit. The motion of respondent for the appointment of counsel is granted, and it is ordered that *Joseph Aronstein, Esquire*, of New York, New York, be, and he is hereby, appointed to serve as counsel for the respondent in this case.

No. 82. *NEW YORK CENTRAL RAILROAD CO. v. UNITED STATES ET AL.* Appeal from the United States District Court for the Southern District of New York. (Probable jurisdiction noted, 370 U. S. 902.) Upon the suggestion of mootness, the judgment of the United States District Court for the Southern District of New York is vacated and the case is remanded with directions to dismiss the complaint. *Kenneth H. Lundmark* on the motion by appellant to dismiss appeal. *Solicitor General Cox* and *Robert W. Ginnane* for the United States et al. on the memorandum in response.

No. 88. *NATIONAL LABOR RELATIONS BOARD v. RELIANCE FUEL OIL CORP.* Certiorari, 369 U. S. 883, to the United States Court of Appeals for the Second Circuit. The motion of Coal, Gasoline, Fuel Oil Teamsters, Chauffeurs, Oil-Burner Installation Maintenance Servicemen and Helpers, Local Union 553, to be named a party petitioner is denied. *Samuel J. Cohen* on the motion. *Solicitor General Cox* for petitioner, in opposition.

No. 201. *DRAPER ET AL. v. WASHINGTON ET AL.* Certiorari, 370 U. S. 935, to the Supreme Court of Washington. The motion for the appointment of counsel is granted and it is ordered that *Charles F. Luce, Esquire*, of Portland, Oregon, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for the petitioners in this case.

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No. 202. *SANDERS v. UNITED STATES*. Certiorari, 370 U. S. 936, to the United States Court of Appeals for the Ninth Circuit. The motion for the appointment of counsel is granted and it is ordered that *Fred M. Vinson, Jr., Esquire*, of Washington, D. C., a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

- No. 172, Misc. *WEINFURTNER v. CALIFORNIA ET AL.*;
No. 175, Misc. *KELLEY v. ROYSTER, STATE FARM SUPERINTENDENT, ET AL.*;
No. 212, Misc. *DONALDSON v. FLORIDA ET AL.*;
No. 234, Misc. *SCHNEIDER-JIMENEZ v. HERITAGE, WARDEN*;
No. 246, Misc. *TOMKALSKI v. MAXWELL, WARDEN, ET AL.*;
No. 256, Misc. *EX PARTE SCHLETTE*;
No. 262, Misc. *MELLENDEZ v. HERITAGE, WARDEN*;
No. 287, Misc. *BROWNING v. KANSAS ET AL.*;
No. 332, Misc. *CASTRO v. KLINGER, PRISON SUPERINTENDENT*;
No. 347, Misc. *ORTIZ v. HERITAGE, WARDEN*;
No. 355, Misc. *WHITE v. CONBOY, WARDEN, ET AL.*;
No. 373, Misc. *REYES v. HERITAGE, WARDEN*;
No. 391, Misc. *SCARANO v. REINCKE, WARDEN*;
No. 396, Misc. *MCCALL v. McDONALD, SHERIFF*;
No. 397, Misc. *CREAGH v. UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO ET AL.*;
No. 422, Misc. *BRAY v. UNITED STATES*;
No. 427, Misc. *STILTNER v. RHAY, PENITENTIARY SUPERINTENDENT, ET AL.*; and
No. 450, Misc. *MUZA v. CALIFORNIA ET AL.* Motions for leave to file petitions for writs of habeas corpus denied.

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No. 206, Misc. IN RE HARPER;

No. 423, Misc. EX PARTE KUMITIS; and

No. 438, Misc. GARDNER *v.* DUNBAR, CORRECTIONS DIRECTOR, ET AL. Motions for leave to file petitions for writs of habeas corpus denied. Treating the papers submitted as petitions for writs of certiorari, certiorari is denied.

No. 156, Misc. GATELY *v.* SUTTON ET AL., JUSTICES OF THE SUPREME COURT OF COLORADO;

No. 201, Misc. WILSON *v.* HALBERT, U. S. DISTRICT JUDGE, ET AL.; and

No. 225, Misc. STEPHENS *v.* BOLDT, U. S. DISTRICT JUDGE. Motions for leave to file petitions for writs of mandamus denied.

Probable Jurisdiction Noted.

No. 142. SCHOOL DISTRICT OF ABINGTON TOWNSHIP, PENNSYLVANIA, ET AL. *v.* SCHEMPPE ET AL. Appeal from the United States District Court for the Eastern District of Pennsylvania. Probable jurisdiction noted. *David Stahl*, Attorney General of Pennsylvania, *John D. Killian III*, Deputy Attorney General, *Percival R. Rieder*, *C. Brewster Rhoads* and *Philip H. Ward III* for appellants. Reported below: 201 F. Supp. 815.

No. 111. FERGUSON, ATTORNEY GENERAL OF KANSAS, ET AL. *v.* SKRUPA, DOING BUSINESS AS CREDIT ADVISORS. Appeal from the United States District Court for the District of Kansas. Probable jurisdiction noted. *William M. Ferguson*, Attorney General of Kansas, for appellants. *Lawrence Weigand* for appellee. Reported below: 210 F. Supp. 200.

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No. 108. INTERSTATE COMMERCE COMMISSION *v.* NEW YORK, NEW HAVEN & HARTFORD RAILROAD CO. ET AL.;

No. 109. SEA-LAND SERVICE, INC., *v.* NEW YORK, NEW HAVEN & HARTFORD RAILROAD CO. ET AL.;

No. 110. SEATRAN LINES, INC., *v.* NEW YORK, NEW HAVEN & HARTFORD RAILROAD CO. ET AL.; and

No. 125. UNITED STATES *v.* NEW YORK, NEW HAVEN & HARTFORD RAILROAD CO. ET AL. Appeals from the United States District Court for the District of Connecticut. Probable jurisdiction noted. *Robert W. Ginnane* and *B. Franklin Taylor, Jr.* for appellant in No. 108. *Warren Price, Jr.* for appellant in No. 109. *Ralph D. Ray* and *Warren E. Baker* for appellant in No. 110. *Solicitor General Cox, Assistant Attorney General Loevinger* and *Lionel Kestenbaum* for the United States in No. 125. *Carl Helmetag, Jr., James A. Bistline, Ernest D. Grinnell, Jr., J. Edgar McDonald, Charles P. Reynolds, Albert B. Russ, Jr.* and *Toll R. Ware* for appellees. Reported below: 199 F. Supp. 635.

No. 164. JACOBELLIS *v.* OHIO. Appeal from the Supreme Court of Ohio. Probable jurisdiction noted. *Ephraim London* for appellant. *John T. Corrigan* for appellee. Reported below: 173 Ohio St. 22, 179 N. E. 2d 777.

Certiorari Granted. (See also No. 98, Misc., ante, p. 17.)

No. 150. SILVER, DOING BUSINESS AS MUNICIPAL SECURITIES CO., ET AL. *v.* NEW YORK STOCK EXCHANGE. C. A. 2d Cir. *Certiorari* granted. *David I. Shapiro* for petitioners. *A. Donald MacKinnon* for respondent. *Solicitor General Cox, Assistant Attorney General Loevinger, Lionel Kestenbaum* and *Melvin Spaeth* for the United States, as *amicus curiae*, in support of the petition. Reported below: 302 F. 2d 714.

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No. 119. MURRAY ET AL. *v.* CURLETT ET AL., CONSTITUTING THE BOARD OF SCHOOL COMMISSIONERS OF BALTIMORE CITY. Court of Appeals of Maryland. Certiorari granted. *Leonard J. Kerpelman* for petitioners. *Francis B. Burch* and *Philip Z. Altfeld* for respondents. *Thomas B. Finan*, Attorney General of Maryland, and *James P. Garland* and *Robert F. Sweeney*, Assistant Attorneys General, for the State of Maryland, as *amicus curiae*, in opposition. Reported below: 228 Md. 239, 179 A. 2d 698.

No. 146. COLORADO ANTI-DISCRIMINATION COMMISSION ET AL. *v.* CONTINENTAL AIR LINES, INC.; and

No. 68, Misc. GREEN *v.* CONTINENTAL AIR LINES, INC. On petitions for writs of certiorari to the Supreme Court of Colorado. The petition for writ of certiorari in No. 146 is granted. The motion for leave to proceed *in forma pauperis* and the petition for writ of certiorari in No. 68, Misc., are also granted and the case is transferred to the appellate docket. *Duke W. Dunbar*, Attorney General of Colorado, and *Floyd B. Engeman*, Assistant Attorney General, for petitioners in No. 146. *T. Raber Taylor* for petitioner in No. 68, Misc. *Patrick M. Westfeldt* for respondent in both cases. A memorandum for the United States, as *amicus curiae*, in support of the petitions in both cases was filed by *Solicitor General Cox*, *Assistant Attorney General Marshall*, *Harold H. Greene* and *David Rubin*. Brief of *amici curiae* in support of the petition in No. 146 was filed by *Stanley Mosk*, Attorney General of California, *Howard H. Jewel*, Assistant Attorney General, *Victor D. Sonenberg*, Deputy Attorney General, and *Charles E. Wilson* for the State of California, and *Thomas F. Eagleton*, Attorney General of Missouri, and *James J. Murphy*, Assistant Attorney General, for the State of Missouri. Reported below: 149 Colo. 259, 368 P. 2d 970.

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No. 178. STATE TAX COMMISSION OF UTAH *v.* PACIFIC STATES CAST IRON PIPE Co. Supreme Court of Utah. Certiorari granted. *A. Pratt Kesler*, Attorney General of Utah, and *F. Burton Howard*, Assistant Attorney General, for petitioner. *C. M. Gilmour* for respondent. Reported below: 13 Utah 2d 113, 369 P. 2d 123.

No. 180. GENERAL DRIVERS, WAREHOUSEMEN & HELPERS, LOCAL UNION No. 89, ET AL. *v.* RISS & COMPANY, INC. C. A. 6th Cir. Certiorari granted. *David Previant*, *Herbert S. Thatcher* and *Ralph H. Logan* for petitioners. Reported below: 298 F. 2d 341.

No. 229. GUTIERREZ *v.* WATERMAN STEAMSHIP CORP. C. A. 1st Cir. Certiorari granted. *Harvey B. Nachman* for petitioner. *Antonio M. Bird* for respondent. Reported below: 301 F. 2d 415.

No. 240. MAXIMOV, TRUSTEE, *v.* UNITED STATES. C. A. 2d Cir. Certiorari granted. *D. Nelson Adams* and *John A. Reed* for petitioner. *Solicitor General Cox* for the United States. Reported below: 299 F. 2d 565.

No. 271. DAVIS, TRUSTEE, *v.* SOJA, INTERNAL REVENUE AGENT. C. A. 7th Cir. Certiorari granted. *Walter J. Rockler* for petitioner. *Solicitor General Cox* for respondent. Reported below: 303 F. 2d 601.

No. 288. NATIONAL LABOR RELATIONS BOARD *v.* ERIE RESISTOR CORP. ET AL. C. A. 3d Cir. Certiorari granted. *Solicitor General Cox*, *Stuart Rothman*, *Dominick L. Manoli* and *Norton J. Come* for petitioner. *John C. Bane, Jr.* for Erie Resistor Corp., and *Benjamin C. Sigal* and *David S. Davidson* for International Union of Electrical, Radio and Machine Workers, respondents. Reported below: 303 F. 2d 359.

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No. 217. GOSS ET AL. *v.* BOARD OF EDUCATION OF KNOXVILLE, TENNESSEE, ET AL. The petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit is granted limited to Question 1 presented by the petition, which reads as follows:

"Whether petitioners, Negro school children seeking desegregation of the public school systems of Knoxville, Tennessee (Goss case), and Davidson County, Tennessee (Maxwell case), are deprived of rights under the Fourteenth Amendment by judicial approval of a provision in desegregation plans adopted by their local school boards, which expressly recognizes race as a ground for transfer between schools in circumstances where such transfers operate to preserve the pre-existing racially segregated system, and which operate to restrict Negroes living in the zones of all-Negro schools to such schools while permitting white children in such areas to transfer to other schools solely on the basis of race."

Jack Greenberg, James M. Nabrit III, Carl A. Cowan and Z. Alexander Looby for petitioners. *S. Frank Fowler and K. Harlan Dodson, Jr.* for respondents. Reported below: 301 F. 2d 164; 301 F. 2d 828.

No. 283. LANE, WARDEN, *v.* BROWN. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted. *Edwin K. Steers*, Attorney General of Indiana, and *William D. Ruckelshaus*, Assistant Attorney General, for petitioner. *Nathan Levy* for respondent. Reported below: 302 F. 2d 537.

No. 44, Misc. DOWNUM *v.* UNITED STATES. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals

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for the Fifth Circuit granted. Case transferred to the appellate docket. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Kirby W. Patterson* for the United States. Reported below: 300 F. 2d 137.

No. 47, Misc. *BRADY v. MARYLAND*. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Court of Appeals of Maryland granted. Case transferred to the appellate docket. *John Martin Jones, Jr.* for petitioner. *Thomas B. Finan*, Attorney General of Maryland, and *Thomas W. Jamison III*, Assistant Attorney General, for respondent. Reported below: 226 Md. 422, 174 A. 2d 167.

No. 51, Misc. *ANDREWS v. UNITED STATES*; and

No. 217, Misc. *DONOVAN v. UNITED STATES*. Motions for leave to proceed *in forma pauperis* and petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit granted. Cases consolidated and transferred to the appellate docket. Petitioners *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Richard W. Schmude* for the United States. Reported below: 301 F. 2d 376.

No. 69, Misc. *WHEELDIN ET AL. v. WHEELER*. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted. Case transferred to the appellate docket. In briefs and oral argument, counsel are directed to discuss the question of federal jurisdiction. *A. L. Wirin, Fred Okrand and Nanette Dembitz* for petitioners. *Solicitor General Cox, Acting Assistant Attorney General Guilfoyle and John G. Laughlin, Jr.* for respondent. Reported below: 302 F. 2d 36.

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Certiorari Denied. (See also No. 100, ante, p. 7; No. 105, ante, p. 8; No. 122, ante, p. 11; No. 223, ante, p. 5; No. 237, ante, p. 13; No. 31, Misc., ante, p. 15; and Misc. Nos. 206, 423 and 438, ante, p. 807.)

No. 95. *TECON CORPORATION v. SECRETARY OF THE TREASURY OF PUERTO RICO.* Supreme Court of Puerto Rico. *Certiorari denied.* *James R. Beverley* for petitioner. *Arturo Estrella*, Acting Solicitor General of Puerto Rico, and *Rodolfo Cruz Contreras*, Assistant Solicitor General, for respondent. Reported below: — P. R. —.

No. 127. *MASSACHUSETTS BONDING & INSURANCE CO. v. DEBRAM.* C. A. 5th Cir. *Certiorari denied.* *Henry B. Alsobrook, Jr.* for petitioner. *Raymond H. Kierr* for respondent. Reported below: 297 F. 2d 858.

No. 129. *BRYAN v. NEVADA.* Supreme Court of Nevada. *Certiorari denied.* *Robert W. Stanley* for petitioner. *Roger D. Foley*, Attorney General of Nevada, and *William J. Raggio* for respondent. Reported below: 78 Nev. 38, 368 P. 2d 672.

No. 131. *ROBERT E. LEE & CO., INC., ET AL. v. VEATCH ET AL., DOING BUSINESS AS BLACK & VEATCH.* C. A. 4th Cir. *Certiorari denied.* *Robert M. Hitch* for petitioners. *Wesley M. Walker* and *Fletcher C. Mann* for respondents. Reported below: 301 F. 2d 434.

No. 137. *GENERAL MOTORS CORP. v. UNITED STATES ET AL.* C. A. 6th Cir. *Certiorari denied.* *Aloysius F. Power*, *Walter R. Frizzell* and *E. J. McGratty, Jr.* for petitioner. *Solicitor General Cox*, *Robert W. Ginnane* and *Arthur J. Cerra* for the United States and the Interstate Commerce Commission. *J. Edgar McDonald* for respondent railroads. Reported below: 299 F. 2d 233.

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No. 132. SAWYER *v.* PIONEER MILL CO., LTD., ET AL. C. A. 9th Cir. Certiorari denied. *Robert W. Kenny* for petitioner. *J. Russell Cades* and *Marion B. Plant* for respondents. Reported below: 300 F. 2d 200.

No. 135. ESSO STANDARD OIL CO. *v.* FALL, ADMINISTRATRIX. C. A. 5th Cir. Certiorari denied. *Walter X. Connor* and *Louis Kurz, Jr.* for petitioner. *William M. Alper* for respondent. Reported below: 297 F. 2d 411.

No. 138. PIERCE, EXECUTRIX, *v.* ALLEN B. DUMONT LABORATORIES, INC. C. A. 3d Cir. Certiorari denied. *Robert H. Rines*, *David Rines* and *Thomas Cooch* for petitioner. *Floyd H. Crews* and *Donald J. Overocker* for respondent. Reported below: 297 F. 2d 323.

No. 139. HENWOOD ET AL. *v.* SECURITIES AND EXCHANGE COMMISSION ET AL. C. A. 9th Cir. Certiorari denied. *Morris Lavine* for petitioners. *Solicitor General Cox*, *Peter A. Dammann* and *Walter P. North* for the Securities and Exchange Commission, and *Frank G. Raichle* for United Industrial Corp., respondents. Reported below: 298 F. 2d 641.

No. 149. HARLOW ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Joel W. Westbrook* for petitioner Harlow. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 301 F. 2d 361.

No. 151. BANKERS TRUST CO. ET AL., EXECUTORS, *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Leonard M. Wallstein, Jr.* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *John B. Jones, Jr.* for the United States. Reported below: 299 F. 2d 936.

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No. 152. *ROBINSON v. MINNESOTA*. Supreme Court of Minnesota. Certiorari denied. *Joseph Robbie* for petitioner. *Walter F. Mondale*, Attorney General of Minnesota, *Charles E. Houston*, Solicitor General, and *John P. Frank* for respondent. Reported below: 262 Minn. 79, 114 N. W. 2d 737.

No. 153. *MEMPHIS TRANSIT CO. v. UNITED STATES*. Court of Claims. Certiorari denied. *E. Roy Gilpin*, *Leslie J. Flower* and *Norton Kern* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *Meyer Rothwacks* for the United States. Reported below: 155 Ct. Cl. —, 297 F. 2d 542.

No. 154. *RICHARDSON v. BRUNNER ET AL.* Court of Appeals of Kentucky. Certiorari denied. *Frank E. Haddad, Jr.* and *Robert Hubbard* for petitioner. Reported below: 356 S. W. 2d 252.

No. 156. *HOUSTON v. UNITED STATES*. Court of Claims. Certiorari denied. *Claude L. Dawson* for petitioner. *Solicitor General Cox*, *Acting Assistant Attorney General Guilfoyle* and *John G. Laughlin, Jr.* for the United States. Reported below: 156 Ct. Cl. —, 297 F. 2d 838.

No. 158. *BUDGET DRESS CORP. v. JOINT BOARD OF DRESS & WAISTMAKERS' UNION OF GREATER NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied. *Morris J. Fellner* for petitioner. *Emil Schlesinger* and *Morris P. Glushien* for respondents. Reported below: 299 F. 2d 936.

No. 160. *LA MAUR, INC., v. L. S. DONALDSON CO. ET AL.* C. A. 8th Cir. Certiorari denied. *Benedict Deinard* for petitioner. *Dean Laurence* and *Herbert I. Sherman* for respondents. Reported below: 299 F. 2d 412.

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No. 161. CONNECTICUT COMMITTEE AGAINST PAY TV ET AL. *v.* FEDERAL COMMUNICATIONS COMMISSION ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Marcus Cohn* for petitioners. *Solicitor General Cox, Assistant Attorney General Loevinger, Irwin A. Seibel, Max D. Paglin, Daniel R. Ohlbaum* and *Ruth V. Reel* for the Federal Communications Commission, and *Harold David Cohen* and *W. Theodore Pierson* for RKO General Phonevision Co., respondents. Reported below: 112 U. S. App. D. C. 248, 301 F. 2d 835.

No. 166. FABIANICH ET AL. *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Stanley M. Dietz* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 112 U. S. App. D. C. 319, 302 F. 2d 904.

No. 168. BONSALL ET AL. *v.* HUMBLE OIL & REFINING Co. C. A. 5th Cir. Certiorari denied. *Robert McHale* for petitioners. Reported below: 300 F. 2d 150.

No. 169. MADDOX *v.* FIDELITY INVESTMENT & TITLE Co., INC., ET AL. C. A. 4th Cir. Certiorari denied. *Luther Robinson Maddox*, petitioner, *pro se.* Reported below: 300 F. 2d 1.

No. 171. DONOHUE *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Sydney M. Eisenberg* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Sidney M. Glazer* for the United States. Reported below: 302 F. 2d 663.

No. 176. BENSON *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. *Harry G. Fins* for petitioner. Reported below: 24 Ill. 2d 159, 180 N. E. 2d 483.

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No. 173. MOUND COMPANY *v.* TEXAS COMPANY. C. A. 5th Cir. Certiorari denied. *John Leroy Jeffers* for petitioner. *Leon Jaworski* for respondent. Reported below: 298 F. 2d 905.

No. 179. ORGEL ET AL. *v.* CLARK BOARDMAN Co., LTD., ET AL. C. A. 2d Cir. Certiorari denied. *James E. Bird-sall* for petitioners. *Philip Wittenberg* and *Edward W. Stitt, Jr.* for respondents. Reported below: 301 F. 2d 119.

No. 181. LAKELAND GROCERY CORP. *v.* FOOD FAIR STORES, INC. C. A. 4th Cir. Certiorari denied. *William L. Parker* and *Norris E. Halpern* for petitioner. *Archibald G. Robertson* and *Lewis T. Booker* for respondent. Reported below: 301 F. 2d 156.

No. 183. GREEN TRUCK SALES, INC., *v.* HOEGH LINES. C. A. 9th Cir. Certiorari denied. *Francis J. Gabel* for petitioner. *L. Robert Wood* for respondent. Reported below: 298 F. 2d 240.

No. 184. BATTLES *v.* GOLDBERG, SECRETARY OF LABOR. C. A. 3d Cir. Certiorari denied. *Stanford Shmukler* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Theodore George Gilinsky* for respondent. Reported below: 299 F. 2d 937.

No. 185. GIBAS ET AL. *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Richard E. Gorman* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 300 F. 2d 836.

No. 186. SOLOMON DEHYDRATING Co., INC., *v.* GUYTON. C. A. 8th Cir. Certiorari denied. *Joseph T. Votava* for petitioner. Reported below: 302 F. 2d 283.

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No. 182. *KERR'S CATERING SERVICE v. DEPARTMENT OF INDUSTRIAL RELATIONS OF CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied. *Robert E. Hanon* for petitioner. *Stanley Mosk*, Attorney General of California, and *B. Franklin Walker*, Deputy Attorney General, for respondents. Reported below: 57 Cal. 2d 319, 369 P. 2d 20.

No. 187. *ISAACS ET AL. v. UNITED STATES*;

No. 188. *LARRICK v. UNITED STATES*;

No. 189. *JEFFORDS v. UNITED STATES*; and

No. 194. *OSSANNA v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. *Benedict Deinard* and *Melvin H. Siegel* for petitioners in No. 187. *Robert J. King* for petitioner in No. 188. *John E. Wasche* for petitioner in No. 189. *James M. Landis* for petitioner in No. 194. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Sidney M. Glazer* for the United States. Reported below: 301 F. 2d 706.

No. 190. *KOVAC v. KOVAC.* Supreme Court of Illinois. Certiorari denied. *Walter C. Wellman* for petitioner.

No. 199. *BELL v. WASHINGTON.* Supreme Court of Washington. Certiorari denied. *Benjamin H. Kizer* for petitioner. Reported below: 59 Wash. 2d 338, 368 P. 2d 177.

No. 207. *ARLENE COATS v. UNITED STATES.* Court of Claims. Certiorari denied. *Edwin J. McDermott* for petitioner. *Solicitor General Cox*, *Acting Assistant Attorney General Guilfoyle* and *Morton Hollander* for the United States. Reported below: 156 Ct. Cl. —, 297 F. 2d 546.

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No. 192. *HI HAT ELKHORN COAL CO. v. NEWMAN*. C. A. 6th Cir. Certiorari denied. *Joe Hobson* for petitioner. *C. Kilmer Combs* for respondent. Reported below: 298 F. 2d 119; 302 F. 2d 723.

No. 193. *AETNA INSURANCE CO. v. VERNON ET AL.* C. A. 5th Cir. Certiorari denied. *David Bland* for petitioner. *William F. Walsh* for respondents. Reported below: 301 F. 2d 86.

No. 195. *WOODS v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. *Howard T. Savage* for petitioner. Reported below: 24 Ill. 2d 154, 180 N. E. 2d 475.

No. 197. *WYCOFF COMPANY, INC., v. PUBLIC SERVICE COMMISSION OF UTAH ET AL.* Supreme Court of Utah. Certiorari denied. *Zar E. Hayes* and *Calvin L. Ramp-ton* for petitioner. *A. Pratt Kesler*, Attorney General of Utah, *Raymond W. Gee*, Assistant Attorney General, *Keith E. Sohm* and *Wood R. Worsley* for respondents. Reported below: 13 Utah 2d 123, 369 P. 2d 283.

No. 198. *PAGANO v. SAHN, TRUSTEE IN BANKRUPTCY*. C. A. 2d Cir. Certiorari denied. *Vincent J. Vellella* and *Morris Weissberg* for petitioner. *Harold L. Lipton* for respondent. Reported below: 302 F. 2d 629.

No. 203. *CARDARELLA ET AL. v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Walter A. Raymond* and *Kenneth C. West* for petitioners. *Solicitor General Cox* for the United States. Reported below: 302 F. 2d 95.

No. 204. *HACKETT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Albert A. Goldfarb* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Richard W. Schmude* for the United States. Reported below: 303 F. 2d 33.

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No. 205. OZARK DAIRY CO. ET AL. *v.* ADAMS DAIRY CO. ET AL. C. A. 8th Cir. Certiorari denied. *J. L. London* for petitioners. *R. H. McRoberts, John H. Lashly, Paul B. Rava* and *J. Leonard Schermer* for respondents.

No. 208. SEXTON, EXECUTOR, *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Justin A. Stanley* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer, I. Henry Kutz* and *Morton K. Rothschild* for the United States. Reported below: 300 F. 2d 490.

No. 209. RICHARDSON ET AL., EXECUTORS, *v.* SMITH, COLLECTOR OF INTERNAL REVENUE. C. A. 3d Cir. Certiorari denied. *Daniel Mungall, Jr.* and *Lewis M. Stevens* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *I. Henry Kutz* for respondent. Reported below: 301 F. 2d 305.

No. 210. THOMPSON *v.* NORTH CAROLINA. Supreme Court of North Carolina. Certiorari denied. *C. O. Pearson* for petitioner. *T. W. Bruton*, Attorney General of North Carolina, and *G. Andrew Jones, Jr.*, Assistant Attorney General, for respondent. Reported below: 256 N. C. 593, 124 S. E. 2d 728.

No. 214. JOSEPH L. O'BRIEN CO. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 3d Cir. Certiorari denied. *Francis T. Anderson* for petitioner. *Solicitor General Cox, Acting Assistant Attorney General Jones, Meyer Rothwacks* and *Morton K. Rothschild* for respondent. Reported below: 301 F. 2d 813.

No. 215. NORTHERN OHIO TELEPHONE CO. *v.* WARD. C. A. 6th Cir. Certiorari denied. *Sidney D. Griffith* for petitioner. *H. Guy Hardy* for respondent. Reported below: 300 F. 2d 816.

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No. 211. *CITIES SERVICE OIL Co. v. TOBRINER ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *George H. Colin* for petitioner. *Chester H. Gray, Milton D. Korman* and *Hubert B. Pair* for respondents. Reported below: 113 U. S. App. D. C. 145, 306 F. 2d 752.

No. 212. *HENRY ET AL., DOING BUSINESS AS SUBURBAN BROADCASTERS, v. FEDERAL COMMUNICATIONS COMMISSION.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Lester W. Spillane, Robert L. Heald* and *Edward F. Kenehan* for petitioners. *Solicitor General Cox, Assistant Attorney General Loevinger, Max D. Paglin, Daniel R. Ohlbaum* and *Ernest O. Eisenberg* for respondent. Reported below: 112 U. S. App. D. C. 257, 302 F. 2d 191.

No. 213. *NOBLE ET UX. v. DE VAS.* Supreme Court of Utah. Certiorari denied. *Paul N. Cotro-Manes* for petitioners. Reported below: 13 Utah 2d 133, 369 P. 2d 290.

Nos. 219 and 220. *BRIDGES v. TEXAS.* Court of Criminal Appeals of Texas. Certiorari denied. *Hume Cofer* and *John D. Cofer* for petitioner. Reported below: — Tex. Cr. R. —, 360 S. W. 2d 531, 532.

No. 224. *RHODES v. UNITED STATES.* Court of Claims. Certiorari denied. *John P. Witsil* for petitioner. *Solicitor General Cox, Acting Assistant Attorney General Guilfoyle* and *Alan S. Rosenthal* for the United States. Reported below: 156 Ct. Cl. —.

No. 226. *DREDGE CORPORATION v. HUSITE COMPANY.* Supreme Court of Nevada. Certiorari denied. *Abraham Marcus* and *George W. Nilsson* for petitioner. *H. Dale Murphy* for respondent. Reported below: 78 Nev. 69, 369 P. 2d 676.

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No. 216. REAL ESTATE CORP., INC., v. COMMISSIONER OF INTERNAL REVENUE. C. A. 10th Cir. Certiorari denied. *N. E. Snyder* for petitioner. *Solicitor General Cox, Acting Assistant Attorney General Jones, Myron C. Baum* and *Arthur I. Gould* for respondent. Reported below: 301 F. 2d 423.

No. 218. ZEH ET AL. v. AEROGlide CORPORATION. C. A. 2d Cir. Certiorari denied. *Reginald C. Smith* for petitioners. *Harold Harper* for respondent. Reported below: 301 F. 2d 420.

No. 231. RHODES v. STAR HERALD PRINTING CO. ET AL. Supreme Court of Nebraska. Certiorari denied. Reported below: 173 Neb. 496, 113 N. W. 2d 658.

No. 232. LIBERIAN CARRIERS, INC., ET AL. v. TAMPA SHIP REPAIR & DRY DOCK CO., INC. C. A. 2d Cir. Certiorari denied. *Richard H. Sommer* and *Edward L. Smith* for petitioners. *Nicholas J. Healy III* for respondent. Reported below: 301 F. 2d 462.

No. 234. TEXACO, INC., v. FEDERAL TRADE COMMISSION. C. A. 5th Cir. Certiorari denied. *Milton Handler* and *Cecelia H. Goetz* for petitioner. *Solicitor General Cox, Assistant Attorney General Loevinger, Robert B. Hummel, Elliott H. Moyer* and *James McI. Henderson* for respondent. Reported below: 301 F. 2d 662.

No. 238. GRAHAM v. PENNSYLVANIA. Supreme Court of Pennsylvania. Certiorari denied. *Joseph S. Schuchert, Jr.* and *Paul Ginsburg* for petitioner.

No. 252. CLEMENT v. FISHER. Supreme Court of Ohio. Certiorari denied. Petitioner *pro se*. *Charles E. Brown* for respondent. Reported below: 173 Ohio St. 220, 180 N. E. 2d 835.

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No. 233. *KAAKINEN ET AL. v. PEELERS COMPANY*. C. A. 9th Cir. Certiorari denied. *Robert W. Beach* and *Paul L. O'Brien* for petitioners. *Ford E. Smith* and *A. Robert Theibault* for respondent. Reported below: 301 F. 2d 170.

No. 242. *CARLSON v. DICKMAN ET AL.* Supreme Court of Oregon. Certiorari denied. *Eugene Gressman, Randall B. Kester* and *Roy F. Shields* for petitioner. *Leo Pfeffer, Steve Anderson* and *John D. Mosser* for respondents. Reported below: 232 Ore. 238, 366 P. 2d 533.

No. 243. *ESTATE OF RAU v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. *Ellsworth T. Simpson* for petitioner. *Solicitor General Cox, Acting Assistant Attorney General Jones* and *Robert N. Anderson* for respondent. Reported below: 301 F. 2d 51.

No. 244. *MAMULA v. UNITED STEELWORKERS OF AMERICA ET AL.* C. A. 3d Cir. Certiorari denied. *Harry Alan Sherman* for petitioner. *David E. Feller, Elliot Bredhoff, Jerry D. Anker* and *Ernest G. Nassar* for respondents. Reported below: 304 F. 2d 108.

Nos. 245 and 246. *ELGIN, JOLIET & EASTERN RAILWAY Co. v. BROTHERHOOD OF RAILROAD TRAINMEN ET AL.* C. A. 7th Cir. Certiorari denied. *Paul R. Conaghan* and *Richard B. Ogilvie* for petitioner. *Burke Williamson, Jack A. Williamson* and *John J. Naughton* for respondents. Reported below: 302 F. 2d 545; 302 F. 2d 540.

No. 254. *NICHOLSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Harris Gilbert* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 303 F. 2d 330.

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No. 257. BREECE, ADMINISTRATRIX, *v.* J. F. CHAPMAN & SON, INC. C. A. 3d Cir. Certiorari denied. *William M. Feinberg* for petitioner. *John A. Ackerman* for respondent. Reported below: 302 F. 2d 581.

No. 258. ALEXANDER *v.* COUNTY BOARD OF ARLINGTON COUNTY ET AL. Supreme Court of Appeals of Virginia. Certiorari denied. *Samuel W. Tucker* for petitioner. *William J. Hassan, Peter J. Kostik* and *James H. Simmonds* for respondents.

No. 259. HOLIDAY LODGE, INC., *v.* FIRST FEDERAL SAVINGS & LOAN ASSOCIATION. C. A. 7th Cir. Certiorari denied. *Morris S. Bromberg* and *Samuel E. Hirsch* for petitioner. *Edward Rothbart* for respondent. Reported below: 300 F. 2d 516.

No. 261. SOUTHERN FARMS, INC., *v.* GOLDBERG, SECRETARY OF LABOR. C. A. 5th Cir. Certiorari denied. *Landman Teller* for petitioner. *Solicitor General Cox, Charles Donahue, Jacob I. Karro* and *Caruthers Gholson Berger* for respondent. Reported below: 301 F. 2d 130.

No. 263. AMERICAN NEWS CO. ET AL. *v.* FEDERAL TRADE COMMISSION. C. A. 2d Cir. Certiorari denied. *Eugene Frederick Roth* and *Lester Lewis Jay* for petitioners. *Solicitor General Cox, Assistant Attorney General Loevinger, Robert B. Hummel, Irwin A. Seibel, James McI. Henderson* and *Miles J. Brown* for respondent. Reported below: 300 F. 2d 104.

No. 264. PENNSYLVANIA RAILROAD CO. *v.* GOWINS. C. A. 6th Cir. Certiorari denied. *Robert L. Barton* for petitioner. *C. Richard Grieser* for respondent. Reported below: 299 F. 2d 431.

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No. 266. *MONEM v. COSMOPOLITAN SHIPPING Co., INC., ET AL.* Municipal Court of New York, New York, Borough of Manhattan, First District. Certiorari denied. *Jacob Rassner* for petitioner. *J. Ward O'Neill* and *Richard L. Maher* for respondents.

No. 268. *MADDOX v. SHROYER ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Luther Robinson Maddox*, petitioner, *pro se.* Reported below: 112 U. S. App. D. C. 318, 302 F. 2d 903.

No. 269. *HUMBLE OIL & REFINING Co. v. MARTIN ET AL.* C. A. 5th Cir. Certiorari denied. *M. M. Roberts* for petitioner. *Landman Teller* for respondents. Reported below: 298 F. 2d 163; 301 F. 2d 313.

No. 272. *COHEN v. PLATEAU NATURAL GAS Co. ET AL.* C. A. 10th Cir. Certiorari denied. *Nathan B. Kogan* and *David M. Palley* for petitioner. *Douglas Arant* and *Richard F. Mullins* for respondents. Reported below: 303 F. 2d 273.

No. 273. *UNITED NEW YORK & NEW JERSEY SANDY HOOK PILOTS ASSOCIATION ET AL. v. HALECKI, ADMINISTRATRIX.* C. A. 2d Cir. Certiorari denied. *Lawrence J. Mahoney* for petitioners. *Nathan Baker, Bernard Chazen* and *Milton Garber* for respondent. Reported below: 302 F. 2d 840.

No. 278. *ROCK ISLAND MOTOR TRANSIT Co. v. CONDITIONED AIR CORP.* Supreme Court of Iowa. Certiorari denied. *B. A. Webster, Jr.* and *Alden B. Howland* for petitioner. *Harris M. Coggeshall* for respondent. Reported below: 253 Iowa 961, 114 N. W. 2d 304.

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No. 279. ANSPACH ET AL. *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *Arthur Warner* and *Ward Sullivan* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Richard W. Schmude* for the United States. Reported below: 305 F. 2d 48.

No. 280. VOGELSANG ET AL., DOING BUSINESS AS WHITEHOUSE BROS., *v.* DELTA AIR LINES, INC. C. A. 2d Cir. Certiorari denied. *Simon Greenhill* for petitioners. *John M. Aherne* for respondent. Reported below: 302 F. 2d 709.

No. 281. LOCAL 776, I. A. T. S. E. (FILM EDITORS), *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 9th Cir. Certiorari denied. *Robert W. Gilbert* and *Louis A. Nissen* for petitioner. *Solicitor General Cox*, *Stuart Rothman*, *Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: 303 F. 2d 513.

No. 282. COLUMBUS PRODUCTION CREDIT ASSOCIATION *v.* BOWERS, TAX COMMISSIONER OF OHIO. Supreme Court of Ohio. Certiorari denied. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *J. William Doolittle*, *Joseph Kovner* and *Paul O. Ritter* for petitioner. *Mark McElroy*, Attorney General of Ohio, *Theodore R. Saker*, First Assistant Attorney General, and *John Dilenschneider*, Assistant Attorney General, for respondent. Reported below: 173 Ohio St. 97, 180 N. E. 2d 1.

No. 284. UTAH ET AL. *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *Ronald N. Boyce*, Assistant Attorney General of Utah, and *Dennis McCarthy* for petitioners. *Solicitor General Cox*, *Roger P. Marquis* and *A. Donald Mileur* for the United States. Reported below: 304 F. 2d 23.

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No. 287. BENDIX CORPORATION *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 6th Cir. Certiorari denied. *Allen S. Hubbard* for petitioner. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli and Norton J. Come* for respondent. Reported below: 299 F. 2d 308.

No. 289. ATLANTIC COAST LINE RAILROAD CO. *v.* SLAUGHTER. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Prime F. Osborn, Norman C. Shepard and Frank G. Kurka* for petitioner. Reported below: 112 U. S. App. D. C. 327, 302 F. 2d 912.

No. 290. RICE LAKE CREAMERY CO. *v.* GENERAL DRIVERS & HELPERS UNION, LOCAL NO. 662, INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN & HELPERS OF AMERICA, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Clark M. Robertson* for petitioner. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli, Norton J. Come and Nancy M. Sherman* for the National Labor Relations Board, respondent. Reported below: 112 U. S. App. D. C. 323, 302 F. 2d 908.

No. 294. COLLINS ET UX. *v.* UNITED STATES. Court of Claims. Certiorari denied. *Robert H. McNeill* for petitioners. *Solicitor General Cox and Acting Assistant Attorney General Jones* for the United States. Reported below: 156 Ct. Cl. —, 299 F. 2d 949.

No. 295. MORRIS ET AL. *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. *Francis W. McCauley* for petitioners. *Solicitor General Cox, Acting Assistant Attorney General Jones and Joseph Kovner* for the United States. Reported below: 303 F. 2d 533.

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No. 347. *FAIR ET AL. v. MEREDITH*. C. A. 5th Cir. Certiorari denied. *Joe T. Patterson*, Attorney General of Mississippi, *Dugas Shands*, Assistant Attorney General, and *Peter M. Stockett, Jr.* and *Charles Clark*, Special Assistant Attorneys General, for petitioners. Reported below: 305 F. 2d 341, 343; 306 F. 2d 374.

No. 103. *JOHNSON v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. *T. K. Irwin, Jr.* for petitioner. *Will Wilson*, Attorney General of Texas, and *Sam R. Wilson*, *Linward Shivers* and *Charles R. Lind*, Assistant Attorneys General, for respondent. Reported below: — Tex. Cr. R. —.

No. 130. *MATHIASSEN TANKER INDUSTRIES, INC., v. MASON*. C. A. 4th Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion that certiorari should be granted in this case because the petitioning shipowner here has been denied its right to trial by jury guaranteed by the Seventh Amendment to the Constitution. *Harry E. McCoy* for petitioner. *Sidney H. Kelsey* for respondent. Reported below: 298 F. 2d 28.

No. 174. *CHRISTIANI-ONKEN, ALIAS CHRISTIANI, v. KENNEDY, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN*. 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. *John W. Pehle* and *James H. Mann* for petitioner. *Solicitor General Cox*, *Acting Assistant Attorney General Guilfoyle*, *John G. Laughlin, Jr.* and *Pauline B. Heller* for respondent. Reported below: 112 U. S. App. D. C. 222, 301 F. 2d 546.

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No. 126. *PORTER v. STANFORD, JUDGE*. Supreme Court of Arizona. Certiorari denied. MR. JUSTICE CLARK took no part in the consideration or decision of this petition. *Stephen W. Langmade* for petitioner.

No. 136. *PIERCE FORD SALES, INC., ET AL. v. FORD MOTOR Co.* C. A. 2d Cir. Certiorari denied. MR. JUSTICE BLACK would grant certiorari in this case because he believes that petitioner Pierce Ford Sales, Inc., was denied its right to a trial by jury in violation of the guarantee of the Seventh Amendment. *John S. Burgess* for petitioners. *Whitney North Seymour, Osmer C. Fitts* and *Richard Hawkins* for respondent. Reported below: 299 F. 2d 425.

No. 143. *YOUNG v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion that certiorari should be granted. *Max Kabatznick* and *Israel Bernstein* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 302 F. 2d 511.

No. 228. *FREEDMAN ET AL. v. PHILADELPHIA TERMINALS AUCTION Co.* C. A. 3d Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion that certiorari should be granted. *David Berger* and *Walter Stein* for petitioners. *C. Brewster Rhoads* and *Thomas N. O'Neill, Jr.* for respondent. Reported below: 301 F. 2d 830.

No. 196. *MORRIS ET AL. v. UNITED STATES*. Court of Claims. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Abe Krash* and *Harry Green* for petitioners. *Solicitor General Cox, Acting Assistant Attorney General Guilfoyle* and *Alan S. Rosenthal* for the United States.

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No. 145. GREENHILL ET AL. *v.* UNITED STATES. Motion of petitioners to vacate and remand denied. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. *Dudley Yoedicke, Eugene Gressman and Leon D. Hubert, Jr.* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Richard W. Schmude* for the United States. Reported below: 298 F. 2d 405.

No. 225. IRBY *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *A. Andrew Giangreco* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Richard W. Schmude* for the United States. Reported below: 304 F. 2d 280.

No. 301. WEIGEL *v.* PARTENWEEDEREI ET AL. C. A. 9th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Clifford D. O'Brien* for petitioner. *Erskine B. Wood and Alfred A. Hampson* for respondents. Reported below: 299 F. 2d 897.

No. 260. NORTH CAROLINA NATURAL GAS CORP. *v.* McJUNKIN CORPORATION. C. A. 4th Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion that certiorari should be granted in this case because the petitioning North Carolina Natural Gas Corporation has been denied its right to a trial by jury guaranteed by the Seventh Amendment to the Constitution. *Eugene Gressman* for petitioner. *John H. Anderson, Willis Smith, Jr., Arthur G. Stone and Donald O. Blagg* for respondent. Reported below: 300 F. 2d 794.

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No. 309. ABERNATHY ET AL. *v.* CITY OF IRVINE ET AL. Court of Appeals of Kentucky. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *R. J. Turley* for petitioners. *Thomas D. Shumate* for respondents. Reported below: 355 S. W. 2d 159.

No. 267. MID-AMERICA TELEPHONE CO. *v.* PUBLIC UTILITIES COMMISSION OF OHIO ET AL. Motion of petitioner for leave to proceed *in forma pauperis* denied. The alternative motion to dispense with printing the petition for certiorari granted. Petition for writ of certiorari to the Supreme Court of Ohio denied. *Mark McElroy*, Attorney General of Ohio, *Herbert T. Maher* and *Andrew R. Sarisky*, Assistant Attorneys General, and *E. N. Strand* for respondents. Reported below: 173 Ohio St. 333, 182 N. E. 2d 319.

No. 9, Misc. SOSTRE *v.* OSWALD, PAROLE BOARD CHAIRMAN, ET AL. C. A. 2d Cir. Certiorari denied. Petitioner *pro se.* *Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, and *Joseph J. Rose*, Assistant Attorney General, for respondents.

No. 19, Misc. FREEMAN *v.* KIDD, U. S. MARSHAL, ET AL. C. A. 8th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, Acting Assistant Attorney General *Guilfoyle* and *John G. Laughlin, Jr.* for respondents.

No. 22, Misc. JOHNSON *v.* BENNETT, WARDEN, ET AL. C. A. 8th Cir. Certiorari denied. Petitioner *pro se.* *Evan Hultman*, Attorney General of Iowa, for respondents.

No. 25, Misc. HOWIE *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

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No. 26, Misc. *GALLUP v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. Petitioner *pro se*. *Will Wilson*, Attorney General of Texas, and *Sam R. Wilson*, *Charles R. Lind* and *Linward Shivers*, Assistant Attorneys General, for respondent.

No. 28, Misc. *GREEN v. MISSOURI*. 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. 33, Misc. *KASSIM v. WILKINS, WARDEN, ET AL.* C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, and *Irving Galt*, Assistant Solicitor General, for respondents. Reported below: 298 F. 2d 479.

No. 36, Misc. *KERSHNER 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 *Andrew J. Goodwin*, Assistant Attorneys General, for respondent.

No. 39, Misc. *HALCOMB v. MCGEE, CORRECTIONS DIRECTOR, ET AL.* Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Stanley Mosk*, Attorney General of California, *Doris H. Maier*, Assistant Attorney General, and *Raymond M. Momboisse*, Deputy Attorney General, for respondents.

No. 40, Misc. *WOLOCHEN v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Petitioner *pro se*. *William I. Siegel* for respondent.

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No. 23, Misc. JOHNSON *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. Petitioner *pro se.* Will Wilson, Attorney General of Texas, and Sam R. Wilson, Linward Shivers and Charles R. Lind, Assistant Attorneys General, for respondent. Reported below: — Tex. Cr. R. —.

No. 57, Misc. MUNSON *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. 58, Misc. ELLIS *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Julia P. Cooper for the United States.

No. 64, Misc. POST *v.* BOLES, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied. Petitioner *pro se.* C. Donald Robertson, Attorney General of West Virginia, and Claude A. Joyce and George H. Mitchell, Assistant Attorneys General, for respondent. Reported below: 147 W. Va. —, 124 S. E. 2d 697.

No. 72, Misc. HAWKINS *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Theodore George Gilinsky for the United States. Reported below: 112 U. S. App. D. C. 257, 302 F. 2d 191.

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No. 43, Misc. *POWELL 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 *Andrew J. Goodwin*, Assistant Attorneys General, for respondent.

No. 45, Misc. *WILLIAMS v. BLACKWELL, WARDEN*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox*, *Assistant Attorney General Marshall*, *Harold H. Greene* and *Isabel L. Blair* for respondent.

No. 46, Misc. *FRANKFURTER v. CALIFORNIA*. Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Stanley Mosk*, Attorney General of California, and *Robert R. Granucci* and *John S. McInerney*, Deputy Attorneys General, for respondent.

No. 50, Misc. *SOSTRE v. WILKINS, WARDEN, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 71, Misc. *MILLER v. UNITED STATES ET AL.* C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox*, *Acting Assistant Attorney General Guilfoyle* and *John G. Laughlin, Jr.* for the United States et al.

No. 73, Misc. *HOLIDAY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 300 F. 2d 441.

No. 76, Misc. *CRUZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox* for the United States.

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No. 77, Misc. STEVENSON *v.* UNITED STATES. Court of Claims. Certiorari denied. *Carl L. Shipley* and *Thomas A. Ziebarth* for petitioner. *Solicitor General Cox, Acting Assistant Attorney General Guilfoyle* and *Alan S. Rosenthal* for the United States. Reported below: 155 Ct. Cl. —.

No. 79, Misc. HUCKS *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Charles E. Robbins* and *Benedict F. FitzGerald, Jr.* for petitioner. *Acting Solicitor General Spritzer, Assistant Attorney General Miller* and *Philip R. Monahan* for the United States. Reported below: 112 U. S. App. D. C. 224, 301 F. 2d 548.

No. 81, Misc. MARSHALL *v.* INDIANA. Supreme Court of Indiana. Certiorari denied.

No. 83, Misc. SMITH *v.* NEW MEXICO. Supreme Court of New Mexico. Certiorari denied.

No. 84, Misc. MULLIGAN *v.* NEW YORK. C. A. 2d Cir. Certiorari denied.

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

No. 86, Misc. EVANS *v.* ARIZONA. Supreme Court of Arizona. Certiorari denied. Reported below: 88 Ariz. 364, 356 P. 2d 1106.

No. 92, Misc. GOMEZ *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox* for the United States.

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No. 90, Misc. *BELL v. COCHRAN*, CORRECTIONS DIRECTOR. Supreme Court of Florida. Certiorari denied.

No. 93, Misc. *JOHNSON 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. 94, Misc. *HOLLAND v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 95, Misc. *ANDERSON v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 96, Misc. *HAWRYLIAK v. MARONEY*, CORRECTIONAL SUPERINTENDENT. Supreme Court of Pennsylvania. Certiorari denied.

No. 97, Misc. *ELLINGER v. WARDEN*, MARYLAND PENITENTIARY. C. A. 4th Cir. Certiorari denied.

No. 114, Misc. *MACDONALD v. DUNNE*, JUDGE, ET AL. C. A. 7th Cir. Certiorari denied.

No. 115, Misc. *GRAVES v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *T. Emmett McKenzie* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 112 U. S. App. D. C. 161, 300 F. 2d 916.

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No. 100, Misc. *JESSIE v. REINCKE, WARDEN*. Supreme Court of Errors of Connecticut. Certiorari denied.

No. 106, Misc. *WATSON v. WARDEN, MARYLAND PENITENTIARY*. Court of Appeals of Maryland. Certiorari denied. Reported below: 228 Md. 653, 179 A. 2d 348.

No. 107, Misc. *HALPERN v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 109, Misc. *MILLER v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 111, Misc. *MARTIN, ALIAS MORGAN, ET AL. v. HEINZE, WARDEN*. Supreme Court of California. Certiorari denied.

No. 112, Misc. *PITTORE v. WARDEN, MARYLAND PENITENTIARY*. Court of Appeals of Maryland. Certiorari denied. Reported below: 228 Md. 112, 178 A. 2d 421.

No. 116, Misc. *HUNTLEY v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Petitioner *pro se*. *Frank S. Hogan* and *H. Richard Uviller* for respondent.

No. 117, Misc. *ELDARD v. LAVALLEE, WARDEN*. Appellate Division, Supreme Court of New York, Third Judicial Department. Certiorari denied. Petitioner *pro se*. *Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, and *Winifred C. Stanley*, Assistant Attorney General, for respondent. Reported below: 15 App. Div. 2d 611, 222 N. Y. S. 2d 462.

No. 119, Misc. *TURMON v. COCHRAN, CORRECTIONS DIRECTOR*. Supreme Court of Florida. Certiorari denied.

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No. 118, Misc. JACKSON *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Reported below: 24 Ill. 2d 226, 181 N. E. 2d 66.

No. 120, Misc. MITCHELL *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States.

No. 122, Misc. MOORE *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 123, Misc. RICKS *v.* PENNSYLVANIA ET AL. Supreme Court of Pennsylvania. Certiorari denied.

No. 125, Misc. BURNS *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. Reported below: 301 F. 2d 666.

No. 128, Misc. SHERWOOD *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 300 F. 2d 603.

No. 129, Misc. COATES *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States.

No. 130, Misc. DIBLIN *v.* KATZ. C. A. 2d Cir. Certiorari denied.

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No. 131, Misc. GREEN *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 132, Misc. DUNBAR *v.* KEENAN ET AL. Supreme Court of Pennsylvania. Certiorari denied.

No. 133, Misc. SMITH *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 136, Misc. PRIORI *v.* FAY, WARDEN. Court of Appeals of New York. Certiorari denied. Petitioner *pro se.* Louis J. Lefkowitz, Attorney General of New York, Paxton Blair, Solicitor General, and Winifred C. Stanley, Assistant Attorney General, for respondent.

No. 137, Misc. CARTER *v.* BETO, CORRECTIONS DIRECTOR, ET AL. Court of Criminal Appeals of Texas. Certiorari denied. Reported below: — Tex. Cr. R. —.

No. 138, Misc. CREWS *v.* NEW YORK. Supreme Court of New York, Clinton County. Certiorari denied.

No. 140, Misc. WIGGINS *v.* KENTUCKY. Court of Appeals of Kentucky. Certiorari denied.

No. 149, Misc. DRAPER *v.* RHAY, PENITENTIARY SUPERINTENDENT. Supreme Court of Washington. Certiorari denied.

No. 165, Misc. BELTOWSKI *v.* EVERSON ET AL. C. A. 8th Cir. Certiorari denied.

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No. 142, Misc. *PUDDU v. ROYAL NETHERLANDS STEAMSHIP Co.* C. A. 2d Cir. Certiorari denied. *Robert Klonsky* and *Philip F. DiCostanzo* for petitioner. *George J. Conway* and *Michael J. Kenny* for respondent. Reported below: 303 F. 2d 752.

No. 143, Misc. *WARREN v. NASH, WARDEN.* Supreme Court of Missouri. Certiorari denied.

No. 146, Misc. *DEES v. RIVERS ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, *Assistant Attorney General Marshall*, *Harold H. Greene* and *Isabel L. Blair* for respondents.

No. 147, Misc. *SENNA v. KENNEDY, POLICE COMMISSIONER OF THE CITY OF NEW YORK, ET AL.* Court of Appeals of New York. Certiorari denied. *Carl L. Shipley*, *Thomas A. Ziebarth* and *Samuel Resnicoff* for petitioner. *Leo A. Larkin* and *Seymour B. Quel* for respondents.

No. 148, Misc. *PYLES v. WARDEN, MARYLAND PENITENTIARY.* Baltimore City Court of Maryland. Certiorari denied.

No. 151, Misc. *TURNER v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied.

No. 152, Misc. *SIMS v. CUNNINGHAM, PENITENTIARY SUPERINTENDENT.* Supreme Court of Appeals of Virginia. Certiorari denied. *Lewis T. Booker* for petitioner. Reported below: 203 Va. 347, 124 S. E. 2d 221.

No. 159, Misc. *PERKINS v. NEW YORK.* Court of Appeals of New York. Certiorari denied. Reported below: 11 N. Y. 2d 195, 182 N. E. 2d 274.

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No. 154, Misc. HARRIS *v.* MCGARRAGHY ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Acting Assistant Attorney General Guilfoyle and Morton Hollander* for respondents.

No. 157, Misc. KIRBY *v.* ILLINOIS. Circuit Court of Fayette County, Illinois. Certiorari denied.

No. 160, Misc. MENDENHALL *v.* TEXAS ET AL. Court of Criminal Appeals of Texas. Certiorari denied.

No. 161, Misc. PULLITE *v.* ILLINOIS. Circuit Court of Vermillion County, Illinois. Certiorari denied.

No. 162, Misc. SMITH *v.* PENNSYLVANIA. Supreme Court of Pennsylvania. Certiorari denied.

No. 163, Misc. HILLYARD, ADMINISTRATOR, *v.* NATIONAL DAIRY PRODUCTS CORP. ET AL. C. A. 7th Cir. Certiorari denied. Petitioner *pro se.* *Ivan Elliott* for respondents. Reported below: 301 F. 2d 277.

No. 164, Misc. WRIGHT *v.* MYERS, CORRECTIONAL SUPERINTENDENT. Supreme Court of Pennsylvania. Certiorari denied.

No. 166, Misc. RIVERS *v.* MYERS, CORRECTIONAL SUPERINTENDENT. C. A. 3d Cir. Certiorari denied. Reported below: 301 F. 2d 782.

No. 168, Misc. FLETT *v.* W. A. ALEXANDER & Co. ET AL. C. A. 7th Cir. Certiorari denied. *Benjamin Wham* for petitioner. *William A. McSwain, Leo F. Tierney, Bryson P. Burnham, John B. Robinson, Jr. and W. Donald McSweeney* for respondents. Reported below: 302 F. 2d 321.

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No. 167, Misc. *ELY v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 169, Misc. *RUBERTO v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Reported below: 10 N. Y. 2d 428, 179 N. E. 2d 848.

No. 170, Misc. *MORRIS v. TAYLOR*. Court of Civil Appeals of Texas, Third Supreme Judicial District. Certiorari denied. Reported below: 353 S. W. 2d 956.

No. 171, Misc. *HANSEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Morris Lavine* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States. Reported below: 301 F. 2d 180.

No. 173, Misc. *FOREMAN v. TEXAS ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 177, Misc. *LORENTZEN v. WASHINGTON ET AL.* Supreme Court of Washington. Certiorari denied.

No. 178, Misc. *TAYLOR v. BOLES, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 179, Misc. *JARRELL v. WEST VIRGINIA*. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 181, Misc. *HOLLEY 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 *Richard W. Schmude* for the United States.

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No. 174, Misc. *SKANTZE v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *T. Emmett McKenzie* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Julia P. Cooper* for the United States.

No. 182, Misc. *SNEED v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. Reported below: — *Tex. Cr. R.* —, 356 S. W. 2d 785.

No. 183, Misc. *GWYNN v. NEW YORK*. Court of Appeals of New York. Certiorari denied. *Frances Kahn* for petitioner. *Frank S. Hogan* and *H. Richard Uviller* for respondent.

No. 184, Misc. *COLLINS v. LOUISIANA*. Supreme Court of Louisiana. Certiorari denied. Reported below: 242 La. 704, 138 So. 2d 546.

No. 194, Misc. *GRIECO v. LANGLOIS, WARDEN*. Supreme Court of Rhode Island. Certiorari denied. Reported below: — *R. I.* —, 181 A. 2d 230.

No. 197, Misc. *Goss v. ALASKA*. Supreme Court of Alaska. Certiorari denied. Reported below: — *Alaska* —, 360 P. 2d 884.

No. 205, Misc. *TURNER v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 112 U. S. App. D. C. 202, 301 F. 2d 526.

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No. 187, Misc. JOSEPH *v.* LANE, WARDEN. C. A. 7th Cir. Certiorari denied. Reported below: 302 F. 2d 38.

No. 188, Misc. WOODS *v.* LOWERY. C. A. 5th Cir. Certiorari denied. *Lomax B. Lamb, Jr.* and *William H. Maynard* for petitioner. *John R. Stivers* for respondent. Reported below: 297 F. 2d 827.

No. 189, Misc. MCGEE *v.* ARIZONA. Supreme Court of Arizona. Certiorari denied. Petitioner *pro se.* *Robert W. Pickrell*, Attorney General of Arizona, and *Kenneth G. Flickinger, Jr.*, Assistant Attorney General, for respondent. Reported below: 91 Ariz. 101, 370 P. 2d 261.

No. 191, Misc. HARRELSON *v.* NORTH CAROLINA. Supreme Court of North Carolina. Certiorari denied.

No. 196, Misc. RUDOLPH *v.* WARDEN, MARYLAND PENITENTIARY. Circuit Court of Baltimore County, Maryland. Certiorari denied.

No. 198, Misc. WILLIAMS *v.* EMPLOYERS LIABILITY ASSURANCE Co. C. A. 5th Cir. Certiorari denied. *John W. Bryan, Jr.* for petitioner. Reported below: 296 F. 2d 569.

No. 199, Misc. GILBERT *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Reported below: 24 Ill. 2d 201, 181 N. E. 2d 167.

No. 203, Misc. O'CONNOR *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 *Richard W. Schmude* for the United States.

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No. 202, Misc. CUFF *v.* PENNSYLVANIA. Supreme Court of Pennsylvania. Certiorari denied.

No. 204, Misc. CURTIN *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Reported below: 24 Ill. 2d 191, 181 N. E. 2d 75.

No. 207, Misc. RUCKLE *v.* WARDEN, BALTIMORE CITY JAIL. C. A. 4th Cir. Certiorari denied.

No. 208, Misc. GARNETT *v.* CUNNINGHAM, PENITENTIARY SUPERINTENDENT. C. A. 4th Cir. Certiorari denied.

No. 209, Misc. HIRSCH *v.* ARCHER-DANIELS-MIDLAND Co. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *A. Donald MacKinnon* for respondent. Reported below: 299 F. 2d 792.

No. 210, Misc. NERWINSKI *v.* YEAGER, PRISON KEEPER. C. A. 3d Cir. Certiorari denied.

No. 214, Misc. COHEN *v.* LOUISIANA STATE BAR ASSOCIATION. Supreme Court of Louisiana. Certiorari denied. *G. Wray Gill* for petitioner. *John Pat. Little* for respondent. Reported below: 242 La. 838, 138 So. 2d 594.

No. 215, Misc. YBARRA *v.* ARIZONA. Supreme Court of Arizona. Certiorari denied.

No. 218, Misc. HOLLAND *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 221, Misc. WHITSEL *v.* BETO, CORRECTIONS MANAGER. Court of Criminal Appeals of Texas. Certiorari denied.

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No. 223, Misc. *BROWN v. LAVALLEE, WARDEN.* C. A. 2d Cir. Certiorari denied.

No. 226, Misc. *HILL 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. 227, Misc. *MILES ET AL. v. WALKER, WARDEN.* Supreme Court of Louisiana. Certiorari denied.

No. 228, Misc. *BEAN v. COCHRAN, CORRECTIONS DIRECTOR.* Supreme Court of Florida. Certiorari denied. Reported below: 139 So. 2d 393.

No. 235, Misc. *WADE v. THOMAS, WARDEN.* Court of Appeals of Kentucky. Certiorari denied. Reported below: 357 S. W. 2d 678.

No. 236, Misc. *AARON v. ALABAMA.* Supreme Court of Alabama. Certiorari denied. *Fred D. Gray* for petitioner. *MacDonald Gallion, Attorney General of Alabama, George D. Mentz, Assistant Attorney General, and William F. Thetford* for respondent. Reported below: 273 Ala. 337, 139 So. 2d 309.

No. 245, Misc. *ROBERTS v. TEXAS.* Court of Criminal Appeals of Texas. Certiorari denied. Reported below: — Tex. Cr. R. —.

No. 248, Misc. *BOYD 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. 224, Misc. *MINIERI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Abraham Schwartz* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States. Reported below: 303 F. 2d 550.

No. 230, Misc. *BOHN v. ALASKA*. Supreme Court of Alaska. Certiorari denied.

No. 231, Misc. *HESTER 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: 303 F. 2d 47.

No. 233, Misc. *BROWN v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 238, Misc. *READ v. COLORADO*. Supreme Court of Colorado. Certiorari denied. Petitioner *pro se*. *Duke W. Dunbar*, Attorney General of Colorado, *Frank E. Hickey*, Deputy Attorney General, and *J. F. Brauer*, Assistant Attorney General, for respondent.

No. 240, Misc. *SIRES v. RHAY, PENITENTIARY SUPERINTENDENT*. Supreme Court of Washington. Certiorari denied.

No. 241, Misc. *SCOTT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 304 F. 2d 706.

No. 242, Misc. *RINALDI v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied.

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No. 243, Misc. FALLON *v.* FAY, WARDEN. Supreme Court of New York, Dutchess County. Certiorari denied.

No. 257, Misc. DEBOOR *v.* INDIANA. Supreme Court of Indiana. Certiorari denied. Reported below: 243 Ind. 87, 182 N. E. 2d 250.

No. 266, Misc. CARMACK *v.* ALABAMA. Supreme Court of Alabama. Certiorari denied. Petitioner *pro se*. *MacDonald Gallion*, Attorney General of Alabama, and *David W. Clark*, Assistant Attorney General, for respondent. Reported below: 273 Ala. 705, 141 So. 2d 209.

No. 275, Misc. BAILLEAUX *v.* GLADDEN, WARDEN. Supreme Court of Oregon. Certiorari denied. Reported below: 230 Ore. 606, 370 P. 2d 722.

No. 284, Misc. CLARK *v.* PEPERSACK, WARDEN. C. A. 4th Cir. Certiorari denied.

No. 285, Misc. DEHLER *v.* MINNESOTA. Supreme Court of Minnesota. Certiorari denied. *T. Eugene Thompson* for petitioner. Reported below: 262 Minn. 171, 115 N. W. 2d 358.

No. 290, Misc. TAYLOR *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. *John Cutler* for petitioner. Reported below: — Tex. Cr. R. —, 358 S. W. 2d 124.

No. 291, Misc. CHEESEBORO *v.* PEPERSACK, WARDEN. C. A. 4th Cir. Certiorari denied.

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No. 255, Misc. MORRIS *v.* CUNNINGHAM, PENITENTIARY SUPERINTENDENT. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 258, Misc. AARONS *v.* WASHINGTON SHERATON CORP. ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 259, Misc. BLACK *v.* MOORE, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 260, Misc. WARD *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied.

No. 261, Misc. TYLER *v.* BURKE, WARDEN. Supreme Court of Wisconsin. Certiorari denied.

No. 263, Misc. TEAMOH *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied.

No. 265, Misc. DOYON *v.* MAINE. Supreme Judicial Court of Maine. Certiorari denied. Petitioner *pro se*. *Frank E. Hancock*, Attorney General of Maine, and *Richard A. Foley*, Assistant Attorney General, for respondent. Reported below: 158 Me. 190, 181 A. 2d 586.

No. 267, Misc. MEYES *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 270, Misc. CASE *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 278, Misc. NORMAN *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Reported below: 24 Ill. 2d 403, 182 N. E. 2d 188.

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No. 271, Misc. *BURKS v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 273, Misc. *PETERSON v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 280, Misc. *HANDY v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied.

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

No. 288, Misc. *McNERLIN v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Reported below: 11 N. Y. 2d 738, 181 N. E. 2d 456; 11 N. Y. 2d 796, 181 N. E. 2d 776.

No. 289, Misc. *BLAKEY ET AL. v. DOYLE ET AL.* C. A. 8th Cir. Certiorari denied. *Walter S. Pawl* for petitioners. Reported below: 301 F. 2d 307.

No. 292, Misc. *RUSHING v. WAINWRIGHT, CORRECTIONS DIRECTOR*. Supreme Court of Florida. Certiorari denied.

No. 294, Misc. *MULLER v. NEW YORK*. Court of Appeals of New York. Certiorari denied. *Leon Polsky* for petitioner. Reported below: 11 N. Y. 2d 154, 182 N. E. 2d 99.

No. 295, Misc. *TORRES v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 298, Misc. *WALKER v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied. Reported below: 37 N. J. 208, 181 A. 2d 1.

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No. 299, Misc. *JANEK v. FEDERAL PACIFIC ELECTRIC Co.* Supreme Court of New Jersey. Certiorari denied. Petitioner *pro se*. *Isidor Kalisch* for respondent.

No. 302, Misc. *BEAMON v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied. Reported below: 24 Ill. 2d 562, 182 N. E. 2d 656.

No. 310, Misc. *ARTHUR v. DIRECTOR, PATUXENT INSTITUTION, ET AL.* Court of Appeals of Maryland. Certiorari denied.

No. 311, Misc. *BOGISH v. NEW JERSEY.* Supreme Court of New Jersey. Certiorari denied.

No. 313, Misc. *SIMS v. WILLINGHAM, WARDEN.* C. A. 3d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Marshall* and *Harold H. Greene* for respondent. Reported below: 300 F. 2d 162.

No. 314, Misc. *STREIT v. BENNETT, WARDEN.* Supreme Court of Iowa. Certiorari denied.

No. 315, Misc. *EASTMAN v. NEW YORK.* Court of Appeals of New York. Certiorari denied.

No. 319, Misc. *MILLER v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox* for the United States. Reported below: 302 F. 2d 659.

No. 361, Misc. *MELTON v. PENNSYLVANIA.* Supreme Court of Pennsylvania. Certiorari denied. Petitioner *pro se*. *Louis F. McCabe* for respondent. Reported below: 406 Pa. 343, 178 A. 2d 728.

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No. 300, Misc. D'AGOSTINO *v.* MASSACHUSETTS. Supreme Judicial Court of Massachusetts. Certiorari denied. Reported below: 344 Mass. 276, 182 N. E. 2d 133.

No. 346, Misc. JORDAN *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. Petitioner *pro se.* *Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, and *Winifred C. Stanley*, Assistant Attorney General, for respondent. Reported below: 11 N. Y. 2d 1025, 183 N. E. 2d 908.

No. 400, Misc. JONES *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 410, Misc. WILSON *v.* MURPHY, WARDEN, ET AL. Court of Appeals of New York. Certiorari denied.

No. 153, Misc. CISNEROS *v.* CALIFORNIA; and

No. 363, Misc. DITSON *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Petitioner *pro se* in No. 153, Misc. *Hugh R. Manes* for petitioner in No. 363, Misc. *Stanley Mosk*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Gordon Ringer*, Deputy Attorney General, for respondent in both cases. Reported below: 57 Cal. 2d 415, 369 P. 2d 714.

No. 176, Misc. JONES *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Petitioner *pro se.* *Solicitor General Cox*, *Assistant Attorney General Miller* and *Philip R. Monahan* for the United States. Reported below: 113 U. S. App. D. C. 14, 304 F. 2d 381.

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No. 414, Misc. SOLOMON *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied. Reported below: 24 Ill. 2d 586, 182 N. E. 2d 736.

No. 30, Misc. SCHABER *v.* OHIO. Supreme Court of Ohio. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Petitioner *pro se.* Harry Friberg for respondent. Reported below: 172 Ohio St. 553, 179 N. E. 2d 50.

No. 339, Misc. JARDINE *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Leon B. Polsky for petitioner. Frank S. Hogan and H. Richard Uviller for respondent. Reported below: 11 N. Y. 2d 941, 183 N. E. 2d 228.

No. 158, Misc. PERRY *v.* OHIO. Petition for writ of certiorari to the Supreme Court of Ohio and for other relief denied. Petitioner *pro se.* John T. Corrigan for respondent.

No. 293, Misc. BIGGS *v.* ACME FURNACE FITTING CO. ET AL. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit and for other relief denied. Reported below: 302 F. 2d 318.

No. 306, Misc. CANTRELL *v.* CALIFORNIA. Petition for writ of certiorari to the Supreme Court of California and for other relief denied.

Rehearing Denied.

No. 480, October Term, 1961. MORALES ET AL. *v.* CITY OF GALVESTON ET AL., 370 U. S. 165. Motion for leave to file petition for rehearing denied.

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No. 124, October Term, 1961. CREEK NATION *v.* UNITED STATES, 370 U. S. 157;

No. 842, October Term, 1961. KELLY *v.* UNITED STATES, 369 U. S. 886;

No. 885, October Term, 1961. WILLIAMS *v.* HOT SHOPPES, INC., 370 U. S. 925;

No. 907, October Term, 1961. N. V. HANDELSBUREAU LA MOLA *v.* KENNEDY, ATTORNEY GENERAL, 370 U. S. 940;

No. 910, October Term, 1961. WILBURN BOAT CO. ET AL. *v.* FIREMAN'S FUND INSURANCE CO., 370 U. S. 925;

No. 956, October Term, 1961. GRIECO *v.* UNITED STATES, 370 U. S. 925;

No. 974, October Term, 1961. ART NATIONAL MANUFACTURERS DISTRIBUTING CO. ET AL. *v.* FEDERAL TRADE COMMISSION, 370 U. S. 939;

No. 977, October Term, 1961. FUNKHOUSER *v.* UNITED STATES, 370 U. S. 939; and

No. 1028, October Term, 1961. ATKINSON ET AL. *v.* CITY OF DALLAS, 370 U. S. 939. Petitions for rehearing denied.

No. 190, October Term, 1961. UNITED STATES *v.* DAVIS ET AL., 370 U. S. 65;

No. 268, October Term, 1961. DAVIS ET AL. *v.* UNITED STATES, 370 U. S. 65; and

No. 396, October Term, 1961. RUDOLPH ET UX. *v.* UNITED STATES, 370 U. S. 269. Petitions for rehearing denied. MR. JUSTICE WHITE took no part in the consideration or decision of these applications.

No. 242, October Term, 1961. GLIDDEN COMPANY *v.* ZDANOK ET AL., 370 U. S. 530. Motion of American Spice Trade Association et al. for leave to file brief, as *amici curiae*, granted. Motion for leave to file petition for rehearing denied. MR. JUSTICE WHITE took no part in the consideration or decision of these motions.

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No. 866, October Term, 1961. *IN RE CLAWANS*, 370 U. S. 905. Petition for rehearing denied. MR. JUSTICE BRENNAN took no part in the consideration or decision of this application.

No. 39, Misc., October Term, 1961. *BAILEY v. SACKS, WARDEN, ET AL.*, 370 U. S. 925;

No. 900, Misc., October Term, 1961. *LOUISIANA EX REL. WASHINGTON v. WALKER, WARDEN*, 370 U. S. 726;

No. 964, Misc., October Term, 1961. *THOMPSON v. WASHINGTON*, 370 U. S. 945;

No. 1133, Misc., October Term, 1961. *OWINGS v. JAMIESON, SHERIFF, ET AL.*, 370 U. S. 928;

No. 1153, Misc., October Term, 1961. *OLEN v. OLEN*, 370 U. S. 721;

No. 1155, Misc., October Term, 1961. *BOLDT v. UNITED STATES*, 370 U. S. 948;

No. 1207, Misc., October Term, 1961. *BISNO v. UNITED STATES*, 370 U. S. 952;

No. 1209, Misc., October Term, 1961. *YOUNG v. UNITED STATES*, 370 U. S. 953;

No. 1212, Misc., October Term, 1961. *CRUZ v. TEXAS*, 370 U. S. 953;

No. 1216, Misc., October Term, 1961. *O'LEARY v. MACY, CHAIRMAN, U. S. CIVIL SERVICE COMMISSION, ET AL.*, 370 U. S. 953;

No. 1259, Misc., October Term, 1961. *SCOTT v. UNITED STATES*, 370 U. S. 956;

No. 1295, Misc., October Term, 1961. *GERALD v. UNITED STATES*, 370 U. S. 958;

No. 1336, Misc., October Term, 1961. *CEPERO v. PUERTO RICO ET AL.*, 370 U. S. 289; and

No. 1343, Misc., October Term, 1961. *HARTFORD v. WICK, HOSPITAL DIRECTOR*, 370 U. S. 932. Petitions for rehearing denied.

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No. 400, October Term, 1961. *CENTRAL RAILROAD COMPANY OF PENNSYLVANIA v. PENNSYLVANIA*, 370 U. S. 607. Motion to recall the mandate, presented to MR. JUSTICE HARLAN and by him referred to the Court, denied. Petition for rehearing denied. MR. JUSTICE WHITE took no part in the consideration or decision of this motion and application.

No. 919, October Term, 1961. *GONDECK v. PAN AMERICAN WORLD AIRWAYS, INC., ET AL.*, 370 U. S. 918. Motion for leave to file a supplement to the petition for rehearing granted. Petition for rehearing denied.

No. 1178, Misc., October Term, 1961. *GARCIA v. TURNER*, 370 U. S. 950. Motion for leave to file petition for rehearing denied.

Dismissal Under Rule 60.

No. 370. *ACCARDO v. HOFFMAN*, U. S. DISTRICT JUDGE. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Petition dismissed pursuant to Rule 60 of the Rules of this Court. *Stanford Clinton* and *Maurice J. Walsh* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Robert S. Erdahl* and *Theodore George Gilinsky* for respondent.

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Dismissal Under Rule 60.

No. 102. *KOPPERS COMPANY, INC., ET AL. v. UNITED STATES*. Appeal from the United States District Court for the Western District of Pennsylvania. Dismissed pursuant to Rule 60 of the Rules of this Court. *John M. Crimmins*, *Templeton Smith* and *Robert L. Kirkpatrick* for appellants. *Solicitor General Cox*, *Assistant Attorney*

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General Loevinger, Robert B. Hummel and William H. McManus for the United States. Reported below: 202 F. Supp. 437.

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Miscellaneous Orders.

No. 11. AVENT ET AL. *v.* NORTH CAROLINA. Certiorari, 370 U. S. 934, to the Supreme Court of North Carolina. The motion to remove this case from the summary calendar is denied. *Jack Greenberg* on the motion for petitioners.

No. 155. GIDEON *v.* COCHRAN, CORRECTIONS DIRECTOR. Certiorari, 370 U. S. 908, to the Supreme Court of Florida. The motion of the respondent to strike portions of designation of record is denied. *Richard W. Ervin*, Attorney General of Florida, and *Bruce R. Jacob*, Assistant Attorney General, on the motion. *Abe Fortas*, by appointment of the Court, 370 U. S. 932, and *Abe Krash* for petitioner, in opposition.

No. 598, Misc. IN RE DISBARMENT OF GATELY. IT IS ORDERED that John H. Gately, of Colorado Springs, Colorado, 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. 464, Misc. POWELL *v.* LANGLOIS, WARDEN. Motion for leave to file petition for writ of habeas corpus denied. *William G. Grande* for petitioner.

No. 506, Misc. CARMELO *v.* MAXWELL, WARDEN. 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. 488, Misc. PEREZ *v.* HERITAGE, WARDEN;
 No. 509, Misc. FORESTIER *v.* HERITAGE, WARDEN;
 No. 510, Misc. VALPAIS *v.* HERITAGE, WARDEN;
 No. 511, Misc. PACHECO *v.* HERITAGE, WARDEN;
 No. 512, Misc. PEREZ *v.* HERITAGE, WARDEN;
 No. 513, Misc. GONZALEZ *v.* HERITAGE, WARDEN;
 No. 514, Misc. MUZA *v.* CALIFORNIA ET AL.;
 No. 525, Misc. DEMARIOS *v.* COCHRAN, CORRECTIONS

DIRECTOR;

- No. 530, Misc. SANTOS *v.* HERITAGE, WARDEN;
 No. 537, Misc. ARRIETA *v.* HERITAGE, WARDEN;
 No. 538, Misc. GALARZA *v.* HERITAGE, WARDEN;
 No. 539, Misc. CARRION *v.* HERITAGE, WARDEN; and
 No. 540, Misc. MARTINEZ *v.* DICKSON, WARDEN. Mo-
 tions for leave to file petitions for writs of habeas corpus
 denied.

No. 335, Misc. WILSON *v.* CHAMBERS, CHIEF JUDGE,
 ET AL. Motion for leave to file petition for writ of
 mandamus denied.

Certiorari Granted. (See also No. 13, Misc., ante, p. 27;
 No. 24, Misc., ante, p. 27; and No. 49, Misc., ante,
 p. 25.)

No. 251. SCHNEIDER *v.* RUSK, SECRETARY OF STATE.
 United States Court of Appeals for the District of Colum-
 bia Circuit. *Certiorari granted.* Milton V. Freeman,
 Robert E. Herzstein, Horst Kurnik and Charles A. Reich
 for petitioner. Solicitor General Cox, Assistant Attorney
 General Miller, Beatrice Rosenberg and J. F. Bishop for
 respondent.

No. 134. NAMET *v.* UNITED STATES. C. A. 1st Cir.
Certiorari granted. John H. FitzGerald for petitioner.
 Solicitor General Cox for the United States. Reported
 below: 301 F. 2d 314.

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No. 236. *LOPEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari granted. *Edward J. Davis* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 305 F. 2d 825.

No. 248. *ROSENBERG, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE, v. FLEUTI*. C. A. 9th Cir. Certiorari granted. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Philip R. Monahan* and *Maurice A. Roberts* for petitioner. *Hiram W. Kwan* for respondent. Reported below: 302 F. 2d 652.

No. 297. *DIXILYN DRILLING CORP. v. CRESCENT TOWING & SALVAGE CO.* C. A. 5th Cir. Certiorari granted. *E. D. Vickery* for petitioner. *Charles Kohlmeyer, Jr.* for respondent. Reported below: 303 F. 2d 237.

No. 430. *ARROW TRANSPORTATION CO. ET AL. v. SOUTHERN RAILWAY CO. ET AL.* The motion for leave to supplement the petition for certiorari and record is granted. The petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit is also granted. The Solicitor General is invited to file a brief expressing the views of the United States. *Donald Macleay* and *John C. Lovett* for petitioners. *Dean Acheson* and *Francis M. Shea* for Southern Railway Co., respondent. Reported below: 308 F. 2d 181.

No. 75, Misc. *BUSH v. TEXAS*. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Court of Criminal Appeals of Texas granted. Case transferred to the appellate docket. *Charles Alan Wright* for petitioner. *Will Wilson*, Attorney General of Texas, and *Sam R. Wilson*, *Linward Shivers* and *Charles R. Lind*, Assistant Attorneys General, for respondent. Reported below: 172 Tex. Cr. R. 54, 353 S. W. 2d 855.

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Nos. 39 and 293. *GASTELUM-QUINONES v. KENNEDY, ATTORNEY GENERAL*. United States Court of Appeals for the District of Columbia Circuit. Certiorari granted. *David Rein* and *Joseph Forer* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Jerome M. Feit* for respondent.

No. 336, Misc. *BASHAM v. PENNSYLVANIA RAILROAD Co.* Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Court of Appeals of New York granted. Case transferred to the appellate docket. *Ira Gammerman* for petitioner. *David J. Mountan, Jr.* for respondent. Reported below: 11 N. Y. 2d 991, 183 N. E. 2d 704.

No. 413, Misc. *NORVELL v. ILLINOIS*. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Illinois granted. Case transferred to the appellate docket. *Thomas P. Sullivan* for petitioner. Reported below: 25 Ill. 2d 169, 182 N. E. 2d 719.

Certiorari Denied. (See also No. 291, ante, p. 22; No. 408, Misc., ante, p. 25; No. 446, Misc., ante, p. 24; and No. 506, Misc., supra.)

No. 206. *BOWATER STEAMSHIP Co., LTD., v. PATTERSON ET AL.* C. A. 2d Cir. Certiorari denied. *Lee C. Hinslea* for petitioner. *Thomas P. McMahon* for respondents. Reported below: 303 F. 2d 369.

No. 253. *J. G. BOSWELL Co. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. *Melvin D. Wilson* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Loring W. Post* and *Charles B. E. Freeman* for respondent. Reported below: 302 F. 2d 682.

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No. 227. *WASSERMANN v. BOARD OF REGENTS OF THE UNIVERSITY OF THE STATE OF NEW YORK*. Appellate Division, Supreme Court of New York, Third Judicial Department. Certiorari denied. *Jacob Rassner* for petitioner. *Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, and *Robert W. Bush*, Assistant Attorney General, for respondent. Reported below: 13 App. Div. 2d 591, 212 N. Y. S. 2d 884.

No. 239. *FARMERS UNION CORP. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. *Ralph A. Yeo* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *Meyer Rothwacks* for respondent. Reported below: 300 F. 2d 197.

Nos. 249 and 250. *SUN OIL CO. v. FEDERAL POWER COMMISSION*. C. A. 5th Cir. Certiorari denied. *John A. Ward III*, *Robert E. May*, *Omar L. Crook* and *Martin A. Row* for petitioner. *Solicitor General Cox*, *Acting Assistant Attorney General Guilfoyle*, *John G. Laughlin, Jr.*, *Richard A. Solomon*, *Howard E. Wahrenbrock* and *Peter H. Schiff* for respondent. Reported below: 304 F. 2d 293; 304 F. 2d 290.

No. 255. *FEDERAL TRADE COMMISSION v. TIMKEN ROLLER BEARING CO.* C. A. 6th Cir. Certiorari denied. *Solicitor General Cox*, *Assistant Attorney General Loevinger*, *J. William Doolittle*, *Robert B. Hummel*, *Irwin A. Seibel*, *James McI. Henderson* and *Alvin L. Berman* for petitioner. *John G. Ketterer* for respondent. Reported below: 299 F. 2d 839.

No. 270. *BANK OF AMERICA NATIONAL TRUST & SAVINGS ASSOCIATION v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *George H. Koster* for petitioner. *Solicitor General Cox* for the United States. Reported below: 303 F. 2d 304.

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No. 256. IN RE ESTATE OF HURST. Supreme Court of Pennsylvania. Certiorari denied. *Robert M. Taylor* for petitioner Alker. *J. Pennington Straus* for residuary legatees, and *Ralph S. Snyder*, Deputy Attorney General of Pennsylvania, for the Commonwealth of Pennsylvania, in opposition. Reported below: 406 Pa. 612, 179 A. 2d 436.

No. 276. NORTHERN CALIFORNIA PHARMACEUTICAL ASSOCIATION ET AL. v. UNITED STATES. C. A. 9th Cir. Certiorari denied. *Arthur B. Hanson* and *Emmett E. Tucker, Jr.* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Loevinger* and *Lionel Kestenbaum* for the United States. Reported below: 306 F. 2d 379.

No. 292. INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN & HELPERS OF AMERICA v. OVERNITE TRANSPORTATION Co. Supreme Court of North Carolina. Certiorari denied. *David Previant*, *Herbert S. Thatcher*, *Edwin Pearce* and *Edward Bennett Williams* for petitioner. *Whiteford S. Blakeney* for respondent. Reported below: 257 N. C. 18, 125 S. E. 2d 277.

No. 296. REILING v. HAMMERSTEN. Supreme Court of Minnesota. Certiorari denied. *T. Eugene Thompson* for petitioner. Reported below: 262 Minn. 200, 115 N. W. 2d 259.

No. 298. LAND, EXECUTOR, ET AL. v. UNITED STATES. C. A. 5th Cir. Certiorari denied. *John E. Adams* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *Meyer Rothwacks* and *Arthur I. Gould* for the United States. Reported below: 303 F. 2d 170.

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No. 170. FINKELSTEIN ET AL. *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Emanuel Redfield* for petitioners. *Frank S. Hogan, H. Richard Uviller* and *Peter J. O'Connor* for respondent. Reported below: 11 N. Y. 2d 300, 183 N. E. 2d 661.

No. 175. ZUCKER *v.* NEW YORK. Appellate Division, Supreme Court of New York, First Judicial Department. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Emanuel Redfield* for petitioner. *Frank S. Hogan* and *H. Richard Uviller* for respondent. Reported below: 15 App. Div. 2d 883, 225 N. Y. S. 2d 154.

No. 285. JOE QUONG ET AL. *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. THE CHIEF JUSTICE, MR. JUSTICE BLACK, and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. *Melvin B. Lewis* for petitioners. *Solicitor General Cox, Assistant Attorney General Yeagley, Kevin T. Maroney* and *Doris H. Spangenburg* for the United States. Reported below: 303 F. 2d 499.

No. 54, Misc. ALVAREZ, ALIAS WALKER, *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.

No. 55, Misc. MALONE *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Sidney M. Glazer* for the United States. Reported below: 299 F. 2d 254.

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No. 110, Misc. JONES *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Julia P. Cooper* for the United States. Reported below: 299 F. 2d 661.

No. 155, Misc. DUNCAN *v.* HOLDER, U. S. DISTRICT JUDGE. C. A. 7th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox* for respondent.

No. 190, Misc. NATIONS *v.* BETO, CORRECTIONS DIRECTOR. Court of Criminal Appeals of Texas. Certiorari denied. Petitioner *pro se.* *Will Wilson, Attorney General of Texas, and Sam R. Wilson, Linward Shivers and Charles R. Lind,* Assistant Attorneys General, for respondent.

No. 200, Misc. SANCHEZ *v.* TAYLOR, WARDEN. C. A. 10th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Marshall, Harold H. Greene and Isabel L. Blair* for respondent.

No. 253, Misc. DAVIS *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: 302 F. 2d 427.

No. 254, Misc. ORRIE *v.* UNITED STATES. C. A. 8th 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: 302 F. 2d 695.

No. 272, Misc. ZUPKO *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied.

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No. 269, Misc. SHIFFLETT *v.* CUNNINGHAM, PENITENTIARY SUPERINTENDENT. Supreme Court of Appeals of Virginia. Certiorari denied. Petitioner *pro se.* *Reno S. Harp III*, Assistant Attorney General of Virginia, for respondent.

No. 276, Misc. FOSTER *v.* PITCHES, SHERIFF, ET AL. Supreme Court of California. Certiorari denied.

No. 282, Misc. MCABEE *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox* for the United States.

No. 304, Misc. FRANANO *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Richard W. Schmude* for the United States. Reported below: 303 F. 2d 470.

No. 307, Misc. TAYLOR *v.* EVANS, CHIEF OF POLICE. Supreme Court of California. Certiorari denied.

No. 308, Misc. HUTCHINS *v.* CUNNINGHAM, PENITENTIARY SUPERINTENDENT. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 309, Misc. SMITH *v.* ARIZONA. Supreme Court of Arizona. Certiorari denied. Reported below: 91 Ariz. 49, 369 P. 2d 901.

No. 317, Misc. BARNHILL *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 305 F. 2d 164.

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No. 321, Misc. *DIXON v. COCHRAN, CORRECTIONS DIRECTOR*. Supreme Court of Florida. Certiorari denied. Reported below: 142 So. 2d 5.

No. 324, Misc. *BUTLER v. RUNDLE, CORRECTIONAL SUPERINTENDENT*. Supreme Court of Pennsylvania. Certiorari denied. Reported below: 407 Pa. 535, 180 A. 2d 923.

No. 325, Misc. *BALES v. WESTERN BARIUM CORP. ET AL.* Supreme Court of California. Certiorari denied.

No. 331, Misc. *REICKAUER v. CUNNINGHAM, PENITENTIARY SUPERINTENDENT*. C. A. 4th Cir. Certiorari denied. Reported below: 299 F. 2d 170.

No. 333, Misc. *STANISLOWSKI v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 334, Misc. *BARMORE v. BANNAN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 338, Misc. *SPINNEY v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 340, Misc. *SCHULTZ v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 341, Misc. *HILL v. OKLAHOMA ET AL.* Court of Criminal Appeals of Oklahoma. Certiorari denied. Reported below: 373 P. 2d 83.

No. 344, Misc. *McGANN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Edward Q. Carr, Jr.* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States.

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No. 329, Misc. VILLARREAL *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. *John J. Pichinson* for petitioner. Reported below: — Tex. Cr. R. —, 355 S. W. 2d 516.

No. 342, Misc. DUNCAN *v.* MAINE. Supreme Judicial Court of Maine. Certiorari denied. Reported below: 158 Me. 265, 183 A. 2d 209.

No. 350, Misc. REECE *v.* RHAY, PENITENTIARY SUPERINTENDENT, ET AL. Supreme Court of Washington. Certiorari denied.

No. 362, Misc. McINTYRE *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. *John Saleh* for petitioner. Reported below: — Tex. Cr. R. —, 360 S. W. 2d 875.

No. 364, Misc. JENKOT *v.* PATE, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 381, Misc. JERONIS *v.* BANNAN, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 384, Misc. MIDGETT *v.* WARDEN, MARYLAND PENITENTIARY. Court of Appeals of Maryland. Certiorari denied. Reported below: 229 Md. 617, 182 A. 2d 52.

No. 411, Misc. POLLARD *v.* BANNAN, WARDEN, ET AL. C. A. 6th Cir. Certiorari denied.

No. 369, Misc. BALLARD *v.* COCHRAN, CORRECTIONS DIRECTOR. Supreme Court of Florida. Certiorari denied.

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No. 345, Misc. *MARRO ET AL. v. NEW YORK*. Appellate Division, Supreme Court of New York, Third Judicial Department. Certiorari denied.

No. 349, Misc. *RAY v. MISSOURI*. Supreme Court of Missouri. Certiorari denied. Reported below: 354 S. W. 2d 840.

No. 353, Misc. *NASH v. CONNECTICUT*. Supreme Court of Errors of Connecticut. Certiorari denied. Reported below: 149 Conn. 655, 183 A. 2d 275.

No. 357, Misc. *RINE v. BOLES, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 305 F. 2d 375.

No. 372, Misc. *HAMPTON v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. Reported below: 24 Ill. 2d 558, 182 N. E. 2d 698.

No. 378, Misc. *DUFRENE v. INDEMNITY INSURANCE CO. OF NORTH AMERICA*. C. A. 5th Cir. Certiorari denied. Reported below: 303 F. 2d 788.

No. 379, Misc. *JEFFERSON v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. Reported below: 228 Md. 331, 179 A. 2d 876.

No. 380, Misc. *GOODMAN v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 385, Misc. *HICKS v. FLEMMING, SECRETARY OF HEALTH, EDUCATION AND WELFARE*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Acting Assistant Attorney General Guilfoyle and Morton Hollander* for respondent. Reported below: 302 F. 2d 470.

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No. 382, Misc. *HORNBECK v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 386, Misc. *SHORT v. NEW JERSEY*. Supreme Court of New Jersey. Certiorari denied.

No. 387, Misc. *SMITH v. INDUSTRIAL ACCIDENT COMMISSION OF CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Everett A. Corten* for the Industrial Accident Commission of California, respondent.

No. 388, Misc. *FOSTER v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 393, Misc. *WALKER v. NEW YORK*. Appellate Division, Supreme Court of New York, Second Judicial Department. Certiorari denied. Reported below: 16 App. Div. 2d 706, 227 N. Y. S. 2d 749.

No. 395, Misc. *KING v. MAXWELL, WARDEN, ET AL.* Supreme Court of Ohio. Certiorari denied. Reported below: 173 Ohio St. 536, 184 N. E. 2d 380.

No. 398, Misc. *MILES v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 401, Misc. *SMITH v. KERN TRUCK SALES, INC., ET AL.* Supreme Court of Ohio. Certiorari denied. Petitioner *pro se*. *Mark McElroy*, Attorney General of Ohio, *Theodore R. Saker* and *Albert A. Yannon*, Assistant Attorneys General, for the Administrator of the Bureau of Workmen's Compensation, respondent.

No. 404, Misc. *NELSON v. CALIFORNIA ET AL.* Supreme Court of California. Certiorari denied.

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No. 405, Misc. *WEAVER v. SACKS, WARDEN*. Supreme Court of Ohio. Certiorari denied. Reported below: 173 Ohio St. 415, 183 N. E. 2d 373.

No. 406, Misc. *BRYAN v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States.

No. 409, Misc. *KING v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 417, Misc. *SMITH v. HAND, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 305 F. 2d 373.

No. 418, Misc. *WARD v. NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied.

No. 419, Misc. *LLOYD v. FAY, WARDEN*. Court of Appeals of New York. Certiorari denied.

No. 420, Misc. *PAYNE v. THE NABOB ET AL.* C. A. 3d Cir. Certiorari denied. *Philip Dorfman* for petitioner. *Thomas F. Mount* for The Nabob and North German Lloyd, respondents. Reported below: 302 F. 2d 803.

No. 428, Misc. *WYNN v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Petitioner *pro se*. *Benj. J. Jacobson* for respondent.

No. 434, Misc. *KIEFABER v. PENNSYLVANIA*. Superior Court of Pennsylvania. Certiorari denied. Reported below: 197 Pa. Super. 298, 179 A. 2d 262.

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No. 436, Misc. MARSHALL *v.* MARONEY, CORRECTIONAL SUPERINTENDENT. Supreme Court of Pennsylvania. Certiorari denied.

Nos. 439, Misc., 440, Misc., and 441, Misc. SCOTT *v.* SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY. Supreme Court of California. Certiorari denied.

No. 442, Misc. KING *v.* CORRECTIONS COMMISSION ET AL. Supreme Court of Michigan. Certiorari denied.

No. 443, Misc. CONKLIN *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 448, Misc. DARLING *v.* WILKINS, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 453, Misc. MOORE, ALIAS PHILLIPS, *v.* WIMAN, WARDEN, ET AL. Supreme Court of Alabama. Certiorari denied. Petitioner *pro se.* *MacDonald Gallion*, Attorney General of Alabama, and *John C. Tyson III*, Assistant Attorney General, for respondents.

No. 454, Misc. SCHNEIDER *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. Petitioner *pro se.* *Manuel W. Levine* for respondent.

No. 455, Misc. TAYLOR *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 457, Misc. WESLEY *v.* ILLINOIS. Supreme Court of Illinois. Certiorari denied.

No. 461, Misc. CLOUTHIER *v.* MARONEY, CORRECTIONAL SUPERINTENDENT. Supreme Court of Pennsylvania. Certiorari denied.

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No. 462, Misc. HUTCHERSON *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 465, Misc. CALLAHAN *v.* CUNNINGHAM, PENITENTIARY SUPERINTENDENT. Supreme Court of Appeals of Virginia. Certiorari denied. *William Alfred Hall, Jr.* for petitioner.

No. 466, Misc. MYLES *v.* CALIFORNIA. Supreme Court of California. Certiorari denied.

No. 483, Misc. HAGEWOOD *v.* BANNAN, WARDEN, ET AL. Supreme Court of Michigan. Certiorari denied.

No. 491, Misc. WALLACE *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 492, Misc. BELL *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. Petitioner *pro se.* *Harold Roland Shapiro* for respondent.

No. 34, Misc. WARD *v.* TURNER, WARDEN. Supreme Court of Utah. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Fred H. Evans* for petitioner. *A. Pratt Kesler*, Attorney General of Utah, and *Ronald N. Boyce*, Assistant Attorney General, for respondent. Reported below: 12 Utah 2d 310, 366 P. 2d 72.

No. 87, Misc. FEGUER *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. MR. JUSTICE BLACK took no part in the consideration or decision of this petition. Petitioner *pro se.* *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Jerome M. Feit* for the United States. Reported below: 302 F. 2d 214.

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No. 407, Misc. *PENRICE v. CALIFORNIA*. Petition for writ of certiorari to the Supreme Court of California and for other relief denied.

No. 432, Misc. *BRINSON v. CALIFORNIA*. Petition for writ of certiorari to the Supreme Court of California and for other relief denied.

Rehearing Denied.

No. 422, October Term, 1961. *LINK v. WABASH RAILROAD Co.*, 370 U.S. 626. Petitions for rehearing and reargument denied. MR. JUSTICE WHITE and MR. JUSTICE GOLDBERG took no part in the consideration or decision of this application.

No. 1020, Misc., October Term, 1961. *PUGH v. VIRGINIA*, 370 U.S. 927. Petition for rehearing denied. MR. JUSTICE GOLDBERG took no part in the consideration or decision of this application.

OCTOBER 18, 1962.

Certiorari Denied.

No. 348, Misc. *BIZUP v. COLORADO*. Supreme Court of Colorado. Certiorari denied. Reported below: 150 Colo. —, 371 P. 2d 786.

OCTOBER 22, 1962.

Miscellaneous Orders.

No. 13, Original. *TEXAS v. NEW JERSEY ET AL.* The motion for leave to file bill of complaint is granted and the State of New Jersey is allowed sixty days to answer. *Will Wilson*, Attorney General of Texas, and *Henry G.*

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Braswell, Assistant Attorney General, for plaintiff. *Arthur J. Sills*, Attorney General of New Jersey, *Theodore I. Botter*, Assistant Attorney General, and *Charles J. Kehoe*, Deputy Attorney General, for the State of New Jersey; *David Stahl*, Attorney General of Pennsylvania, and *Jack M. Cohen*, Deputy Attorney General, for the Commonwealth of Pennsylvania; and *Henry A. Frye* for Sun Oil Co., defendants. [For earlier orders herein, see 369 U. S. 869 and 370 U. S. 929.]

No. 53, Misc. IN RE DISBARMENT OF CHOPAK.

It having been reported to the Court that Jules Chopak, of Brooklyn, State of New York, has been disbarred from the practice of law in all the courts of the State of New York by judgment of the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, duly entered on the 30th day of June, A. D., 1960, and this Court by order of April 6, 1962, having suspended the said Jules Chopak from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued and served upon the respondent, who has filed a return thereto; now, upon consideration of the rule to show cause and the return aforesaid;

IT IS ORDERED that the said Jules Chopak be, and he is hereby disbarred, and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

No. 150, Misc. BURKE *v.* ANDERSON, JAIL SUPERINTENDENT, ET AL.; and

No. 527, Misc. MENARD *v.* NASH, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied.

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Certiorari Granted. (See also No. 324, ante, p. 37, and No. 18, Misc., ante, p. 28.)

No. 305. WHIPPLE ET UX. v. COMMISSIONER OF INTERNAL REVENUE. C. A. 5th Cir. Certiorari granted. A. C. Leshner, Jr. for petitioners. Solicitor General Cox for respondent. Reported below: 301 F. 2d 108.

No. 316. BROTHERHOOD OF RAILWAY & STEAMSHIP CLERKS ET AL. v. ALLEN ET AL. Supreme Court of North Carolina. Certiorari granted. Milton Kramer and Lester P. Schoene for petitioners. Whiteford S. Blakeney for respondents. Reported below: 256 N. C. 700, 124 S. E. 2d 871.

No. 322. SPERRY v. FLORIDA EX REL. FLORIDA BAR. Supreme Court of Florida. Certiorari granted. Oscar A. Mellin, LeRoy Hanscom and Jack E. Hursh for petitioner. John Houston Gunn, J. Lewis Hall and Donald J. Bradshaw for respondent. Briefs of amici curiae, in support of the petition, were filed by John R. Turney, D. W. Markham and Nuel D. Belnap for the Association of Interstate Commerce Commission Practitioners; Robert M. McManigal for the American Association of Registered Patent Attorneys and Agents et al.; and Edward C. Gritzbaugh for the Florida Patent Law Association. Reported below: 140 So. 2d 587.

Certiorari Denied. (See also No. 304, ante, p. 36.)

No. 315. NEW ENGLAND TANK INDUSTRIES, INC., v. NATIONAL LABOR RELATIONS BOARD. C. A. 1st Cir. Certiorari denied. Vernon C. Stoneman for petitioner. Solicitor General Cox, Stuart Rothman, Dominick L. Manoli and Norton J. Come for respondent. Reported below: 302 F. 2d 273.

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No. 302. *PORRATA Y VEVE v. FAJARDO SUGAR CO. ET AL.* Supreme Court of Puerto Rico. Certiorari denied. *Santos P. Amadeo* for petitioner. Reported below: — P. R. —.

No. 306. *WALSH 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: 305 F. 2d 821.

No. 310. *CARNAL v. ARKANSAS.* Supreme Court of Arkansas. Certiorari denied. *Charles J. Lincoln* for petitioner. Reported below: 234 Ark. 1050, 356 S. W. 2d 651.

No. 313. *RIPPLE SOLE CORP. v. AMERICAN BILTRITE RUBBER CO., INC.* C. A. 1st Cir. Certiorari denied. *Edwin J. Balluff, Warren C. Horton* and *Irving U. Townsend, Jr.* for petitioner. *Melvin R. Jenney* for respondent. Reported below: 302 F. 2d 2.

No. 320. *E. J. LAVINO & Co. v. UNITED STATES LINES Co.* C. A. 3d Cir. Certiorari denied. *Michael A. Foley* for petitioner. *Mark D. Alspach* and *Robert Cox* for respondent. Reported below: 303 F. 2d 295.

No. 221. *MILANOVICH v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Calvin H. Childress* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 303 F. 2d 626.

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No. 321. *KALTREIDER CONSTRUCTION, INC., v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Robert H. Griffith* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *I. Henry Kutz* for the United States. Reported below: 303 F. 2d 366.

No. 325. *JOHN v. TRIBUNE COMPANY*. Supreme Court of Illinois. Certiorari denied. *Sidney Z. Karasik* for petitioner. *Howard Ellis, Don H. Reuben* and *John E. Angle* for respondent. Reported below: 24 Ill. 2d 437, 181 N. E. 2d 105.

No. 326. *MENDELSON ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 7th Cir. Certiorari denied. *Sydney M. Eisenberg* for petitioners. *Solicitor General Cox* and *Assistant Attorney General Oberdorfer* for respondent. Reported below: 305 F. 2d 519.

No. 328. *FOX TURKEY FARMS, INC., v. FARMERS MUTUAL HAIL INSURANCE CO. OF IOWA*. C. A. 8th Cir. Certiorari denied. *Daniel M. Healy* and *Ross H. Oviatt* for petitioner. Reported below: 301 F. 2d 697.

No. 308. *DINAN ET AL. v. NEW YORK*. Court of Appeals of New York. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Richard J. Burke* for petitioners. *Warren J. Schneider* for respondent. Reported below: 11 N. Y. 2d 350, 183 N. E. 2d 689.

No. 82, Misc. *THOMPSON v. CLEMMER, CORRECTIONS DIRECTOR*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Marshall* and *Harold H. Greene* for respondent.

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No. 314. *HOFFA ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. MR. JUSTICE WHITE and MR. JUSTICE GOLDBERG took no part in the consideration or decision of this petition. *Jacob Kossman, Charles E. Davis and O. B. Cline, Jr.* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller, Robert S. Erdahl and Marie L. McCann* for the United States.

No. 317. *HARDWARE MUTUAL CASUALTY CO. v. MCINTYRE*;

No. 318. *UNITED STATES FIDELITY & GUARANTY CO. v. HART*; and

No. 319. *STANDARD ACCIDENT INSURANCE CO. v. AGUIRRE*. Motion for leave to file amended brief in opposition to petition for writ of certiorari in No. 317 granted. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied. *John H. Benckenstein* for petitioner, and *Joe H. Tonahill* for respondent in No. 317. *Reo Knowles* for petitioner, and *William Vandercreek and Marvin Jones* for respondent in No. 318. *Josh Groce* for petitioner, and *Rudy Rice and William Vandercreek* for respondent in No. 319. Reported below: 304 F. 2d 566, 572, 879.

No. 108, Misc. *ANDREWS 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. 121, Misc. *BURKE v. REID, JAIL SUPERINTENDENT*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Marshall and Harold H. Greene* for respondent.

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No. 193, Misc. SAWYER *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Aloysius B. McCabe* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Richard W. Schmude* for the United States. Reported below: 112 U. S. App. D. C. 381, 303 F. 2d 392.

No. 216, Misc. TUTTLE *v.* MAINE. Supreme Judicial Court of Maine. Certiorari denied. Petitioner *pro se. Frank E. Hancock*, Attorney General of Maine, and *Richard A. Foley*, Assistant Attorney General, for respondent. Reported below: 158 Me. 150, 180 A. 2d 608.

No. 232, Misc. BAGLEY *v.* RHAY, PENITENTIARY SUPERINTENDENT. Supreme Court of Washington. Certiorari denied. Petitioner *pro se. John J. O'Connell*, Attorney General of Washington, and *Stephen C. Way*, Assistant Attorney General, for respondent.

No. 416, Misc. DE MELLO *v.* LANGLOIS, WARDEN. Supreme Court of Rhode Island. Certiorari denied. Reported below: — R. I. —, 182 A. 2d 116.

No. 486, Misc. HUGHES *v.* FAY, WARDEN. Appellate Division, Supreme Court of New York, Fourth Judicial Department. Certiorari denied. Petitioner *pro se. Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, and *Winifred C. Stanley*, Assistant Attorney General, for respondent. Reported below: 16 App. Div. 2d 1027.

No. 429, Misc. BAUGUS ET AL. *v.* FLORIDA. Supreme Court of Florida. Certiorari denied. *Joseph P. Manners* for petitioners. Reported below: 141 So. 2d 264.

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No. 327, Misc. CHAVEZ ET AL. *v.* DICKSON, WARDEN. C. A. 9th Cir. Certiorari denied. *Richard Gladstein, Norman Leonard and Ruth Jacobs* for petitioners. Reported below: 300 F. 2d 683.

No. 352, Misc. BOYES *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States. Reported below: 305 F. 2d 160.

No. 356, Misc. RICHARDSON *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 Sidney M. Glazer* for the United States.

No. 365, Misc. GARCIA *v.* HERITAGE, WARDEN. Supreme Court of Puerto Rico. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Marshall, Harold H. Greene and Isabel L. Blair* for respondent.

No. 370, Misc. SURRATT *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States.

No. 375, Misc. ANDREWS *v.* HAND, WARDEN. Supreme Court of Kansas. Certiorari denied. *Rowland Watts* for petitioner. *William M. Ferguson, Attorney General of Kansas, and J. Richard Foth and Park McGee, Assistant Attorneys General,* for respondent. Reported below: 190 Kan. 109, 372 P. 2d 559.

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No. 371, Misc. *BOLDEN v. PEGELOW ET AL.* C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Marshall and Harold H. Greene* for respondents.

No. 421, Misc. *READ v. COLORADO.* Supreme Court of Colorado. Certiorari denied. Petitioner *pro se*. *Duke W. Dunbar, Attorney General of Colorado, Frank E. Hickey, Deputy Attorney General, and John E. Bush, Assistant Attorney General,* for respondent.

No. 431, Misc. *FOSTER v. NEW YORK.* Court of Appeals of New York. Certiorari denied. *Audrey Fox Anderson* for petitioner. Reported below: See 10 N. Y. 2d 99, 176 N. E. 2d 397.

No. 433, Misc. *NEWTON v. LOUISIANA.* Supreme Court of Louisiana. Certiorari denied. *C. F. Gravel, Jr.* for petitioner.

No. 447, Misc. *FOSTER v. CALIFORNIA.* District Court of Appeal of California. Certiorari denied. Petitioner *pro se*. *Roger Arnebergh, Philip E. Grey and Charles W. Sullivan* for respondent.

No. 469, Misc. *JOHNSON v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied.

No. 470, Misc. *BYBEE v. ILLINOIS.* Supreme Court of Illinois. Certiorari denied.

No. 473, Misc. *WILLIAMS v. ECKLE, CORRECTIONAL SUPERINTENDENT.* Supreme Court of Ohio. Certiorari denied. Reported below: 173 Ohio St. 410, 183 N. E. 2d 365.

October 22, 24, 30, 1962.

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No. 20, Misc. DAVIES *v.* SETTLE, WARDEN. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied, the Court having duly noted the undertaking of the Solicitor General that the Government will not contest the vacation of petitioner's adult commitment if a motion under 28 U. S. C. § 2255 is filed in the sentencing court. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Marshall, Harold H. Greene and Joseph A. Barry* for respondent. Reported below: 298 F. 2d 844.

OCTOBER 24, 1962.

Dismissal Under Rule 60.

No. 340. FOOTE *v.* SCHWEMLER, TRUSTEE IN BANKRUPTCY. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Dismissed pursuant to Rule 60 of the Rules of this Court. *Edwin W. Brouse* for petitioner. Reported below: 302 F. 2d 397.

OCTOBER 30, 1962.

Dismissal Under Rule 60.

No. 165. ROMMEL ET AL. *v.* KENNEDY, ATTORNEY GENERAL, SUCCESSOR TO THE ALIEN PROPERTY CUSTODIAN. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Dismissed pursuant to Rule 60 of the Rules of this Court. *John W. Pehle and James H. Mann* for petitioners. *Solicitor General Cox, Acting Assistant Attorney General Guilfoyle, John G. Laughlin, Jr. and Pauline B. Heller* for respondent. Reported below: 112 U. S. App. D. C. 220, 301 F. 2d 544.

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October 31, November 5, 1962.

OCTOBER 31, 1962.

Dismissals Under Rule 60.

No. 459, Misc. COOPER *v.* ALABAMA. Motion for leave to file petition for writ of mandamus dismissed pursuant to Rule 60 of the Rules of this Court. Movant *pro se.* *MacDonald Gallion*, Attorney General of Alabama, and *David W. Clark*, Assistant Attorney General, for respondent. Reported below: 273 Ala. 699, 145 So. 2d 216.

No. 92. LEONARD *v.* UNITED STATES. On petition for writ of certiorari to the Court of Claims. Dismissed pursuant to Rule 60 of the Rules of this Court. *George Edward Leonard*, *pro se*, *Richard T. Brewster* and *Eberhard P. Deutsch* for petitioner. *Solicitor General Cox* for the United States.

NOVEMBER 5, 1962.

Assignment Order.

An order of THE CHIEF JUSTICE designating and assigning MR. JUSTICE REED (retired) to perform judicial duties in the United States Court of Claims beginning November 5, 1962, and ending June 30, 1963, and for such further time as may be required to complete unfinished business, pursuant to 28 U. S. C. § 294 (a), is ordered entered on the minutes of this Court, pursuant to 28 U. S. C. § 295.

Miscellaneous Orders.

No. 533, Misc. JACKSON *v.* WARDEN, MARYLAND PENITENTIARY. 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. 5. 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. Restored to the calendar for reargument, 369 U. S. 833. The motion to substitute Robert Y. Button et al. in the place of Frederick T. Gray et al. as parties respondent is granted. *Robert L. Carter* on the motion.

No. 80. SCHLUDE ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. Certiorari, 370 U. S. 902, to the United States Court of Appeals for the Eighth Circuit. The motion of American Institute of Certified Public Accountants for leave to participate in oral argument, as *amicus curiae*, is denied. *Dean Acheson* on the motion.

No. 91. McLEOD, REGIONAL DIRECTOR, NATIONAL LABOR RELATIONS BOARD, *v.* EMPRESA HONDURENA DE VAPORES, S. A.; and

No. 93. NATIONAL MARITIME UNION OF AMERICA, AFL-CIO, *v.* EMPRESA HONDURENA DE VAPORES, S. A. Certiorari, 370 U. S. 915, to the United States Court of Appeals for the Second Circuit. The motion of the Government of the United Kingdom of Great Britain and Northern Ireland for leave to file brief, as *amicus curiae*, is granted. MR. JUSTICE GOLDBERG took no part in the consideration or decision of this motion. *Lawrence Hunt* on the motion.

No. 489. DOWNUM *v.* UNITED STATES. Certiorari, *ante*, p. 811, to the United States Court of Appeals for the Fifth Circuit. The motion for the appointment of counsel is granted and it is ordered that *Richard Tinsman, Esquire*, of San Antonio, Texas, be, and he is hereby, appointed to serve as counsel for petitioner in this case.

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November 5, 1962.

NO. 104. NEW JERSEY ET AL. *v.* NEW YORK, SUSQUEHANNA & WESTERN RAILROAD CO. Appeal from the United States District Court for the District of New Jersey. (Probable jurisdiction noted, 370 U. S. 933.) The motion of Railway Labor Executives' Association for leave to file brief, as *amicus curiae*, is granted. *Clarence M. Mulholland, Edward J. Hickey, Jr. and James L. Highsaw, Jr.* on the motion. *Vincent P. Biunno* for appellee, in opposition.

NO. 491. ANDREWS *v.* UNITED STATES; and

NO. 494. DONOVAN *v.* UNITED STATES. Certiorari, *ante*, p. 812, to the United States Court of Appeals for the Second Circuit. The motions for the appointment of counsel are granted and it is ordered that *E. Barrett Prettyman, Jr., Esquire*, of Washington, D. C., a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for petitioners in these cases.

NO. 573, Misc. IN RE DISBARMENT OF BRODSTEIN. *Ellis Brodstein, Esquire*, of Reading, Pennsylvania, having resigned as a member of the Bar of this Court, it is ordered that his name be stricken from the roll of attorneys admitted to practice in this Court. The rule to show cause heretofore issued is discharged.

NO. 587, Misc. SMITH *v.* RODRIGUEZ. Motion for leave to file petition for writ of habeas corpus denied.

NO. 552, Misc. PATTERSON *v.* MAXWELL, WARDEN. Motion for leave to file petition for writ of habeas corpus and for other relief denied.

NO. 475, Misc. JACKSON BREWING CO. *v.* CONNALLY, U. S. DISTRICT JUDGE. Motion for leave to file petition for writ of mandamus denied. *Cornelius O. Ryan* for petitioner.

November 5, 1962.

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Certiorari Granted.

No. 332. BOESCHE, ADMINISTRATOR, *v.* UDALL, SECRETARY OF THE INTERIOR. The petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted limited to the question presented by the petition which reads as follows:

"Whether the Secretary of the Interior has authority under Section 31 of the Mineral Leasing Act, as amended, to cancel oil and gas leases by administrative action, for failure to comply with the Department's regulations."

Lewis E. Hoffman and *Leon BenEzra* for petitioner. *Solicitor General Cox*, *Roger P. Marquis* and *A. Donald Mileur* for respondent. Reported below: 112 U. S. App. D. C. 344, 303 F. 2d 204.

No. 127, Misc. ANDERSON *v.* KENTUCKY. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Court of Appeals of Kentucky granted. Case transferred to the appellate docket. *John Y. Brown* and *Frank E. Haddad, Jr.* for petitioner. *John B. Breckinridge*, Attorney General of Kentucky, and *Ray Corns*, Assistant Attorney General, for respondent. Reported below: 353 S. W. 2d 381.

Certiorari Denied. (See also No. 351, *ante*, p. 67; No. 352, *ante*, p. 68; and No. 533, *Misc.*, *supra*.)

No. 241. TORPATS *v.* McCONE, DIRECTOR OF CENTRAL INTELLIGENCE AGENCY. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Byron N. Scott* for petitioner. *Solicitor General Cox*, *Acting Assistant Attorney General Guilfoyle* and *Alan S. Rosenthal* for respondent. Reported below: 112 U. S. App. D. C. 159, 300 F. 2d 914.

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No. 275. ESTATE OF FAULKERSON *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Jerome J. O'Dowd* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Wayne G. Barnett, Robert N. Anderson* and *Benjamin M. Parker* for the United States. Reported below: 301 F. 2d 231.

No. 300. SOCONY MOBIL OIL Co., INC., *v.* BROOKLYN UNION GAS Co. ET AL.;

No. 303. MARATHON OIL Co. *v.* BROOKLYN UNION GAS Co. ET AL.;

No. 339. TRANSCONTINENTAL GAS PIPE LINE CORP. *v.* BROOKLYN UNION GAS Co. ET AL.; and

No. 344. BROOKLYN UNION GAS Co. ET AL. *v.* TRANSCONTINENTAL GAS PIPE LINE CORP. C. A. 5th Cir. Certiorari denied. *Thomas Fletcher* for Socony Mobil Oil Co., Inc., petitioner in No. 300 and respondent in No. 339. *W. M. Streetman* and *Lewis T. Sweet, Jr.* for respondents in Nos. 300 and 303 and petitioners in No. 344. *Clayton L. Orn* and *Robert M. Vaughan* for petitioner in No. 303. *W. H. Davidson, Jr.* for petitioner in No. 339 and respondent in No. 344. Reported below: 299 F. 2d 692.

No. 329. ARKANSAS LOUISIANA GAS Co. *v.* THOMPSON, TRUSTEE, ET AL. C. A. 5th Cir. Certiorari denied. *Cecil N. Cook* for petitioner. *Bradford D. Corrigan, Jr.* for respondents. Reported below: 303 F. 2d 129.

No. 333. CITY OF DETROIT ET AL. *v.* THEATRE CONTROL CORP. ET AL. Supreme Court of Michigan. Certiorari denied. *Vance G. Ingalls* for petitioners. *William Henry Gallagher* for respondents. *John Sklar* and *Donald J. Prebenda* for intervening respondents. Reported below: 365 Mich. 432, 113 N. W. 2d 783.

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No. 341. *DILLON ET AL. v. HALBOUTY ET AL.* Supreme Court of Texas. Certiorari denied. *Lever J. Able* and *James P. Hart* for petitioners. *Harry R. Jones, Cecil N. Cook, James D. Smullen* and *Frank J. Scurlock* for respondents. *Jack Voyles* for the City of Port Arthur, as *amicus curiae*, in support of the petition. Reported below: — Tex. —, 357 S. W. 2d 364.

No. 342. *BAEHR ET AL. v. UNITED STATES.* Court of Claims. Certiorari denied. *Carl L. Shipley, Thomas A. Ziebarth* and *Samuel Resnicoff* for petitioners. *Solicitor General Cox, Acting Assistant Attorney General Guilfoyle* and *John G. Laughlin, Jr.* for the United States. Reported below: 157 Ct. Cl. —.

No. 345. *COLBY v. COLBY.* Supreme Court of Nevada. Certiorari denied. *David G. Bress* for petitioner. *John A. Beck* and *Elizabeth R. Young* for respondent. Reported below: 78 Nev. 150, 369 P. 2d 1019.

No. 354. *UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA ET AL. v. MAHONEY ET AL., TRADING AS KRUSEN, EVANS & BYRNE.* C. A. 3d Cir. Certiorari denied. *James Alan Montgomery, Jr.* for petitioners. *T. E. Byrne, Jr.* for respondents. Reported below: 307 F. 2d 729.

No. 356. *TRIPP v. TRIPP.* Supreme Court of South Carolina. Certiorari denied. *William J. Griffin* and *Robert C. Boyer* for petitioner. *Harvey W. Johnson* for respondent. Reported below: 240 S. C. 334, 126 S. E. 2d 9.

No. 357. *BRAMBLETT ET AL. v. WILSON.* Supreme Court of Arizona. Certiorari denied. *Donald R. Fran-son* and *John F. Sullivan* for petitioners. Reported below: 91 Ariz. 284, 371 P. 2d 1014.

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No. 336. PETERSON ET AL. *v.* THARP. C. A. 5th Cir. Certiorari denied. *Ellis F. Morris* for petitioners. *W. Ervin James* for respondent. Reported below: 299 F. 2d 434.

No. 338. BROOKS ET AL. *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Robert E. Lillard* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 303 F. 2d 851.

No. 343. AKSHUN MANUFACTURING CO. ET AL. *v.* NORTH STAR ICE EQUIPMENT CO. C. A. 7th Cir. Certiorari denied. *William VanDercreek* and *J. Warren McCaffrey* for petitioners. *John Rex Allen* for respondent. Reported below: 301 F. 2d 882.

No. 346. SANTA MARIA SHIPOWNING & TRADING CO., S. A., ET AL. *v.* PANTELOGLOU ET AL. C. A. 2d Cir. Certiorari denied. *Robert C. Thomson, Jr.* for petitioners. *Edward B. Joachim* for respondents. Reported below: 303 F. 2d 641.

No. 348. LUNDBERG, ADMINISTRATRIX, *v.* ROSE FUEL & MATERIALS, INC. C. A. 7th Cir. Certiorari denied. *Maurice N. Frank* for petitioner. *James J. Stewart* for respondent. Reported below: 302 F. 2d 825.

No. 358. AUDET ET AL. *v.* UNITED STATES. Court of Claims. Certiorari denied. *P. M. Barceloux* for petitioners. *Solicitor General Cox, Roger P. Marquis* and *Edmund B. Clark* for the United States.

No. 363. GINSBURG *v.* LING, U. S. DISTRICT JUDGE. C. A. 9th Cir. Certiorari denied. *Paul Ginsburg*, petitioner, *pro se*.

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No. 350. *BECK v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *James P. Turner* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Julia P. Cooper* for the United States. Reported below: 305 F. 2d 595.

No. 359. *NAFIE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Morris A. Shenker and Murry L. Randall* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Kirby W. Patterson* for the United States. Reported below: 304 F. 2d 810.

No. 361. *COLPO v. HIGHWAY TRUCK DRIVERS & HELPERS, LOCAL 107, INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN & HELPERS OF AMERICA*. C. A. 3d Cir. Certiorari denied. *H. B. Rubenstein and Harold Leshem* for petitioner. Reported below: 305 F. 2d 362.

No. 366. *COREY v. UNITED STATES*; and

No. 387. *SMITH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *E. F. Bernard* for petitioner in No. 366. *Kenneth E. Roberts* for petitioner in No. 387. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and J. F. Bishop* for the United States. Reported below: 305 F. 2d 197.

No. 369. *PERRICONE ET UX. v. NEW JERSEY ET AL.* Supreme Court of New Jersey. Certiorari denied. *Hayden C. Covington* for petitioners. Reported below: 37 N. J. 463, 181 A. 2d 751.

No. 372. *CADE ET AL. v. CITY OF MONROE*. Supreme Court of Louisiana. Certiorari denied. *James Sharp, Jr.* for petitioners.

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No. 374. *TODARO v. PEDERSON*, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 6th Cir. Certiorari denied. *Henry C. Lavine* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Sidney M. Glazer* for respondent. Reported below: 305 F. 2d 377.

No. 410. *JACKSON BREWING CO. v. CLARKE*. C. A. 5th Cir. Certiorari denied. *Cornelius O. Ryan* for petitioner. *W. C. Harvin* for respondent. Reported below: 303 F. 2d 844.

No. 331. *KLAPHOLZ v. ESPERDY*, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 2d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Morey J. Herzog* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller* and *Philip R. Monahan* for respondent. Reported below: 302 F. 2d 928.

No. 349. *UNITED MINE WORKERS OF AMERICA v. FLAME COAL CO. ET AL.* C. A. 6th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Harrison Combs* and *M. E. Boiarsky* for petitioner. *Howard H. Baker, Jr.* for respondents. Reported below: 303 F. 2d 39.

No. 365. *GREENHILL v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Eugene Gressman* and *George Kaufmann* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 305 F. 2d 289.

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No. 371. ATLANTIC COAST LINE RAILROAD Co. v. MILSTEAD; and

No. 382. BROTHERHOOD OF LOCOMOTIVE FIREMEN & ENGINEMEN ET AL. v. MILSTEAD. Supreme Court of Alabama. Certiorari denied. *John W. Weldon* and *Peyton D. Bibb* for petitioner in No. 371. *Harold C. Heiss*, *Russell B. Day*, *Erle Pettus, Jr.*, *Lucien D. Gardner, Jr.* and *Harold N. McLaughlin* for petitioners in No. 382. *William M. Acker, Jr.* for respondent. Reported below: 273 Ala. 557, 142 So. 2d 705.

No. 337. PEDERSON v. MINNESOTA ET AL. Motion for leave to dispense with printing the petition granted. Petition for writ of certiorari to the Supreme Court of Minnesota denied. Reported below: 262 Minn. 568, 115 N. W. 2d 466.

No. 364. HOFFA ET AL. v. LIEB, U. S. DISTRICT JUDGE. C. A. 5th Cir. Certiorari denied. MR. JUSTICE WHITE and MR. JUSTICE GOLDBERG took no part in the consideration or decision of this petition. *Jacob Kossman*, *Charles E. Davis* and *O. B. Cline, Jr.* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Marie L. McCann* for respondent.

No. 60, Misc. SMOKER v. PENNSYLVANIA. Supreme Court of Pennsylvania. Certiorari denied.

No. 91, Misc. LABAT v. WALKER, WARDEN. Supreme Court of Louisiana. Certiorari denied. *Benjamin E. Smith* for petitioner. *Jack P. F. Gremillion*, Attorney General of Louisiana, and *M. E. Culligan*, *John E. Jackson, Jr.* and *Dorothy D. Wolbrette*, Assistant Attorneys General, for respondent.

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No. 355. LYND, CIRCUIT CLERK AND REGISTRAR OF VOTERS OF FORREST COUNTY, MISSISSIPPI, ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. MR. JUSTICE WHITE took no part in the consideration or decision of this petition. *Joe T. Patterson*, Attorney General of Mississippi, *Dugas Shands*, *Peter M. Stockett, Jr.* and *Will S. Wells*, Assistant Attorneys General, and *M. M. Roberts* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Marshall*, *Harold H. Greene* and *Isabel L. Blair* for the United States. Reported below: 301 F. 2d 818.

No. 104, Misc. ROLLINS *v.* DUNBAR, CORRECTIONS DIRECTOR, ET AL. Supreme Court of California. Certiorari denied. Petitioner *pro se.* *Stanley Mosk*, Attorney General of California, and *William E. James*, Assistant Attorney General, for respondents.

No. 113, Misc. ROSANIA *v.* NEW JERSEY. C. A. 3d Cir. Certiorari denied. Petitioner *pro se.* *Peter Murray* for respondent. Reported below: 299 F. 2d 101.

No. 124, Misc. BOWIE *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. Petitioner *pro se.* *Stanley Mosk*, Attorney General of California, and *Robert R. Granucci*, *John S. McInerny* and *John F. Foran*, Deputy Attorneys General, for respondent.

No. 145, Misc. CUOMO *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. Petitioner *pro se.* *William I. Siegel* for respondent.

No. 252, Misc. JACKSON *v.* MARONEY, CORRECTIONAL SUPERINTENDENT, ET AL. Supreme Court of Pennsylvania. Certiorari denied. Petitioner *pro se.* *John K. Best* for respondents.

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No. 220, Misc. *PERPIGLIA v. BANMILLER, WARDEN*. Supreme Court of Pennsylvania. Certiorari denied.

No. 277, Misc. *BURROW 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: 301 F. 2d 442.

No. 281, Misc. *TAYLOR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *C. J. Gates* for petitioner. *Solicitor General Cox, Acting Assistant Attorney General Jones and Joseph M. Howard* for the United States. Reported below: 305 F. 2d 183.

No. 303, Misc. *MCCALIP v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox* for the United States.

No. 316, Misc. *SARTAIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 303 F. 2d 859.

No. 318, Misc. *SWANSON v. UNITED STATES*. C. A. 8th 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: 304 F. 2d 865.

No. 323, Misc. *HUGHES 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. Reported below: 304 F. 2d 91.

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No. 354, Misc. JACKSON *v.* UNITED STATES. C. A. 8th 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: 304 F. 2d 243.

No. 377, Misc. CASHION *v.* UNITED STATES. Court of Claims. Certiorari denied. Carl L. Shipley and Thomas A. Ziebarth for petitioner. Solicitor General Cox, Acting Assistant Attorney General Guilfoyle and John G. Laughlin, Jr. for the United States.

No. 392, Misc. JORDAN *v.* ALABAMA. Supreme Court of Alabama. Certiorari denied. Petitioner *pro se.* Mac-Donald Gallion, Attorney General of Alabama, and David W. Clark, Assistant Attorney General, for respondent.

No. 399, Misc. PRESSLEY, ALIAS JONES, *v.* ENGLAND, DIRECTOR OF MOTOR VEHICLES, ET AL. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* Chester H. Gray, Milton D. Korman and Hubert B. Pair for respondents.

No. 402, Misc. TUTHILL *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Winston S. Howard for petitioner. Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Julia P. Cooper for the United States. Reported below: 305 F. 2d 595.

No. 426, Misc. PAYNE *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Petitioner *pro se.* Solicitor General Cox, Assistant Attorney General Marshall, Harold H. Greene and David Rubin for the United States. Reported below: 304 F. 2d 446.

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No. 305, Misc. *MANN v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Gerry Levenberg* and *W. L. Craig* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 113 U. S. App. D. C. 27, 304 F. 2d 394.

No. 330, Misc. *THREATT 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 *Richard W. Schmude* for the United States. Reported below: 113 U. S. App. D. C. 53, 304 F. 2d 630.

No. 471, Misc. *CHASE v. GLADDEN, WARDEN*. Supreme Court of Oregon. Certiorari denied. Reported below: 231 Ore. 469, 372 P. 2d 972.

No. 490, Misc. *TURPIN v. OHIO*. C. A. 6th Cir. Certiorari denied.

No. 499, Misc. *WIMBUSH v. MARYLAND*. Court of Appeals of Maryland. Certiorari denied. Reported below: 229 Md. 616, 182 A. 2d 357.

No. 500, Misc. *CARMACK v. WIMAN, WARDEN*. Court of Appeals of Alabama. Certiorari denied. Petitioner *pro se*. *MacDonald Gallion*, Attorney General of Alabama, and *David W. Clark*, Assistant Attorney General, for respondent. Reported below: 143 So. 2d 620.

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No. 460, Misc. SUMMERS *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Julia P. Cooper* for the United States.

No. 468, Misc. CORNES *v.* PATE, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 472, Misc. HAYES *v.* NEW YORK. Appellate Division, Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 474, Misc. CARR *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

No. 477, Misc. GIAGNOCAVO *v.* AMERICAN CAN CO. C. A. 3d Cir. Certiorari denied. Petitioner *pro se.* *Emanuel Klein* for respondent.

No. 478, Misc. LEVINE *v.* RADIO CORPORATION OF AMERICA ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 302 F. 2d 729.

No. 479, Misc. HUNTER *v.* JUERGENS, U. S. DISTRICT JUDGE. C. A. 7th Cir. Certiorari denied.

No. 480, Misc. CARR *v.* NEW JERSEY. Supreme Court of New Jersey. Certiorari denied.

No. 481, Misc. JACOBS *v.* CUNNINGHAM, PENITENTIARY SUPERINTENDENT. Supreme Court of Appeals of Virginia. Certiorari denied.

No. 484, Misc. WILLIAMS *v.* WILKINS, WARDEN. C. A. 2d Cir. Certiorari denied.

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No. 489, Misc. REED *v.* NEW YORK. Court of Appeals of New York. Certiorari denied. *Leon Polsky* for petitioner. *Frank S. Hogan, H. Richard Uviller* and *Robert Popper* for respondent. Reported below: 11 N. Y. 2d 1022, 183 N. E. 2d 907.

No. 493, Misc. DUFF *v.* MARYLAND. Court of Appeals of Maryland. Certiorari denied. Reported below: 229 Md. 126, 182 A. 2d 349.

No. 517, Misc. BARKER *v.* OHIO ET AL. Supreme Court of Ohio. Certiorari denied.

No. 519, Misc. MCCONNON ET AL. *v.* RAOUL-DUVAL ET AL. Supreme Court of California. Certiorari denied.

No. 521, Misc. O'CONNOR *v.* UNITED STATES. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied.

No. 524, Misc. DAVIS *v.* MARYLAND. Court of Appeals of Maryland. Certiorari denied. Reported below: 229 Md. 139, 182 A. 2d 49.

No. 526, Misc. SNEAD *v.* WARDEN, MARYLAND PENITENTIARY. Court of Appeals of Maryland. Certiorari denied.

No. 247, Misc. MILLER *v.* PATE, WARDEN. C. A. 7th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Donald Page Moore* for petitioner. *William G. Clark*, Attorney General of Illinois, and *William C. Wines, Raymond S. Sarnow* and *A. Zola Groves*, Assistant Attorneys General, for respondent. Reported below: 300 F. 2d 414.

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No. 563, Misc. *GLUCKSTERN v. NEW YORK*. Appellate Division, Supreme Court of New York, First Judicial Department. Certiorari denied.

Rehearing Denied.

No. 292. INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN & HELPERS OF AMERICA *v. OVERNITE TRANSPORTATION Co.*, *ante*, p. 862. Petition for rehearing denied.

No. 30, Misc. *SCHABER v. OHIO*, *ante*, p. 853; and

No. 73, Misc. *HOLIDAY v. UNITED STATES*, *ante*, p. 834. Petitions for rehearing denied. MR. JUSTICE GOLDBERG took no part in the consideration or decision of these applications.

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Miscellaneous Orders.

No. 62. NORTHERN NATURAL GAS CO. *v.* STATE CORPORATION COMMISSION OF KANSAS. Appeal from the Supreme Court of Kansas. (Probable jurisdiction noted, 370 U. S. 901.) The motion of the State of Texas for leave to participate in oral argument, as *amicus curiae*, is denied. *Will Wilson*, Attorney General of Texas, and *Linward Shivers*, Assistant Attorney General, on the motion.

No. 104. NEW JERSEY ET AL. *v.* NEW YORK, SUSQUEHANNA & WESTERN RAILROAD Co. Appeal from the United States District Court for the District of New Jersey. (Probable jurisdiction noted, 370 U. S. 933.) The motion of the National Association of Railroad and Utilities Commissioners for leave to file brief, as *amicus curiae*, is granted. *Austin L. Roberts, Jr.* on the motion. *Vincent P. Biunno* for appellee, in opposition.

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No. 140. *WILLNER v. COMMITTEE ON CHARACTER AND FITNESS, APPELLATE DIVISION OF THE SUPREME COURT OF NEW YORK, FIRST JUDICIAL DEPARTMENT.* Certiorari, 370 U. S. 934, to the Court of Appeals of New York. The motion of the respondent to dismiss the writ of certiorari is denied. *Louis J. Lefkowitz*, Attorney General of New York, on the motion. *Henry Waldman* for petitioner, in opposition.

No. 398. *TENNESSEE v. MYERS ET AL.* On petition for writ of certiorari to the Supreme Court of Tennessee. The motion of the Attorney General of Tennessee to dismiss the petition for writ of certiorari is granted. *G. Edward Friar* and *William A. Reynolds* on the petition. *George F. McCannless*, Attorney General of Tennessee, and *Thomas E. Fox*, Assistant Attorney General, on the motion to dismiss the petition.

Probable Jurisdiction Noted.

No. 392. *HEAD, DOING BUSINESS AS LEA COUNTY PUBLISHING CO., ET AL. v. NEW MEXICO BOARD OF EXAMINERS IN OPTOMETRY.* Appeal from the Supreme Court of New Mexico. Probable jurisdiction noted. In addition to the questions listed in the jurisdictional statement, the parties are requested to address themselves to the issue of possible federal preemption by reason of the Federal Communications Act. The Solicitor General is also invited to express the views of the Federal Communications Commission on this issue. *Carol J. Head* for appellants. Reported below: 70 N. M. 90, 370 P. 2d 811.

Certiorari Granted. (See also No. 375, ante, p. 72.)

No. 237, Misc. *JACKSON v. UNITED STATES.* Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Court of Claims granted. Case

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transferred to the appellate docket. *Charles D. Ablard* for petitioner. *Solicitor General Cox, Acting Assistant Attorney General Guilfoyle* and *Alan S. Rosenthal* for the United States. Reported below: 156 Ct. Cl. —, 297 F. 2d 939.

Certiorari Denied.

No. 113. *CAMPBELL ET AL. v. PENNSYLVANIA*. Supreme Court of Pennsylvania. Certiorari denied. *Stanford Shmukler, Leon H. Kline* and *Martin Vinikoor* for petitioners. *John T. Miller* for respondent. Reported below: See 196 Pa. Super. 380, 175 A. 2d 324.

No. 334. *LANZA ET AL. v. WAGNER, MAYOR OF NEW YORK CITY, ET AL.* Court of Appeals of New York. Certiorari denied. *Vito F. Lanza, pro se*, and *Samuel Shapiro* for petitioners. *Louis J. Lefkowitz*, Attorney General of New York, *Irving Galt*, Assistant Solicitor General, *Sheldon Raab*, Deputy Assistant Attorney General, *Leo A. Larkin* and *Seymour B. Quel* for respondents. Reported below: 11 N. Y. 2d 317, 183 N. E. 2d 670.

No. 378. *ALLISON v. UNITED STATES*. Court of Claims. Certiorari denied. *Andrew V. Allison*, petitioner, *pro se*. *Solicitor General Cox, Acting Assistant Attorney General Guilfoyle* and *Morton Hollander* for the United States. Reported below: 157 Ct. Cl. —, 301 F. 2d 670.

No. 379. *HANSEN ET AL. v. UDALL, SECRETARY OF THE INTERIOR, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Thomas F. McKenna, Richard H. Speidel* and *Joseph A. Sommer* for petitioners. *Solicitor General Cox, Roger P. Marquis* and *Raymond N. Zagone* for the Secretary of the Interior, respondent. Reported below: 113 U. S. App. D. C. 68, 304 F. 2d 944.

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No. 377. *VILLAGE OF BROWN DEER v. CITY OF MILWAUKEE ET AL.* Supreme Court of Wisconsin. Certiorari denied. *Harold H. Fuhrman* and *Stewart G. Honeck* for petitioner. *Harry G. Slater, Richard F. Maruszewski* and *John F. Cook* for the City of Milwaukee, respondent. Reported below: 16 Wis. 2d 206, 114 N. W. 2d 493.

No. 385. *DULL v. INDIANA.* Supreme Court of Indiana. Certiorari denied. Reported below: 242 Ind. 633, 180 N. E. 2d 523.

No. 389. *DILLARD v. JACKSON'S ATLANTA READY MIX CONCRETE Co., INC.* Court of Appeals of Georgia. Certiorari denied. *G. Seals Aiken* for petitioner. *Hosea Alexander Stephens* for respondent. Reported below: 105 Ga. App. 607, 125 S. E. 2d 656.

No. 391. *UNITED STATES v. TOBIN.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. MR. JUSTICE WHITE took no part in the consideration or decision of this petition. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Sidney M. Glazer* for the United States. *Thomas E. Dewey, Everett I. Willis, Lino A. Graglia* and *Sidney Goldstein* for respondent. Reported below: 113 U. S. App. D. C. 110, 306 F. 2d 270.

No. 400. *GOLDBERG v. UNITED STATES ET AL.* Motion of Philadelphia Electric Co. to be added as a party respondent granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. *Victor Hugo Wright* for petitioner. *Solicitor General Cox, Assistant Attorney General Loevinger* and *Lionel Kestenbaum* for the United States et al. *Vincent P. McDevitt* and *Eugene J. Bradley* for Philadelphia Electric Co.

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No. 393. PHOENIX ASSURANCE CO. OF NEW YORK *v.* CITY OF BUCKNER, MISSOURI, ET AL. Motion of respondent City of Buckner to assess damages and petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. *Rodger J. Walsi* for petitioner. *Clay C. Rogers* for the City of Buckner, and *Solicitor General Cox, Acting Assistant Attorney General Guilfoyle* and *Alan S. Rosenthal* for the Housing & Home Finance Administrator, respondents. Reported below: 305 F. 2d 54.

No. 394. COMMISSIONER OF INTERNAL REVENUE *v.* KUNTZ, EXECUTRIX. Motion to dispense with printing response to petition for writ of certiorari granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. THE CHIEF JUSTICE is of the opinion that certiorari should be granted. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *Wayne G. Barnett* for petitioner. Respondent *pro se*. Reported below: 300 F. 2d 849.

No. 395. COMMISSIONER OF INTERNAL REVENUE *v.* ESTATE OF OLSEN ET AL. C. A. 8th Cir. Certiorari denied. THE CHIEF JUSTICE is of the opinion that certiorari should be granted. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *Wayne G. Barnett* for petitioner. *Leland W. Scott* for respondents. Reported below: 302 F. 2d 671.

No. 396. UNITED STATES *v.* FRANKEL, EXECUTRIX. C. A. 8th Cir. Certiorari denied. THE CHIEF JUSTICE is of the opinion that certiorari should be granted. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *Wayne G. Barnett* for the United States. *J. M. George* for respondent. Reported below: 302 F. 2d 666.

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No. 384. JOHNSON, ADMINISTRATOR, *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *Melva M. Graney* for respondent. Reported below: 302 F. 2d 86.

No. 503, Misc. COLLINS *v.* HUNTINGTON BEACH UNION HIGH SCHOOL DISTRICT. Supreme Court of California. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted.

No. 390. WIGGS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *A. K. Black* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States. Reported below: 304 F. 2d 876.

No. 471. SMITH *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 3d Cir. Certiorari denied. THE CHIEF JUSTICE is of the opinion that certiorari should be granted. *William R. Spofford* and *Charles I. Thompson, Jr.* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *Wayne G. Barnett* for respondent. Reported below: 305 F. 2d 778.

No. 504. MARTIN ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 3d Cir. Certiorari denied. THE CHIEF JUSTICE is of the opinion that certiorari should be granted. *Thomas S. Weary* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *Wayne G. Barnett* for respondent. Reported below: 305 F. 2d 290.

No. 88, Misc. ELLIS *v.* WIMAN, WARDEN, ET AL. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *MacDonald Gallion*, Attorney General of Alabama, and *John C. Tyson III*, Assistant Attorney General, for respondents.

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Rehearing Denied.

No. 505, October Term, 1960. *COTA v. CALIFORNIA*, 364 U. S. 921. Motion for leave to file petition for rehearing denied. THE CHIEF JUSTICE and MR. JUSTICE GOLDBERG took no part in the consideration or decision of this motion.

No. 554, October Term, 1961. *ROBINSON v. CALIFORNIA*, 370 U. S. 660. The motion of American Civil Liberties Union of Southern California for leave to file brief, as *amicus curiae*, is granted. Petition for rehearing denied.

MR. JUSTICE CLARK, with whom MR. JUSTICE HARLAN and MR. JUSTICE STEWART join, dissenting.

On June 25, 1962, this Court reversed appellant's conviction of the offense of being "addicted to the use of narcotics," 370 U. S. 660. Thereafter the State of California filed an alternate petition for rehearing and for an abatement of the judgment, advising the Court for the first time that appellant had died on August 5, 1961, some 10 days prior to the filing here of his jurisdictional statement. Today the Court denies the petition and by its action the mandate, which has been stayed, will now go down. In my view this action by the Court is but a meaningless gesture utterly useless in the disposition of the case—the appellant being dead—and, as I read our cases, is contrary to the general policy this Court has always followed in the issuance of its mandates.

Under our decisions this appeal abated as moot upon the death of the appellant, *Menken v. Atlanta*, 131 U. S. 405 (1889), and the judgment should have been vacated and the case remanded to the state court for such proceedings as might be appropriate under state law. This is true even though the opinion and judgment of June 25 had been handed down prior to the notice of appellant's

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death. See *Stewart v. Southern R. Co.*, 315 U. S. 784 (1942), vacating the prior judgment in the same case, 315 U. S. 283. Moreover, there is no question of costs involved here as there was in *Wetzel v. Ohio*, *ante*, p. 62. I would therefore grant the petition for rehearing and vacate the judgment as moot.

A. L. Wirin and *Fred Okrand* on the motion of American Civil Liberties Union of Southern California.

No. 270. BANK OF AMERICA NATIONAL TRUST & SAVINGS ASSOCIATION *v.* UNITED STATES, *ante*, p. 861. Petition for rehearing denied.

No. 100. HARRIS *v.* FLORIDA REAL ESTATE COMMISSION ET AL., *ante*, p. 7;

No. 103. JOHNSON *v.* TEXAS, *ante*, p. 828;

No. 105. READEY ET AL. *v.* ST. LOUIS COUNTY WATER CO. ET AL., *ante*, p. 8;

No. 149. HARLOW ET AL. *v.* UNITED STATES, *ante*, p. 814;

No. 154. RICHARDSON *v.* BRUNNER ET AL., *ante*, p. 815;

No. 156. HOUSTON *v.* UNITED STATES, *ante*, p. 815;

No. 160. LA MAUR, INC., *v.* L. S. DONALDSON CO. ET AL., *ante*, p. 815;

No. 301. WEIGEL *v.* PARTENWEEDEREI ET AL., *ante*, p. 830; and

No. 293, Misc. BIGGS *v.* ACME FURNACE FITTING CO. ET AL., *ante*, p. 853. Petitions for rehearing denied. MR. JUSTICE GOLDBERG took no part in the consideration or decision of these applications.

No. 267. MID-AMERICA TELEPHONE CO. *v.* PUBLIC UTILITIES COMMISSION OF OHIO ET AL., *ante*, p. 831. Motion to dispense with printing the petition for rehearing granted. Petition for rehearing denied. MR. JUSTICE GOLDBERG took no part in the consideration or decision of this motion and application.

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Dismissal Under Rule 60.

No. 381. *BATTAGLIA v. UNITED STATES*. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Dismissed pursuant to Rule 60 of the Rules of this Court. *Theodore R. Kupferman* and *Sol Schwartz* for petitioner. Reported below: 303 F. 2d 683.

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Miscellaneous Orders.

No. 119. *MURRAY ET AL. v. CURLETT ET AL., CONSTITUTING THE BOARD OF SCHOOL COMMISSIONERS OF BALTIMORE CITY*. Certiorari, *ante*, p. 809, to the Court of Appeals of Maryland; and

No. 142. *SCHOOL DISTRICT OF ABINGTON TOWNSHIP, PENNSYLVANIA, ET AL. v. SCHEMP ET AL.* Appeal from the United States District Court for the Eastern District of Pennsylvania. (Probable jurisdiction noted, *ante*, p. 807.) The motion of the American Jewish Committee et al. for leave to file brief, as *amici curiae*, is granted. *Theodore Leskes, Edwin J. Lukas, Arnold Forster, Paul Hartman* and *Sol Rabkin* on the motion.

No. 403. *BANCO NACIONAL DE CUBA v. SABBATINO, RECEIVER, ET AL.* On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. The Solicitor General is invited to file a brief expressing the views of the United States.

No. 608, Misc. *THOMAS v. HERITAGE, WARDEN*; and
No. 627, Misc. *LEE v. HERITAGE, WARDEN*. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 337, Misc. FORAN *v.* MAXWELL, WARDEN. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied. Petitioner *pro se*. Mark McElroy, Attorney General of Ohio, and John J. Connors, Jr., Assistant Attorney General, for respondent.

Certiorari Granted.

No. 414. SHENKER *v.* BALTIMORE & OHIO RAILROAD Co. C. A. 3d Cir. Certiorari granted. Charles Alan Wright and John Ruffalo for petitioner. H. Fred Mercer for respondent. Reported below: 303 F. 2d 596.

No. 404. NATIONAL LABOR RELATIONS BOARD *v.* GENERAL MOTORS CORP. Motion of American Federation of Labor and Congress of Industrial Organizations for leave to file brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted. Solicitor General Cox, Stuart Rothman, Dominick L. Manoli and Norton J. Come for petitioner. Aloysius F. Power and Harry S. Benjamin, Jr. for respondent. J. Albert Woll, Theodore J. St. Antoine and Thomas E. Harris for the American Federation of Labor and Congress of Industrial Organizations, as *amicus curiae*, in support of the petition. Reported below: 303 F. 2d 428.

No. 419. LOCAL LODGE No. 1836, DISTRICT 38, INTERNATIONAL ASSOCIATION OF MACHINISTS, AFL-CIO, ET AL. *v.* LOCAL No. 1505, INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO, ET AL. C. A. 1st Cir. Certiorari granted. The Solicitor General is invited to file a brief setting forth the views of the United States. Robert M. Segal and Plato E. Papps for petitioners. Paul F. Hannah for Raytheon Company, respondent. Reported below: 304 F. 2d 365.

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No. 405. UNITED STATES *v.* PIONEER AMERICAN INSURANCE Co. ET AL. Supreme Court of Arkansas. Certiorari granted. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Joseph Kovner and George F. Lynch* for the United States. Reported below: 235 Ark. 267, 357 S. W. 2d 653.

No. 424. WATSON ET AL. *v.* CITY OF MEMPHIS ET AL. C. A. 6th Cir. Certiorari granted. *Jack Greenberg, Constance Baker Motley and H. T. Lockard* for petitioners. *J. S. Allen, Walter Chandler and Frank B. Gianotti, Jr.* for respondents. Reported below: 303 F. 2d 863.

No. 211, Misc. WHITE *v.* MARYLAND. Motion for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Court of Appeals of Maryland granted limited to the point of law raised in *Hamilton v. Alabama*, 368 U. S. 52. Case transferred to the appellate docket. Petitioner *pro se. Thomas B. Finan*, Attorney General of Maryland, and *Robert F. Sweeney*, Assistant Attorney General, for respondent. Reported below: 227 Md. 615, 177 A. 2d 877.

No. 368. RETAIL CLERKS INTERNATIONAL ASSOCIATION, LOCAL 1625, AFL-CIO, ET AL. *v.* SCHERMERHORN ET AL. Supreme Court of Florida. Certiorari granted. *S. G. Lippman, Tim L. Bornstein, Russell Specter and Claude Pepper* for petitioners. *Bernard B. Weksler* for respondents. Reported below: 141 So. 2d 269.

Certiorari Denied. (See also No. 507, Misc., ante, p. 114, and No. 337, Misc., supra.)

No. 409. WAKSMUNDZKA *v.* TERRY ET AL. Motion to dispense with printing the petition granted. Petition for writ of certiorari to the Supreme Court of Florida denied. Reported below: 139 So. 2d 552.

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No. 144. *HEAD ET AL. v. MISSISSIPPI*. Supreme Court of Mississippi. Certiorari denied. *Douglas C. Stone* for petitioners. *Joe T. Patterson*, Attorney General of Mississippi, and *G. Garland Lyell, Jr.*, Assistant Attorney General, for respondent. Reported below: — Miss. —, 136 So. 2d 619.

No. 388. *ERIE STONE CO. ET AL. v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Ross W. Shumaker* and *John J. Kendrick* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *Melva M. Graney* for the United States. Reported below: 304 F. 2d 331.

No. 402. *SOLO PRODUCTS CORP. v. FEATHERCOMBS, INC.* C. A. 2d Cir. Certiorari denied. *Floyd H. Crews* for petitioner. Reported below: 306 F. 2d 251.

No. 406. *POWELL v. MAHER, TRUSTEE IN BANKRUPTCY*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Bolling R. Powell, Jr.*, petitioner, *pro se*. *Roger Robb* for respondent. Reported below: 113 U. S. App. D. C. 256, 307 F. 2d 397.

No. 416. *IN RE ALFORD*. Court of Customs and Patent Appeals. Certiorari denied. *Charles Hieken* and *David Wolf* for petitioner. *Solicitor General Cox*, *Acting Assistant Attorney General Guilfoyle* and *Morton Hollander* for the Commissioner of Patents, in opposition. Reported below: 49 C. C. P. A. (Pat.) 1003, 300 F. 2d 929.

No. 417. *PINDER ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Jacob Kossman* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 305 F. 2d 158.

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No. 418. NICHOLS & COMPANY *v.* UNITED STATES. Court of Claims. Certiorari denied. *Frank J. Delany* for petitioner. *Solicitor General Cox, Acting Assistant Attorney General Guilfoyle* and *Morton Hollander* for the United States. Reported below: 156 Ct. Cl. —.

No. 420. GHIOTO ET AL. *v.* HAMPTON ET AL. C. A. 5th Cir. Certiorari denied. *Elmer E. Hazard* for petitioners. Reported below: 304 F. 2d 320.

No. 421. GOYA FOODS, INC., *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 2d Cir. Certiorari denied. *Morton Singer* for petitioner. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: 303 F. 2d 442.

No. 423. GLYNN *v.* DUBIN, ALIAS DOCTORMAN, ET AL. Supreme Court of Utah. Certiorari denied. Petitioner *pro se*. *Arthur H. Nielsen* for respondents. Reported below: 13 Utah 2d 163, 369 P. 2d 930.

No. 411. O'CONNELL ET AL. *v.* UNITED STATES; and
No. 412. LAWTON *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. MR. JUSTICE WHITE took no part in the consideration or decision of these petitions. *C. Keefe Hurley* and *Stanley H. Rudman* for petitioners in No. 411. *James R. DeGiacomo* for petitioner in No. 412. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Richard W. Schmude* for the United States. Reported below: 306 F. 2d 523.

No. 124. ATLAS SCRAPER & ENGINEERING Co. *v.* PURSCHE. C. A. 9th Cir. Certiorari denied. *R. Welton Whann* and *Robert M. McManigal* for petitioner. *Lewis E. Lyon* and *John B. Young* for respondent. Reported below: 300 F. 2d 467.

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No. 486. VULCAN MATERIALS CO. *v.* SAUBER, DISTRICT DIRECTOR OF INTERNAL REVENUE, ET AL. C. A. 7th Cir. Certiorari denied. *Forest D. Siefkin* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *Melva M. Graney* for respondents. Reported below: 306 F. 2d 65.

No. 422. CITY OF KANSAS CITY, MISSOURI, *v.* FEDERAL PACIFIC ELECTRIC CO. ET AL. Motion of petitioner for leave to amend the petition for certiorari granted. Motion of Westinghouse Electric Corp. et al. for leave to file brief, as *amici curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. *Keith Wilson, Jr.* for petitioner. *Ralph M. Jones* and *Charles B. Blackmar* for General Electric Co., respondent. *Leo A. Larkin, Charles S. Rhyne, Lenox G. Cooper, John C. Melaniphy, David Berger* and *J. Elliott Drinard* for the National Institute of Municipal Law Officers, as *amicus curiae*, in support of the petition. *Richard S. Righter, Carl E. Enggas* and *John H. Pickering* for Westinghouse Electric Corp. et al., as *amici curiae*, in opposition. Reported below: 310 F. 2d 271.

No. 35, Misc. READE *v.* CALIFORNIA. Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Stanley Mosk*, Attorney General of California, and *Robert R. Granucci* and *John S. McInerny*, Deputy Attorneys General, for respondent.

No. 89, Misc. RATTEN *v.* CALIFORNIA ET AL. Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Stanley Mosk*, Attorney General of California, and *Doris H. Maier*, Assistant Attorney General, for respondents.

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No. 101, Misc. *BELANGER v. WARDEN, CONNECTICUT STATE PRISON*. Superior Court of Connecticut, Hartford County. Certiorari denied.

No. 103, Misc. *DRAKE v. NORTH CAROLINA*. Supreme Court of North Carolina. Certiorari denied. Petitioner *pro se*. *Thomas Wade Bruton*, Attorney General of North Carolina, and *Ralph Moody*, Assistant Attorney General, for respondent.

No. 186, Misc. *MERWIN v. TEXAS*. Court of Criminal Appeals of Texas. Certiorari denied. Petitioner *pro se*. *Will Wilson*, Attorney General of Texas, and *Sam R. Wilson*, *Linward Shivers* and *Charles R. Lind*, Assistant Attorneys General, for respondent. Reported below: — Tex. Cr. R. —, 355 S. W. 2d 721.

No. 351, Misc. *INDIVIGLIO v. UNITED STATES*. Court of Claims. Certiorari denied. *Carl L. Shipley*, *Thomas A. Ziebarth* and *Samuel Resnicoff* for petitioner. *Solicitor General Cox*, *Acting Assistant Attorney General Guilfoyle* and *John G. Laughlin, Jr.* for the United States. Reported below: 156 Ct. Cl. —, 299 F. 2d 266.

No. 195, Misc. *MORRIS v. BETO, CORRECTIONS DIRECTOR*. Court of Criminal Appeals of Texas. Certiorari denied. Petitioner *pro se*. *Will Wilson*, Attorney General of Texas, and *Sam R. Wilson*, *Linward Shivers* and *Charles R. Lind*, Assistant Attorneys General, for respondent.

No. 504, Misc. *RUARK v. COLORADO*. Supreme Court of Colorado. Certiorari denied. Reported below: 150 Colo. —, 372 P. 2d 158.

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No. 185, Misc. PRICE *v.* WEST VIRGINIA. Supreme Court of Appeals of West Virginia. Certiorari denied. Petitioner *pro se.* *C. Donald Robertson*, Attorney General of West Virginia, and *George H. Mitchell* and *Simon M. Bailey*, Assistant Attorneys General, for respondent.

No. 487, Misc. RIDDLE *v.* DICKSON, WARDEN. Supreme Court of California. Certiorari denied. Reported below: 57 Cal. 2d 848, 372 P. 2d 304.

No. 102, Misc. McCANN *v.* WARDEN, CONNECTICUT STATE PRISON. Superior Court of Connecticut, Hartford County. Certiorari denied.

No. 239, Misc. ROBERTS *v.* BOLES, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied. Petitioner *pro se.* *C. Donald Robertson*, Attorney General of West Virginia, and *George H. Mitchell* and *Simon M. Bailey*, Assistant Attorneys General, for respondent.

No. 249, Misc. DOLATOWSKI *v.* ILLINOIS. Criminal Court of Cook County, Illinois. Certiorari denied. Petitioner *pro se.* *William G. Clark*, Attorney General of Illinois, for respondent.

No. 320, Misc. PELLON *v.* UNITED STATES. C. A. 8th 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: 304 F. 2d 447.

No. 383, Misc. HANDLEY *v.* MURPHY, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 502, Misc. LARSON *v.* WASHINGTON. Supreme Court of Washington. Certiorari denied.

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No. 367, Misc. *BARKAN v. UNITED STATES ET AL.* C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Richard W. Schmude* for the United States et al. Reported below: 305 F. 2d 774.

No. 496, Misc. *ANDERSON v. CHAPPELL ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Marshall, Harold H. Greene and Gerald P. Choppin* for respondents.

No. 498, Misc. *DELPIT v. NOCUBA SHIPPING CO. ET AL.* C. A. 5th Cir. Certiorari denied. *John W. Bryan, Jr.* for petitioner. *Jos. M. Rault* for respondents. Reported below: 302 F. 2d 835.

No. 505, Misc. *JAMES v. MURPHY, WARDEN.* C. A. 2d Cir. Certiorari denied.

No. 515, Misc. *GOODWIN v. MISSOURI ET AL.* Supreme Court of Missouri. Certiorari denied. Reported below: 359 S. W. 2d 601.

No. 518, Misc. *JAMISON v. O'BRIEN, PAROLES SUPERINTENDENT, ET AL.* Circuit Court of Henry County, Illinois. Certiorari denied.

No. 520, Misc. *BENTZ v. WASHINGTON.* Supreme Court of Washington. Certiorari denied.

No. 523, Misc. *SHIMKO v. MARONEY, CORRECTIONAL SUPERINTENDENT.* Supreme Court of Pennsylvania. Certiorari denied.

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No. 535, Misc. *ELLIOTT v. WARDEN, MARYLAND PENITENTIARY*. Baltimore City Court, Maryland. Certiorari denied.

No. 543, Misc. *BROWN v. WAINWRIGHT (FORMERLY COCHRAN), CORRECTIONS DIRECTOR*. Supreme Court of Florida. Certiorari denied.

No. 550, Misc. *CRUZ v. BETO, CORRECTIONS DIRECTOR, ET AL.* Court of Criminal Appeals of Texas. Certiorari denied.

No. 559, Misc. *GOBIE v. WAINWRIGHT, CORRECTIONS DIRECTOR*. Supreme Court of Florida. Certiorari denied.

No. 597, Misc. *JACKSON v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 229, Misc. *POLITES v. SAHLI, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 6th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *George W. Crockett, Jr.* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Jerome M. Feit* for respondent. Reported below: 302 F. 2d 449.

No. 458, Misc. *WALLACE v. DISTRICT OF COLUMBIA PAROLE BOARD ET AL.* Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit and for other relief denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Marshall, Harold H. Greene and Gerald P. Choppin* for respondents.

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Rehearing Denied.

No. 138. PIERCE, EXECUTRIX, *v.* ALLEN B. DUMONT LABORATORIES, INC., *ante*, p. 814;

No. 169. MADDOX *v.* FIDELITY INVESTMENT & TITLE Co., INC., ET AL., *ante*, p. 816;

No. 204. HACKETT *v.* UNITED STATES, *ante*, p. 819;

No. 216. REAL ESTATE CORP., INC., *v.* COMMISSIONER OF INTERNAL REVENUE, *ante*, p. 822;

No. 268. MADDOX *v.* SHROYER ET AL., *ante*, p. 825;

No. 279. ANSPACH ET AL. *v.* UNITED STATES, *ante*, p. 826;

No. 79, Misc. HUCKS *v.* UNITED STATES, *ante*, p. 835;

No. 142, Misc. PUDDU *v.* ROYAL NETHERLANDS STEAMSHIP Co., *ante*, p. 840;

No. 158, Misc. PERRY *v.* OHIO, *ante*, p. 853; and

No. 259, Misc. BLACK *v.* MOORE, WARDEN, *ante*, p. 849.

Petitions for rehearing denied. MR. JUSTICE GOLDBERG took no part in the consideration or decision of these applications.

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Miscellaneous Order.

No. 765, Misc. MCGEE *v.* EYMAN, PRISON SUPERINTENDENT. Motion for leave to file petition for writ of certiorari denied.

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Miscellaneous Orders.

No. 654, Misc. WILSON *v.* MACBRIDE, U. S. DISTRICT JUDGE. Motion for leave to file petition for writ of prohibition denied.

No. 571, Misc. LEE *v.* PRUITT, JUDGE. Motion for leave to file petition for writ of prohibition and/or mandamus denied.

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No. 23, Misc., October Term, 1959. *IN RE DISBARMENT OF ALKER*. The petition to vacate order of disbarment and reinstate order of suspension, pending action of the United States Court of Appeals for the Third Circuit, is denied. MR. JUSTICE WHITE and MR. JUSTICE GOLDBERG took no part in the consideration or decision of this petition. *Francis E. Walter* and *William J. Woolston* on the petition.

No. 598, Misc. *IN RE DISBARMENT OF GATELY*. It having been reported to the Court that John H. Gately, of Colorado Springs, State of Colorado, has been disbarred from the practice of law in all the courts of the State of Colorado by judgment of the Supreme Court of the State of Colorado, duly entered on the 24th day of July, A. D., 1961, and this Court by order of October 15, 1962, having suspended the said John H. Gately from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued and served upon the respondent, who has filed a return thereto; now, upon consideration of the rule to show cause and the return aforesaid;

IT IS ORDERED that the said John H. Gately be, and he is hereby, disbarred, and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

No. 619, Misc. *EX PARTE SCHLETTE*;

No. 630, Misc. *PERRY v. MAXWELL, WARDEN*; and

No. 658, Misc. *VERSCHOOR v. CALIFORNIA*. Motions for leave to file petitions for writs of habeas corpus denied.

Probable Jurisdiction Noted.

No. 438. *UNITED STATES v. SINGER MANUFACTURING Co.* Appeal from the United States District Court for the Southern District of New York. Probable jurisdic-

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tion noted. *Solicitor General Cox, Assistant Attorney General Loevinger and Robert B. Hummel* for the United States. *Edwin J. Wesely and Edward A. Miller* for appellee. Reported below: 205 F. Supp. 394.

Certiorari Granted. (See also No. 222, ante, p. 184.)

No. 401. MOSELEY, DOING BUSINESS AS MOSELEY PLUMBING & HEATING CO., *v.* ELECTRONIC & MISSILE FACILITIES, INC., ET AL. C. A. 5th Cir. *Certiorari* granted. *T. Baldwin Martin* for petitioner. *Lamar W. Sizemore* for respondents. Reported below: 306 F. 2d 554.

No. 464. UNITED STATES *v.* MUNIZ ET AL. C. A. 2d Cir. *Certiorari* granted. *Solicitor General Cox, Acting Assistant Attorney General Guilfoyle and Morton Hollander* for the United States. *Charles Andrews Ellis* for respondent *Muniz*. Reported below: 305 F. 2d 253, 285.

No. 105, Misc. RIDEAU *v.* LOUISIANA. Motion for leave to proceed *in forma pauperis* and petition for writ of *certiorari* to the Supreme Court of Louisiana granted. Case transferred to the appellate docket. Petitioner *pro se.* *Jack P. F. Gremillion, Attorney General of Louisiana, and Weldon A. Cousins, M. E. Culligan, Wm. P. Schuler and Dorothy D. Wolbrette, Assistant Attorneys General,* for respondent. Reported below: 242 La. 431, 137 So. 2d 283.

No. 296, Misc. CAMPBELL ET AL. *v.* UNITED STATES. Motion for leave to proceed *in forma pauperis* and petition for writ of *certiorari* to the United States Court of Appeals for the First Circuit granted. Case transferred to the appellate docket. *Melvin S. Louison, Leonard Louison and Lawrence F. O'Donnell* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Jerome M. Feit* for the United States. Reported below: 296 F. 2d 527; 303 F. 2d 747.

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Certiorari Denied. (See also No. 426, ante, p. 184; No. 442, ante, p. 185; No. 470, ante, p. 185; and No. 452, Misc., ante, p. 186.)

No. 383. *COPPOLLA ET AL. v. UNITED STATES.* C. A. 2d Cir. *Certiorari denied.* *Jerome Lewis* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Jerome M. Feit* for the United States. Reported below: 306 F. 2d 308.

No. 413. *MILES LUMBER CO. v. HARRISON & GRIMSHAW CONSTRUCTION CO. ET AL.* C. A. 10th Cir. *Certiorari denied.* *Robert B. Langworthy* for petitioner. *John H. Cantrell and Remington Rogers* for certain named respondents. Reported below: 305 F. 2d 363.

No. 427. *VANACEK v. ST. LOUIS PUBLIC SERVICE CO.* Supreme Court of Missouri. *Certiorari denied.* *William L. Weiss and William L. Mason, Jr.* for petitioner. *William M. Corrigan and George P. Bowie* for respondent. Reported below: 358 S. W. 2d 808.

No. 428. *CHRISTIAN ET AL. v. JEMISON ET AL.* C. A. 5th Cir. *Certiorari denied.* *John V. Parker and F. W. Middleton, Jr.* for petitioners. Reported below: 303 F. 2d 52.

No. 431. *HARDCASTLE ET AL. v. WESTERN GREYHOUND LINES ET AL.* C. A. 9th Cir. *Certiorari denied.* *Jay A. Darwin* for petitioners. *Marion B. Plant* for Western Greyhound Lines, and *Duane B. Beeson* for Rhodes et al., respondents. Reported below: 303 F. 2d 182.

No. 433. *CITY TRANSPORTATION CO. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 5th Cir. *Certiorari denied.* *W. D. White* for petitioner. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli and Norton J. Come* for respondent. Reported below: 303 F. 2d 299.

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No. 432. THOMPSON *v.* NORTH CAROLINA. Supreme Court of North Carolina. Certiorari denied. *W. G. Pearson II, Le Marquis De Jarmon* and *C. O. Pearson* for petitioner. *T. W. Bruton*, Attorney General of North Carolina, and *Charles D. Barham, Jr.*, Assistant Attorney General, for respondent. Reported below: 257 N. C. 452, 126 S. E. 2d 58.

No. 434. ROUMELIOTIS ET UX. *v.* IMMIGRATION AND NATURALIZATION SERVICE. C. A. 7th Cir. Certiorari denied. *Francis S. Clamitz* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Felicia Dubrovsky* for respondent. Reported below: 304 F. 2d 453.

No. 436. STRACHAN SHIPPING CO. *v.* KONINKLYKE NEDERLANDSCHE STOOMBOT MAALSCHAPPY, N. V. C. A. 5th Cir. Certiorari denied. *E. D. Vickery* for petitioner. *William M. Kimball, Eugene Underwood* and *Clarence S. Eastham* for respondent. Reported below: 301 F. 2d 741; 304 F. 2d 545.

No. 439. BELCHER ET AL. *v.* PATTERSON, DISTRICT DIRECTOR OF INTERNAL REVENUE. C. A. 5th Cir. Certiorari denied. *Al G. Rives* and *Erle Pettus, Jr.* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Robert N. Anderson* and *Norman H. Wolfe* for respondent. Reported below: 302 F. 2d 289.

No. 446. CASTELLI, ALIAS GAGLIANO, *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Elmer Fried* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States. Reported below: 306 F. 2d 640.

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No. 440. *JIFFY ENTERPRISES, INC., v. SEARS ROEBUCK & Co. ET AL.* C. A. 3d Cir. Certiorari denied. *Arthur H. Seidel* and *Marvin Comisky* for petitioner. *Cedric W. Porter, Henry N. Paul, Jr.* and *Robert B. Frailey* for respondents. Reported below: 306 F. 2d 240.

No. 441. *HUFF ET AL. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Nathan Witt* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Sidney M. Glazer* for the United States. Reported below: 301 F. 2d 760.

No. 443. *TURNER ET UX. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 4th Cir. Certiorari denied. *H. Clyde Pearson* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *Robert N. Anderson* for respondent. Reported below: 303 F. 2d 94.

No. 444. *ROBERTSON LUMBER Co. v. CONTINENTAL CASUALTY Co.* C. A. 8th Cir. Certiorari denied. *Harold D. Shaft* for petitioner. *Thomas L. Degnan* for respondent. Reported below: 305 F. 2d 794.

No. 447. *VALLEY MORRIS PLAN, FORMERLY STOCKTON MORRIS PLAN Co., v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 9th Cir. Certiorari denied. *Harold J. Willis* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *Joseph Kovner* for respondent. Reported below: 305 F. 2d 610.

No. 448. *KRAVITZ v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. *Leon H. Kline* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Meyer Rothwacks* and *John M. Brant* for the United States. Reported below: 303 F. 2d 700.

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No. 450. MAHLER ET AL. *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *Robert A. Cohen* for petitioners. *Solicitor General Cox, Acting Assistant Attorney General Guilfoyle* and *Alan S. Rosenthal* for the United States. Reported below: 306 F. 2d 713.

No. 453. IN RE ALKER. C. A. 3d Cir. Certiorari denied. *Francis E. Walter, Robert M. Taylor* and *James J. Regan, Jr.* for petitioner. Reported below: 307 F. 2d 880.

No. 454. SOCONY MOBIL OIL Co., INC., ET AL. *v.* WALL STREET TRADERS, INC., ET AL. C. A. 5th Cir. Certiorari denied. *Robert Eikel, George W. Renaudin* and *L. J. Benckenstein* for petitioners. *Richard Gyory* and *Herman E. Cooper* for respondents. Reported below: 304 F. 2d 717.

No. 455. LYONS *v.* GILLILAND. C. A. 9th Cir. Certiorari denied. *Morris Lavine* and *Welburn Mayock* for petitioner. *George R. Larwill* for respondent. Reported below: 303 F. 2d 452.

No. 457. CALIFORNIA DUMP TRUCK OWNERS ASSOCIATION ET AL. *v.* HEAVY, HIGHWAY, BUILDING & CONSTRUCTION TEAMSTERS COMMITTEE FOR NORTHERN CALIFORNIA ET AL. District Court of Appeal of California, First Appellate District. Certiorari denied. *Robert M. Adams, Jr.* and *Scott Elder* for petitioners. *David Previant, Duane B. Beeson* and *Florian Bartosic* for respondents. Reported below: 203 Cal. App. 2d 665, 21 Cal. Rptr. 840.

No. 461. DENTON ET AL. *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *William Earl Badgett* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Richard W. Schmude* for the United States. Reported below: 307 F. 2d 336.

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No. 459. *BROWNFIELD v. LONDON*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Byron N. Scott* for petitioner. *Solicitor General Cox, Acting Assistant Attorney General Guilfoyle, Morton Hollander and Kathryn H. Baldwin* for respondent. Reported below: 113 U. S. App. D. C. 248, 307 F. 2d 389.

No. 462. *ALABAMA POWER CO. ET AL. v. FEDERAL POWER COMMISSION*. C. A. 5th Cir. Certiorari denied. *A. J. G. Priest, Joseph M. Farley, Edwin J. Wesely, Frank Snell, Daniel James, William H. Schroder, Major T. Bell, Andrew P. Carter, Garner W. Green, Sam B. Chase, Bradford S. Magill, Richard H. Peterson, Vincent P. McDevitt, Eugene J. Bradley, Cornelius Means, Wendell W. Black and John W. Riely* for petitioners. *Solicitor General Cox, Richard A. Solomon, Howard E. Wahrenbrock, Leonard D. Eesley and Drexel D. Journey* for respondent. Reported below: 304 F. 2d 29.

No. 465. *BEACH, ALIAS HICKEY, v. ONEIDA NATIONAL BANK & TRUST CO. OF CENTRAL NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied. *William B. Collins* for petitioner. *G. Edward LaGatta* for Oneida National Bank & Trust Co. of Central New York, and *Donald Spadone* for McMahan, respondents. Reported below: 305 F. 2d 826.

No. 468. *PEKE v. NEW MEXICO*. Supreme Court of New Mexico. Certiorari denied. *W. Peter McAtee* for petitioner. Reported below: 70 N. M. 108, 371 P. 2d 226.

No. 469. *LARKIN, DOING BUSINESS AS LARKIN COMPANY, v. PLATT CONTRACTING CO., INC., ET AL.* C. A. 1st Cir. Certiorari denied. Petitioner *pro se*. *Francis L. Swift* for respondents. Reported below: 306 F. 2d 724.

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No. 466. DANIELS & KENNEDY, INC., *v.* A/S INGER ET AL. C. A. 2d Cir. Certiorari denied. *Joseph M. Soviero, Harry Schecter and Harold Klein* for petitioner. *Warner Pyne and William A. Wilson* for A/S Inger, and *J. Ward O'Neill and David P. H. Watson* for Illinois Atlantic Corp., respondents. Reported below: 305 F. 2d 139.

No. 534. MORRIS PLAN CO. OF CALIFORNIA *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. *Julian O. Von Kalinowski* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer and Joseph Kovner* for respondent. Reported below: 305 F. 2d 610.

No. 538. CAMPISI *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Jerome Lewis* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Jerome M. Feit* for the United States. Reported below: 306 F. 2d 308.

No. 467. ALVADO ET AL. *v.* GENERAL MOTORS CORP. Motion to defer consideration of petition for certiorari and petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. MR. JUSTICE GOLDBERG took no part in the consideration or decision of this motion and petition. *Harry Montgomery Leet, Sidney S. Berman, Frank Montgomery, Sheldon E. Bernstein, Morton Liftin and Joseph M. Stone* for petitioners. *Aloysius F. Power and George A. Brooks* for respondent. Reported below: 303 F. 2d 718.

No. 62, Misc. LIEBERMAN *v.* OHIO. Supreme Court of Ohio. Certiorari denied.

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No. 274, Misc. *ODDO v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Petitioner *pro se*. *Louis J. Lefkowitz*, Attorney General of New York, *Irving Galt*, Assistant Solicitor General, and *Sheldon Raab*, Deputy Assistant Attorney General, for respondent. Reported below: 10 N. Y. 2d 709, 179 N. E. 2d 716; 11 N. Y. 2d 798, 181 N. E. 2d 854.

No. 312, Misc. *FLETCHER v. BETO, CORRECTIONS DIRECTOR*. Court of Criminal Appeals of Texas. Certiorari denied. Petitioner *pro se*. *Will Wilson*, Attorney General of Texas, *Sam R. Wilson*, *Irwin R. Salmanson* and *Allo B. Crow*, Assistant Attorneys General, and *Henry Wade* for respondent. Reported below: 171 Tex. Cr. R. 74, 344 S. W. 2d 683.

No. 322, Misc. *BRAM v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 302 F. 2d 58.

No. 326, Misc. *DELEVAY v. NATIONAL SAVINGS & TRUST Co.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Arthur P. Drury*, *John M. Lynham*, *John E. Powell* and *Henry H. Paige* for respondent.

No. 343, Misc. *RUSSELL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States.

No. 536, Misc. *HUDGENS v. GLADDEN, WARDEN*. Supreme Court of Oregon. Certiorari denied.

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No. 389, Misc. *MIRRA v. UNITED STATES*. C. A. 2d 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: 304 F. 2d 883.

No. 394, Misc. *OWENS v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Kirby W. Patterson* for the United States.

No. 403, Misc. *LIEBERMAN v. COLUMBUS BAR ASSOCIATION*. Supreme Court of Ohio. Certiorari denied. Petitioner *pro se*. *Lawrence A. Ramey* for respondent. Reported below: 173 Ohio St. 356, 182 N. E. 2d 550.

No. 430, Misc. *MCDOWELL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Sidney M. Glazer* for the United States. Reported below: 305 F. 2d 12.

No. 463, Misc. *CRUZ v. NEW YORK*. Court of Appeals of New York. Certiorari denied. Petitioner *pro se*. *Frank S. Hogan, H. Richard Uviller and Peter J. O'Connor* for respondent. Reported below: 11 N. Y. 2d 840, 182 N. E. 2d 278.

No. 501, Misc. *HATSCHNER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Julia P. Cooper* for the United States. Reported below: 305 F. 2d 371.

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No. 435, Misc. *ROSS v. WILLINGHAM, WARDEN*. C. A. 3d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Marshall, Harold H. Greene and Gerald P. Choppin* for respondent.

No. 497, Misc. *GLOVER 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. 508, Misc. *SHOREY v. WARDEN, MARYLAND PENITENTIARY*. Court of Appeals of Maryland. Certiorari denied. Reported below: 227 Md. 385, 177 A. 2d 245.

No. 541, 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: 308 F. 2d 420.

No. 545, Misc. *O'BRIEN v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 547, Misc. *KOHLFUSS v. WARDEN, CONNECTICUT STATE PRISON*. Supreme Court of Errors of Connecticut. Certiorari denied.

No. 551, Misc. *BOYNTON v. OHIO*. Supreme Court of Ohio. Certiorari denied. Reported below: 173 Ohio St. 526, 184 N. E. 2d 377.

No. 558, Misc. *MALDONADO v. EYMAN, WARDEN, ET AL.* Supreme Court of Arizona. Certiorari denied. Reported below: 92 Ariz. 70, 373 P. 2d 583.

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No. 560, Misc. *ARCHEY v. NEDERLANDSCH-AMERIKAANSCHЕ STOOMVAART MAATSCHAPPIJ*. Court of Civil Appeals of Texas, Sixth Supreme Judicial District. Certiorari denied. *Arthur J. Mandell* for petitioner. *Carl G. Stearns* for respondent. Reported below: 354 S. W. 2d 688.

No. 561, Misc. *SANFORD v. SUPERIOR COURT OF LOS ANGELES COUNTY*. Supreme Court of California. Certiorari denied.

No. 562, Misc. *ANDERSON ET AL. v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 568, Misc. *BARNHILL v. THOMAS, WARDEN*. Court of Appeals of Kentucky. Certiorari denied.

No. 570, Misc. *SOSTRE v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 576, Misc. *KAGANOVITCH v. WILKINS, WARDEN*. C. A. 2d Cir. Certiorari denied. Reported below: 305 F. 2d 715.

No. 577, Misc. *KOSTAL ET AL. v. MCNICHOLS ET AL.* United States District Court for the District of Colorado. Certiorari denied.

No. 578, Misc. *TRANOWSKI v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 580, Misc. *BATES v. CALIFORNIA*. Supreme Court of California. Certiorari denied.

No. 584, Misc. *NICHOLSON v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

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No. 544, Misc. *MOUNTS v. BOLES, WARDEN*. Supreme Court of Appeals of West Virginia. Certiorari denied. Reported below: 147 W. Va. —, 126 S. E. 2d 393.

No. 582, Misc. *BOGAN v. NEW YORK*. Appellate Division, Supreme Court of New York, Fourth Judicial Department. Certiorari denied. Petitioner *pro se*. *Carman F. Ball* and *Irma R. Thorn* for respondent. Reported below: 16 App. Div. 2d 875.

No. 585, Misc. *LUCKY v. ANDERSON*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Diana K. Powell* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Marshall* and *Harold H. Greene* for respondent.

No. 592, Misc. *WHITE 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: 303 F. 2d 775.

No. 595, Misc. *HARPER v. MICHIGAN*. Supreme Court of Michigan. Certiorari denied.

No. 612, Misc. *SEES v. NEW YORK*. Court of Appeals of New York. Certiorari denied.

No. 629, Misc. *COOPER v. CONNECTICUT*. Supreme Court of Errors of Connecticut. Certiorari denied. Reported below: 149 Conn. 640, 183 A. 2d 612.

No. 222, Misc. *ARELLANES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Petitioner *pro se*. *Solicitor General Cox* for the United States. Reported below: 302 F. 2d 603.

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*Rehearing Denied.*No. 256. IN RE ESTATE OF HURST, *ante*, p. 862;No. 317. HARDWARE MUTUAL CASUALTY CO. *v.* McINTYRE, *ante*, p. 878;No. 318. UNITED STATES FIDELITY & GUARANTY CO. *v.* HART, *ante*, p. 878;No. 319. STANDARD ACCIDENT INSURANCE CO. *v.* AGUIRRE, *ante*, p. 878;No. 110, Misc. JONES *v.* UNITED STATES, *ante*, p. 864;
andNo. 327, Misc. CHAVEZ ET AL. *v.* DICKSON, WARDEN, *ante*, p. 880. Petitions for rehearing denied.

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*Miscellaneous Orders.*No. 91. McLEOD, REGIONAL DIRECTOR, NATIONAL LABOR RELATIONS BOARD, *v.* EMPRESA HONDURENA DE VAPORES, S. A. Certiorari, 370 U. S. 915, to the United States Court of Appeals for the Second Circuit;No. 93. NATIONAL MARITIME UNION OF AMERICA, AFL-CIO, *v.* EMPRESA HONDURENA DE VAPORES, S. A. Certiorari, 370 U. S. 915, to the United States Court of Appeals for the Second Circuit; andNo. 107. McCULLOCH, CHAIRMAN, NATIONAL LABOR RELATIONS BOARD, ET AL. *v.* SOCIEDAD NACIONAL DE MARINEROS DE HONDURAS. Certiorari, 370 U. S. 915, to the United States Court of Appeals for the District of Columbia Circuit. The motion of Canada for leave to file brief, as *amicus curiae*, is granted. MR. JUSTICE GOLDBERG took no part in the consideration or decision of this motion. *Robert MacCrate* on the motion.No. 62. NORTHERN NATURAL GAS CO. *v.* STATE CORPORATION COMMISSION OF KANSAS. Appeal from the

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Supreme Court of Kansas. (Probable jurisdiction noted, 370 U. S. 901.) The motion of Mid-Continent Oil & Gas Association for leave to file brief, as *amicus curiae*, is granted. MR. JUSTICE WHITE took no part in the consideration or decision of this motion. *W. W. Heard* on the motion.

No. 363. GINSBURG *v.* LING, U. S. DISTRICT JUDGE. (Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied, *ante*, p. 889.) The motion of petitioner to remand is denied. *Paul Ginsburg*, petitioner, *pro se*.

No. 565, Misc. LEVER BROTHERS CO. *v.* UNITED STATES ET AL. Motion for leave to file petition for writ of certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of this application. *Abe Fortas*, *William L. McGovern*, *Abe Krash* and *Dennis G. Lyons* for movant. *Solicitor General Cox*, *Assistant Attorney General Loevinger* and *Lionel Kestenbaum* for the United States.

Certiorari Granted.

No. 463. FITZGERALD, PUBLIC ADMINISTRATOR OF THE COUNTY OF NEW YORK, *v.* UNITED STATES LINES CO. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted limited to the following question:

"1. Does a seaman have a right to a jury trial on a claim for unpaid maintenance and cure when joined with a claim for Jones Act negligence?"

Jacob Rassner for petitioner. *Matthew L. Danahar* and *Charles N. Fiddler* for respondent. Reported below: 306 F. 2d 461.

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No. 480. *MCNEESE ET AL. v. BOARD OF EDUCATION FOR SCHOOL DISTRICT 187, CAHOKIA, ILLINOIS, ET AL.* C. A. 7th Cir. Certiorari granted. *John W. Rogers* and *Earl E. Strayhorn* for petitioners. Reported below: 305 F. 2d 783.

No. 476. *BRAUNSTEIN ET AL. v. COMMISSIONER OF INTERNAL REVENUE.* Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted limited to the following question:

"1. Whether Section 117 (m) of the Internal Revenue Code of 1939, which provides that gain 'from the sale or exchange . . . of stock of a collapsible corporation' is taxable as ordinary income rather than capital gain, is inapplicable in circumstances where the stockholders would have been entitled to capital gains treatment had they conducted the enterprise in their individual capacities without utilizing a corporation."

Thurman Arnold, Louis Eisenstein and *Julius M. Greisman* for petitioners. *Solicitor General Cox, Acting Assistant Attorney General Jones* and *Harry Baum* for respondent. Reported below: 305 F. 2d 949.

Certiorari Denied.

No. 458. *WIMAN, WARDEN, ET AL. v. ARGO.* C. A. 5th Cir. Certiorari denied. *MacDonald Gallion*, Attorney General of Alabama, and *John C. Tyson III*, Assistant Attorney General, for petitioners. Reported below: 308 F. 2d 674.

No. 484. *GALLO v. NEW YORK.* Court of Appeals of New York. Certiorari denied. *David F. Price* for petitioner. *Edward S. Silver* and *Aaron E. Koota* for respondent. Reported below: 10 N. Y. 2d 1024, 180 N. E. 2d 433; 11 N. Y. 2d 769, 181 N. E. 2d 764.

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No. 475. SAMUELS, TRUSTEE, *v.* KOCKOS BROTHERS, LTD. C. A. 9th Cir. Certiorari denied. *Allen M. Singer* for petitioner. Reported below: 307 F. 2d 147.

No. 477. CITY OF PHILADELPHIA *v.* COHEN. Court of Appeals of New York. Certiorari denied. *Mortimer B. Wolf, David Berger* and *Shirley Fingerhood* for petitioner. *John L. Freeman* for respondent. *Leo A. Larkin, Stanley Buchsbaum* and *Morris L. Heath* for the City of New York, as *amicus curiae*, in support of the petition. Reported below: 11 N. Y. 2d 401, 184 N. E. 2d 167.

No. 478. STRATTON ET AL. *v.* DALY. C. A. 7th Cir. Certiorari denied. *William G. Clark*, Attorney General of Illinois, and *William C. Wines, Raymond S. Sarnow, A. Zola Groves* and *Edward A. Berman*, Assistant Attorneys General, for petitioners. Reported below: 304 F. 2d 666.

No. 495. INTERNATIONAL ASSOCIATION OF MACHINISTS, AFL-CIO, ET AL. *v.* CENTRAL AIRLINES, INC. Court of Civil Appeals of Texas, Second Supreme Judicial District. Certiorari denied. *Charles J. Morris* and *Plato E. Papps* for petitioners. *Luther Hudson* for respondent. Reported below: 355 S. W. 2d 803.

No. 497. MALAT ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. *George T. Altman* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer, I. Henry Kutz* and *Morton K. Rothschild* for respondent. Reported below: 302 F. 2d 700.

No. 501. HIGH FIDELITY RECORDINGS, INC., *v.* AUDIO FIDELITY, INC. C. A. 9th Cir. Certiorari denied. *John Joseph Hall* for petitioner. *Ford W. Harris, Jr.* for respondent. Reported below: 305 F. 2d 86.

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No. 498. VON HARDENBERG ET AL. *v.* KENNEDY, ATTORNEY GENERAL. Supreme Court of Illinois. Certiorari denied. *Roland Towle* and *Thomas P. Sullivan* for petitioners. *Solicitor General Cox, Acting Assistant Attorney General Guilfoyle* and *Sherman L. Cohn* for respondent. Reported below: 25 Ill. 2d 151, 183 N. E. 2d 505.

No. 488. GUNDERSON BROS. ENGINEERING CORP. *v.* MERRITT-CHAPMAN & SCOTT CORP. C. A. 9th Cir. Certiorari denied. THE CHIEF JUSTICE and MR. JUSTICE BLACK believe that certiorari should be granted to consider whether the petitioner Gunderson Bros. Engineering Corp. has been denied its right to jury trial guaranteed by the Seventh Amendment to the Constitution of the United States. *William F. White* for petitioner. *Benjamin H. Kizer* for respondent. Reported below: 305 F. 2d 659.

No. 496. 222 EAST CHESTNUT STREET CORP. ET AL. *v.* WEINER ET AL. C. A. 7th Cir. Certiorari denied. MR. JUSTICE GOLDBERG took no part in the consideration or decision of this application. *Wesley G. Hall* for petitioners. Reported below: 303 F. 2d 630.

No. 556, Misc. RINIERI *v.* UNITED STATES. C. A. 2d 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: 308 F. 2d 24.

No. 590, Misc. MONT *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: 306 F. 2d 412.

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No. 481. INTERNATIONAL UNION OF ELECTRICAL, RADIO & MACHINE WORKERS, AFL-CIO, FRIGIDAIRE LOCAL 801, *v.* NATIONAL LABOR RELATIONS BOARD. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Benjamin C. Sigal* and *David S. Davidson* for petitioner. *Solicitor General Cox, Stuart Rothman, Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: 113 U. S. App. D. C. 342, 307 F. 2d 679.

No. 476, Misc. GAINES *v.* UNITED STATES. Court of Claims. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Acting Assistant Attorney General Guilfoyle* and *Alan S. Rosenthal* for the United States. Reported below: 158 Ct. Cl. —.

No. 659, Misc. ALLISON *v.* WIMAN, WARDEN. Supreme Court of Alabama. Certiorari denied. Petitioner *pro se*. *MacDonald Gallion*, Attorney General of Alabama, and *John C. Tyson III*, Assistant Attorney General, for respondent. Reported below: 274 Ala. 150, 145 So. 2d 846.

Rehearing Denied.

No. 410. JACKSON BREWING CO. *v.* CLARKE, *ante*, p. 891;

No. 475, Misc. JACKSON BREWING CO. *v.* CONNALLY, U. S. DISTRICT JUDGE, *ante*, p. 885;

No. 478, Misc. LEVINE *v.* RADIO CORPORATION OF AMERICA ET AL., *ante*, p. 897; and

No. 563, Misc. GLUCKSTERN *v.* NEW YORK, *ante*, p. 899. Petitions for rehearing denied.

No. 77, Misc. STEVENSON *v.* UNITED STATES, *ante*, p. 835. Petition for rehearing denied. MR. JUSTICE GOLDBERG took no part in the consideration or decision of this application.

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December 10, 17, 1962.

Dismissal Under Rule 60.

No. 730, Misc. CISNEROS *v.* CALIFORNIA. On petition for writ of certiorari to the Supreme Court of California. Petition dismissed pursuant to Rule 60 of the Rules of this Court. Reported below: 57 Cal. 2d 415, 369 P. 2d 714.

DECEMBER 17, 1962.

Miscellaneous Orders.

No. 574. ANDERSON *v.* KENTUCKY. Certiorari, *ante*, p. 886, to the Court of Appeals of Kentucky. It is ordered that Rules 26 and 36 be suspended in this case and the parties proceed on the basis of the certified typewritten record filed with the Court, and it is further ordered that each and every motion heretofore filed by the petitioner and not heretofore acted upon by the Court be denied.

No. 632, Misc. ALCALA *v.* CALIFORNIA. Motion for leave to file petition for writ of certiorari denied.

No. 328, Misc. ROBERTS *v.* CLEMMER, CORRECTIONS DIRECTOR, ET AL. Motion for leave to file petition for writ of habeas corpus denied. Petitioner *pro se*. *Solicitor General Cox* for respondents.

No. 213, Misc. BYRNES *v.* WALKER, WARDEN. 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 Eastern District of Louisiana. 28 U. S. C. § 2241 (b); Rule 31 (5), Revised Rules of the Supreme Court of the United States (1954). Petitioner *pro se*. *Jack P. F. Gremillion*, Attorney General of Louisiana, *M. E. Culligan*, *John E. Jackson, Jr.* and *Scallan E. Walsh*, Assistant Attorneys General, and *Albin P. Lassiter* for respondent.

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Probable Jurisdiction Noted.

No. 506. UNITED STATES *v.* BRAVERMAN. Appeal from the United States District Court for the Southern District of California. Probable jurisdiction noted. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Jerome M. Feit* for the United States.

No. 526. SHERBERT *v.* VERNER ET AL., MEMBERS OF SOUTH CAROLINA EMPLOYMENT SECURITY COMMISSION, ET AL. Appeal from the Supreme Court of South Carolina. Probable jurisdiction noted. *William D. Donnelly* for appellant. *Daniel R. McLeod*, Attorney General of South Carolina, and *Victor S. Evans*, Assistant Attorney General, for appellees. Reported below: 240 S. C. 286, 125 S. E. 2d 737.

Certiorari Granted. (See also No. 435, ante, p. 215.)

No. 509. REED *v.* THE YAKA ET AL. C. A. 3d Cir. Certiorari granted. *Abraham E. Freedman* for petitioner. *Thomas F. Mount* for the Yaka, and *T. E. Byrne, Jr.* for Pan-Atlantic Steamship Corp., respondents. Reported below: 307 F. 2d 203.

No. 515. HARSHMAN *v.* UNITED STATES. C. A. 7th Cir. Certiorari granted. *Francis Heisler* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Richard W. Schmude* for the United States. Reported below: 307 F. 2d 590.

No. 516. PARKER *v.* UNITED STATES. C. A. 7th Cir. Certiorari granted. *Francis Heisler* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Richard W. Schmude* for the United States. Reported below: 307 F. 2d 585.

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No. 529. UNITED STATES *v.* CARLO BIANCHI & Co., INC. Court of Claims. Certiorari granted. *Solicitor General Cox, Acting Assistant Attorney General Guilfoyle and John G. Laughlin, Jr.* for the United States. *William H. Matthews and Robert W. Knox* for respondent. Reported below: 157 Ct. Cl. —.

No. 482. LOCAL NO. 207, INTERNATIONAL ASSOCIATION OF BRIDGE, STRUCTURAL & ORNAMENTAL IRON WORKERS UNION, ET AL. *v.* PERKO. Supreme Court of Ohio. Certiorari granted. MR. JUSTICE GOLDBERG took no part in the consideration or decision of this petition. *David E. Feller, Jerry D. Anker and Joseph Schiavoni* for petitioners. *Martin S. Goldberg* for respondent. Reported below: 168 Ohio St. 161, 151 N. E. 2d 742; 171 Ohio St. 68, 167 N. E. 2d 903; 173 Ohio St. 576, 184 N. E. 2d 100.

No. 541. LOCAL 100, UNITED ASSOCIATION OF JOURNEYMEN & APPRENTICES, *v.* BORDEN. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Court of Civil Appeals of Texas, Fifth Supreme Judicial District, granted. MR. JUSTICE GOLDBERG took no part in the consideration or decision of this motion and petition. *L. N. D. Wells, Jr.* for petitioner. *Ewell Lee Smith, Jr.* for respondent. Reported below: 355 S. W. 2d 729.

No. 374, Misc. SMITH *v.* MISSISSIPPI. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Mississippi granted. Case transferred to the appellate docket. *Melvin L. Wulf, Rowland Watts and William L. Higgs* for petitioner. *Joe T. Patterson*, Attorney General of Mississippi, and *G. Garland Lyell, Jr.*, Assistant Attorney General, for respondent. Reported below: — Miss. —, 139 So. 2d 857.

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Certiorari Denied. (See also No. 626, Misc., ante, p. 222.)

No. 505. MILLER ET AL. v. EAST GEORGIA MOTORS, INC. C. A. 4th Cir. Certiorari denied. *H. Wayne Unger* for petitioners. *B. Allston Moore, Jr.* for respondent. Reported below: 303 F. 2d 488.

No. 510. TEXAS CARBONATE CO. v. PHINNEY, DISTRICT DIRECTOR OF INTERNAL REVENUE. C. A. 5th Cir. Certiorari denied. *Nat L. Hardy* and *Robt. H. Rice* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *Harold M. Seidel* for respondent. Reported below: 307 F. 2d 289.

No. 518. CROWE, TRADING AS WILLIAM A. CROWE CO., v. RAGNAR BENSON, INC. C. A. 3d Cir. Certiorari denied. *Vincent M. Casey* for petitioner. *Samuel L. Goldstein* for respondent. Reported below: 307 F. 2d 73.

No. 519. MOORE-McCORMACK LINES, INC., v. UNITED STATES. Court of Claims. Certiorari denied. *J. A. Dickinson* for petitioner. *Solicitor General Cox, Acting Assistant Attorney General Guilfoyle* and *Alan S. Rosenthal* for the United States. Reported below: 157 Ct. Cl. —, 301 F. 2d 342.

No. 521. GENERAL ELECTRIC CO. v. UNITED STATES. Court of Claims. Certiorari denied. *C. Rudolf Peterson* and *John P. Lipscomb* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *Harry Marselli* for the United States. Reported below: 156 Ct. Cl. —, 299 F. 2d 942.

No. 524. IN RE MOITY. Supreme Court of Louisiana. Certiorari denied.

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No. 514. *ODDIE ET AL. v. ROSS GEAR & TOOL CO., INC.* C. A. 6th Cir. Certiorari denied. *Harold A. Cranefield* and *John A. Fillion* for petitioners. *Owen J. Neighbours* and *James M. Nicholson* for respondent. Reported below: 305 F. 2d 143.

No. 522. UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA ET AL. *v. LUTES ET AL.* C. A. 10th Cir. Certiorari denied. *Peyton Ford* for petitioners. *Dale M. Stucky* for respondents. Reported below: 306 F. 2d 948; 308 F. 2d 574.

No. 523. *MORGAN ET AL. v. UDALL, SECRETARY OF THE INTERIOR, ET AL.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Marvin J. Sonosky* and *J. Reuel Armstrong* for petitioners. *Solicitor General Cox*, *Roger P. Marquis* and *A. Donald Mileur* for Udall, and *Harry M. Edelstein* for Wallis, respondents. Reported below: 113 U. S. App. D. C. 192, 306 F. 2d 799.

No. 525. *LOEHDE ET UX. v. WISCONSIN RIVER POWER CO. ET AL.* C. A. 7th Cir. Certiorari denied. *Richard P. Tinkham, Jr.* for petitioners. *Theo. W. Brazeau* and *Richard S. Brazeau* for respondents. Reported below: 304 F. 2d 433.

No. 723, Misc. *PIKE v. CALIFORNIA*; and

No. 724, Misc. *CENICEROS v. CALIFORNIA.* Supreme Court of California. Certiorari denied. *Russell E. Parsons* for petitioners. Reported below: 58 Cal. 2d 70, 372 P. 2d 656.

No. 99, Misc. *PALUMBO v. NEW JERSEY.* Supreme Court of New Jersey. Certiorari denied.

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No. 527. COMPANIA ANONIMA VENEZOLANA DE NAVEGACION *v.* A. J. PEREZ EXPORT CO. ET AL. C. A. 5th Cir. Certiorari denied. *James J. Morrison* for petitioner. *Samuel C. Gainsburgh* and *Raymond H. Kierr* for respondents. Reported below: 303 F. 2d 692.

No. 472. OVE GUSTAVSSON CONTRACTING CO., INC., *v.* BROWNE & BRYAN LUMBER CO., INC., ET AL. C. A. 2d Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion that certiorari should be granted. *Anthony B. Cataldo* for petitioner. *Philip G. Fitz* and *William V. Homans* for Browne & Bryan Lumber Co., Inc., respondent. Reported below: 303 F. 2d 823.

No. 358, Misc. FOX *v.* MASSACHUSETTS. Supreme Judicial Court of Massachusetts. Certiorari denied. Petitioner *pro se.* *Edward J. McCormack, Jr.*, Attorney General of Massachusetts, and *Robert J. DeGiacomo*, Assistant Attorney General, for respondent.

No. 586, Misc. AKERS *v.* BOLES, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 645, Misc. DAVIS *v.* MICHIGAN. Supreme Court of Michigan. Certiorari denied.

No. 652, Misc. HENDERSON *v.* LOUISIANA. Supreme Court of Louisiana. Certiorari denied. *A. P. Tureaud* for petitioner. Reported below: 243 La. 233, 142 So. 2d 407.

Rehearing Denied.

No. 330. CITIZENS UTILITIES CO. OF CALIFORNIA *v.* SUPERIOR COURT OF CALIFORNIA FOR SACRAMENTO COUNTY ET AL., *ante*, p. 67. Petition for rehearing denied.

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- No. 365. GREENHILL *v.* UNITED STATES, *ante*, p. 891;
No. 195, Misc. MORRIS *v.* BETO, CORRECTIONS DIRECTOR, *ante*, p. 913;
No. 247, Misc. MILLER *v.* PATE, WARDEN, *ante*, p. 898;
No. 281, Misc. TAYLOR *v.* UNITED STATES, *ante*, p. 894;
No. 330, Misc. THREATT *v.* UNITED STATES, *ante*, p. 896;
No. 477, Misc. GIAGNOCAVO *v.* AMERICAN CAN CO., *ante*, p. 897; and
No. 519, Misc. MCCONNON ET AL. *v.* RAOUL-DUVAL ET AL., *ante*, p. 898. Petitions for rehearing denied.

DECEMBER 26, 1962.

Dismissal Under Rule 60.

No. 449. FAHY ET AL. *v.* CONNECTICUT. On petition for writ of certiorari to the Supreme Court of Errors of Connecticut. Petition as to petitioner Arnold dismissed pursuant to Rule 60 of the Rules of this Court. *S. Floyd Nagle* and *John J. Sullivan* for petitioner Arnold. *Lorin W. Willis* for respondent. Reported below: 149 Conn. 577, 183 A. 2d 256.

JANUARY 7, 1963.

Miscellaneous Orders.

No. 10, Original. VIRGINIA *v.* MARYLAND. The report of the Special Master is received, approved and ordered filed. In view of the suggestion of the parties and the recommendation of the Special Master that the case has been settled and is now moot, the bill of complaint is dismissed. The costs in this case are to be equally divided between the parties. The Special Master, having completed all of his duties, is hereby discharged. [For previous decision and order of the Court, see 355 U. S. 269, 946.]

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No. 119. MURRAY ET AL. *v.* CURLETT ET AL., CONSTITUTING THE BOARD OF SCHOOL COMMISSIONERS OF BALTIMORE CITY. Certiorari, *ante*, p. 809, to the Court of Appeals of Maryland; and

No. 142. SCHOOL DISTRICT OF ABINGTON TOWNSHIP, PENNSYLVANIA, ET AL. *v.* SCHEMPP ET AL. Appeal from the United States District Court for the Eastern District of Pennsylvania. (Probable jurisdiction noted, *ante*, p. 807.) The motion of the American Ethical Union for leave to file a brief, as *amicus curiae*, is granted. *Herbert A. Wolff* and *Leo Rosen* on the motion.

No. 430. ARROW TRANSPORTATION CO. ET AL. *v.* SOUTHERN RAILWAY CO. ET AL. Certiorari, *ante*, p. 859, to the United States Court of Appeals for the Fifth Circuit. The motions of Statesville Flour Mills, Walley Milling Co., Southern Governors' Conference et al. and the National Association of Railroad & Utilities Commissioners for leave to file briefs, as *amici curiae*, are granted. *Whiteford S. Blakeney* on the motion for Statesville Flour Mills. *John W. Vardaman* on the motion for Walley Milling Co. *Eugene Cook*, Attorney General of Georgia, *Paul Rodgers*, Assistant Attorney General, and *Walter R. McDonald* on the motion for Southern Governors' Conference et al. *Austin L. Roberts, Jr.* and *R. Everette Kreeger* on the motion for the National Association of Railroad & Utilities Commissioners.

No. 449, Misc. KIRK *v.* SHERIFF OF LOS ANGELES COUNTY. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied. Petitioner *pro se*. *Stanley Mosk*, Attorney General of California, and *William E. James*, Assistant Attorney General, for respondent.

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No. 54. WHITE MOTOR CO. *v.* UNITED STATES. Appeal from the United States District Court for the Northern District of Ohio. (Probable jurisdiction noted, 369 U. S. 858). The motions of Serta Associates, Inc., et al. and Sandura Company for leave to file briefs, as *amici curiae*, are granted. *Sigmund Timberg* on the motion for Serta Associates, Inc., et al. *John Bodner, Jr.* on the motion for Sandura Company.

No. 346. SANTA MARIA SHIPOWNING & TRADING CO., S. A., ET AL. *v.* PANTELOGLOU ET AL. (Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied, *ante*, p. 889.) The motion for damages and to stay issuance of the mandate of the Court of Appeals is denied. *Edward B. Joachim* for respondents on the motion. *Robert C. Thomson, Jr.* for petitioners, in opposition.

No. 700, Misc. KIRSCH *v.* PATE, WARDEN; and

No. 741, Misc. CONTALDO *v.* MURPHY, WARDEN, ET AL.

Motions for leave to file petitions for writs of habeas corpus denied.

No. 482, Misc. WILSON *v.* SOUTH CAROLINA ET AL. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied. Petitioner *pro se*. *Daniel R. McLeod*, Attorney General of South Carolina, and *Clarence T. Goolsby, Jr.*, Assistant Attorney General, for respondents.

No. 680, Misc. KIMBRO *v.* BOMAR, WARDEN. 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. 640, Misc. SCHONTUBE *v.* SUPREME COURT OF WISCONSIN; and

No. 675, Misc. SPRINGFIELD *v.* CARTER, U. S. DISTRICT JUDGE. Motions for leave to file petitions for writs of mandamus denied.

Certiorari Granted.

No. 606. NEW YORK TIMES Co. *v.* SULLIVAN. Supreme Court of Alabama. Certiorari granted. *Herbert Brownell, Thomas F. Daly, Herbert Wechsler and Marvin E. Frankel* for petitioner. *Sam Rice Baker, M. Roland Nachman, Jr. and Calvin Whitesell* for respondent. Reported below: 273 Ala. 656, 144 So. 2d 25.

No. 609. ABERNATHY ET AL. *v.* SULLIVAN. Supreme Court of Alabama. Certiorari granted. *I. H. Wachtel, Charles S. Conley, Benjamin Spiegel and Raymond S. Harris* for petitioners. *Sam Rice Baker, M. Roland Nachman, Jr. and Calvin Whitesell* for respondent. Reported below: 273 Ala. 656, 144 So. 2d 25.

No. 535. DENNIS *v.* DENVER & RIO GRANDE WESTERN RAILROAD Co. Supreme Court of Utah. Certiorari granted. *Calvin W. Rawlings, Harold E. Wallace, Brigham E. Roberts and Wayne L. Black* for petitioner. *Dennis McCarthy* for respondent. Reported below: 13 Utah 2d 249, 372 P. 2d 3; 14 Utah 2d 68, 377 P. 2d 493.

No. 573. PARSONS, U. S. DISTRICT JUDGE, *v.* CHESAPEAKE & OHIO RAILWAY Co. C. A. 7th Cir. Certiorari granted. *John J. Naughton* for petitioner. *Philip W. Tone* for respondent. Reported below: 307 F. 2d 924.

No. 593. DURFEE ET UX. *v.* DUKE. C. A. 8th Cir. Certiorari granted. *Harold W. Kauffman* for petitioners. *R. A. Brown* for respondent. Reported below: 308 F. 2d 209.

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No. 544. *FOTI v. IMMIGRATION AND NATURALIZATION SERVICE*. The petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted limited to Question 1 presented by the petition which reads as follows:

“(1) Whether or not the Circuit Court of Appeals has jurisdiction to review the final orders of the Special Inquiry Officer authorized by the Attorney-General to be made during the course of deportation proceedings?”

James J. Cally for petitioner. *Solicitor General Cox* for respondent. Reported below: 308 F. 2d 779.

Certiorari Denied. (See also No. 445, ante, p. 231; No. 545, ante, p. 232; No. 570, ante, p. 233; No. 572, ante, p. 233; No. 578, ante, p. 234; No. 584, ante, p. 235; No. 625, Misc., ante, p. 235; No. 635, Misc., ante, p. 231; and Misc. Nos. 449, 482 and 680, supra.)

No. 323. *SMITH v. FLORIDA*. Supreme Court of Florida. Certiorari denied. *Herbert S. Thatcher* and *Edward D. Cowart* for petitioner. *Richard W. Ervin*, Attorney General of Florida, and *George R. Georgieff*, Assistant Attorney General, for respondent. Reported below: 123 So. 2d 700.

No. 451. *LAUDENSLAGER ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 3d Cir. Certiorari denied. *Morris J. Oppenheim* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *Joseph Kovner* for respondent. Reported below: 305 F. 2d 686.

No. 499. *BALDWIN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Harry C. Kinne* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *Meyer Rothwacks* and *John M. Brant* for the United States. Reported below: 307 F. 2d 577.

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No. 376. *COBB v. GEORGIA*. Supreme Court of Georgia. Certiorari denied. *Robert L. Carter* and *Donald L. Hollowell* for petitioner. *Eugene Cook*, Attorney General of Georgia, and *G. Hughel Harrison* and *John S. Harrison*, Assistant Attorneys General, for respondent. Reported below: 218 Ga. 10, 126 S. E. 2d 231.

No. 531. *BURNS v. PENNSYLVANIA*. Supreme Court of Pennsylvania. Certiorari denied. *Vincent M. Casey* for petitioner. *Harold Kaminsky* for respondent.

No. 536. *KEININGHAM v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Kenneth D. Wood* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 113 U. S. App. D. C. 295, 307 F. 2d 632.

No. 550. *INTERNATIONAL HARVESTER CO. ET AL. v. CITY OF KANSAS CITY, KANSAS, ET AL.* C. A. 10th Cir. Certiorari denied. *Frederick Bernays Wiener* and *J. Donald Lysaught* for petitioners. *Charles S. Rhyne*, *Thomas P. Brown III* and *Alfred J. Tighe, Jr.* for respondents. *William M. Ferguson*, Attorney General of Kansas, for the State of Kansas, as *amicus curiae*, in opposition. Reported below: 308 F. 2d 35.

No. 562. *PLISCO ET AL. v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *H. Clifford Allder* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *Joseph M. Howard* for the United States. Reported below: 113 U. S. App. D. C. 177, 306 F. 2d 784.

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No. 533. *DYER v. MURRAY, TRUSTEE, ET AL.* Supreme Judicial Court of Maine. Certiorari denied. Petitioner *pro se. Robinson Verrill* and *John A. Kendrick* for respondents. Reported below: 158 Me. 98, 179 A. 2d 307.

No. 539. *PRICE ET AL. v. CHRISTIAN, SECRETARY OF STATE OF OKLAHOMA, ET AL.* Supreme Court of Oklahoma. Certiorari denied. *Jas. A. Rinehart, Leon S. Hirsh* and *James C. Harkin* for petitioners. *Norman E. Reynolds, Jr.* for respondents. Reported below: 373 P. 2d 1017.

No. 547. *REINSURANCE AGENCY, INC., v. LIBERTY NATIONAL INSURANCE Co.* C. A. 9th Cir. Certiorari denied. *W. H. Langroise* for petitioner. Reported below: 307 F. 2d 164.

No. 548. *STOWE-WOODWARD, INC., v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. *Robert Haydock, Jr.* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *Harry Marselli* for the United States. Reported below: 306 F. 2d 678.

No. 549. *WITTE ET UX. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Peter B. Wells* and *S. W. Plauche, Jr.* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *Melva M. Graney* for the United States. Reported below: 306 F. 2d 81.

No. 552. *RAGLAND ET AL. v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. *R. R. Ryder* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Felicia Dubrovsky* for the United States. Reported below: 306 F. 2d 732.

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No. 551. *LOTT ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *John H. Crooker, Leroy Denman Moody, C. Anthony Friloux, Jr., Joe S. Moss, C. W. Wellen and William M. Ryan* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Joseph M. Howard and John P. Burke* for the United States. Reported below: 309 F. 2d 115.

No. 553. *ASSOCIATED TELEPHONE & TELEGRAPH CO. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *John J. Boland, Theodore F. Brophy, Robert Adelson and Robert P. Adelman* for petitioner. *Solicitor General Cox, Acting Assistant Attorney General Roberts and Harold C. Wilkenfeld* for the United States. *George E. Cleary* for Commerce & Industry Association of New York, Inc., as *amicus curiae*, in support of the petition. Reported below: 306 F. 2d 824.

No. 555. *SWALLOW v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Oberdorfer and Joseph M. Howard* for the United States. Reported below: 307 F. 2d 81.

No. 556. *BRIDGEPORT FEDERAL SAVINGS & LOAN ASSN. v. FEDERAL HOME LOAN BANK BOARD ET AL.* C. A. 3d Cir. Certiorari denied. *William B. Koch* for petitioner. *Solicitor General Cox, Acting Assistant Attorney General Guilfoyle and Alan S. Rosenthal* for the Federal Home Loan Bank Board, and *Henry W. Sawyer III and Raymond K. Denworth* for Quaker City Federal Savings & Loan Assn., respondents. Reported below: 307 F. 2d 580.

No. 557. *FLORA CONSTRUCTION CO. v. FIREMAN'S FUND INSURANCE CO. ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 307 F. 2d 413.

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No. 560. COLTON ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Boris Kostelanetz* and *George G. Gallantz* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *Joseph M. Howard* for the United States. Reported below: 306 F. 2d 633.

No. 561. BEAVER *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Hayden C. Covington* and *Richard M. Welling* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Richard W. Schmude* for the United States. Reported below: 309 F. 2d 273.

No. 564. WASHINGTON EX REL. SHERMAN *v.* BOARD OF GOVERNORS OF THE WASHINGTON STATE BAR ASSN. ET AL. Supreme Court of Washington. Certiorari denied. Petitioner *pro se*. *T. M. Royce* for respondents. Reported below: See 58 Wash. 2d 1, 354 P. 2d 888.

No. 565. ISBRANDTSEN COMPANY, INC., *v.* MAXIMO ET AL. C. A. 2d Cir. Certiorari denied. *Maurice A. Krisel* for petitioner. *Lee Pressman* and *David Scribner* for respondents. Reported below: 305 F. 2d 941.

No. 567. GOLD FUEL SERVICE, INC., *v.* ESSO STANDARD OIL Co. C. A. 3d Cir. Certiorari denied. *Sam Weiss* and *Michael J. Pappas* for petitioner. *Burtis W. Horner* for respondent. Reported below: 306 F. 2d 61.

No. 577. PEARMAN *v.* CELEBREZZE, SECRETARY OF HEALTH, EDUCATION AND WELFARE. C. A. 4th Cir. Certiorari denied. *Clay S. Crouse* for petitioner. *Solicitor General Cox, Acting Assistant Attorney General Guilfoyle* and *Alan S. Rosenthal* for respondent. Reported below: 307 F. 2d 573.

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No. 576. LYND, REGISTRAR OF ELECTIONS OF FORREST COUNTY, MISSISSIPPI, *v.* KENNEDY, ATTORNEY GENERAL. C. A. 5th Cir. Certiorari denied. *Joe T. Patterson*, Attorney General of Mississippi, *Dugas Shands*, *Will S. Wells* and *Guy N. Rogers*, Assistant Attorneys General, *Peter M. Stockett, Jr.* and *Darryl Hurt*, Special Assistant Attorneys General, and *M. M. Roberts* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Marshall*, *Harold H. Greene* and *Isabel L. Blair* for respondents. Reported below: 306 F. 2d 222.

No. 580. HALL *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Wesley R. Asinof* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 308 F. 2d 266.

No. 587. MUSKEGON PISTON RING CO. *v.* OLSEN ET AL. C. A. 6th Cir. Certiorari denied. *Peter P. Price*, *Robert C. C. Heaney* and *J. Roger Wollenberg* for petitioner. *Harold M. Street* for respondents. Reported below: 307 F. 2d 85.

No. 589. TEXAS & NEW ORLEANS RAILROAD CO. ET AL. *v.* BROTHERHOOD OF RAILROAD TRAINMEN ET AL. C. A. 5th Cir. Certiorari denied. *Tom M. Davis* and *Palmer Hutcheson, Jr.* for petitioners. *Wayland K. Sullivan* for respondents. Reported below: 307 F. 2d 151.

No. 596. SEARS, ROEBUCK & CO. ET AL. *v.* JONES ET AL. C. A. 10th Cir. Certiorari denied. *Cedric W. Porter* and *Philip H. Sheridan* for petitioners. *Herbert J. Jacobi*, *Samuel L. Davidson* and *Robert B. Jacobi* for respondents. Reported below: 308 F. 2d 705.

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No. 581. *WHITSON v. FIDELITY & DEPOSIT Co. OF MARYLAND.* District Court of Appeal of California, Second Appellate District. Certiorari denied. Petitioner *pro se. Frank E. Horka* for respondent. Reported below: 205 Cal. App. 2d 713, 23 Cal. Rptr. 491.

No. 591. *NELSON-RYAN FLIGHT SERVICE, INC., v. LANGE, TRUSTEE.* Supreme Court of Minnesota. Certiorari denied. *William D. Donnelly* for petitioner. *Robert Wm. Rischmiller* for respondent. Reported below: 263 Minn. 152, 116 N. W. 2d 266.

No. 605. *LIPSKY v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. *Isidor Ostroff* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States. Reported below: 309 F. 2d 521.

No. 542. *WESTERN AIR LINES, INC., v. CITY AND COUNTY OF SAN FRANCISCO.* District Court of Appeal of California, First Appellate District. Certiorari denied. MR. JUSTICE GOLDBERG took no part in the consideration or decision of this petition. *Hugh W. Darling* for petitioner. *Thomas M. O'Connor, Robert M. Desky and Harold C. Faulkner* for respondent. Reported below: 204 Cal. App. 2d 105, 22 Cal. Rptr. 216.

No. 27, Misc. *MORRIS v. UNIVERSITY OF TEXAS ET AL.* Supreme Court of Texas. Certiorari denied. Petitioner *pro se. Will Wilson, Attorney General of Texas, and Pat Bailey, W. O. Shultz and Malcolm Quick, Assistant Attorneys General,* for respondents. Reported below: — Tex. —, 352 S. W. 2d 947.

No. 593, Misc. *HUBBARD v. MISSOURI.* Supreme Court of Missouri. Certiorari denied.

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No. 595. WELCH, DOING BUSINESS AS WELCH TRUCKING Co., ET AL. *v.* RUNGE. C. A. 5th Cir. Certiorari denied. *Lucian Touchstone* for petitioners. Reported below: 307 F. 2d 829.

No. 598. UNITED BROTHERHOOD OF CARPENTERS & JOINERS OF AMERICA, AFL-CIO, *v.* HUMPHREYS. Supreme Court of Appeals of Virginia. Certiorari denied. *Beecher E. Stallard* and *Francis X. Ward* for petitioner. Reported below: 203 Va. 781, 127 S. E. 2d 98.

No. 599. FREED *v.* NEW YORK. Court of Special Sessions of City of New York, Second Judicial Department. Certiorari denied. *Sidney G. Sparrow* for petitioner. *Frank D. O'Connor* and *Benj. J. Jacobson* for respondent.

No. 602. CONNER AIR LINES, INC., ET AL. *v.* AVIATION CREDIT CORP. C. A. 5th Cir. Certiorari denied. *Don G. Nicholson* for petitioners. *Robert V. Smith* and *Laurence A. Schroeder* for respondent. Reported below: 307 F. 2d 685.

No. 608. HERMETIC SEAL PRODUCTS Co. *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. *Louis A. Tepper* for petitioner. *Solicitor General Cox, Acting Assistant Attorney General Guilfoyle, Morton Hollander* and *David L. Rose* for the United States. Reported below: 307 F. 2d 809; 309 F. 2d 482.

No. 558. AERONAUTICAL COMMUNICATIONS EQUIPMENT, INC., *v.* PIERCE, EXECUTRIX. C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Walter H. Free* for petitioner. *David Rines, Robert H. Rines* and *Walter Humkey* for respondent. Reported below: 307 F. 2d 790.

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No. 612. KAISER ET AL. *v.* PRICE-FEWELL, INC. Supreme Court of Arkansas. Certiorari denied. *Eugene R. Warren* and *Bruce T. Bullion* for petitioners. *Pat Mehaffy* for respondent. Reported below: 235 Ark. 295, 359 S. W. 2d 449.

No. 546. EASTLAND ET UX. *v.* CAMPBELL, DISTRICT DIRECTOR OF INTERNAL REVENUE. C. A. 5th 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 petition. *Allen E. Pye* and *J. Robt. Dobbs, Jr.* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *Meyer Rothwacks* and *Harold C. Wilkenfeld* for respondent. Reported below: 307 F. 2d 478.

No. 568. BATTEN ET AL. *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *A. Harry Crane* for petitioners. *Solicitor General Cox* and *Roger P. Marquis* for the United States. Reported below: 306 F. 2d 580.

No. 579. MILLER ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Charles Allan Hart, Jr.* for petitioners. *Solicitor General Cox*, *Acting Assistant Attorney General Guilfoyle* and *Sherman L. Cohn* for the United States. Reported below: 303 F. 2d 703.

No. 594. MUSE *v.* UNITED STATES CASUALTY CO. C. A. 5th Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion that certiorari should be granted. Reported below: 306 F. 2d 30.

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No. 588. *ZIMMERMAN v. BOARD OF EDUCATION OF NEWARK ET AL.* Supreme Court of New Jersey. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. MR. JUSTICE BRENNAN took no part in the consideration or decision of this petition. *Daniel H. Pollitt* and *Nicholas J. LaRocca* for petitioner. *Jacob Fox* for respondents. Reported below: 38 N. J. 65, 183 A. 2d 25.

No. 141, Misc. *ODOM v. HEARD, ACTING CORRECTIONS DIRECTOR.* C. A. 5th Cir. Certiorari denied. Petitioner *pro se.* *Will Wilson*, Attorney General of Texas, and *Sam R. Wilson, Linward Shivers* and *Allo B. Crow, Jr.*, Assistant Attorneys General, for respondent.

No. 366, Misc. *COREY ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Petitioners *pro se.* *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 305 F. 2d 232.

No. 456, Misc. *PICCOTT v. SINCLAIR, WARDEN.* Supreme Court of Florida. Certiorari denied. Petitioner *pro se.* *Richard W. Ervin*, Attorney General of Florida, and *George R. Georgieff*, Assistant Attorney General, for respondent.

No. 589, Misc. *BUSH v. UNITED STATES.* United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 112 U. S. App. D. C. 173, 301 F. 2d 255.

No. 604, Misc. *GRIEWSKI v. WISCONSIN.* Supreme Court of Wisconsin. Certiorari denied.

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No. 606, Misc. *BURKS v. KLINGER, WARDEN, ET AL.* Supreme Court of California. Certiorari denied. *George Olshausen* for petitioner.

No. 607, Misc. *YOUNG v. OKLAHOMA.* Court of Criminal Appeals of Oklahoma. Certiorari denied. Reported below: 373 P. 2d 273.

No. 611, Misc. *HARRIS v. REINCKE, WARDEN.* Superior Court of Connecticut, Hartford County. Certiorari denied.

No. 614, Misc. *SNYDER v. PENNSYLVANIA.* Supreme Court of Pennsylvania. Certiorari denied. *David Kan-ner* and *Stanford Shmukler* for petitioner. Reported below: 408 Pa. 253, 182 A. 2d 495.

No. 617, Misc. *NAYLOR v. WALKER, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 620, Misc. *POE v. OREGON.* Supreme Court of Oregon. Certiorari denied.

No. 622, Misc. *JANOSKO v. NEW YORK.* Appellate Division, Supreme Court of New York, Fourth Judicial Department. Certiorari denied. Petitioner *pro se.* *Louis J. Leskowitz*, Attorney General of New York, and *Anthony J. Lokot*, Assistant Attorney General, for respondent.

No. 623, Misc. *COGDELL 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.

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No. 616, Misc. *BASSETT v. TAHASH, WARDEN*. Supreme Court of Minnesota. Certiorari denied. Reported below: 263 Minn. 477, 116 N. W. 2d 564.

No. 618, Misc. *LEHMAN v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 621, Misc. *SHIPMAN v. INDIANA*. Supreme Court of Indiana. Certiorari denied. Reported below: 243 Ind. 245, 183 N. E. 2d 823.

No. 624, Misc. *SWANSON v. CALIFORNIA*. District Court of Appeal of California, Second Appellate District. Certiorari denied. Reported below: 204 Cal. App. 2d 169, 22 Cal. Rptr. 178.

No. 628, Misc. *WELLER v. CALIFORNIA*. District Court of Appeal of California, Third Appellate District. Certiorari denied.

No. 633, Misc. *COOPER v. WIMAN, WARDEN*. Supreme Court of Alabama. Certiorari denied. Petitioner *pro se*. *MacDonald Gallion*, Attorney General of Alabama, and *David W. Clark*, Assistant Attorney General, for respondent. Reported below: 145 So. 2d 216.

No. 639, Misc. *MOORE v. CALIFORNIA*. District Court of Appeal of California, First Appellate District. Certiorari denied. Reported below: 205 Cal. App. 2d 754, 23 Cal. Rptr. 502.

No. 643, Misc. *SIRES v. RHAY, PENITENTIARY SUPERINTENDENT*. Supreme Court of Washington. Certiorari denied.

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No. 636, Misc. HUMPHRIES *v.* BETO, CORRECTIONS DIRECTOR, ET AL. Court of Criminal Appeals of Texas. Certiorari denied.

No. 637, Misc. BETTS *v.* RANDOLPH, WARDEN. Circuit Court of Randolph County, Illinois. Certiorari denied.

No. 641, Misc. GILBERT *v.* BOLES, WARDEN. Supreme Court of Appeals of West Virginia. Certiorari denied.

No. 650, Misc. KILGALLEN *v.* NEW YORK. C. A. 2d Cir. Certiorari denied.

No. 651, Misc. JONES *v.* KENTUCKY. Court of Appeals of Kentucky. Certiorari denied.

No. 653, Misc. HENDERSON *v.* BETO, CORRECTIONS DIRECTOR. Court of Criminal Appeals of Texas. Certiorari denied.

No. 708, Misc. BRATCHER *v.* NEW YORK. Court of Appeals of New York. Certiorari denied.

Rehearing Denied.

No. 113. CAMPBELL ET AL. *v.* PENNSYLVANIA, *ante*, p. 901;

No. 124. ATLAS SCRAPER & ENGINEERING Co. *v.* PURSCHE, *ante*, p. 911;

No. 383. COPPOLA ET AL. *v.* UNITED STATES, *ante*, p. 920;

No. 538. CAMPISI *v.* UNITED STATES, *ante*, p. 925;

No. 389. DILLARD *v.* JACKSON'S ATLANTA READY MIX CONCRETE Co., INC., *ante*, p. 902;

No. 416. IN RE ALFORD, *ante*, p. 910; and

No. 418. NICHOLS & COMPANY *v.* UNITED STATES, *ante*, p. 911. Petitions for rehearing denied.

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No. 430, Misc. McDOWELL *v.* UNITED STATES, *ante*, p. 927;

No. 445, Misc. LA ROSE *v.* TAHASH, WARDEN, *ante*, p. 114;

No. 541, Misc. LIPSCOMB *v.* UNITED STATES, *ante*, p. 928; and

No. 608, Misc. THOMAS *v.* HERITAGE, WARDEN, *ante*, p. 907. Petitions for rehearing denied.

No. 25. PRESSER *v.* UNITED STATES, *ante*, p. 71. Petition for rehearing denied. MR. JUSTICE GOLDBERG took no part in the consideration or decision of this application.

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Miscellaneous Orders.

No. 511. BUSH *v.* TEXAS. Certiorari, *ante*, p. 859, to the Court of Criminal Appeals of Texas. The motion of American and Dallas Civil Liberties Unions for leave to file a brief, as *amicus curiae*, is granted. *Charles W. Webster* on the motion. *Charles Alan Wright* for petitioner, in opposition.

No. 579, Misc. PARDEE *v.* BURKE, WARDEN. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied. Petitioner *pro se*. *John W. Reynolds*, Attorney General of Wisconsin, and *William A. Platz*, Assistant Attorney General, for respondent.

No. 588, Misc. BOLIN *v.* GOODMAN, WARDEN, ET AL. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied. Petitioner *pro se*. *Daniel R. McLeod*, Attorney General of South Carolina, and *Clarence T. Goolsby, Jr.*, Assistant Attorney General, for respondents.

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Probable Jurisdiction Noted.

No. 604. DIVISION 1287, AMALGAMATED ASSOCIATION OF STREET, ELECTRIC RAILWAY & MOTOR COACH EMPLOYEES OF AMERICA, ET AL. *v.* MISSOURI. Appeal from the Supreme Court of Missouri. Probable jurisdiction noted. *Bernard Cushman, Bernard Dunau and John Manning* for appellants. *Thomas F. Eagleton*, Attorney General of Missouri, and *J. Gordon Siddens and John C. Baumann*, Assistant Attorneys General, for appellee. Reported below: 361 S. W. 2d 33.

Certiorari Granted. (See also No. 528, ante, p. 537; and No. 729, Misc., ante, p. 541.)

No. 628. LINER ET AL. *v.* JAFCO, INC., ET AL. Court of Appeals of Tennessee. *Certiorari granted.* *H. G. B. King* for petitioners. *John A. Chambliss, Jr.* for respondents.

No. 632. UNITED STATES *v.* ZACKS ET UX. Court of Claims. *Certiorari granted.* *Solicitor General Cox, Assistant Attorney General Oberdorfer, I. Henry Kutz and Mildred L. Seidman* for the United States. *Scott P. Crampton* for respondents. Reported below: 150 Ct. Cl. 814, 280 F. 2d 829.

Certiorari Denied. (See also Misc. Nos. 579 and 588, supra.)

No. 627. AEROVIAS INTERAMERICANAS DE PANAMA, S. A., ET AL. *v.* BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA. C. A. 5th Cir. *Certiorari denied.* *Philip Schleit, J. Leo McShane and William D. Donnelly* for petitioners. *Chester Bedell* for respondent. Reported below: 307 F. 2d 802.

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No. 597. *WIGHT ET AL. v. MONTANA-DAKOTA UTILITIES Co.* C. A. 9th Cir. Certiorari denied. *William G. Summers, Jr.* for petitioners. *Arthur F. Lamey* for respondent. Reported below: 299 F. 2d 470.

No. 613. *BERENSON ET AL. v. MUCHARD.* C. A. 5th Cir. Certiorari denied. *Thomas Gibbs Gee* and *Robert J. Hearon, Jr.* for petitioners. *Coleman Gay* for respondent. Reported below: 307 F. 2d 368.

No. 619. *TRI-PHARMACY, INC., ET AL. v. VIRGINIA.* Supreme Court of Appeals of Virginia. Certiorari denied. *Carl J. Batter, Carl J. Batter, Jr.* and *Karl G. Sorg* for petitioners. Reported below: 203 Va. 723, 127 S. E. 2d 89.

No. 620. *LAING v. VIRGINIA.* Supreme Court of Appeals of Virginia. Certiorari denied. *Alex N. Apostolou* for petitioner. Reported below: 203 Va. 682, 127 S. E. 2d 142.

No. 623. *RICKENBACKER v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. *C. Dickerman Williams* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Richard W. Schmude* for the United States. Reported below: 309 F. 2d 462.

No. 624. *SEARS, ROEBUCK & Co. v. GUGEL.* C. A. 6th Cir. Certiorari denied. *Burton Y. Weitzenfeld* for petitioner. *Nuel N. Donley* for respondent. Reported below: 308 F. 2d 131.

No. 626. *FRENCH ET AL. v. TOWN OF CLINTWOOD EX REL. JOHNSON.* Supreme Court of Appeals of Virginia. Certiorari denied. *S. H. Sutherland* for petitioners. Reported below: 203 Va. 562, 125 S. E. 2d 798.

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No. 636. *WOOD ET AL. v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *T. Emmett McKenzie* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Felicia Dubrovsky* for the United States.

No. 571. *HARLEY v. TEHAN*, U. S. DISTRICT JUDGE. Motion of Louisville & Nashville Railroad Co. for leave to file brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. *Sidney M. Eisenberg* for petitioner. *Gerald J. Kahn* for Louisville & Nashville Railroad Co., as *amicus curiae*, in opposition.

No. 359, Misc. *ODELL v. BURKE, WARDEN*. C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *John W. Reynolds*, Attorney General of Wisconsin, and *William A. Platz*, Assistant Attorney General, for respondent.

No. 528, Misc. *FRIERSON 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: 299 F. 2d 763.

No. 529, Misc. *PLACONA 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. 605, Misc. *THOMAS v. UNITED STATES*. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox* for the United States.

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No. 554, Misc. *IN RE CHESTER*. Supreme Court of California. Certiorari denied. Petitioner *pro se*. *Stanley Mosk*, Attorney General of California, and *Doris H. Maier*, Assistant Attorney General, for the State of California.

No. 572, Misc. *ALLOCCO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Leon Polsky* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *J. F. Bishop* for the United States. Reported below: 305 F. 2d 704.

No. 661, Misc. *STACEY v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied. *Gerald W. Getty* and *James J. Doherty* for petitioner. Reported below: 25 Ill. 2d 258, 184 N. E. 2d 866.

No. 664, Misc. *YOUNG v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 309 F. 2d 749.

No. 670, Misc. *MORROW v. NEW YORK*. Appellate Division, Supreme Court of New York, First Judicial Department. Certiorari denied.

No. 673, Misc. *WRIGHT v. ILLINOIS*. Supreme Court of Illinois. Certiorari denied.

No. 799, Misc. *FAUST v. NORTH CAROLINA*. C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *T. W. Bruton*, Attorney General of North Carolina, and *Harry W. McGalliard*, Assistant Attorney General, for respondent. Reported below: 307 F. 2d 869.

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No. 681, Misc. RATHBUN *v.* WAINWRIGHT, CORRECTIONS DIRECTOR. Supreme Court of Florida. Certiorari denied.

Rehearing Denied.

No. 363. GINSBURG *v.* LING, U. S. DISTRICT JUDGE, *ante*, p. 932;

No. 443. TURNER ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE, *ante*, p. 922;

No. 478. STRATTON ET AL. *v.* DALY, *ante*, p. 934;

No. 488. GUNDERSON BROS. ENGINEERING CORP. *v.* MERRITT-CHAPMAN & SCOTT CORP., *ante*, p. 935;

No. 62, Misc. LIEBERMAN *v.* OHIO, *ante*, p. 925;

No. 326, Misc. DELEVAY *v.* NATIONAL SAVINGS & TRUST Co., *ante*, p. 926;

No. 403, Misc. LIEBERMAN *v.* COLUMBUS BAR ASSOCIATION, *ante*, p. 927; and

No. 598, Misc. IN RE DISBARMENT OF GATELY, *ante*, p. 918. Petitions for rehearing denied.

No. 467. ALVADO ET AL. *v.* GENERAL MOTORS CORP., *ante*, p. 925. Petition for rehearing denied. MR. JUSTICE GOLDBERG took no part in the consideration or decision of this application.

JANUARY 21, 1963.

Miscellaneous Orders.

No. 332. BOESCHE, ADMINISTRATOR, *v.* UDALL, SECRETARY OF THE INTERIOR. Certiorari, *ante*, p. 886, to the United States Court of Appeals for the District of Columbia Circuit. The motion of the Rocky Mountain Oil & Gas Assn. for leave to present oral argument, as *amicus curiae*, is denied. *Scott A. Pfohl* and *A. G. McClintock* on the motion.

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No. 12, Original. *HAWAII v. BELL*. This case is set for argument on Monday, October 14, 1963, and a total of two hours is allowed for oral argument. [For earlier order herein, see *ante*, p. 804.]

No. 150. *SILVER, DOING BUSINESS AS MUNICIPAL SECURITIES CO., ET AL. v. NEW YORK STOCK EXCHANGE*. Certiorari, *ante*, p. 808, to the United States Court of Appeals for the Second Circuit. The motion of the Solicitor General, on behalf of the United States, for leave to participate in oral argument, as *amicus curiae*, is granted and thirty minutes are allotted for that purpose. Counsel for the petitioners and the respondent are also allotted an additional fifteen minutes to argue in this case. *Solicitor General Cox* on the motion.

No. 661. *MISSISSIPPI ET AL. v. MEREDITH*. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. The motion of *John C. Satterfield* for leave to withdraw his appearance as counsel for the petitioners is granted.

Certiorari Granted.

No. 407. *HUMPHREY ET AL. v. MOORE ET AL.* Court of Appeals of Kentucky. Certiorari granted. *H. Solomon Horen* and *Mozart G. Ratner* for petitioners. *John Y. Brown* for Moore et al., and *Newell N. Fowler* for Dealers Transport Co., respondents. Reported below: 356 S. W. 2d 241.

No. 569. *COREY v. UNITED STATES*. C. A. 1st Cir. Certiorari granted. *Russell Morton Brown* and *Maurice C. Goodpasture* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States. Reported below: 307 F. 2d 839.

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No. 408. GENERAL DRIVERS, WAREHOUSEMEN & HELPERS, LOCAL UNION No. 89, *v.* MOORE ET AL. Court of Appeals of Kentucky. Certiorari granted. *David Previant, Herbert S. Thatcher* and *Ralph H. Logan* for petitioner. *John Y. Brown* for Moore et al., and *Newell N. Fowler* for Dealers Transport Co., respondents. Reported below: 356 S. W. 2d 241.

No. 618. SECURITIES AND EXCHANGE COMMISSION *v.* CAPITAL GAINS RESEARCH BUREAU, INC., ET AL. C. A. 2d Cir. Certiorari granted. *Solicitor General Cox, Stephen J. Pollak, Peter A. Dammann, David Ferber* and *Walter P. North* for petitioner. *Leo C. Fennelly* for respondents. Reported below: 300 F. 2d 745; 306 F. 2d 606.

No. 778, Misc. JACKSON *v.* DENNO, WARDEN. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted. Case transferred to the appellate docket. *Norman Redlich* for petitioner. Reported below: 309 F. 2d 573.

Certiorari Denied. (See also No. 607, *ante*, p. 577.)

No. 502. RAINS *v.* NEBRASKA. Supreme Court of Nebraska. Certiorari denied. *Claude T. Wood* for petitioner. *Clarence A. H. Meyer*, Attorney General of Nebraska, and *Cecil S. Brubaker*, Assistant Attorney General, for respondent. Reported below: 173 Neb. 586, 114 N. W. 2d 399.

No. 616. MILLER *v.* UDALL, SECRETARY OF THE INTERIOR. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Chester C. Shore* for petitioner. *Solicitor General Cox, S. Billingsley Hill* and *Hugh Nugent* for respondent. Reported below: 113 U. S. App. D. C. 339, 307 F. 2d 676.

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No. 634. *McDANIEL v. CAMPBELL, WYANT & CANNON FOUNDRY Co. ET AL.* Supreme Court of Michigan. Certiorari denied. *Thomas W. Finucan* for petitioner. *Richard W. Galihier* for respondents. Reported below: 367 Mich. 356, 116 N. W. 2d 835.

No. 637. *LEMONS ET AL. v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. *R. R. Ryder* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 309 F. 2d 168.

No. 638. *JEW TEN, ALIAS GEORGE K. JUE, ALIAS JUE GAR KING, ALIAS CHOW KA KING, v. IMMIGRATION AND NATURALIZATION SERVICE.* C. A. 9th Cir. Certiorari denied. *Joseph S. Hertogs* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Richard W. Schmude* for respondent. Reported below: 307 F. 2d 832.

No. 640. *EDENS v. ARKANSAS.* Supreme Court of Arkansas. Certiorari denied. *Gus R. Camp* for petitioner. Reported below: 235 Ark. 178, 359 S. W. 2d 432.

No. 642. *KANSAS CITY TRANSIT, INC., v. KANSAS CITY TERMINAL RAILWAY Co.* Supreme Court of Missouri. Certiorari denied. *Albert Thomson* for petitioner. *Richard S. Righter* for respondent. Reported below: 359 S. W. 2d 698.

No. 643. *NATURE FOOD CENTRES, INC., ET AL. v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. *Milton A. Bass* and *Solomon H. Friend* for petitioners. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *William W. Goodrich* for the United States. Reported below: 310 F. 2d 67.

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No. 644. AMERICAN STEVEDORES, INC., *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *John T. Reges* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Joseph M. Howard and Burton Berkley* for the United States. Reported below: 310 F. 2d 47.

No. 651. WISCONSIN ET AL. *v.* UDALL, SECRETARY OF THE INTERIOR. United States Court of Appeals for the District of Columbia Circuit. Certiorari denied. *Roy G. Tulane, Assistant Attorney General of Wisconsin, Nicholas V. Olds, Assistant Attorney General of Michigan, Newell A. Clapp, Wendell Lund and Joseph B. Levin* for petitioners. *Solicitor General Cox, Acting Assistant Attorney General Guilfoyle, Morton Hollander and Kathryn H. Baldwin* for respondent. Reported below: 113 U. S. App. D. C. 183, 306 F. 2d 790.

No. 80, Misc. WAKIN *v.* KEENAN, WORKHOUSE SUPERINTENDENT. Supreme Court of Pennsylvania. Certiorari denied.

No. 546, Misc. BUSH *v.* TEXAS. Court of Criminal Appeals of Texas. Certiorari denied. Petitioner *pro se. Carl E. F. Dally* for respondent. Reported below: 172 Tex. Cr. R. —, 358 S. W. 2d 384.

No. 566, Misc. MARTINEZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Petitioner *pro se. Solicitor General Cox* for the United States. Reported below: 302 F. 2d 279.

No. 743, Misc. MARTIN *v.* KENTUCKY. Court of Appeals of Kentucky. Certiorari denied. Petitioner *pro se. John B. Breckinridge, Attorney General of Kentucky, and Ray Corns, Assistant Attorney General, for respondent.* Reported below: 361 S. W. 2d 654.

January 21, 1963.

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No. 649. *SILVAS v. ARIZONA*. Supreme Court of Arizona. Certiorari denied. *John P. Frank* for petitioner. *Robert W. Pickrell*, Attorney General of Arizona, and *Stirley Newell*, Assistant Attorney General, for respondent. Reported below: 91 Ariz. 386, 372 P. 2d 718.

Rehearing Denied.

No. 453. *IN RE ALKER*, *ante*, p. 923;

No. 495. *INTERNATIONAL ASSOCIATION OF MACHINISTS, AFL-CIO, ET AL. v. CENTRAL AIRLINES, INC.*, *ante*, p. 934;

No. 510. *TEXAS CARBONATE CO. v. PHINNEY, DISTRICT DIRECTOR OF INTERNAL REVENUE*, *ante*, p. 940; and

No. 522. *UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA ET AL. v. LUTES ET AL.*, *ante*, p. 941. Petitions for rehearing denied.

No. 23, Misc., October Term, 1959. *IN RE DISBARMENT OF ALKER*, *ante*, p. 918. Petition for rehearing denied. MR. JUSTICE WHITE and MR. JUSTICE GOLDBERG took no part in the consideration or decision of this application.