

HONEYWOOD ET AL. v. ROCKEFELLER,  
GOVERNOR OF NEW YORK, ET AL.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF NEW YORK.

No. 267. Decided March 2, 1964.

214 F. Supp. 897, affirmed.

*Moses M. Falk* for appellants.

*Louis J. Lefkowitz*, Attorney General of New York,  
*Irving Galt*, Assistant Solicitor General, *Sheldon Raab*,  
Assistant Attorney General, and *Irving D. Goodstein* for  
appellees.

PER CURIAM.

The motion to affirm is granted and the judgment is  
affirmed. *Wright v. Rockefeller*, ante, p. 52.

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MARTIN, SECRETARY OF STATE OF TEXAS,  
ET AL. v. BUSH ET AL.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF TEXAS.

No. 675. Decided March 2, 1964.

Judgment affirmed on authority of *Wesberry v. Sanders*, ante, p. 1,  
without prejudice to appellants' right to apply to District Court by  
April 1, 1964, for further equitable relief.

224 F. Supp. 499, affirmed.

*Waggoner Carr*, Attorney General of Texas, *Albert P.*  
*Jones* and *Hawthorne Phillips*, First Assistant Attorneys  
General, *Mary K. Wall*, Assistant Attorney General,  
*Will D. Davis* and *Frank C. Erwin, Jr.* for appellants.

*William B. Cassin* and *Thad T. Hutcheson* for appellees.

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Per Curiam.

## PER CURIAM.

The motion to affirm is granted and the judgment is affirmed on the authority of *Wesberry v. Sanders*, ante, p. 1, without prejudice to the right of the appellants to apply by April 1, 1964, to the District Court for further equitable relief in light of the present circumstances including the imminence of the forthcoming election and "the operation of the election machinery of Texas" noted by the District Court in its opinion.\* The stay heretofore granted by MR. JUSTICE BLACK is continued in effect pending timely application for the foregoing relief and final disposition thereof by the District Court.

MR. JUSTICE CLARK joins this disposition, but upon the grounds stated in his separate opinion in *Wesberry v. Sanders*, ante, p. 18.

MR. JUSTICE HARLAN and MR. JUSTICE STEWART would reverse the judgment below for the reasons stated in their dissenting opinions in *Wesberry v. Sanders*, ante, pp. 20, 50.

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\*224 F. Supp. 499, 513.