

384 U. S.

May 23, 1966.

DAY ET AL. *v.* UNITED STATES ET AL.APPEAL FROM THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF CALIFORNIA.

No. 1086. Decided May 23, 1966.

246 F. Supp. 689, affirmed.

Edward J. Hickey, Jr., and James L. Highsaw, Jr., for appellants.

Solicitor General Marshall, Assistant Attorney General Turner, Howard E. Shapiro, Charles L. Marinaccio, Robert W. Ginnane and Leonard S. Goodman for the United States et al. Charles W. Burkett, Herbert A. Waterman and Randolph Karr for appellee Southern Pacific Co.

PER CURIAM.

The motions to affirm are granted and the judgment is affirmed.

RUTHERFORD *v.* WASHINGTON.

APPEAL FROM THE SUPREME COURT OF WASHINGTON.

No. 1167. Decided May 23, 1966.

66 Wash. 2d 851, 405 P. 2d 719, appeal dismissed and certiorari denied.

Kenneth A. MacDonald for appellant.

PER CURIAM.

The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for a writ of certiorari, certiorari is denied.