

October 9, 1967.

389 U. S.

PRICE, DBA HOWARD PRICE & CO. v. STATE ROAD
COMMISSION OF WEST VIRGINIA ET AL.

APPEAL FROM THE CIRCUIT COURT OF WEST VIRGINIA,
KANAWHA COUNTY.

No. 176. Decided October 9, 1967.*

Appeals dismissed and certiorari denied.

Carney M. Layne and *Charles W. Yeager* for appellants in both cases.

C. Donald Robertson, Attorney General of West Virginia, and *George H. Mitchell*, Assistant Attorney General, for appellees in both cases.

PER CURIAM.

The motions to dismiss are granted and the appeals are dismissed for want of jurisdiction. Treating the papers whereon the appeals were taken as petitions for writs of certiorari, certiorari is denied.

THE CHIEF JUSTICE and MR. JUSTICE BRENNAN are of the opinion that probable jurisdiction should be noted.

*Together with No. 177, *Wetherall et al. v. State Road Commission of West Virginia et al.*, also on appeal from the same court.