

ORDERS FROM JANUARY 18 THROUGH  
APRIL 29, 1968.

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JANUARY 18, 1968.

*Dismissal Under Rule 60.*

No. 864. JAMES BLACK DRY GOODS CO. *v.* BOARD OF REVIEW FOR THE CITY OF WATERLOO. Sup. Ct. Iowa. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *George R. Johnson* for petitioner. Reported below: — Iowa —, 151 N. W. 2d 534.

JANUARY 22, 1968.

*Miscellaneous Orders.*

No. 363. UNITED STATES ET AL. *v.* SOUTHWESTERN CABLE CO. ET AL.; and

No. 428. MIDWEST TELEVISION, INC., ET AL. *v.* SOUTHWESTERN CABLE CO. ET AL. C. A. 9th Cir. Motion to vacate stay of mandate of the United States Court of Appeals for the Ninth Circuit denied. MR. JUSTICE DOUGLAS and MR. JUSTICE MARSHALL took no part in the consideration or decision of this motion. *Arthur Scheiner* and *Harold F. Reis* on the motion for Southwestern Cable Co. *Solicitor General Griswold* for the United States et al., and *Ernest W. Jennes* and *Charles A. Miller* for Midwest Television, Inc., et al. in opposition. [For previous orders herein, see *e. g.*, 389 U. S. 1029.]

No. 897, Misc. BOWENS *v.* REAGAN, GOVERNOR OF CALIFORNIA, ET AL. Motion for leave to file petition for writ of habeas corpus denied.

No. 906, Misc. TURNER *v.* NELSON, 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 denied.

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No. 180, Misc. IN RE DISBARMENT OF McCULLOUGH. It having been reported to the Court that James M. McCullough of Chevy Chase, State of Maryland, has been disbarred from the practice of law by the United States Court of Appeals for the District of Columbia Circuit, duly entered on the 11th day of May, 1967, and this Court by order of June 5, 1967, having suspended the said James M. McCullough 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, and that the time within which to file a return to the rule has expired;

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

No. 866, Misc. McCLARY *v.* RODGERS, JAIL SUPERINTENDENT. Motion for leave to file petition for writ of habeas corpus denied. *Solicitor General Griswold* for respondent.

No. 546, Misc. PATTERSON, WARDEN, ET AL. *v.* ARRAJ, CHIEF JUDGE, U. S. DISTRICT COURT. Motion for leave to proceed on mimeographed papers granted. Motion for leave to file petition for writ of mandamus denied. *Duke W. Dunbar*, Attorney General of Colorado, and *John E. Bush* and *John P. Moore*, Assistant Attorneys General, for petitioners. *Michael A. Williams* for respondent.

No. 744, Misc. JUPITER *v.* UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA. Motion for leave to file petition for writ of mandamus denied.

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No. 1078, Misc. GONZALES *v.* WARDEN, BROOKLYN HOUSE OF DETENTION. Ct. App. N. Y. Motion for bail denied. MR. JUSTICE DOUGLAS is of the opinion that bail should be granted. *Jack Greenberg, Michael Meltsner, Anthony Amsterdam, James M. Nabrit III, Charles Stephen Ralston and Melvyn Zarr* on the motion.

*Probable Jurisdiction Noted.*

No. 949. KING, COMMISSIONER, DEPARTMENT OF PENSIONS AND SECURITY, ET AL. *v.* SMITH ET AL. Appeal from D. C. M. D. Ala. Probable jurisdiction noted. *MacDonald Gallion*, Attorney General of Alabama, and *Mary Lee Stapp* and *Carol F. Miller*, Assistant Attorneys General, for appellants. Reported below: 277 F. Supp. 31.

*Certiorari Granted.*

No. 844. MANCUSI, WARDEN *v.* DEFORTE. C. A. 2d Cir. Certiorari granted. *Louis J. Lefkowitz*, Attorney General of New York, *Samuel A. Hirshowitz*, First Assistant Attorney General, and *Michael H. Rauch*, Assistant Attorney General, for petitioner. Reported below: 379 F. 2d 897.

No. 889. HOGUE *v.* SOUTHERN RAILWAY Co. Ct. App. Ga. Certiorari granted. *Samuel D. Hewlett, Jr.*, for petitioner. *Charles A. Horsky* for respondent. Reported below: 116 Ga. App. 194, 156 S. E. 2d 412.

*Certiorari Denied.* (See also No. 815, *ante*, p. 36; No. 895, *ante*, p. 37; No. 502, Misc., *ante*, p. 29; No. 778, Misc., *ante*, p. 38; No. 806, Misc., *ante*, p. 37; and No. 906, Misc., *supra*.)

No. 917. O'CONNOR *v.* O'CONNOR. Super. Ct. N. J. Certiorari denied.



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No. 816. *SUESS v. UNITED STATES*; and

No. 845. *SCHWENOHA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Abraham Teitelbaum* for petitioner in No. 816, and *Samuel Rowe* for petitioner in No. 845. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Ronald L. Gainer* for the United States in both cases. Reported below: 383 F. 2d 395.

No. 841. *MONSANTO CO. ET AL. v. CHEROKEE LABORATORIES, INC.*; and

No. 842. *ROTARY DRILLING SERVICES, INC., ET AL. v. CHEROKEE LABORATORIES, INC.* C. A. 5th Cir. Certiorari denied. *R. Gordon Gooch* for petitioner Monsanto Co., and *Vernon O. Teofan* and *Jack N. Price* for respondent in No. 841. *James R. Ryan* for petitioners in No. 842. Reported below: 383 F. 2d 97.

No. 856. *KENNEY v. CALIFORNIA TANKER CO.* C. A. 3d Cir. Certiorari denied. *Henry A. Wise, Jr.*, for petitioner. *David T. Dana III* for respondent. Reported below: 381 F. 2d 775.

No. 869. *ERLING v. PARK DISTRICT OF THE CITY OF BISMARCK*. Sup. Ct. N. D. Certiorari denied. *William R. Mills* for petitioner. Reported below: 152 N. W. 2d 401.

No. 878. *SCOTT'S, INC. v. NATIONAL LABOR RELATIONS BOARD ET AL.* C. A. D. C. Cir. Certiorari denied. *John W. Cummiskey* for petitioner. *Solicitor General Griswold*, *Arnold Ordman*, *Dominick L. Manoli*, *Norton J. Come* and *George B. Driesen* for the National Labor Relations Board, and *Irving Abramson* and *Ruth Weyand* for International Union of Electrical, Radio & Machine Workers, AFL-CIO, respondents. Reported below: 127 U. S. App. D. C. 303, 383 F. 2d 230.



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No. 875. *WALKER v. KANSAS*. Sup. Ct. Kan. Certiorari denied. *John J. Spriggs, Jr.*, for petitioner. *Robert C. Londerholm*, Attorney General of Kansas, and *J. Richard Foth* and *John K. Sargent*, Assistant Attorneys General, for respondent. Reported below: 199 Kan. 508, 430 P. 2d 246.

No. 884. *NORTH CAROLINA v. PATTON*. C. A. 4th Cir. Certiorari denied. *Thomas Wade Bruton*, Attorney General of North Carolina, and *Andrew A. Vanore, Jr.*, for petitioner. *William W. Van Alstyne* for respondent. Reported below: 381 F. 2d 636.

No. 887. *ROYAL TOPS MANUFACTURING CO., INC., ET AL. v. DONALD F. DUNCAN, INC.* C. A. 7th Cir. Certiorari denied. *Maxwell E. Sparrow* for petitioners. *Owen J. Ooms* for respondent. Reported below: 381 F. 2d 879.

No. 888. *LOCALS 107 ET AL., AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN & HELPERS OF AMERICA v. A. DUIE PYLE, INC., ET AL.* C. A. 3d Cir. Certiorari denied. *David Previant*, *Edward Davis* and *Florian Bartosic* for petitioners. *Robert H. Kleeb* for A. Duie Pyle, Inc., et al., and *Solicitor General Griswold*, *Arnold Ordman*, *Dominick L. Manoli* and *Norton J. Come* for the National Labor Relations Board, respondents. Reported below: 383 F. 2d 772.

No. 915. *GLENS FALLS INSURANCE CO. ET AL. v. UNITED STATES FOR THE USE OF NEWTON LUMBER & MFG. CO. ET AL.* C. A. 10th Cir. Certiorari denied. *Martin J. Andrew* for Glens Falls Insurance Co., and *Roger T. Tammen* for DMH Enterprises, Inc., petitioners. *Louis Johnson* for respondents. Reported below: 388 F. 2d 66.

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No. 892. *HASHA ET AL. v. FOSTER CATHEAD CO.* C. A. 5th Cir. Certiorari denied. *Jack W. Hayden* for petitioners. *James F. Weiler* and *Royal H. Brin, Jr.*, for respondent. Reported below: 382 F. 2d 761.

No. 894. *FRIEND ET AL. v. TROPIS CO., LTD.* C. A. 4th Cir. Certiorari denied. *Sidney H. Kelsey* for petitioners. *John W. Winston* for respondent. Reported below: 382 F. 2d 633.

No. 902. *SCIORTINO v. ZAMPANO*, U. S. DISTRICT JUDGE. C. A. 2d Cir. Certiorari denied. *David Goldstein*, *Jacob D. Zeldes* and *Elaine S. Amendola* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Beatrice Rosenberg* for respondent. Reported below: 385 F. 2d 132.

No. 904. *UNITED STATES v. TRINITY UNIVERSAL INSURANCE CO. ET AL.* C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Rogovin*, *Harris Weinstein*, *Crombie J. D. Garrett* and *Bennet N. Hollander* for the United States. *Lloyd E. Elliott* for respondents. Reported below: 382 F. 2d 317.

No. 757. *DEKALB COUNTY COMMUNITY SCHOOL DISTRICT 428 ET AL. v. DESPAIN ET AL.* C. A. 7th Cir. Certiorari denied. MR. JUSTICE STEWART is of the opinion that certiorari should be granted. *Peter Fitzpatrick* and *George Kaye* for petitioners. Reported below: 384 F. 2d 836.

No. 234, Misc. *PARKER v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. *Norman H. Anderson*, Attorney General of Missouri, and *John H. Denman*, Assistant Attorney General, for respondent. Reported below: 413 S. W. 2d 489.

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No. 896. *MASHAK v. PASTERNAK*. Sup. Ct. Mo. Certiorari denied. *Frank Mashak*, petitioner, *pro se*. *Jerome F. Duggan* for respondent. Reported below: 428 S. W. 2d 565.

No. 867. *BATTAGLIA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Albert J. Krieger* and *Robert Kasanof* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Philip R. Monahan* for the United States. Reported below: 383 F. 2d 303.

No. 349, Misc. *ARGO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 378 F. 2d 301.

No. 464, Misc. *DIXSON v. MONTANA ET AL.* Sup. Ct. Mont. Certiorari denied. *Forrest H. Anderson*, Attorney General of Montana, and *James R. Beck*, Assistant Attorney General, for respondents. Reported below: 149 Mont. 412, 430 P. 2d 642.

No. 517, Misc. *WOODS v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied. *Frank J. Kelley*, Attorney General of Michigan, and *Robert A. Derengoski*, Solicitor General, for respondent. Reported below: 379 Mich. 757.

No. 576, Misc. *BERRIEL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Sheldon Otis* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 371 F. 2d 587.



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No. 463, Misc. PRICE *v.* NEW YORK. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. *Aaron E. Koota* and *Frank DiLalla* for respondent.

No. 520, Misc. PERRY ET AL. *v.* OHIO. Ct. App. Ohio, Cuyahoga County. Certiorari denied. *James R. Willis* for petitioners. *John T. Corrigan* and *Harvey R. Monck* for respondent.

No. 593, Misc. LISCIANDRELLO *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Ronald L. Gainer* for the United States. Reported below: 340 F. 2d 243 and 254.

No. 642, Misc. SCHMIDT *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 380 F. 2d 22.

No. 646, Misc. DOMDOM *v.* ADMINISTRATOR OF VETERANS ADMINISTRATION. C. A. D. C. Cir. Certiorari denied. *Solicitor General Griswold* for respondent.

No. 697, Misc. PINKNEY *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 380 F. 2d 882.

No. 765, Misc. CUNNINGHAM *v.* MARYLAND. Ct. App. Md. Certiorari denied. *Elsbeth Levy Bothe* for petitioner. *Francis B. Burch*, Attorney General of Maryland, and *Lewis A. Noonberg*, Assistant Attorney General, for respondent. Reported below: 247 Md. 404, 231 A. 2d 501.

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No. 749, Misc. MATLOCK *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson and Beatrice Rosenberg* for the United States.

No. 757, Misc. BERTSCH *v.* BETO, CORRECTIONS DIRECTOR. C. A. 5th Cir. Certiorari denied. *Clyde W. Woody and Marian S. Rosen* for petitioner. *Crawford C. Martin*, Attorney General of Texas, and *R. L. Lattimore, Howard M. Fender and Gilbert J. Pena*, Assistant Attorneys General, for respondent. Reported below: 376 F. 2d 855.

No. 766, Misc. TANNAHILL *v.* ARIZONA. Sup. Ct. Ariz. Certiorari denied. Reported below: 102 Ariz. 356, 429 P. 2d 953.

No. 770, Misc. FINNEY *v.* CALIFORNIA. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 776, Misc. GOLDBERG *v.* NEW YORK. Ct. App. N. Y. Certiorari denied. *Frank S. Hogan, H. Richard Uviller and Michael R. Stack* for respondent. Reported below: 19 N. Y. 2d 460, 227 N. E. 2d 575.

No. 780, Misc. TRAVIS *v.* TEXAS. Ct. Crim. App. Tex. Certiorari denied. *William E. Gray* for petitioner. Reported below: 416 S. W. 2d 417.

No. 781, Misc. PRINCIPE *v.* NELSON, WARDEN, ET AL. Sup. Ct. Cal. Certiorari denied.

No. 783, Misc. RIVERA *v.* SARD ET AL. C. A. D. C. Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson and Beatrice Rosenberg* for respondents.

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No. 782, Misc. SIMS *v.* CALIFORNIA. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 784, Misc. WALLS *v.* MARONEY, CORRECTIONAL SUPERINTENDENT. C. A. 3d Cir. Certiorari denied.

No. 785, Misc. CAULFIELD *v.* NEW JERSEY. Sup. Ct. N. J. Certiorari denied.

No. 790, Misc. CRAWFORD *v.* KENTUCKY. Ct. App. Ky. Certiorari denied.

No. 797, Misc. BAKER *v.* CROUSE, WARDEN. C. A. 10th Cir. Certiorari denied.

No. 799, Misc. ANDERSON *v.* LANE, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 800, Misc. STEBBINS *v.* NATIONWIDE MUTUAL INSURANCE Co. C. A. 4th Cir. Certiorari denied. *Roger D. Redden* for respondent. Reported below: 382 F. 2d 267.

No. 801, Misc. CLARK *v.* PEYTON, PENITENTIARY SUPERINTENDENT. C. A. 4th Cir. Certiorari denied.

No. 803, Misc. OSWALD *v.* CROUSE, WARDEN. C. A. 10th Cir. Certiorari denied.

No. 804, Misc. ALLEN *v.* WARDEN, BALTIMORE COUNTY JAIL. Cir. Ct. Baltimore County, Md. Certiorari denied.

No. 64, Misc. COLEMAN *v.* NEW YORK. Ct. App. N. Y. Certiorari denied. MR. JUSTICE BLACK is of the opinion that certiorari should be granted. *Victor Rabinowitz* for petitioner. *Aaron E. Koota* and *William I. Siegel* for respondent.



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MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted in the following cases (beginning with No. 754, Misc., and extending through No. 850, Misc., on this page):

No. 754, Misc. *SHAW v. CALIFORNIA*. Super. Ct. Cal., County of Los Angeles. Certiorari denied. *Roger Arnebergh* and *Philip E. Grey* for respondent.

No. 758, Misc. *GALLMON v. NEW YORK*. Ct. App. N. Y. Certiorari denied. *Leon B. Polsky* for petitioner. *Frank S. Hogan* and *H. Richard Uviller* for respondent. Reported below: 19 N. Y. 2d 389, 227 N. E. 2d 284.

No. 816, Misc. *HILL v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Philip C. Griffin*, Deputy Attorney General, for respondent. Reported below: 66 Cal. 2d 536, 426 P. 2d 908.

No. 826, Misc. *HOWARD v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. *H. David Rothman* for petitioner. *Robert W. Duggan* and *Edwin J. Martin* for respondent. Reported below: 426 Pa. 305, 231 A. 2d 860.

No. 850, Misc. *WILSON v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. *Howard Moore, Jr.*, for petitioner. *Lewis R. Slaton*, *J. Walter LeCraw* and *J. Robert Sparks* for respondent. Reported below: 223 Ga. 531, 156 S. E. 2d 446.

No. 805, Misc. *LAMENCA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 381 F. 2d 993.

No. 810, Misc. *FUNICELLO v. NEW JERSEY*. Sup. Ct. N. J. Certiorari denied. Reported below: 49 N. J. 553, 231 A. 2d 579.

No. 814, Misc. *DABNEY v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied. Reported below: 250 Cal. App. 2d 933, 59 Cal. Rptr. 243.

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No. 812, Misc. PICHE, AKA PEPPINOS *v.* WASHINGTON. Sup. Ct. Wash. Certiorari denied. *Francis Conklin* for petitioner. Reported below: 71 Wash. 2d 583, 430 P. 2d 522.

No. 815, Misc. JACKSON *v.* CALIFORNIA. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 856, Misc. RAINSBERGER *v.* HOCKER, WARDEN. C. A. 9th Cir. Certiorari denied. *Samuel S. Lionel* for petitioner. *Harvey Dickerson*, Attorney General of Nevada, for respondent. Reported below: 380 F. 2d 783.

No. 960, Misc. HAWKINS *v.* WASHINGTON. Sup. Ct. Wash. Certiorari denied. *John Caughlan* for petitioner. Reported below: 70 Wash. 2d 697, 425 P. 2d 390.

No. 723, Misc. BANDY *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Acting Solicitor General Spritzer* for the United States.

*Rehearing Denied.*

No. 197. KAPLAN ET AL. *v.* LEHMAN BROTHERS ET AL., 389 U. S. 954. Petition for rehearing denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition.

No. 337. EASTON, DBA GEORGE EASTON FURNITURE CO. *v.* WEIR ET AL., 389 U. S. 905. Motion to dispense with printing petition granted. Petition for rehearing denied.

No. 572. MOORMAN ET UX. *v.* THOMAS ET AL., 389 U. S. 959; and

No. 370, Misc. NELSON *v.* DARLING SHOP OF BIRMINGHAM, INC., ET AL., 389 U. S. 876. Motions for leave to file petitions for rehearing denied.

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No. 515. W. E. B. DuBois Clubs of America et al. v. Clark, Attorney General, et al., 389 U. S. 309;

No. 675. Township of Springfield v. Green et al., 389 U. S. 331;

No. 696. Alpha Enterprises, Inc. v. City of Houston et al., 389 U. S. 1005;

No. 698. Farmers Co-operative Elevator Association Non-Stock of Big Springs, Nebraska v. Strand, 389 U. S. 1014; and

No. 197, Misc. Hillery v. California, 389 U. S. 986. Petitions for rehearing denied.

JANUARY 24, 1968.

*Miscellaneous Order.*

Nos. 778, 779, 830-836. PENN-CENTRAL MERGER AND N & W INCLUSION CASES, 389 U. S. 486. Motion of the United States and Interstate Commerce Commission for immediate issuance of judgment granted. MR. JUSTICE MARSHALL took no part in the consideration or decision of this motion. *Solicitor General Griswold, Robert W. Ginnane and Fritz R. Kahn* for the United States et al. on the motion. *Hugh B. Cox and Henry P. Sailer* for Pennsylvania Railroad Co. et al., and *Joseph Auerbach and Morris Raker* for Smith et al., trustees of the property of New York, New Haven & Hartford Railroad Co., in support of the motion. *Harvey Gelb, Gordon P. MacDougall, Leon H. Keyserling and Israel Packel* for the City of Scranton et al., in opposition.

JANUARY 25, 1968.

*Dismissal Under Rule 60.*

No. 768, Misc. SHIPP v. CALIFORNIA. Ct. App. Cal., 2d App. Dist. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court.



JANUARY 29, 1968.

*Miscellaneous Orders.*

No. —. MCSURELY ET AL. v. RATLIFF ET AL. Motion for relief presented to Mr. Justice Stewart, and by him referred to the Court, granted, and the order of the United States District Court for the Eastern District of Kentucky of December 13, 1967, stayed to the extent that the seized documents shall remain in custody of the Commonwealth's Attorney of Pike County, Kentucky, pending perfection and disposition of the appeal by this Court.

This stay is conditioned upon filing of the record, the jurisdictional statement and the docketing of the case within fourteen days from this date and should such appeal be docketed within that time, the Solicitor General is requested to respond to such jurisdictional statement within fourteen days thereafter. In the event the appeal is so docketed, this stay is to remain in effect pending this Court's ruling on the jurisdictional aspect of the case. Should the Court summarily affirm the judgment or dismiss the appeal, this stay shall automatically expire. In the event the Court notes probable jurisdiction or postpones consideration of the jurisdiction until the hearing on the merits, this stay is to remain in effect pending issuance of the judgment of this Court.

Issuance of this stay in no way represents an adjudication that this Court has jurisdiction of an appeal from the order of the United States District Court hereby stayed. *Dan Jack Combs, William M. Kunstler, Arthur Kinoy and Morton Stavis* for applicants. *Solicitor General Griswold* for the United States in opposition. [For earlier order herein, see 389 U. S. 949.]

No. 807, Misc. PEREZ v. NEW YORK. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Motion for leave to file petition for writ of certiorari denied.

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No. 574, October Term, 1963. WILLIAMSON ET AL., EXECUTORS *v.* PEURIFOY, JUDGE. C. A. 5th Cir. Second motion to recall and amend order of this Court of January 6, 1964, denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this motion. [For earlier orders herein, see, *e. g.*, 386 U. S. 901.]

No. 1105, October Term, 1966. MCBRIDE *v.* SMITH, COMMANDANT, UNITED STATES COAST GUARD, 387 U. S. 932. The Solicitor General is requested to file a response to petition for rehearing within thirty days. MR. JUSTICE MARSHALL took no part in the consideration or decision of this order.

No. —. IAQUINTA *v.* NEW YORK CITY EMPLOYEES RETIREMENT SYSTEM ET AL. Further consideration of the motions to docket and dismiss this appeal is postponed pending consideration of any jurisdictional statement that may be filed.

No. —. AMERICAN RADIATOR & STANDARD SANITARY CORP. ET AL. *v.* PHILADELPHIA HOUSING AUTHORITY ET AL. C. A. 3d Cir. Application for writ of injunction presented to MR. JUSTICE BRENNAN, and by him referred to the Court, denied. *John B. H. Carter, Lewis H. Van Dusen, Jr., Seymour Kurland, Edward W. Mullinix, David B. Buerger and Richardson Blair* for applicants. *Aaron M. Fine, Harold E. Kohn and David Berger* for respondents in opposition.

No. 64. UNITED ARTISTS CORP. *v.* CITY OF DALLAS. Appeal from Ct. Civ. App. Tex., 5th Sup. Jud. Dist. (Probable jurisdiction noted, 387 U. S. 903.) Motion of Karen Horney Clinic, Inc., for leave to file a brief, as *amicus curiae*, denied. *Morris P. Glushien* on the motion.

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No. 70. *ALITALIA-LINEE AEREE ITALIANE, S. P. A. v. LISI ET AL.* C. A. 2d Cir. (Certiorari granted, 389 U. S. 926; see also, *e. g.*, 389 U. S. 1027.) Motion of Bates Block for leave to file a brief, as *amicus curiae*, granted. MR. JUSTICE MARSHALL took no part in the consideration or decision of this motion. *Lee S. Kreindler* on the motion.

No. 187. *MENOMINEE TRIBE OF INDIANS v. UNITED STATES.* Ct. Cl. (Certiorari granted, 389 U. S. 811.) Case restored to calendar for rebriefing and reargument during session of the Court beginning April 22, 1968. The State of Wisconsin invited to submit a brief and to participate in oral argument. Forty-five minutes each allotted to petitioner, the United States and the State of Wisconsin for oral argument. MR. JUSTICE MARSHALL took no part in the consideration or decision of this order.

No. 600. *RED LION BROADCASTING Co., INC., ET AL. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* C. A. D. C. Cir. (Certiorari granted, 389 U. S. 968.) Oral argument in this case postponed pending decision of the United States Court of Appeals for the Seventh Circuit in the case of *Radio Television News Directors Association et al. v. United States et al.* and pending this Court's action on any petition for certiorari which may be filed to review that decision. (See No. 993, *infra*, p. 922.) Action on motion of Radio Television News Directors Association et al., for leave to present oral argument, as *amici curiae*, is meanwhile deferred.

No. 155, Misc. *IN RE DISBARMENT OF QUIMBY.* Charles H. Quimby III, Esquire, of Washington, D. C., 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. [For earlier orders herein, see 387 U. S. 927, 389 U. S. 1012.]



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No. 483. DETENBER ET AL., ADMINISTRATRICES *v.* AMERICAN UNIVERSAL INSURANCE Co., 389 U. S. 987. Respondent requested to file response to petition for rehearing within thirty days.

No. 482. UNITED STATES *v.* JOHNSON ET AL. Appeal from D. C. N. D. Ga. (Probable jurisdiction noted, 389 U. S. 910.) Motion of appellee Willie Hester for appointment of counsel granted. It is ordered that *Robert B. Thompson, Esquire*, of Gainesville, Georgia, be, and he is hereby, appointed to serve as counsel for appellee Willie Hester in this case. MR. JUSTICE MARSHALL took no part in the consideration or decision of this motion.

No. 742. MARYLAND ET AL. *v.* WIRTZ, SECRETARY OF LABOR, ET AL. Appeal from D. C. Md. (Probable jurisdiction noted, 389 U. S. 1031.) Motion of Alabama et al. to remove case from summary calendar granted. MR. JUSTICE MARSHALL took no part in the consideration or decision of this motion. *Francis B. Burch*, Attorney General of Maryland, and *Alan M. Wilner*, Assistant Attorney General, on the motion.

No. 760. COMMISSIONER OF INTERNAL REVENUE *v.* GORDON ET UX. C. A. 2d Cir.; and

No. 781. BAAN ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 9th Cir. (Certiorari granted, 389 U. S. 1033, 1034.) Motion to consolidate these cases granted and schedule of briefing approved. MR. JUSTICE MARSHALL took no part in the consideration or decision of this motion. *Solicitor General Griswold* for petitioner in No. 760 and for respondent in No. 781, and *Harry R. Horrow*, for respondents in No. 760 and for petitioners in No. 781, on the motion.

No. 867, Misc. SOVIERO *v.* LUMBARD, CHIEF JUDGE, U. S. COURT OF APPEALS. Motion for leave to file petition for writ of mandamus and/or prohibition denied.

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No. 747, Misc. DANIEL *v.* PORT, JUDGE; and  
No. 864, Misc. TAYLOR *v.* BURKE, WARDEN, ET AL.  
Motions for leave to file petitions for writs of mandamus  
denied.

*Probable Jurisdiction Noted.*

No. 635. GARDNER *v.* BRODERICK, POLICE COMMISSIONER OF THE CITY OF NEW YORK, ET AL. Appeal from Ct. App. N. Y. Probable jurisdiction noted. *Richard Gugliotta* and *Ronald Podolsky* for appellant. *J. Lee Rankin* and *Stanley Buchsbaum* for appellees. Reported below: 20 N. Y. 2d 227, 229 N. E. 2d 184.

No. 673. GEORGE CAMPBELL PAINTING CORP. *v.* REID ET AL., MEMBERS OF NEW YORK CITY HOUSING AUTHORITY, ET AL. Appeal from Ct. App. N. Y. Probable jurisdiction noted and case set for oral argument immediately following No. 635, *supra*. *Theodore M. Ruzow*, *Albert A. Blinder* and *Stephen Hochhauser* for appellant. *Harry Levy* and *I. Stanley Stein* for appellees. *Louis J. Lefkowitz*, Attorney General, *pro se*, *Samuel A. Hirshowitz*, First Assistant Attorney General, and *Brenda Soloff*, Assistant Attorney General, for the Attorney General of New York, in opposition. Reported below: 20 N. Y. 2d 370, 229 N. E. 2d 602.

*Certiorari Granted.* (See also No. 133, *ante*, p. 136; No. 648, *ante*, p. 143; and No. 866, *ante*, p. 144.)

No. 638. CHENG FAN KWOK *v.* IMMIGRATION AND NATURALIZATION SERVICE. C. A. 3d Cir. *Certiorari* granted. *William H. Dempsey, Jr., Esquire*, a member of the Bar of this Court, is invited to appear and present oral argument, as *amicus curiae*, in support of the judgment below. *Abraham Lebenkoff* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Julia P. Cooper* for respondent. Reported below: 381 F. 2d 542.

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No. 800. WORLD AIRWAYS, INC., ET AL. *v.* PAN AMERICAN WORLD AIRWAYS, INC., ET AL.;

No. 946. CIVIL AERONAUTICS BOARD *v.* PAN AMERICAN WORLD AIRWAYS, INC., ET AL.; and

No. 969. AMERICAN SOCIETY OF TRAVEL AGENTS, INC. *v.* PAN AMERICAN WORLD AIRWAYS, INC., ET AL. C. A. 2d Cir. Certiorari granted. Cases consolidated and two hours allotted for oral argument. MR. JUSTICE MARSHALL took no part in the consideration or decision of these petitions. *Raymond J. Rasenberger, Clayton L. Burwell, Leonard N. Bebhick, George Berkowitz and Stephen D. Potts* for petitioners in No. 800. *Solicitor General Griswold, Assistant Attorney General Turner, Joseph B. Goldman, O. D. Ozment, Warren L. Sharfman and Robert L. Toomey* for petitioner in No. 946. *Charles A. Hobbs and Glen A. Wilkinson* for petitioner in No. 969. *Edward R. Neaher, Carl S. Rowe and Gertrude S. Rosenthal* for respondents in all three cases. Reported below: 380 F. 2d 770.

No. 823. UNIFORMED SANITATION MEN ASSN., INC., ET AL. *v.* COMMISSIONER OF SANITATION OF THE CITY OF NEW YORK ET AL. C. A. 2d Cir. Certiorari granted and case set for oral argument immediately following No. 673, *supra*, p. 918. *Leonard B. Boudin and Victor Rabinowitz* for petitioners. *J. Lee Rankin, Norman Redlich and John J. Loflin* for respondents. Reported below: 383 F. 2d 364.

No. 891. WIRTZ, SECRETARY OF LABOR *v.* HOTEL, MOTEL & CLUB EMPLOYEES UNION, LOCAL 6. C. A. 2d Cir. Certiorari granted. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Solicitor General Griswold, Assistant Attorney General Weisl, Louis F. Claiborne, Alan S. Rosenthal, Robert V. Zener, Charles Donahue and George T. Avery* for petitioner. *Sidney E. Cohn* for respondent. Reported below: 381 F. 2d 500.



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*Certiorari Denied.*

No. 818. TRANSCONTINENTAL BUS SYSTEM, INC., ET AL. v. CIVIL AERONAUTICS BOARD. C. A. 5th Cir. Certiorari denied. *Howard S. Boros* and *Robert C. Lester* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Turner*, *Howard E. Shapiro*, *Joseph B. Goldman*, *O. D. Ozment*, *Warren L. Sharfman* and *Robert L. Toomey* for respondent. *Frederick S. Hill* for National Association of Motor Bus Owners, as *amicus curiae*, in support of the petition. Reported below: 383 F. 2d 466.

No. 855. WILLIAMS v. SEABOARD AIR LINE RAILROAD Co. ET AL. Sup. Ct. Fla. Certiorari denied. *Peyton Ford* and *Joseph D. Farish, Jr.*, for petitioner. *Frank G. Kurka* and *Manley P. Caldwell* for respondents. Reported below: 199 So. 2d 469.

No. 899. INTERNATIONAL HOD CARRIERS, BUILDING & COMMON LABORERS UNION OF AMERICA, LOCAL NO. 1082, ET AL. v. NATIONAL LABOR RELATIONS BOARD. C. A. 9th Cir. Certiorari denied. *Herbert M. Ansell* for petitioners. *Solicitor General Griswold*, *Arnold Ordman*, *Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: 384 F. 2d 55.

No. 901. STRONG, DBA STRONG ROOFING & INSULATING Co. v. NATIONAL LABOR RELATIONS BOARD. C. A. 9th Cir. Certiorari denied. *Charles G. Bakaly, Jr.*, for petitioner. *Solicitor General Griswold*, *Arnold Ordman*, *Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: 386 F. 2d 929.

No. 923. AVINS v. RUTGERS, STATE UNIVERSITY OF NEW JERSEY. C. A. 3d Cir. Certiorari denied. *Alfred Avins*, petitioner, *pro se*. *Clyde A. Szuch* for respondent. Reported below: 385 F. 2d 151.

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No. 903. *UNIWELED PRODUCTS, INC., ET AL. v. UNION CARBIDE CORP.* C. A. 5th Cir. Certiorari denied. *Philip J. Hirschkop* for petitioners. *Darrey A. Davis, Walter J. Halliday* and *Donald E. Van Koughnet* for respondent. Reported below: 385 F. 2d 992.

No. 907. *YOUNG-PETERSON CONSTRUCTION, INC. v. POTOMAC INSURANCE CO. OF THE DISTRICT OF COLUMBIA.* C. A. 7th Cir. Certiorari denied. *John P. Madigan* for petitioner. *John C. Bartler* for respondent. Reported below: 382 F. 2d 400.

No. 908. *DAUPHIN DEPOSIT TRUST CO. ET AL. v. UNITED STATES ET AL.* C. A. 3d Cir. Certiorari denied. *Thomas A. Beckley* for petitioners. *Solicitor General Griswold, Assistant Attorney General Rogovin, Joseph M. Howard* and *John M. Brant* for the United States et al. Reported below: 385 F. 2d 129.

No. 918. *SPINNEY v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. *Edward O. Proctor* for petitioner. *Solicitor General Griswold, Assistant Attorney General Rogovin* and *Joseph M. Howard* for the United States. Reported below: 385 F. 2d 908.

No. 919. *FOGLE ET AL. v. FOGLE ET AL.* C. A. 7th Cir. Certiorari denied. *Conrad J. Lynn* for petitioners.

No. 995. *NASHVILLE I-40 STEERING COMMITTEE ET AL. v. ELLINGTON, GOVERNOR OF TENNESSEE, ET AL.* C. A. 6th Cir. Certiorari denied. *Jack Greenberg, James M. Nabrit III, Charles H. Jones, Jr., Avon N. Williams, Jr.,* and *Z. Alexander Looby* for petitioners. *George F. McCanless, Attorney General of Tennessee,* and *Milton P. Rice* and *Thomas E. Fox, Deputy Attorneys General,* for Ellington et al., and *Robert E. Kendrick* for Briley, respondents. Reported below: 387 F. 2d 179.

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No. 993. RADIO TELEVISION NEWS DIRECTORS ASSN. ET AL. *v.* UNITED STATES ET AL. C. A. 7th Cir. Certiorari before judgment denied. *Archibald Cox, W. Theodore Pierson, Robert M. Lichtman, Lloyd N. Cutler, J. Roger Wollenberg, Timothy B. Dyk, Lawrence J. McKay, Raymond L. Falls, Jr., Maurice Rosenfield, Herbert Wechsler, Thomas E. Ervin and Howard Monderer* for petitioners. *Solicitor General Griswold* for the United States et al.

No. 920. GERNER *v.* MOOG INDUSTRIES, INC. C. A. 8th Cir. Certiorari denied. *Harvey B. Jacobson, David C. Johnston and Robert F. Davis* for petitioner. *Joseph J. Gravely, Malcolm I. Frank and Bernard Mellitz* for respondent. Reported below: 383 F. 2d 56.

No. 922. BARKER *v.* CALIFORNIA-WESTERN STATES LIFE INSURANCE CO. ET AL. Ct. App. Cal., 5th App. Dist. Certiorari denied. *Ewart Lytton Merica* for petitioner. Reported below: 252 Cal. App. 2d 768, 61 Cal. Rptr. 595.

No. 1028. DECKER ET AL. *v.* UNITED STATES ET AL.;

No. 1029. AMERICAN RADIATOR & STANDARD SANITARY CORP. ET AL. *v.* UNITED STATES ET AL. C. A. 3d Cir. Certiorari denied. *Frank L. Seamans* for petitioners *Decker et al., J. Robert Maxwell* for petitioner *Backner*, and *Alexander Unkovic* for petitioner *Held* in No. 1028. *William E. Willis, Hubert I. Teitelbaum, Thomas F. Daly, Harold R. Schmidt, Frank C. McAleer, David B. Buerger, Paul J. Winschel, Gilbert J. Helwig, Milton Handler, Ralph L. McAfee, David J. Armstrong, George A. Raftery, T. W. Pomeroy, Jr., W. Walter Braham, Jr., Abraham J. Harris, Elliott W. Finkel, J. King Rosendale, Eugene B. Strassburger, Jr., Foster T. Bean, William J. Kenney and J. Vincent Burke, Jr.,* for petitioners in No. 1029. Reported below: 388 F. 2d 201.



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No. 859. BROTHERHOOD OF LOCOMOTIVE FIREMEN & ENGINEMEN *v.* BANGOR & AROOSTOOK RAILROAD CO. ET AL.;

No. 861. BROTHERHOOD OF RAILROAD TRAINMEN ET AL. *v.* AKRON & BARBERTON BELT RAILROAD CO. ET AL.;

No. 862. ORDER OF RAILWAY CONDUCTORS & BRAKEMEN *v.* AKRON & BARBERTON BELT RAILROAD CO. ET AL.;

No. 863. AKRON & BARBERTON BELT RAILROAD CO. ET AL. *v.* BROTHERHOOD OF RAILROAD TRAINMEN ET AL.; and

No. 933. BANGOR & AROOSTOOK RAILROAD CO. ET AL. *v.* BROTHERHOOD OF LOCOMOTIVE FIREMEN & ENGINEMEN. C. A. D. C. Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of these petitions.

*Joseph L. Rauh, Jr., John Silard, Harriett R. Taylor, Isaac N. Groner, Harold C. Heiss, Donald W. Bennett, Alex Elson, Willard J. Lassers and Aaron S. Wolff* for petitioner, and *Francis M. Shea, Richard T. Conway and James R. Wolfe* for respondents in No. 859.

*Milton Kramer, Lester P. Schoene and Martin W. Fingerhut* for petitioners, and *Messrs. Shea, Conway and Wolfe* for respondents in No. 861.

*James D. Hill and Harry E. Wilmarth* for petitioner, and *Messrs. Shea, Conway and Wolfe* for respondents in No. 862.

*Messrs. Shea, Conway and Wolfe* for petitioners, and *Messrs. Kramer, Schoene and Fingerhut* for Brotherhood of Railroad Trainmen et al., and *Messrs. Hill and Wilmarth* for Order of Railway Conductors & Brakemen, respondents, in No. 863.

*Messrs. Shea, Conway and Wolfe* for petitioners, and *Messrs. Rauh, Silard, Groner, Heiss, Bennett, Elson, Lassers and Wolff, David Epstein, and Mrs. Taylor* for respondent in No. 933. Reported below: 128 U. S. App. D. C. 59, 385 F. 2d 581.

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No. 729. *RATNER v. CALIFORNIA*. Super. Ct. Cal., County of Los Angeles. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. *Redrup v. New York*, 386 U. S. 767. *Richard A. Lavine* for petitioner. *Thomas C. Lynch*, Attorney General of California, *Gordon Ringer*, Assistant Attorney General, and *Evelle J. Younger* for respondent.

No. 738. *HART ET AL. v. FEDERAL RESERVE BANK OF ATLANTA*. C. A. 6th Cir. Motion to supplement record granted. Certiorari denied. *Fyke Farmer* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Weisl*, *John C. Eldridge* and *Robert C. McDiarmid* for respondent. Reported below: 379 F. 2d 961.

No. 912. *HOFFA ET AL. v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. MR. JUSTICE WHITE and MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Morris A. Shenker*, *Joseph A. Fanelli*, *Jacques M. Schiffer*, *Cecil D. Branstetter*, *Harold E. Brown* and *Daniel B. Maher* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 382 F. 2d 856.

No. 890. *GILBERT ET AL. v. CASE ET AL.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. MR. JUSTICE BLACK is of the opinion that certiorari should be granted. *Robert L. Bobrick* for petitioners. *George A. Raftery* and *Edmund C. Grainger, Jr.*, for respondents.

No. 900. *REBENSTORF v. ILLINOIS*. Sup. Ct. Ill. Motion to dispense with printing petition granted. Certiorari denied. *Walter R. Stewart* for petitioner. Reported below: 37 Ill. 2d 572, 229 N. E. 2d 483.

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No. 931. *VROOMAN, TRUSTEE IN BANKRUPTCY v. LEONARD*. C. A. 9th Cir. Motion to dispense with printing petition granted. Certiorari denied. *Edgar C. Keller* for petitioner. Reported below: 383 F. 2d 556.

MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted in the following cases (beginning with No. 927 and extending through No. 959 on this page):

No. 927. *ZUCKERMAN ET AL. v. GREASON*. Ct. App. N. Y. Certiorari denied. *Emanuel Redfield* for petitioners. *Harold M. Spitzer* for respondent. Reported below: 20 N. Y. 2d 430, 231 N. E. 2d 718.

No. 928. *ALLINSON v. GREASON*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. *Emanuel Redfield* for petitioner. *Harold M. Spitzer* for respondent. Reported below: 27 App. Div. 2d 553, 277 N. Y. S. 2d 370.

No. 959. *RESNICOFF v. ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK*. Ct. App. N. Y. Certiorari denied. *Samuel Resnicoff*, petitioner, *pro se*. *John G. Bonomi*, *Michael Franck* and *Arthur J. Cooperman* for respondent. Reported below: See 27 App. Div. 2d 509, 280 N. Y. S. 2d 820.

No. 438, Misc. *MITCHELL v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *Doris H. Maier*, Assistant Attorney General, and *Daniel J. Kremer*, Deputy Attorney General, for respondent.

No. 584, Misc. *RAGLAND v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Peter B. Sullivan* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 375 F. 2d 471.



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No. 15, Misc. *HALE v. SIMPSON, WARDEN*. C. A. 5th Cir. Certiorari denied. *MacDonald Gallion*, Attorney General of Alabama, and *John C. Tyson III*, Assistant Attorney General, for respondent.

No. 518, Misc. *SPRINGER v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. *Darrell F. Smith*, Attorney General of Arizona, and *Norval C. Jespersen*, Assistant Attorney General, for respondent. Reported below: 102 Ariz. 238, 428 P. 2d 95.

No. 527, Misc. *DUVAL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Sidney M. Glazer* for the United States. Reported below: 383 F. 2d 378.

No. 557, Misc. *LONGKNIFE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Paul C. Summitt* for the United States. Reported below: 381 F. 2d 17.

No. 565, Misc. *BLACK v. STANLEY, U. S. DISTRICT JUDGE, ET AL.* C. A. 10th Cir. Certiorari denied. *Solicitor General Griswold* for respondents.

No. 641, Misc. *KURKI v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *David Loeffler* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Philip R. Monahan* for the United States. Reported below: 384 F. 2d 905.

No. 655, Misc. *STORLIE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

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No. 677, Misc. *BANNISTER ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 379 F. 2d 750.

No. 700, Misc. *DIAMOND v. ATTORNEY GENERAL OF THE UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg and Julia P. Cooper* for respondent.

No. 742, Misc. *GAMBLE v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. *William H. Seals* for petitioner. *Daniel R. McLeod, Attorney General of South Carolina, and Everett N. Brandon and Emmet H. Clair, Assistant Attorneys General, for respondent*. Reported below: 249 S. C. 605, 155 S. E. 2d 916.

No. 775, Misc. *CEDILLO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg and Julia P. Cooper* for the United States.

No. 777, Misc. *NAEGLE ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold, Acting Assistant Attorney General Pugh and Gilbert E. Andrews* for respondent. Reported below: 378 F. 2d 397.

No. 795, Misc. *COOK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 808, Misc. *GAINES v. OHIO ET AL.* Sup. Ct. Ohio. Certiorari denied.

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No. 787, Misc. THOMPSON *v.* MACHROWICZ, U. S. DISTRICT JUDGE. C. A. 6th Cir. Certiorari denied. *B. J. Tennery* for petitioner. *Solicitor General Griswold* for respondent.

No. 793, Misc. BROWN *v.* NEW YORK. Ct. App. N. Y. Certiorari denied. *Peter J. O'Connor* for respondent. Reported below: 20 N. Y. 2d 238, 229 N. E. 2d 192.

No. 817, Misc. SARTAIN *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Julia P. Cooper* for the United States.

No. 819, Misc. WALL *v.* PATE, WARDEN. Cir. Ct. Will County, Ill. Certiorari denied.

No. 820, Misc. GOODMAN *v.* PATE, WARDEN. Crim. Ct. Cook County, Ill. Certiorari denied.

No. 822, Misc. LEWIS *v.* PATE, WARDEN, ET AL. Sup. Ct. Ill. Certiorari denied.

No. 827, Misc. CHASE *v.* RUNDLE, CORRECTIONAL SUPERINTENDENT. C. A. 3d Cir. Certiorari denied.

No. 828, Misc. PIERCE *v.* FRYE, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 832, Misc. CARTER *v.* CALIFORNIA. C. A. 9th Cir. Certiorari denied.

No. 836, Misc. CLARK *v.* KENTUCKY. Ct. App. Ky. Certiorari denied.



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No. 825, Misc. JOHNSON *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied. *Morris Lavine* for petitioner.

No. 838, Misc. SLIVA *v.* VOGEL, JUDGE. C. A. 3d Cir. Certiorari denied.

No. 847, Misc. BOGART *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied. *Peter D. Bogart*, petitioner, *pro se*.

No. 848, Misc. WHITE *v.* MURPHY ET AL. C. A. 9th Cir. Certiorari denied.

No. 849, Misc. LOMBARDI *v.* FOLLETTE, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 851, Misc. LISULA *v.* PATE, WARDEN. Sup. Ct. Ill. Certiorari denied.

No. 861, Misc. HENDERSON *v.* MAXWELL, WARDEN. Sup. Ct. Ohio. Certiorari denied.

No. 876, Misc. BACA *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 383 F. 2d 154.

No. 554, Misc. MYERS ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Jim Hudson* for petitioners. *Acting Solicitor General Spritzer* and *Assistant Attorney General Doar* for the United States. Reported below: 377 F. 2d 412.

*Rehearing Granted.* (See No. 133, *ante*, p. 136.)

January 29, February 6, 1968.

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*Rehearing Denied.*

No. 636, Misc. RUCKER *v.* PARKER ET AL., 389 U. S. 995. Motion for leave to file petition for rehearing denied.

No. 66. CASE-SWAYNE CO., INC. *v.* SUNKIST GROWERS, INC., 389 U. S. 384;

No. 548. SNOHOMISH COUNTY *v.* SEATTLE DISPOSAL CO. ET AL., 389 U. S. 1016;

No. 670. ILLINOIS EX REL. MAERAS, TREASURER & EX-OFFICIO COLLECTOR OF TAXES OF MADISON COUNTY *v.* CHICAGO, BURLINGTON & QUINCY RAILROAD CO. ET AL., 389 U. S. 427;

No. 712. MALINOU, PUBLIC ADMINISTRATOR *v.* CAIRNS ET AL., 389 U. S. 1015; and

No. 637, Misc. BASKIN *v.* BASKIN ET AL., 389 U. S. 1009. Petitions for rehearing denied.

No. 246. MOSES ET AL. *v.* WASHINGTON ET AL., 389 U. S. 428. Petition for rehearing denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition.

FEBRUARY 6, 1968.

*Dismissals Under Rule 60.*

No. 764. GARDNER, SECRETARY OF HEALTH, EDUCATION, AND WELFARE *v.* FIELDS. C. A. 4th Cir. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *Solicitor General Griswold, Assistant Attorney General Weisl and John C. Eldridge* for petitioner. *James H. Coleman* for respondent. Reported below: 378 F. 2d 4.

No. 985, Misc. MINOR *v.* HASTINGS, CHIEF JUDGE, U. S. COURT OF APPEALS. Motion for leave to file petition for writ of mandamus dismissed pursuant to Rule 60 of the Rules of this Court.

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FEBRUARY 15, 1968.

*Dismissal Under Rule 60.*

No. 1266, Misc. *STONE v. PITCHESS, SHERIFF, ET AL.* Motion for leave to file petition for writ of habeas corpus dismissed pursuant to Rule 60 of the Rules of this Court.

FEBRUARY 28, 1968.

*Dismissals Under Rule 60.*

No. 1069. *AMERICAN RADIATOR & STANDARD SANITARY CORP. ET AL. v. PHILADELPHIA HOUSING AUTHORITY ET AL.* C. A. 3d Cir. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *William E. Willis* for petitioners. *Harold E. Kohn* for respondents Philadelphia Housing Authority et al., and *David Berger* for certain other respondents.

No. 860, Misc. *DILLARD v. ILLINOIS.* Sup. Ct. Ill. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *Sam Adam* for petitioner. *William G. Clark*, Attorney General of Illinois, for respondent.

FEBRUARY 29, 1968.

*Dismissal Under Rule 60.*

No. 393, Misc. *RANSOM v. UNITED STATES ET AL.* C. A. 5th Cir. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court.

MARCH 4, 1968.

*Miscellaneous Orders.*

No. 925, Misc. *FOX v. UNITED STATES.* Motion for leave to file petition for writ of habeas corpus denied. *Solicitor General Griswold* for the United States in opposition.



March 4, 1968.

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No. —. BRANIGIN ET AL. v. GRILLS ET AL. D. C. S. D. Ind.; and

No. —. SUMMERS v. GRILLS ET AL. D. C. S. D. Ind. Applications for a stay presented to MR. JUSTICE MARSHALL, and by him referred to the Court, denied.

Memorandum of MR. JUSTICE HARLAN.

We are asked by the State Election Board of Indiana, and others, to stay enforcement of the order of a three-judge District Court creating districts for the election of Indiana's 11 members of the United States House of Representatives. The court had, after this Court's remand, 385 U. S. 455, previously declared unconstitutional the districting arrangement adopted in 1965 by the Indiana General Assembly. *Grills v. Branigin*, 284 F. Supp. 176. A majority of the District Court believed it necessary to abandon many of the districting boundaries chosen by the General Assembly, and to substitute districts of their own devising. In contrast, Judge Dillin's dissenting opinion sought to modify the districts drawn by the General Assembly only where necessary to reduce to an acceptable minimum the population variances from average. This Court now denies the application.

I have heretofore expressed the view, but to no avail, that this Court should not approve the imposition by district courts of their own apportionment plans upon States until the Court has first given plenary consideration to the matter, involving as it does delicate questions of federalism and the most unusual exercise of federal judicial power. See my Memorandum in *Parsons v. Buckley*, 379 U. S. 359, 364. See also *Fortson v. Toombs*, 379 U. S. 621, 623 (opinion concurring in part and dissenting in part). Here, as for the most part, the Court has chosen to leave the district courts to implement the basic apportionment decisions in *Reynolds v. Sims*, 377 U. S. 533, and *Wesberry v. Sanders*, 376 U. S. 1, without explicated guidelines. I think that this is all

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wrong. See *Rockefeller v. Wells*, 389 U. S., at 421 (dissenting opinion of this writer).

I would in normal circumstances conclude that these applications for a stay should be granted in order to enable this Court to give full-dress consideration to the serious questions which the actions of the District Court raise. However, I feel myself obliged by the unusual situation confronting us here to acquiesce in the denial of a stay. The Indiana General Assembly has apparently now adjourned without adopting any revised system of apportionment. The period in which prospective candidates for the House of Representatives may file their candidacies expires on March 27, 1968, and a primary election is now scheduled for May 7, 1968. If the applications for a stay were granted, and even if review of the District Court's decision were expedited to the utmost, Indiana would in all likelihood be left without any permissible system for the election of members of the House of Representatives. In these circumstances, I see no practical alternative to the denial of the stay requested. Only for that reason do I go along with the Court's disposition.

No. 29, Orig. TEXAS ET AL. *v.* COLORADO. Request of Texas and New Mexico for leave to reply to counterclaim and to otherwise plead granted. MR. JUSTICE MARSHALL took no part in the consideration or decision of this request. *Crawford C. Martin*, Attorney General, for the State of Texas, and *Boston E. Witt*, Attorney General, for the State of New Mexico, plaintiffs. [For earlier orders herein, see, *e. g.*, 389 U. S. 1000.]

No. —. MARINO ET AL. *v.* GREASON. Ct. App. N. Y. Application for stay presented to MR. JUSTICE DOUGLAS, and by him referred to the Court, denied. *Julio John Marino* and *Alfred L. Plessner*, applicants, *pro se.* *Harold M. Spritzer* for respondent in opposition.

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No. 618. FORTNIGHTLY CORP. *v.* UNITED ARTISTS TELEVISION, INC. C. A. 2d Cir. (Certiorari granted, 389 U. S. 969.) Motions of National Cable Television Association, Inc., Screen Composers Association of the United States of America, All-Channel Television Society, Broadcast Music, Inc., National Association of Broadcasters, American Society of Composers, Authors & Publishers, Authors League of America, Inc., and Writers Guild of America et al., for leave to file briefs, as *amici curiae*, granted. Motion of National Association of Broadcasters for leave to participate in oral argument, as *amicus curiae*, denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of these motions. On the motions were: *Bruce E. Lovell* for National Cable Television Association, Inc.; *Leonard Zissu* and *Abraham Marcus* for Screen Composers Association of the United States of America; *Michael Finkelstein* for All-Channel Television Society; *Ambrose Diskow* for Broadcast Music, Inc.; *Warner W. Gardner*, *William H. Dempsey, Jr.*, and *Douglas A. Anello* for National Association of Broadcasters; *Herman Finkelstein*, *Simon H. Rifkind*, *Jay H. Topkis* and *Paul S. Adler* for American Society of Composers, Authors & Publishers; *Irwin Karp* for Authors League of America, Inc.; and *Paul P. Selvin* and *William Berger* for Writers Guild of America et al.

No. 416. FLAST ET AL. *v.* GARDNER, SECRETARY OF HEALTH, EDUCATION, AND WELFARE, ET AL. Appeal from D. C. S. D. N. Y. (Probable jurisdiction noted, 389 U. S. 895.) Motions of Rose Spira et al. and National Jewish Commission on Law & Public Affairs for leave to file briefs, as *amici curiae*, granted. *Herbert Brownell* and *Thomas F. Daly* for Spira et al., and *Reuben E. Gross* for National Jewish Commission on Law & Public Affairs on the motions.



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No. 645. JONES ET UX. *v.* ALFRED H. MAYER CO. ET AL. C. A. 8th Cir. (Certiorari granted, 389 U. S. 968.) Request of the Solicitor General to participate in oral argument, as *amicus curiae*, granted and 30 minutes allotted for that purpose. Counsel for respondents allotted an additional 30 minutes for argument. Motions of American Civil Liberties Union et al. and Maryland Petition Committee, Inc., et al. for leave to file briefs, as *amici curiae*, granted. Motion of National Committee Against Discrimination in Housing et al., as *amici curiae*, to remove case from summary calendar denied. Motion of Missouri Commission on Human Rights for leave to present oral argument, as *amicus curiae*, denied. On the motions were *Leo Pfeffer* and *Melvin L. Wulf* for American Civil Liberties Union et al., *Geo. Washington Williams* and *Thomas F. Cadwalader* for Maryland Petition Committee, Inc., et al., *Sol Rabkin* and *Robert L. Carter* for National Committee Against Discrimination in Housing et al., and *Norman H. Anderson*, Attorney General of Missouri, *C. B. Burns, Jr.*, Special Assistant Attorney General, and *Louis C. Defeo, Jr.*, Assistant Attorney General, for Missouri Commission on Human Rights.

No. 898. SABBATH *v.* UNITED STATES. C. A. 9th Cir. (Certiorari granted, 389 U. S. 1003.) Motion of petitioner for appointment of counsel granted. It is ordered that *Murray H. Bring, Esquire*, of Washington, D. C., a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for petitioner in this case.

No. 1038. PUBLIC UTILITY DISTRICT No. 1 OF PEND OREILLE COUNTY *v.* CITY OF SEATTLE; and

No. 1039. CITY OF SEATTLE *v.* PUBLIC UTILITY DISTRICT No. 1 OF PEND OREILLE COUNTY. C. A. 9th Cir. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

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No. 695. GREEN ET AL. *v.* COUNTY SCHOOL BOARD OF NEW KENT COUNTY ET AL. C. A. 4th Cir. (Certiorari granted, 389 U. S. 1003);

No. 740. MONROE ET AL. *v.* BOARD OF COMMISSIONERS OF THE CITY OF JACKSON ET AL. C. A. 6th Cir. (Certiorari granted, 389 U. S. 1033); and

No. 805. RANEY ET AL. *v.* BOARD OF EDUCATION OF THE GOULD SCHOOL DISTRICT ET AL. C. A. 8th Cir. (Certiorari granted, 389 U. S. 1034.) Request of the Solicitor General to participate in oral argument in these cases, as *amicus curiae*, granted and a total of 30 minutes allotted for that purpose. Counsel for respondents allotted a total of 30 additional minutes to argue on behalf of all respondents. Motion of American Jewish Congress for leave to file a brief, as *amicus curiae*, in No. 695 granted. *Joseph B. Robison* on the motion.

No. 995, Misc. IN RE DISBARMENT OF ELLIS. It having been reported to the Court that John Flather Ellis, of Washington, District of Columbia, has been disbarred from the practice of law by order of the United States Court of Appeals for the District of Columbia Circuit, duly entered on the first day of November 1967, and this Court by order of December 4, 1967, having suspended the said John Flather Ellis 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, and that the time within which to file a return to the rule has expired;

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

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No. 1038, Misc. *IN RE DISBARMENT OF O'MALLEY*. It having been reported to the Court that William R. O'Malley, of Wickliffe, Ohio, has been indefinitely suspended from the practice of law by order of the Supreme Court of Ohio, duly entered on the twenty-second day of November 1967, and this Court by order of December 18, 1967, having suspended the said William R. O'Malley 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, and that the time within which to file a return to the rule has expired;

IT IS ORDERED that the said William R. O'Malley be, and he is hereby, disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

No. 247. *PUYALLUP TRIBE v. DEPARTMENT OF GAME OF WASHINGTON ET AL.*; and

No. 319. *KAUTZ ET AL. v. DEPARTMENT OF GAME OF WASHINGTON ET AL.* Sup. Ct. Wash. (Certiorari granted, 389 U. S. 1013.) Request of the Solicitor General to participate in oral argument, as *amicus curiae*, granted and 30 minutes allotted for that purpose. The Attorney General of Washington allotted an additional 30 minutes to argue on behalf of respondents. MR. JUSTICE MARSHALL took no part in the consideration or decision of this request.

No. 495, Misc. *SMITH v. HOOEY, JUDGE*. Sup. Ct. Tex. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 991, Misc. *BLEVINS v. NELSON, WARDEN*. Motion to dispense with printing petition granted. Motion for leave to file petition for writ of habeas corpus denied.



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- No. 939, Misc. TEMPLE *v.* UNITED STATES;  
No. 946, Misc. FURTAK *v.* McMANN, WARDEN;  
No. 954, Misc. ALEXANDER *v.* PERINI, CORRECTIONAL  
SUPERINTENDENT, ET AL.;  
No. 968, Misc. RYLAND *v.* GREEN, CORRECTIONAL  
SUPERINTENDENT;  
No. 970, Misc. METCALF *v.* PATE, WARDEN;  
No. 988, Misc. FOSSUM *v.* PORTER, SHERIFF;  
No. 1002, Misc. ROBERTS *v.* RHAY, PENITENTIARY  
SUPERINTENDENT, ET AL.;  
No. 1006, Misc. JOHNSON *v.* MAXWELL, WARDEN;  
No. 1013, Misc. HURST ET AL. *v.* HARRIS, JUDGE,  
ET AL.;  
No. 1024, Misc. TOMPA *v.* PEYTON, PENITENTIARY  
SUPERINTENDENT;  
No. 1109, Misc. BLANCHEY *v.* PORTER, SHERIFF,  
ET AL.;  
No. 1120, Misc. ALBERTSON *v.* KROPP;  
No. 1125, Misc. TURNER *v.* NELSON, WARDEN; and  
No. 1136, Misc. DEWITT *v.* CALIFORNIA ET AL. Mo-  
tions for leave to file petitions for writs of habeas corpus  
denied.

No. 904, Misc. SMITH *v.* UNITED STATES DISTRICT  
COURT FOR THE SOUTHERN DISTRICT OF OHIO. Motion  
for leave to file petition for writ of mandamus denied.  
*Solicitor General Griswold* for respondent in opposition.

No. 905, Misc. WION *v.* CLARK, ATTORNEY GENERAL,  
ET AL. Motion for leave to file petition for writ of  
mandamus denied. *Solicitor General Griswold* for re-  
spondents in opposition.

No. 1023, Misc. CARONDELET SAVINGS & LOAN ASSN.  
*v.* JAMES, JUDGE. Motion for leave to file petition for  
writ of prohibition and/or mandamus denied. *J. L.*  
*London* and *Carroll C. Gilpin* on the motion.

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No. 841, Misc. *TILDEN v. ILLINOIS PAROLE AND PARDON BOARD*. Motion for leave to file petition for writ of mandamus denied.

No. 764, Misc. *LOUISIANA EDUCATION COMMISSION FOR NEEDY CHILDREN ET AL. v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF LOUISIANA ET AL.* Motion for leave to file petition for writ of prohibition denied. *L. H. Perez* on the motion. *Acting Solicitor General Spritzer* and *Assistant Attorney General Doar* for the United States in opposition.

*Probable Jurisdiction Noted.*

No. 1116. *KIRKPATRICK, SECRETARY OF STATE OF MISSOURI, ET AL. v. PREISLER ET AL.*; and

No. 1117. *HEINKEL ET AL. v. PREISLER ET AL.* Appeals from D. C. W. D. Mo. Probable jurisdiction noted. Cases consolidated and one hour allotted for oral argument. Judgment of the District Court, dated December 29, 1967, stayed pending final decisions on the appeals. Motion to advance denied; State of Missouri authorized to conduct 1968 congressional elections under and pursuant to 1967 Missouri Congressional Reapportionment Act, Mo. Rev. Stat., §§ 128.203-128.305 (Cum. Supp. 1967). See *Martin v. Bush*, 376 U. S. 222, 223; cf. *Lucas v. Colorado Gen. Assembly*, 377 U. S. 713, 739; *Roman v. Sincock*, 377 U. S. 695, 711-712; *WMCA, Inc. v. Lomenzo*, 377 U. S. 633, 655; *Burns v. Richardson*, 384 U. S. 73, 97-98. *Norman H. Anderson*, Attorney General of Missouri, *pro se*, *Thomas J. Downey*, First Assistant Attorney General, and *Louren R. Wood*, Assistant Attorney General, for appellants in No. 1116. *John David Collins* for appellants Heinkel et al. in No. 1117. *Paul W. Preisler*, *pro se*, and for other appellees in No. 1116. Reported below: 279 F. Supp. 952.

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No. 1138. REYNOLDS ET AL. *v.* SMITH ET AL. Appeal from D. C. E. D. Pa. Motion of appellees for leave to proceed *in forma pauperis* granted. Probable jurisdiction noted and case set for oral argument immediately following No. 1134, *infra*. Joint motion to advance granted. *William C. Sennett*, Attorney General of Pennsylvania, *Edward Friedman*, Counsel General, and *Edgar R. Casper*, Deputy Attorney General, for appellants. *Harvey N. Schmidt* for appellees. Reported below: 277 F. Supp. 65.

No. 925. BALTIMORE & OHIO RAILROAD CO. ET AL. *v.* ABERDEEN & ROCKFISH RAILROAD CO. ET AL.; and

No. 938. INTERSTATE COMMERCE COMMISSION *v.* ABERDEEN & ROCKFISH RAILROAD CO. ET AL. Appeals from D. C. E. D. La. Probable jurisdiction noted. Cases consolidated and a total of two hours allotted for oral argument. *Edward A. Kaier*, *Joseph F. Eshelman*, *Richard B. Montgomery, Jr.*, *Eugene E. Hunt*, *Kenneth H. Lundmark* and *Kemper A. Dobbins* for appellants in No. 925, and *Robert W. Ginnane* and *Arthur J. Cerra* for appellant in No. 938. *Ashton Phelps*, *Howard J. Trienens*, *George L. Saunders, Jr.*, *John W. Adams*, *Philip C. Beverly*, *James A. Bistline*, *R. Wray Henriott* and *Donal L. Turkal* for Aberdeen & Rockfish Railroad Co. et al., and *Carl E. Sanders* and *Walter R. McDonald* for Southern Governors' Conference et al., appellees in both cases. Reported below: 270 F. Supp. 695.

No. 1134. WASHINGTON ET AL. *v.* HARRELL ET AL. Appeal from D. C. D. C. Motion of appellees for leave to proceed *in forma pauperis* granted. Probable jurisdiction noted and case set for oral argument immediately following No. 813 (389 U. S. 1032). Joint motion to advance granted. *Charles T. Duncan* and *Hubert B. Pair* for appellants. *Peter S. Smith* for appellees. Reported below: 279 F. Supp. 22.



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No. 749. *EPPERSON ET AL. v. ARKANSAS*. Appeal from Sup. Ct. Ark. Probable jurisdiction noted. *Eugene R. Warren* and *Bruce T. Bullion* for appellants. *Joe Purcell*, Attorney General of Arkansas, for appellee.

No. 950. *BROTHERHOOD OF LOCOMOTIVE FIREMEN & ENGINEMEN ET AL. v. CHICAGO, ROCK ISLAND & PACIFIC RAILROAD CO. ET AL.*; and

No. 973. *HARDIN, PROSECUTING ATTORNEY, ET AL. v. CHICAGO, ROCK ISLAND & PACIFIC RAILROAD CO. ET AL.* Appeals from D. C. W. D. Ark. Probable jurisdiction noted. Cases consolidated and a total of one and one-half hours allotted for oral argument. MR. JUSTICE FORTAS took no part in the consideration or decision of these cases. *James E. Youngdahl*, *Robert D. Ross* and *John P. Sizemore* for appellants in No. 950. *Joe Purcell*, Attorney General of Arkansas, and *Leslie Evitts*, Chief Assistant Attorney General, for appellants in No. 973. *Martin M. Lucente*, *Robert V. Light*, *W. J. Smith*, *H. H. Friday* and *R. W. Yost* for appellees in both cases. Reported below: 274 F. Supp. 294.

*Certiorari Granted*. (See also No. 861, October Term, 1965, *ante*, p. 203; Nos. 4, 5, 6, 10, 32, and 374, and No. 2, Misc., *ante*, p. 202; Nos. 9, 14, 77, 121, 798, and 1024, *ante*, p. 204; Nos. 11, 17, 19, 24, 30, 45, and 567, *ante*, p. 200; No. 18, *ante*, p. 196; No. 121, Misc., *ante*, p. 198; No. 329, Misc., *ante*, p. 206; No. 407, Misc., *ante*, p. 199; and No. 451, Misc., *ante*, p. 198.)

No. 689. *CARROLL ET AL. v. PRESIDENT AND COMMISSIONERS OF PRINCESS ANNE ET AL.* Ct. App. Md. *Certiorari* granted. *Melvin L. Wulf* and *William H. Zinman* for petitioners. *Francis B. Burch*, Attorney General of Maryland, *S. Leonard Rottman*, Assistant Attorney General, and *Alexander G. Jones* for respondents. Reported below: 247 Md. 126, 230 A. 2d 452.

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No. 665. PAUL H. ASCHKAR & Co. v. KAMEN & Co. ET AL. C. A. 9th Cir. Certiorari granted. *Allen E. Susman* for petitioner. *Jacob Shearer* for respondents. *Solicitor General Griswold, Philip A. Loomis, David Ferber, Roger S. Foster and Donald M. Feuerstein* for the Securities and Exchange Commission, as *amicus curiae*, in support of the petition. Reported below: 382 F. 2d 689.

No. 1003. THORPE v. HOUSING AUTHORITY OF THE CITY OF DURHAM. Sup. Ct. N. C. Certiorari granted. *Jack Greenberg, James M. Nabrit III, Charles Stephen Ralston and Charles H. Jones, Jr.*, for petitioner. *Daniel K. Edwards and William Y. Manson* for respondent. Reported below: 271 N. C. 468, 157 S. E. 2d 147.

No. 1034. TINKER ET AL. v. DES MOINES INDEPENDENT COMMUNITY SCHOOL DISTRICT ET AL. C. A. 8th Cir. Certiorari granted. *Melvin L. Wulf* for petitioners. *Allan A. Herrick and David W. Belin* for respondents. Reported below: 383 F. 2d 988.

No. 801. SPINELLI v. UNITED STATES. C. A. 8th Cir. Certiorari granted. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Irl B. Baris* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg and Sidney M. Glazer* for the United States. Reported below: 382 F. 2d 871.

No. 65, Misc. PEREZ v. CALIFORNIA. Sup. Ct. Cal. Motion for leave to proceed *in forma pauperis* granted. Certiorari granted and case transferred to appellate docket. *Thomas C. Lynch*, Attorney General of California, and *Edsel W. Haws and Raymond M. Momboisse*, Deputy Attorneys General, for respondent. Reported below: 65 Cal. 2d 615, 422 P. 2d 597.

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No. 978. UNIVERSAL INTERPRETIVE SHUTTLE CORP. *v.* WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION ET AL. C. A. D. C. Cir. Certiorari granted. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Jeffrey L. Nagin* and *Allen E. Susman* for petitioner. *Russell W. Cunningham* for respondent Washington Metropolitan Area Transit Commission, and *Manuel J. Davis* for respondent D. C. Transit System, Inc. *Solicitor General Griswold* for the United States, as *amicus curiae*, in support of the petition.

No. 909. DESIST ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari granted and case set for oral argument immediately following No. 174 (389 U. S. 1033). MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Abraham Glasser*, *David M. Markowitz* and *Irving Younger* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Ronald L. Gainer* for the United States. Reported below: 384 F. 2d 889.

No. 902, Misc. JOHNSON *v.* AVERY, COMMISSIONER OF CORRECTION, ET AL. C. A. 6th Cir. Motion for leave to proceed *in forma pauperis* granted. Certiorari granted and case transferred to appellate docket. *Karl P. War-den* for petitioner. *George F. McCanless*, Attorney General of Tennessee, *Thomas E. Fox*, Deputy Attorney General, and *David W. McMackin*, Assistant Attorney General, for respondents. Reported below: 382 F. 2d 353.

*Certiorari Denied.* (See also No. 950, Misc., *ante*, p. 196; and No. 965, Misc., *ante*, p. 204.)

No. 957. YATES *v.* MANALE ET AL. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold* for respondents.



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No. 378. *O'REILLY v. BOARD OF MEDICAL EXAMINERS OF THE STATE OF CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. *Ellis J. Horvitz* for petitioner. *Thomas C. Lynch*, Attorney General of California, and *Stephen H. Silver*, Deputy Attorney General, for respondent. *Solicitor General Griswold* filed a memorandum, as *amicus curiae*, by invitation of the Court [389 U. S. 966]. Reported below: 66 Cal. 2d 381, 426 P. 2d 167.

No. 748. *BRETTI v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. *Milton E. Grusmark* for petitioner. *Earl Faircloth*, Attorney General of Florida, and *Arthur L. Rothenberg* and *Arden M. Siegendorf*, Assistant Attorneys General, for respondent. Reported below: 192 So. 2d 6.

No. 868. *PRANNO v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *John A. McIntyre* for petitioner. *Solicitor General Griswold*, Assistant Attorney General *Vinson*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 385 F. 2d 387.

No. 886. *ARMEL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Earl W. Allison* for petitioner. *Solicitor General Griswold*, Assistant Attorney General *Vinson*, *Beatrice Rosenberg* and *Sidney M. Glazer* for the United States. Reported below: 384 F. 2d 51.

No. 897. *TRANS WORLD AIRLINES, INC. v. CIVIL AERONAUTICS BOARD*. C. A. D. C. Cir. Certiorari denied. *Charles Pickett* and *Carl S. Rowe* for petitioner. *Solicitor General Griswold*, Assistant Attorney General *Turner*, *Howard E. Shapiro*, *Joseph B. Goldman*, *O. D. Ozment*, *Warren L. Sharfman* and *Frederic D. Houghteling* for respondent. Reported below: 128 U. S. App. D. C. 126, 385 F. 2d 648.

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No. 893. PUBLIC SERVICE COMMISSION OF WISCONSIN ET AL. *v.* FEDERAL POWER COMMISSION. C. A. D. C. Cir. Certiorari denied. *William E. Torkelson* for Public Service Commission of Wisconsin, and *Raymond F. Simon* for City of Chicago, petitioners. *Solicitor General Griswold, Richard A. Solomon, Peter H. Schiff, Israel Convisser* and *Cyril S. Wofsy* for Federal Power Commission. *Charles C. McDugald* and *William W. Brackett* for Natural Gas Pipeline Co. of America, intervenor below. *Charles F. Wheatley, Jr.*, for Village of Bethany, Illinois, et al., as *amici curiae*, in support of the petition. Reported below: 128 U. S. App. D. C. 107, 385 F. 2d 629.

No. 905. MASTRO *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *R. Eugene Pincham, Earl E. Strayhorn, Charles B. Evins* and *Sam Adam* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 385 F. 2d 333.

No. 906. ROVICO, INC. *v.* AMERICAN PHOTOCOPY EQUIPMENT Co. C. A. 7th Cir. Certiorari denied. *Samuel J. Stoll* for petitioner. *William C. Conner, Albert E. Jenner, Jr., John J. Crown* and *Robert A. Curley* for respondent. Reported below: 384 F. 2d 813.

No. 911. NANTAHALA POWER & LIGHT Co. *v.* FEDERAL POWER COMMISSION. C. A. 4th Cir. Certiorari denied. *Randall J. LeBoeuf, Jr.*, for petitioner. *Solicitor General Griswold, Richard A. Solomon, Peter H. Schiff, Drexel D. Journey* and *Israel Convisser* for respondent. Reported below: 384 F. 2d 200.

No. 914. SCHEMEL *v.* GENERAL MOTORS CORP. C. A. 7th Cir. Certiorari denied. *William J. Marshall* for petitioner. *Thomas M. Scanlon* and *Ross L. Malone* for respondent. Reported below: 384 F. 2d 802.

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No. 916. HOME TOWN FOODS, INC., ET AL. *v.* WIRTZ, SECRETARY OF LABOR. C. A. 5th Cir. Certiorari denied. *John Bacheller, Jr.*, for petitioners. *Solicitor General Griswold, Charles Donahue, Bessie Margolin and Robert E. Nagle* for respondent. Reported below: 381 F. 2d 653.

No. 926. SCHMIDINGER ET AL. *v.* WELSH ET AL.; and No. 981. WELSH ET AL. *v.* SCHMIDINGER ET AL. C. A. 3d Cir. Certiorari denied. *William D. Lucas and Melvin H. Kurtz* for petitioners in No. 926 and for respondents in No. 981. *William J. Ungvarsky* for petitioners in No. 981 and for respondents in No. 926. Reported below: 383 F. 2d 455.

No. 929. GIBSON *v.* JOHNSON ET AL. Ct. Civ. App. Tex., 12th Sup. Jud. Dist. Certiorari denied. *Harry D. Moreland* for petitioner. *Harold A. Ross* for respondents. Reported below: 414 S. W. 2d 235.

No. 930. ROCHELLE, TRUSTEE IN BANKRUPTCY *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *William Madden Hill* for petitioner. *Solicitor General Griswold, Assistant Attorney General Rogovin and Carolyn R. Just* for the United States. Reported below: 384 F. 2d 748.

No. 936. STEPTOE & JOHNSON ET AL. *v.* FORT MYERS SEAFOOD PACKERS, INC. C. A. D. C. Cir. Certiorari denied. *Frank F. Roberson* for petitioners. *Glenn A. Mitchell and Edwin M. Slote* for respondent. Reported below: 127 U. S. App. D. C. 93, 381 F. 2d 261.

No. 939. KEGLEY *v.* AETNA LIFE INSURANCE CO. C. A. 5th Cir. Certiorari denied. *John G. Patterson* for petitioner. *W. O. Shafer* for respondent. Reported below: 389 F. 2d 348.



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No. 940. *REHMAN ET AL. v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. *A. L. Wirin* and *Fred Okrand* for petitioners. Reported below: 253 Cal. App. 2d 119, 61 Cal. Rptr. 65.

No. 942. *MARKETLINES, INC. v. SECURITIES AND EXCHANGE COMMISSION*. C. A. 2d Cir. Certiorari denied. *Emanuel Redfield* for petitioner. *Solicitor General Griswold*, *Philip A. Loomis, Jr.*, *Walter P. North* and *Jacob H. Stillman* for respondent. Reported below: 384 F. 2d 264.

No. 943. *SKAGGS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *W. Hays Pettry* for petitioner. *Solicitor General Griswold*, *Robert H. Marquis* and *James H. Eldridge* for the United States. Reported below: 386 F. 2d 769.

No. 947. *SCHROEDER ET UX. v. BUSENHART ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied. *William R. Ming, Jr.*, for petitioners. *Albert E. Jenner, Jr.*, *Philip W. Tone* and *Albert J. Horrell* for respondents *Busenhardt et al.* Reported below: 80 Ill. App. 2d 431, 225 N. E. 2d 702.

No. 948. *HIGGINSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Melvin M. Belli* and *John Y. Brown* for petitioner. *Solicitor General Griswold*, *S. Billingsley Hill* and *A. Donald Mileur* for the United States. Reported below: 384 F. 2d 504.

No. 951. *SEANOR COAL CO. v. LEWIS ET AL., TRUSTEES*. C. A. 3d Cir. Certiorari denied. *Nicholas Unkovic* for petitioner. *Welly K. Hopkins*, *Harold H. Bacon* and *M. E. Boiarsky* for respondents. Reported below: 382 F. 2d 437.

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No. 944. UNION ELECTRIC CO. *v.* CITY OF EAST ST. LOUIS. Sup. Ct. Ill. Certiorari denied. *Robert Broderick* for petitioner. *Avern B. Scolnik* for respondent. Reported below: 37 Ill. 2d 537, 229 N. E. 2d 522.

No. 952. VILLAGE OF ROBBINS *v.* VILLAGE OF MIDLOTHIAN. App. Ct. Ill., 1st Dist. Certiorari denied. *Walter K. Black* for petitioner. *Elbert F. Elmore* and *Robert J. Nolan* for respondent. Reported below: 81 Ill. App. 2d 22, 225 N. E. 2d 651.

No. 953. INDUSTRIAL WORKERS OF THE WORLD ET AL. *v.* CLARK, ATTORNEY GENERAL. C. A. D. C. Cir. Certiorari denied. *Marshall Patner* for petitioners. *Solicitor General Griswold* for respondent. Reported below: 128 U. S. App. D. C. 165, 385 F. 2d 687.

No. 954. WILLIAMS *v.* ILLINOIS. Sup. Ct. Ill. Certiorari denied. *R. Eugene Pincham*, *Earl E. Strayhorn*, *Charles B. Evins* and *Sam Adam* for petitioner. Reported below: 37 Ill. 2d 521, 229 N. E. 2d 495.

No. 955. ELGIN, JOLIET & EASTERN RAILWAY CO. *v.* DEL RASO ET AL. App. Ct. Ill., 1st Dist. Certiorari denied. *Harlan L. Hackbert* for petitioner. *Robert A. Sprecher* and *Meyer Z. Grant* for respondents. Reported below: 84 Ill. App. 2d 344, 228 N. E. 2d 470.

No. 958. CUNDICK *v.* BROADBENT. C. A. 10th Cir. Certiorari denied. *John J. Rooney* for petitioner. Reported below: 383 F. 2d 157.

No. 966. PENNSYLVANIA *v.* DELL PUBLICATIONS, INC., ET AL. Sup. Ct. Pa. Certiorari denied. *Joseph M. Smith* and *Arlen Specter* for petitioner. Reported below: 427 Pa. 189, 233 A. 2d 840.

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No. 956. *HIBLER ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 5th Cir. Certiorari denied. *Bob Huff* for petitioners. *Solicitor General Griswold, Assistant Attorney General Rogovin, Grant W. Wiprud* and *Donald A. Statland* for respondent. Reported below: 383 F. 2d 989.

No. 960. *COLBERG, INC., ET AL. v. CALIFORNIA EX REL. DEPARTMENT OF PUBLIC WORKS*. Sup. Ct. Cal. Certiorari denied. *Richard Burton Daley* for petitioners. *Harry S. Fenton* and *Robert F. Carlson* for respondent. Reported below: 67 Cal. 2d 408, 432 P. 2d 3.

No. 965. *COTHREN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *T. R. Bryan* and *W. H. McElwee* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 386 F. 2d 364.

No. 967. *ATCHISON, TOPEKA & SANTA FE RAILWAY Co. v. BOYER*. Sup. Ct. Ill. Certiorari denied. *Floyd Stuppi* and *Gus Svolos* for petitioner. *Sidney Z. Karasik* for respondent. Reported below: 38 Ill. 2d 31, 230 N. E. 2d 173.

No. 970. *GUINN, U. S. DISTRICT JUDGE, ET AL. v. ACF INDUSTRIES, INC.* C. A. 5th Cir. Certiorari denied. *John G. Patterson* and *Gerald K. Fugit* for petitioners. *William J. Barnes* for respondent. Reported below: 384 F. 2d 15.

No. 980. *ELECTRIC FURNACE CORP. v. DEERING MILLIKEN RESEARCH CORP.* C. A. 6th Cir. Certiorari denied. *John A. Chambliss, Jr.,* and *Sizer Chambliss* for petitioner. *B. P. Gambrell* and *Ray H. Moseley* for respondent. Reported below: 383 F. 2d 352.



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No. 972. ARLEY ET UX. *v.* UNITED PACIFIC INSURANCE Co. C. A. 9th Cir. Certiorari denied. *John Caughlan* for petitioners. *Kenneth E. Roberts* for respondent. Reported below: 379 F. 2d 183.

No. 976. TOWNSHIP OF HAMILTON TOWNSHIP ET AL. *v.* BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF ATLANTIC ET AL. Sup. Ct. N. J. Certiorari denied. *Patrick T. McGahn, Jr.*, for petitioners. *Isaac C. Ginsburg* for respondents Board of Chosen Freeholders of the County of Atlantic et al. Reported below: 50 N. J. 394, 235 A. 2d 891.

No. 979. KINSEY *v.* HUGGINS ET AL. Ct. Civ. App. Tex., 4th Sup. Jud. Dist. Certiorari denied. *H. L. Hays, Jr.*, for petitioner. *Josh H. Groce* for respondent Huggins. Reported below: 414 S. W. 2d 208.

No. 982. HANES HOSIERY DIVISION-HANES CORP. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 4th Cir. Certiorari denied. *Whiteford S. Blakeney* for petitioner. *Solicitor General Griswold*, *Arnold Ordman*, *Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: 384 F. 2d 188.

No. 984. MONTE VISTA LODGE *v.* GUARDIAN LIFE INSURANCE CO. OF AMERICA. C. A. 9th Cir. Certiorari denied. *Kenneth Barwick* for petitioner. *Sterling Hutcheson* for respondent. Reported below: 384 F. 2d 126.

No. 985. BRUCE *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. *Ralph J. Temple*, *Sarel M. Kandell*, *Wm. Warfield Ross*, *Lawrence Speiser* and *Melvin L. Wulf* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States.

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No. 987. *COBB v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *C. Anthony Friloux, Jr.*, for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg and Edward Fenig* for the United States. Reported below: 383 F. 2d 789.

No. 988. *LUSTIGER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Burton Marks* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson and Philip R. Monahan* for the United States. Reported below: 386 F. 2d 132.

No. 990. *JOSLYN v. JOSLYN ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied. *Morris Lavine* for petitioner. *James H. Kindel, Jr., and John W. Armagost* for respondents *Joslyn et al.*

No. 991. *JOSLYN v. SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES, ET AL.* Sup. Ct. Cal. Certiorari denied. *Morris Lavine* for petitioner. *James H. Kindel, Jr., and John W. Armagost* for respondents *Joslyn et al.*

No. 996. *MYZEL ET AL. v. FIELDS ET AL.* C. A. 8th Cir. Certiorari denied. *Leonard M. Leiman* for petitioners. *Edward M. Glennon* for respondents. Reported below: 386 F. 2d 718.

No. 998. *WILKINS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Edward P. Morgan* for petitioner. *Solicitor General Griswold, Assistant Attorney General Rogovin, Joseph M. Howard and John P. Burke* for the United States. Reported below: 385 F. 2d 465.

No. 1013. *IN RE HUTCHINS ET AL.* C. A. 3d Cir. Certiorari denied. *Milton T. Lasher* for petitioners. Reported below: 385 F. 2d 486.

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No. 994. *ESTES ET AL. v. CAMDEN FIRE INSURANCE ASSOCIATION OF GENERAL ACCIDENT FIRE & LIFE ASSURANCE CORP., LTD., ET AL.* C. A. 6th Cir. Certiorari denied. *Edward J. Utz* for Camden Fire Insurance Assn. of General Accident Fire & Life Assurance Corp., Ltd., *Robert M. Dennis* for State Automobile Mutual Insurance Co., *Ambrose H. Lindhorst* for Gusweiler, *William B. Saxbe*, Attorney General, *James D. Newcomer*, Assistant Attorney General, and *Charles S. Lopeman* for the State of Ohio, and *Solicitor General Griswold* for the United States, respondents.

No. 999. *DELMAN ET UX. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 3d Cir. Certiorari denied. *Martin D. Cohen* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Rogovin*, *Crombie J. D. Garrett* and *Willy Nordwind, Jr.*, for respondent. Reported below: 384 F. 2d 929.

No. 1000. *MILTON, DBA SERVICE CHECK CO. v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. *James R. Willis* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Rogovin*, *Crombie J. D. Garrett* and *Carolyn R. Just* for the United States. Reported below: 382 F. 2d 976.

No. 1001. *LONG v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *John Patterson* and *Edmon L. Rinehart* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 387 F. 2d 377.

No. 1002. *WAGOR ET AL., TRUSTEES v. CAL KOVENS CONSTRUCTION CORP.* C. A. 5th Cir. Certiorari denied. *P. D. Thomson* for petitioners. *Robert C. Ward* for respondent. Reported below: 382 F. 2d 813.



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No. 1005. *FULTON v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. *Frank D. Reeves* for petitioner. Reported below: 84 Ill. App. 2d 280, 228 N. E. 2d 203.

No. 1006. *STATE FARM FIRE & CASUALTY Co. v. McFERRIN*. C. A. 5th Cir. Certiorari denied. *Fred H. Sievert, Jr.*, for petitioner. Reported below: 382 F. 2d 282.

No. 1007. *BOARDMAN ET AL. v. UNITED STATES*. Ct. Cl. Certiorari denied. *John L. Sullivan* and *Francis W. Sullivan* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Martz*, *Roger P. Marquis* and *S. Billingsley Hill* for the United States. Reported below: 180 Ct. Cl. 264, 376 F. 2d 895.

No. 1010. *KNOWLES ELECTRONICS, INC., ET AL. v. TIBBETTS INDUSTRIES, INC., ET AL.* C. A. 7th Cir. Certiorari denied. *Wilfred S. Stone* and *Anthony S. Zimmer* for petitioners. *David L. Ladd*, *Dugald S. McDougall* and *Charles S. Grover* for respondents. Reported below: 386 F. 2d 209.

No. 1011. *BURTZ-DURHAM CONSTRUCTION Co., INC., ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Alex McLennan* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Weisl* and *Morton Hollander* for the United States. Reported below: 384 F. 2d 913.

No. 1012. *FISHER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *William J. Corcoran* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Sidney M. Glazer* for the United States. Reported below: 387 F. 2d 165.

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No. 1014. *FEDERAL OIL CO. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 3d Cir. Certiorari denied. *Martin D. Cohen* for petitioner. *Solicitor General Griswold* and *Assistant Attorney General Rogovin* for respondent. Reported below: 385 F. 2d 127.

No. 1017. *HOUSER v. O'LEARY, DEPUTY COMMISSIONER, FOURTEENTH COMPENSATION DISTRICT, ET AL.* C. A. 9th Cir. Certiorari denied. *Edwin J. Peterson* for petitioner. *Solicitor General Griswold* for O'Leary, and *Floyd A. Fredrickson* for American Mail Line, Ltd., et al., respondents. Reported below: 383 F. 2d 730.

No. 1018. *MASTERSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Joseph Goldberg* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Mervyn Hamburg* for the United States. Reported below: 383 F. 2d 610.

No. 1019. *FRANKLIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *P. Walter Jones* and *Jerry W. Brimberry* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 384 F. 2d 377.

No. 1021. *SANTOS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Max Cohen* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Edward Fenig* for the United States. Reported below: 385 F. 2d 43.

No. 1035. *ANDERSON ET AL. v. COTNER, CLERK OF CLEVELAND CITY COUNCIL, ET AL.* Sup. Ct. Ohio. Certiorari denied. *Jack G. Day* for petitioners. *Daniel J. O'Loughlin* for respondent Cotner. *Ralph Rudd* for American Civil Liberties Union of Ohio, as *amicus curiae*, in support of the petition.

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No. 1020. LITTLE, AKA HARDEN *v.* OREGON. Sup. Ct. Ore. Certiorari denied. *Otto R. Skopil, Jr.*, for petitioner. *John B. Leahy* for respondent. Reported below: — Ore. —, 431 P. 2d 810.

No. 1022. COLONIAL STEEL & IRON CO. ET AL. *v.* MILLER EQUIPMENT CO. C. A. 4th Cir. Certiorari denied. *Nelson Woodson* for petitioners. *Lewis F. Powell, Jr.*, for respondent. Reported below: 383 F. 2d 669.

No. 1023. SOUTHERN CONSTRUCTION CO., INC., ET AL. *v.* GENERAL ELECTRIC CO. C. A. 5th Cir. Certiorari denied. *R. Emmett Kerrigan* for petitioners. *Clifford E. Hughes* and *Cromwell Warner* for respondent. Reported below: 383 F. 2d 135.

No. 1037. MANCUSO *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Norman P. Ramsey* and *H. Thomas Howell* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Rogovin* and *Joseph M. Howard* for the United States. Reported below: 378 F. 2d 612.

No. 1043. SAFWAY STEEL SCAFFOLDS CO. OF GEORGIA *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 5th Cir. Certiorari denied. *P. D. Thomson* for petitioner. *Solicitor General Griswold*, *Arnold Ordman*, *Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: 383 F. 2d 273.

No. 1047. NATIONAL INSIDER, INC. *v.* BEST MEDIUM PUBLISHING Co., INC. C. A. 7th Cir. Certiorari denied. *Elmer Gertz* for petitioner. *Frank J. McGarr* and *Daniel A. Becco* for respondent. Reported below: 385 F. 2d 384.



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No. 1042. *GAY v. CITY OF ORLANDO*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. *J. Russell Hornsby* for petitioner. *Norman Burke* for respondent. Reported below: 202 So. 2d 896.

No. 1040. *GIVENS v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. *Thorp Thomas* for petitioner. Reported below: 243 Ark. 16, 418 S. W. 2d 629.

No. 1048. *EVERSHIELD PRODUCTS, INC. v. SAPP ET AL., DBA TICE SUPERMARKET*. Sup. Ct. Fla. Certiorari denied. *Samuel Kimmel* for petitioner. *Julian Clarkson* for respondents.

No. 1077. *NOWELL v. NOWELL*. C. A. 5th Cir. Certiorari denied. *Lawrence W. Anderson* for petitioner. *W. B. West III* for respondent. Reported below: 384 F. 2d 951.

No. 874. *SPIRO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. *Esther Strum Frankel* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Paul C. Summitt* for the United States. Reported below: 384 F. 2d 159.

No. 968. *BANCO NACIONAL DE CUBA v. FARR ET AL., DBA FARR, WHITLOCK & Co., ET AL.* C. A. 2d Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Victor Rabinowitz* and *Leonard B. Boudin* for petitioner. *C. Dickerman Williams* for Farr et al., and *Whitney North Seymour*, *Eastman Birkett* and *John A. Guzzetta* for Compania Azucarera Vertientes-Camaguey de Cuba et al., respondents. Reported below: 383 F. 2d 166.

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No. 935. NATIONAL DAIRY PRODUCTS CORP. *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *John T. Chadwell, Richard W. McLaren and Martin J. Purcell* for petitioner. *Solicitor General Griswold, Assistant Attorney General Turner and Raymond P. Hernacki* for the United States. Reported below: 384 F. 2d 457.

No. 983. BATTLE MOUNTAIN CO. *v.* UDALL, SECRETARY OF THE INTERIOR. C. A. 9th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *William Braly Murray* for petitioner. *Solicitor General Griswold, Assistant Attorney General Martz, Roger P. Marquis and A. Donald Mileur* for respondent. Reported below: 385 F. 2d 90.

No. 992. SCALES ET AL. *v.* RIDDELL. C. A. 9th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Ernest R. Mortenson* for petitioners. *Solicitor General Griswold, Assistant Attorney General Rogovin, Robert N. Anderson and Robert I. Waxman* for respondent.

No. 1009. HANNAHVILLE INDIAN COMMUNITY ET AL. *v.* UNITED STATES. Ct. Cl. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Robert C. Bell, Jr.*, for petitioners. *Solicitor General Griswold, Assistant Attorney General Martz, Roger P. Marquis and A. Donald Mileur* for the United States. Reported below: 179 Ct. Cl. 473.

No. 1033. POWELL *v.* NATIONAL SAVINGS & TRUST CO. C. A. D. C. Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition.

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No. 1031. *BENDER ET UX. v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *John Kennedy Lynch* for petitioners. *Solicitor General Griswold, Assistant Attorney General Rogovin and Loring W. Post* for the United States. Reported below: 383 F. 2d 656.

No. 964. *LAS VEGAS LOCAL JOINT EXECUTIVE BOARD OF CULINARY WORKERS & BARTENDERS ET AL. v. LAS VEGAS HACIENDA, INC., ET AL.* C. A. 9th Cir. Certiorari denied. MR. JUSTICE FORTAS is of the opinion that certiorari should be granted. *Roland C. Davis* for petitioners. Reported below: 383 F. 2d 667.

No. 1004. *HELM v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Clyde C. Randolph, Jr.*, for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson and Beatrice Rosenberg* for the United States. Reported below: 386 F. 2d 434.

No. 1030. *McMANN, WARDEN v. DAVIS*. C. A. 2d Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. *Louis J. Lefkowitz*, Attorney General of New York, *Samuel A. Hirshowitz*, First Assistant Attorney General, and *Joel Lewittes* and *Iris Steel*, Assistant Attorneys General, for petitioner. *Gretchen White Oberman* for respondent. Reported below: 386 F. 2d 611.

No. 1032. *PHILLIPS v. MURCHISON*. C. A. 2d Cir. Certiorari denied. MR. JUSTICE FORTAS took no part in the consideration or decision of this petition. *Robert L. Bobrick* for petitioner. *Ronald S. Daniels* and *Richard J. Barnes* for respondent. Reported below: 383 F. 2d 370.



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No. 975. *SEAGO v. NORTH CAROLINA THEATRES, INC., ET AL.* C. A. 4th Cir. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE WHITE are of the opinion that certiorari should be granted. *Milton Bordwin* for petitioner. *Charles F. Young* for respondent Paramount Film Distributing Corp. et al.

No. 10, Misc. *DURHAM v. HAYNES, TRAINING CENTER SUPERINTENDENT.* C. A. 8th Cir. Certiorari denied. *Norman H. Anderson*, Attorney General of Missouri, and *Walter W. Nowotny, Jr.*, Assistant Attorney General, for respondent. Reported below: 368 F. 2d 989.

No. 139, Misc. *GUERRERO v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *William V. Ballough*, Deputy Attorney General, for respondent. Reported below: 247 Cal. App. 2d 687, 56 Cal. Rptr. 7.

No. 183, Misc. *JOHNSON v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. *Earl Faircloth*, Attorney General of Florida, and *George R. Georgieff*, Assistant Attorney General, for respondent.

No. 217, Misc. *BROWN v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Jack K. Weber*, Deputy Attorney General, for respondent.

No. 420, Misc. *WHITTY v. WISCONSIN.* Sup. Ct. Wis. Certiorari denied. *Bronson C. La Follette*, Attorney General of Wisconsin, and *Robert E. Sutton*, Assistant Attorney General, for respondent. Reported below: 34 Wis. 2d 278, 149 N. W. 2d 557.

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No. 459, Misc. *BIOT v. NEW YORK*. Ct. App. N. Y. Certiorari denied. *O. John Rogge* for petitioner. *Isidore Dollinger* and *Daniel J. Sullivan* for respondent.

No. 569, Misc. *PULIDO v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, and *Edward P. O'Brien* and *Clifford K. Thompson, Jr.*, Deputy Attorneys General, for respondent.

No. 578, Misc. *FREEMAN v. SIMPSON, WARDEN*. C. A. 5th Cir. Certiorari denied. *MacDonald Gallion*, Attorney General of Alabama, and *David W. Clark* and *Walter S. Turner*, Assistant Attorneys General, for respondent.

No. 596, Misc. *ANDREWS, AKA TURQE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Leon B. Polsky* and *Phylis Skloot Bamberger* for petitioner. *Solicitor General Griswold*, Assistant Attorney General *Vinson*, *Beatrice Rosenberg* and *Sidney M. Glazer* for the United States. Reported below: 381 F. 2d 377.

No. 618, Misc. *COLLINS v. MINNESOTA*. Sup. Ct. Minn. Certiorari denied. *Peter Dorsey* for petitioner. *Douglas M. Head*, Attorney General of Minnesota, *George M. Scott* and *Henry W. McCarr, Jr.*, for respondent. Reported below: 276 Minn. 459, 150 N. W. 2d 850.

No. 672, Misc. *WILLIAMS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 381 F. 2d 382.

No. 692, Misc. *TOBAR v. WISCONSIN*. Sup. Ct. Wis. Certiorari denied. *Bronson C. La Follette*, Attorney General of Wisconsin, and *Robert E. Sutton*, Assistant Attorney General, for respondent.

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No. 628, Misc. *BRANDL v. BURKE, WARDEN*. Sup. Ct. Wis. Certiorari denied. *Bronson C. La Follette*, Attorney General of Wisconsin, and *William A. Platz* and *Thomas A. Lockyear*, Assistant Attorneys General, for respondent.

No. 727, Misc. *MARES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Philip R. Monahan* for the United States. Reported below: 383 F. 2d 811.

No. 762, Misc. *HARRIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States.

No. 788, Misc. *GREEN v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. *Dennis G. Lyons* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Jerome M. Feit* for the United States. Reported below: 127 U. S. App. D. C. 272, 383 F. 2d 199.

No. 809, Misc. *COOPER v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. *Herman I. Pollock* and *John W. Packel* for petitioner. *Arlen Specter* for respondent.

No. 813, Misc. *SIMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Russell R. Reno, Jr.*, for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States.

No. 834, Misc. *CORLISS, AKA HAYES v. MONTANA*. Sup. Ct. Mont. Certiorari denied. *Lloyd J. Skedd* for petitioner. Reported below: 150 Mont. 40, 430 P. 2d 632.



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No. 823, Misc. *BROWN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 380 F. 2d 477.

No. 824, Misc. *HEALD v. MAINE*. Sup. Jud. Ct. Maine. Certiorari denied. *Clyde R. Chapman* for petitioner. *James S. Erwin*, Attorney General of Maine, and *John W. Benoit*, Assistant Attorney General, for respondent. Reported below: 232 A. 2d 79.

No. 833, Misc. *DUISEN v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. *Theodore F. Schwartz* for petitioner. *Norman H. Anderson*, Attorney General of Missouri, and *Courtney Goodman, Jr.*, Assistant Attorney General, for respondent.

No. 837, Misc. *VIDA v. CLARK, ATTORNEY GENERAL, ET AL.* C. A. 7th Cir. Certiorari denied. *Solicitor General Griswold* for respondents.

No. 843, Misc. *MORGAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Rogovin*, *Joseph M. Howard* and *John P. Burke* for the United States. Reported below: 380 F. 2d 686.

No. 844, Misc. *CLEMAS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 382 F. 2d 403.

No. 863, Misc. *LAMPSON v. IOWA*. Sup. Ct. Iowa. Certiorari denied. Reported below: — Iowa —, 149 N. W. 2d 116.

No. 870, Misc. *BALL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 381 F. 2d 702.

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No. 859, Misc. *AIELLO ET AL. v. OHIO*. Ct. App. Ohio, Cuyahoga County. Certiorari denied. *James R. Willis* for petitioners. *John T. Corrigan* and *Harvey R. Monck* for respondent.

No. 865, Misc. *SWARTZ v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States.

No. 871, Misc. *DOOLEY v. ALABAMA*. Sup. Ct. Ala. Certiorari denied.

No. 872, Misc. *PRESTON v. WARDEN, KENTUCKY PENITENTIARY*. C. A. 6th Cir. Certiorari denied.

No. 873, Misc. *GILL v. OHIO*. Ct. App. Ohio, Madison County. Certiorari denied. *D. Harland Jackman* for petitioner.

No. 874, Misc. *CABELLO v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 877, Misc. *NEWMAN v. NEW YORK*. Ct. App. N. Y. Certiorari denied. *Louis J. Lefkowitz*, Attorney General of New York, *Ruth Kessler Toch*, Solicitor General, and *Winifred C. Stanley*, Assistant Attorney General, for respondent.

No. 878, Misc. *SPADER v. SHOVLIN, STATE HOSPITAL SUPERINTENDENT*. Sup. Ct. Pa. Certiorari denied.

No. 879, Misc. *HARRIS v. RHAY, PENITENTIARY SUPERINTENDENT*. C. A. 9th Cir. Certiorari denied.

No. 880, Misc. *CASTELO v. NEW YORK*. Ct. App. N. Y. Certiorari denied.

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No. 881, Misc. *HOFFER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 884, Misc. *SHARP v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg and Kirby W. Patterson* for the United States. Reported below: 381 F. 2d 708.

No. 885, Misc. *WISE v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg and Jerome M. Feit* for the United States. Reported below: 127 U. S. App. D. C. 279, 383 F. 2d 206.

No. 886, Misc. *GARRETT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Luke McKissack* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 382 F. 2d 768.

No. 887, Misc. *BOHMS v. GARDNER, SECRETARY OF HEALTH, EDUCATION, AND WELFARE*. C. A. 8th Cir. Certiorari denied. *Charles Lacey* for petitioner. *Solicitor General Griswold* for respondent. Reported below: 381 F. 2d 283.

No. 889, Misc. *BUNKER v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 891, Misc. *EUBANKS v. MINNESOTA*. Sup. Ct. Minn. Certiorari denied. *Douglas M. Head*, Attorney General of Minnesota, and *George M. Scott* for respondent. Reported below: 277 Minn. 257, 152 N. W. 2d 453.

No. 892, Misc. *ABINA v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.



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No. 895, Misc. *BELL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson and Beatrice Rosenberg* for the United States. Reported below: 382 F. 2d 985.

No. 901, Misc. *HUSKA v. GARDNER, SECRETARY OF HEALTH, EDUCATION, AND WELFARE*. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold* for respondent. Reported below: 367 F. 2d 863.

No. 903, Misc. *RESTREPO v. SAULS*. Sup. Ct. Fla. Certiorari denied.

No. 908, Misc. *JENKINS v. BEBEAU ET AL.* C. A. 6th Cir. Certiorari denied.

No. 909, Misc. *FULFORD v. SMITH, WARDEN*. Super. Ct. Ga., Tattnall County. Certiorari denied.

No. 910, Misc. *MURRAY v. KENTUCKY*. Ct. App. Ky. Certiorari denied.

No. 912, Misc. *HAYES v. TENNESSEE*. Sup. Ct. Tenn. Certiorari denied. *George F. McCanless*, Attorney General of Tennessee, and *Thomas E. Fox*, Deputy Attorney General, for respondent.

No. 913, Misc. *ANZAI, GUARDIAN v. HAWAII*. Sup. Ct. Hawaii. Certiorari denied. *Helen B. Ryan* for petitioner. *Bert T. Kobayashi*, Attorney General of Hawaii, and *Clinton R. Ashford*, Special Deputy Attorney General, for respondent. Reported below: — Haw. —, 430 P. 2d 319.

No. 915, Misc. *HUDGINS v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 252 Cal. App. 2d 174, 60 Cal. Rptr. 176.

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No. 911, Misc. EWING *v.* RUNDLE, CORRECTIONAL SUPERINTENDENT. C. A. 3d Cir. Certiorari denied.

No. 916, Misc. BLYDEN *v.* NEW YORK. Ct. App. N. Y. Certiorari denied.

No. 918, Misc. MAGGIO *v.* PENNSYLVANIA. Sup. Ct. Pa. Certiorari denied. *H. David Rothman* for petitioner.

No. 919, Misc. BALES *v.* OKLAHOMA. Ct. Crim. App. Okla. Certiorari denied. Reported below: 429 P. 2d 1014.

No. 922, Misc. BELTOWSKI *v.* MINNESOTA. C. A. 8th Cir. Certiorari denied.

No. 923, Misc. SNOWDEN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 384 F. 2d 357.

No. 927, Misc. WHEATON *v.* COMSTOCK, CONSERVATION CENTER SUPERINTENDENT, ET AL. Sup. Ct. Cal. Certiorari denied.

No. 931, Misc. BERNHARDT *v.* RUNDLE, CORRECTIONAL SUPERINTENDENT. C. A. 3d Cir. Certiorari denied.

No. 934, Misc. CAVE *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Herbert S. Siegal* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson* and *Philip R. Monahan* for the United States.

No. 945, Misc. OSTROWSKI *v.* MANBECK. C. A. D. C. Cir. Certiorari denied. *Seymour J. Spelman* for respondent. Reported below: 128 U. S. App. D. C. 1, 384 F. 2d 970.

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No. 935, Misc. *SHURNEY v. OHIO*. Sup. Ct. Ohio. Certiorari denied.

No. 940, Misc. *FURTAK v. NEW YORK*. County Ct., Steuben County, N. Y. Certiorari denied.

No. 941, Misc. *BONEY v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. *Worth Rowley* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 128 U. S. App. D. C. 279, 387 F. 2d 237.

No. 949, Misc. *RICHARDSON v. CALIFORNIA ADULT AUTHORITY*. Sup. Ct. Cal. Certiorari denied.

No. 951, Misc. *SCHACK v. FLORIDA*. Sup. Ct. Fla. Certiorari denied.

No. 952, Misc. *JACKSON v. FITZHARRIS, TRAINING FACILITY SUPERINTENDENT, ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 953, Misc. *HARTMANN v. LUND, MEDICAL DIRECTOR, MINNESOTA SECURITY HOSPITAL*. Sup. Ct. Minn. Certiorari denied. *Lynn S. Castner* for petitioner. *Douglas M. Head*, Attorney General of Minnesota, and *William J. Hempel*, Chief Deputy Attorney General, for respondent. Reported below: 277 Minn. 398, 152 N. W. 2d 514.

No. 956, Misc. *LEWIS, AKA EHRLICH v. ILLINOIS ET AL.* C. A. 7th Cir. Certiorari denied.

No. 957, Misc. *ALDRIDGE v. HENDERSON, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 382 F. 2d 288.

No. 958, Misc. *ROOF v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Frederic A. Johnson* for petitioner. *Solicitor General Griswold* for the United States.



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No. 959, Misc. *SWEET v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied. Reported below: 71 Wash. 2d 172, 426 P. 2d 983.

No. 963, Misc. *MARNOCH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson and Beatrice Rosenberg* for the United States. Reported below: 382 F. 2d 1019.

No. 964, Misc. *MITCHELL v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied.

No. 966, Misc. *BALSZ v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 252 Cal. App. 2d 644, 60 Cal. Rptr. 778.

No. 967, Misc. *STRAUSS v. NEW JERSEY*. Sup. Ct. N. J. Certiorari denied.

No. 972, Misc. *MALONE v. CROUSE, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 380 F. 2d 741.

No. 974, Misc. *VATELLI v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 975, Misc. *ESPARZA v. NELSON, WARDEN*. Sup. Ct. Cal. Certiorari denied.

No. 980, Misc. *GILLESPIE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 384 F. 2d 716.

No. 986, Misc. *DUTCH v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 254 Cal. App. 2d 163, 61 Cal. Rptr. 727.

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No. 976, Misc. *PURIFOY v. WAINWRIGHT*, CORRECTIONS DIRECTOR. C. A. 5th Cir. Certiorari denied.

No. 978, Misc. *Fox v. MARONEY*, CORRECTIONAL SUPERINTENDENT. C. A. 3d Cir. Certiorari denied.

No. 979, Misc. *CASTRO v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 981, Misc. *FLORES v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 984, Misc. *JACKSON v. WILSON, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 987, Misc. *DOUGLAS v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied.

No. 989, Misc. *CARROLL v. TURNER, WARDEN*. C. A. 4th Cir. Certiorari denied.

No. 990, Misc. *PARKER v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied.

No. 992, Misc. *RILEY v. NEW JERSEY*. Sup. Ct. N. J. Certiorari denied.

No. 993, Misc. *WYNN v. PEYTON, PENITENTIARY SUPERINTENDENT*. C. A. 4th Cir. Certiorari denied.

No. 994, Misc. *CANNON v. WAINWRIGHT, CORRECTIONS DIRECTOR*. Sup. Ct. Fla. Certiorari denied.

No. 1004, Misc. *CARR v. ALABAMA*. Ct. App. Ala. Certiorari denied. *John C. Walters* for petitioner. Reported below: 44 Ala. App. 40, 202 So. 2d 59.

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No. 996, Misc. *McCABE v. UNITED STATES*. Ct. Cl. Certiorari denied.

No. 997, Misc. *CALLAS v. RHAY, PENITENTIARY SUPERINTENDENT*. Sup. Ct. Wash. Certiorari denied.

No. 998, Misc. *WASHINGTON v. OHIO*. Sup. Ct. Ohio. Certiorari denied.

No. 1003, Misc. *McDERMOTT v. DISTRICT COURT OF RILEY COUNTY*. Sup. Ct. Kan. Certiorari denied.

No. 1005, Misc. *CASSASA v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 1010, Misc. *URBANO v. LISTON*. C. A. 4th Cir. Certiorari denied. *Russell R. Reno, Jr.*, for respondent.

No. 1011, Misc. *TROIANI v. NEW YORK*. Ct. App. N. Y. Certiorari denied. *Peter J. O'Connor* for respondent.

No. 1012, Misc. *WHITE v. PEYTON, PENITENTIARY SUPERINTENDENT*. C. A. 4th Cir. Certiorari denied.

No. 1018, Misc. *BLANTON v. ROPKE, JUDGE*. Ct. App. Ky. Certiorari denied. *David Kaplan* for petitioner. *John B. Breckinridge*, Attorney General of Kentucky, and *George F. Rabe*, Assistant Attorney General, for respondent.

No. 1031, Misc. *AZZONE v. TAHASH, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 1034, Misc. *ALLEN v. TENNESSEE*. Cir. Ct., Sevier County, Tenn. Certiorari denied.



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No. 1037, Misc. DUARTE *v.* CALIFORNIA. Sup. Ct. Cal. Certiorari denied.

No. 1041, Misc. SOVIERO ET AL. *v.* FOLLETTE, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 1043, Misc. GREEN *v.* CALIFORNIA. Ct. App. Cal., 1st App. Dist. Certiorari denied. Reported below: 236 Cal. App. 2d 1, 45 Cal. Rptr. 744.

No. 1045, Misc. DONALDSON *v.* O'CONNOR, STATE HOSPITAL SUPERINTENDENT, ET AL. C. A. 5th Cir. Certiorari denied. *Morton Birnbaum* for petitioner.

No. 1062, Misc. KEATON *v.* OHIO. Ct. App. Ohio, Pickaway County. Certiorari denied. Reported below: 9 Ohio App. 2d 139, 223 N. E. 2d 631.

No. 1080, Misc. WALLACH *v.* UNGERMAN ET AL. C. A. 10th Cir. Certiorari denied.

No. 1089, Misc. GONZALEZ *v.* NEW YORK. Ct. App. N. Y. Certiorari denied. *Robert A. Meister* and *Anthony F. Marra* for petitioner. *Frank S. Hogan* and *Michael Juviler* for respondent. Reported below: 20 N. Y. 2d 289, 229 N. E. 2d 220.

No. 1102, Misc. EVANS *v.* OREGON. Sup. Ct. Ore. Certiorari denied. *Lawrence A. Aschenbrenner* for petitioner. *George Van Hoomissen* and *Jacob B. Tanzer* for respondent. Reported below: — Ore. —, 432 P. 2d 175.

No. 230, Misc. WILLIAMS *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Solicitor General Griswold* for the United States.

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No. 1110, Misc. LEVINE *v.* COLGATE-PALMOLIVE Co. ET AL. C. A. 2d Cir. Certiorari denied.

No. 1115, Misc. SEIDLER *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Marvin Juron* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg and Kirby W. Patterson* for the United States. Reported below: 385 F. 2d 387.

No. 31, Misc. FLOYD *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Solicitor General Marshall, Assistant Attorney General Vinson, Beatrice Rosenberg and Robert G. Maysack* for the United States.

No. 42, Misc. ALLEN *v.* MEIER ET AL. C. A. 9th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Solicitor General Marshall, Assistant Attorney General Vinson and Philip R. Monahan* for respondents. Reported below: 374 F. 2d 447.

No. 343, Misc. BARNES *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Solicitor General Griswold* for the United States. Reported below: 378 F. 2d 646.

No. 947, Misc. BENNETT *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Solicitor General Griswold* for the United States. Reported below: 383 F. 2d 398.

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No. 971, Misc. COMLEY *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg and Kirby W. Patterson* for the United States.

No. 524, Misc. JOHNSON *v.* PATE, WARDEN. C. A. 7th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *William G. Clark, Attorney General of Illinois, and John J. O'Toole and Donald J. Veverka, Assistant Attorneys General*, for respondent.

No. 1078, Misc. GONZALEZ *v.* WARDEN, BROOKLYN HOUSE OF DETENTION. Ct. App. N. Y. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Jack Greenberg, Michael Meltsner, Anthony G. Amsterdam, James M. Nabrit III, Charles Stephen Ralston and Melvyn Zarr* for petitioner. *Frank S. Hogan, H. Richard Uviller and Alan F. Scribner* for respondent. Reported below: 21 N. Y. 2d 18, 233 N. E. 2d 265.

No. 839, Misc. FISCHER *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. MR. JUSTICE FORTAS is of the opinion that certiorari should be granted. *Eugene P. Souther* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson and Beatrice Rosenberg* for the United States. Reported below: 381 F. 2d 509.

No. 855, Misc. BENNETT *v.* MYERS, CORRECTIONAL SUPERINTENDENT. C. A. 3d Cir. Certiorari denied. MR. JUSTICE FORTAS is of the opinion that certiorari should be granted. *United States v. Wade*, 388 U. S. 218, at 261-262 (separate opinion). Reported below: 381 F. 2d 814.



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No. 917, Misc. *ARMIJO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted and the judgment reversed. *James F. Hewitt* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson and Jerome M. Feit* for the United States. Reported below: 384 F. 2d 694.

*Rehearing Granted.* (See No. 861, October Term, 1965, *ante*, p. 203.)

*Rehearing Denied.*

No. 933, October Term, 1966. *CHINA UNION LINES, LTD. v. A. O. ANDERSEN & Co. ET AL.*; and

No. 934, October Term, 1966. *LAN JING-CHAU ET AL. v. A. O. ANDERSEN & Co. ET AL.*, 386 U. S. 933, 1000. Motion of American Trial Lawyers Association, Admiralty Section, for leave to file a brief, as *amicus curiae*, in support of petition for second rehearing denied. Motions for leave to file second petitions for rehearing denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of these motions. *Arthur J. Mandell* on the motion for American Trial Lawyers Association, Admiralty Section.

No. 680, Misc., October Term, 1966. *RUCKER v. JOHNSON, CLERK OF DISTRICT COURT*, 385 U. S. 941. Motion for leave to file petition for rehearing denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this motion.

No. 21. *ZSCHERNIG ET AL. v. MILLER, ADMINISTRATOR, ET AL.*, 389 U. S. 429. Petition for rehearing or clarification of opinion denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition.

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No. 581. JAPANESE WAR NOTES CLAIMANTS ASSOCIATION OF THE PHILIPPINES, INC. *v.* UNITED STATES, 389 U. S. 971;

No. 668. AMPLEX OF MARYLAND, INC. *v.* OUTBOARD MARINE CORP., 389 U. S. 1036;

No. 720. HENRY *v.* DELHI-TAYLOR OIL CORP., 389 U. S. 1021;

No. 735. KLEIN ET AL. *v.* UNITED STATES, 389 U. S. 1037;

No. 753. BIRNS *v.* OHIO, 389 U. S. 1038;

No. 758. GATES *v.* P. F. COLLIER, INC., 389 U. S. 1038;

No. 768. OSBOURNE ET AL. *v.* MISSISSIPPI VALLEY BARGE LINE CO. ET AL., 389 U. S. 579;

No. 769. SKYLINE HOMES, INC. *v.* NATIONAL LABOR RELATIONS BOARD, 389 U. S. 1039;

No. 790. BRASWELL MOTOR FREIGHT LINES, INC., ET AL. *v.* UNITED STATES ET AL., 389 U. S. 569;

No. 815. PAULAITIS *v.* PAULAITIS, *ante*, p. 36;

No. 820. THRIFTY SHOPPERS SCRIP CO. *v.* UNITED STATES ET AL., 389 U. S. 580;

No. 821. BELL ET UX. *v.* UNITED STATES, 389 U. S. 1042;

No. 840. MILLER *v.* HAINES, DIRECTOR, DEPARTMENT OF MENTAL HYGIENE AND CORRECTION OF OHIO, ET AL., 389 U. S. 582;

No. 843. RUTHERFORD ET AL. *v.* AMERICAN MEDICAL ASSOCIATION, INC., ET AL., 389 U. S. 1043;

No. 850. JAMES, STATE TREASURER OF TEXAS, ET AL. *v.* GILMORE ET AL., 389 U. S. 572;

No. 865. E. W. BUSCHMAN CO. *v.* NATIONAL LABOR RELATIONS BOARD, 389 U. S. 1045;

No. 927. ZUCKERMAN ET AL. *v.* GREASON, *ante*, p. 925; and

No. 928. ALLINSON *v.* GREASON, *ante*, p. 925. Petitions for rehearing denied.

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No. 502, Misc. EPTON *v.* NEW YORK, *ante*, p. 29;  
No. 771, Misc. EPTON *v.* NEW YORK, *ante*, p. 29;  
No. 702, Misc. ROGERS *v.* STANLEY, STATE HOSPITAL  
DIRECTOR, 389 U. S. 1055;

No. 706, Misc. BUTTERFIELD *v.* GAZELLE, 389 U. S.  
1024;

No. 777, Misc. NAEGLE ET UX. *v.* COMMISSIONER OF  
INTERNAL REVENUE, *ante*, p. 927;

No. 800, Misc. STEBBINS *v.* NATIONWIDE MUTUAL  
INSURANCE Co., *ante*, p. 910;

No. 803, Misc. OSWALD *v.* CROUSE, WARDEN, *ante*,  
p. 910; and

No. 864, Misc. TAYLOR *v.* BURKE, WARDEN, ET AL.,  
*ante*, p. 918. Petitions for rehearing denied.

No. 366. AMERICAN INVESTORS FUND, INC. *v.* FOGEL  
ET AL., 389 U. S. 830. Motion for leave to file petition  
for rehearing denied.

No. 498. COLORADO RIVER WATER CONSERVATION  
DISTRICT ET AL. *v.* FOUR COUNTIES WATER USERS ASSO-  
CIATION ET AL., 389 U. S. 1049. Petition for rehearing  
denied. MR. JUSTICE MARSHALL took no part in the  
consideration or decision of this petition.

No. 692. BYRNE *v.* CHICAGO TITLE & TRUST Co.  
ET AL., 389 U. S. 1005. Motion for leave to proceed  
further herein *in forma pauperis* granted. Petition for  
rehearing denied.

No. 900. REBENSTORF *v.* ILLINOIS, *ante*, p. 924. Mo-  
tion to dispense with printing petition granted. Peti-  
tion for rehearing denied.

No. 745, Misc. MCCRAY *v.* ARRAJ, CHIEF JUDGE,  
U. S. DISTRICT COURT, 389 U. S. 1030. Motion for leave  
to file petition for rehearing denied.



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No. 791. *SOBELL v. UNITED STATES*, 389 U. S. 1051. Petition for rehearing denied. MR. JUSTICE WHITE and MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition.

MARCH 11, 1968.

*Miscellaneous Orders.*

No. 31, Orig. *UTAH v. UNITED STATES*. Motions of Great Salt Lake Minerals & Chemicals Corp. for leave to intervene as a plaintiff and to intervene, in the alternative, as a defendant, together with its answer and cross claim referred to Special Master for a report and recommendation. Such report and recommendation shall also include motion of Morton International, Inc., for leave to intervene heretofore referred to the Special Master. MR. JUSTICE MARSHALL took no part in the consideration or decision of these motions. *George E. Boss* and *Robert D. Larsen* on the motions. *Phil L. Hansen*, Attorney General, for the State of Utah in opposition; *Solicitor General Griswold* for the United States. [For earlier orders herein, see, *e. g.*, 389 U. S. 909.]

No. 416. *FLAST ET AL. v. GARDNER, SECRETARY OF HEALTH, EDUCATION, AND WELFARE, ET AL.* Appeal from D. C. S. D. N. Y. (Probable jurisdiction noted, 389 U. S. 895.) Motion of United Americans for Public Schools for leave to file a brief, as *amicus curiae*, granted. *Henry C. Clausen* on the motion.

No. 701. *IN RE WHITTINGTON*. Ct. App. Ohio, Fairfield County. (Certiorari granted, 389 U. S. 819.) Motion of Defender's Office, Cleveland Legal Aid Society, to dispense with printing its brief, as *amicus curiae*, denied. MR. JUSTICE BLACK, MR. JUSTICE DOUGLAS, MR. JUSTICE BRENNAN and MR. JUSTICE STEWART are of the opinion that the motion should be granted.

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No. 742. *MARYLAND ET AL. v. WIRTZ, SECRETARY OF LABOR, ET AL.* Appeal from D. C. Md. (Probable jurisdiction noted, 389 U. S. 1031.) Motion of State of Maryland et al. for additional time for oral argument and for permission for three attorneys to participate in argument denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this motion. *Francis B. Burch*, Attorney General of Maryland, and *Alan M. Wilner*, Assistant Attorney General, on the motion.

No. 802. *PEYTON, PENITENTIARY SUPERINTENDENT v. ROWE ET AL.* C. A. 4th Cir. (Certiorari granted, 389 U. S. 1035.) Motion of State of California for leave to participate in oral argument, as *amicus curiae*, denied. *Thomas C. Lynch*, Attorney General of California, and *Edward P. O'Brien*, *Derald E. Granberg* and *Clifford K. Thompson*, Deputy Attorneys General, on the motion.

No. 1058. *FAIRLEY ET AL. v. PATTERSON ET AL.*; and

No. 1059. *BUNTON ET AL. v. PATTERSON ET AL.* Appeals from D. C. S. D. Miss. The Solicitor General is invited to file a brief expressing the views of the United States including the question of the jurisdiction of the three-judge court.

No. 1164, Misc. *GERBERDING v. TAHASH, WARDEN*; and

No. 1165, Misc. *HENDERSON v. KOLOSKI, CORRECTIONAL SUPERINTENDENT.* Motions for leave to file petitions for writs of habeas corpus denied.

No. 1159, Misc. *CROWDER v. SMITH, WARDEN, ET AL.* Motion for leave to file petition for writ of habeas corpus denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this motion.

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No. 1168, Misc. *Yost v. WAINWRIGHT, CORRECTIONS DIRECTOR*. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for a writ of certiorari, certiorari denied.

No. 1160, Misc. *BRITTON ET AL. v. THOMSEN, CHIEF JUDGE, U. S. DISTRICT COURT, ET AL.* Motion for leave to file petition for writ of mandamus denied. *William Harris Zinman* on the motion. *Francis B. Burch*, Attorney General of Maryland, and *George W. Liebmann*, Assistant Attorney General, for respondents *Bullen et al.* in opposition.

*Probable Jurisdiction Noted.*

No. 824. *WHYY, INC. v. BOROUGH OF GLASSBORO ET AL.* Appeal from Sup. Ct. N. J. Probable jurisdiction noted. *Grover C. Richman, Jr.*, for appellant. *John W. Trimble* for appellee Borough of Glassboro. Reported below: 50 N. J. 6, 231 A. 2d 608.

*Certiorari Granted.* (See also No. 871, *ante*, p. 339; No. 913, *ante*, p. 338; No. 934, *ante*, p. 340; and No. 786, Misc., *ante*, p. 335.)

No. 1049. *FEDERAL TRADE COMMISSION v. TEXACO INC. ET AL.* C. A. D. C. Cir. Certiorari granted. *Solicitor General Griswold*, Assistant Attorney General *Turner*, Lawrence G. Wallace, James McI. Henderson and Alvin L. Berman for petitioner. Milton Handler for Texaco Inc., and Edgar E. Barton for B. F. Goodrich Co., respondents. Reported below: 127 U. S. App. D. C. 349, 383 F. 2d 942.

No. 937. *COMMONWEALTH COATINGS CORP. v. CONTINENTAL CASUALTY Co. ET AL.* C. A. 1st Cir. Certiorari granted. *Emanuel Harris* for petitioner. *Luther P. House, Jr.*, for respondents. Reported below: 382 F. 2d 1010.



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*Certiorari Denied.* (See also No. 961, *ante*, p. 338; and No. 1168, *Misc., supra.*)

No. 910. *SPIGNER v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. *Certiorari* denied. *Burton Marks* and *Harvey A. Schneider* for petitioner. *Thomas C. Lynch*, Attorney General of California, *Doris H. Maier*, Assistant Attorney General, and *Edward H. Hinz, Jr.*, and *Daniel J. Kremer*, Deputy Attorneys General, for respondent.

No. 962. *McMANIGAL v. SIMON ET AL.* C. A. 7th Cir. *Certiorari* denied. *Charles V. Falkenberg* for petitioner. *John J. Stamos*, *Edward J. Hladis* and *Ronald Butler* for respondents. Reported below: 382 F. 2d 408.

No. 986. *WHEATLAND HILLS CORP. v. MORTON*. Dist. Ct. App. Fla., 3d Dist. *Certiorari* denied. *Eugene Gressman*, *Harvey J. Abel* and *Allan Milledge* for petitioner. *Marion E. Sibley* and *Irving B. Levenson* for respondent. Reported below: 199 So. 2d 122.

No. 1026. *PEARSON v. HURSH, STATE WELFARE COMMISSIONER*. C. A. 8th Cir. *Certiorari* denied.

No. 1041. *WESTERN PACIFIC RAILROAD CO. ET AL. v. HABERMEYER ET AL., MEMBERS OF RAILROAD RETIREMENT BOARD, ET AL.* C. A. 9th Cir. *Certiorari* denied. *Burnham Enersen* and *Richard Murray* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Weisl*, *Morton Hollander* and *Leonard Schaitman* for respondents. Reported below: 382 F. 2d 1003.

No. 1060. *JONES v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. *Certiorari* denied. *Morris Lavine* for petitioner. Reported below: 254 Cal. App. 2d 200, 62 Cal. Rptr. 304.

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No. 1036. *MYERS v. UNITED STATES*. Ct. Cl. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 1053. *KRECHEVSKY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Aaron L. Gersten* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg and Edward Fenig* for the United States.

No. 1056. *CITY OF JACKSONVILLE v. SCHUMANN ET AL.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. *Claude L. Mullis, Sr., and William Lee Allen* for petitioner. *John S. Duss* for Schumann et al., and *W. D. Jones, Jr.*, for Brain et al., respondents. Reported below: 199 So. 2d 727.

No. 1073. *HALDANE v. CHAGNON ET AL.* C. A. 9th Cir. Certiorari denied. *Joseph W. Jarrett* for respondents Chagnon et al., and *Donald W. Rees* for respondent Thompson. Reported below: — F. 2d —.

No. 1086. *MALINOU, PUBLIC ADMINISTRATOR v. KIERNAN, PUBLIC ADMINISTRATOR, ET AL.* Sup. Ct. R. I. Certiorari denied. *Martin Malinou*, petitioner, *pro se*. *Bernard W. Boyer* and *Leonard A. Kiernan, Jr., pro se*, for respondent Kiernan. Reported below: — R. I. —, 235 A. 2d 105.

No. 1025. *COINER, WARDEN v. SHEAR*. C. A. 4th Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion that certiorari should be granted and the case set down for oral argument. *C. Donald Robertson*, Attorney General of West Virginia, and *Leo Catsonis* and *Morton I. Taber*, Assistant Attorneys General, for petitioner.

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No. 1097. EVANS REAMER & MACHINE CO. *v.* UNITED STATES. Ct. Cl. Certiorari denied. *Richard F. Stevens* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 181 Ct. Cl. 539, 386 F. 2d 873.

No. 447, Misc. WALKER *v.* FLORIDA. Sup. Ct. Fla. Certiorari denied. *Richard Y. Feder* and *Alfred Hopkins* for petitioner. *Earl Faircloth*, Attorney General of Florida, and *Harold Mendelow*, Assistant Attorney General, for respondent. Reported below: 197 So. 2d 492.

No. 883, Misc. PARKER *v.* MARYLAND ET AL. C. A. 4th Cir. Certiorari denied. *William B. Beebe* and *Hershel Shanks* for respondent National Education Association of the United States, and *J. Cookman Boyd, Jr.*, for respondents Maryland State Teachers' Assn. et al.

No. 938, Misc. DUNN *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 383 F. 2d 357.

No. 942, Misc. CONNOR *v.* MASSACHUSETTS;

No. 955, Misc. LANDRY *v.* MASSACHUSETTS; and

No. 1068, Misc. DOHERTY *v.* MASSACHUSETTS. Sup. Jud. Ct. Mass. Certiorari denied. *James J. Twohig* for petitioner in No. 942, Misc., and *F. Lee Bailey* for petitioner in No. 1068, Misc. *Elliot L. Richardson*, Attorney General of Massachusetts, and *Willie J. Davis* and *Howard M. Miller*, Assistant Attorneys General, for respondent in all three cases. Reported below: 353 Mass. 197, 229 N. E. 2d 267.

No. 1017, Misc. MANCILLA *v.* UNITED STATES ET AL. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold* for the United States et al. Reported below: 382 F. 2d 269.



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No. 977, Misc. *WILKES v. FLORIDA BAR*. Sup. Ct. Fla. Certiorari denied. *H. O. Pemberton* for respondent. Reported below: 199 So. 2d 472.

No. 1036, Misc. *SNYDER v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 427 Pa. 83, 233 A. 2d 530.

No. 1052, Misc. *SUCCOP v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 67 Cal. 2d 785, 433 P. 2d 473.

No. 1055, Misc. *HOLLIS v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 1056, Misc. *SIPLINGER v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 252 Cal. App. 2d 817, 60 Cal. Rptr. 914.

No. 1058, Misc. *CAMP v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied. Reported below: 71 Wash. 2d 620, 430 P. 2d 187.

No. 1063, Misc. *WEAVER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *John A. Shorter, Jr.*, for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg and Edward Fenig* for the United States. Reported below: 384 F. 2d 879.

No. 1087, Misc. *WILLIAMS v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. *Louis P. Yangas* for petitioner. Reported below: 38 Ill. 2d 150, 230 N. E. 2d 214.

No. 1066, Misc. *LONG ET AL. v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. *John F. McAuliffe* and *Robert C. Heeney* for petitioners. Reported below: 1 Md. App. 326, 230 A. 2d 119.

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No. 1061, Misc. *GIVENS v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 1067, Misc. *HARRIS v. REAGAN, GOVERNOR OF CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 1069, Misc. *WEILAND v. O'NEAL*. Sup. Ct. Ill. Certiorari denied.

No. 1071, Misc. *KIZER v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 1079, Misc. *HAMLETT v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson and Beatrice Rosenberg* for the United States.

No. 1086, Misc. *ALEXANDER v. ALABAMA*. Ct. App. Ala. Certiorari denied. *W. L. Longshore* for petitioner. *MacDonald Gallion*, Attorney General of Alabama, and *John C. Tyson III*, Assistant Attorney General, for respondent. Reported below: 44 Ala. App. 143, 204 So. 2d 486.

No. 1092, Misc. *PINEDA v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied. *R. Donald Chapman* for petitioner. Reported below: 253 Cal. App. 2d 443, 62 Cal. Rptr. 144.

No. 1101, Misc. *MINK v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied.

No. 1106, Misc. *MILLER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg and Edward Fenig* for the United States. Reported below: 382 F. 2d 583.

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No. 1113, Misc. ZAVALA *v.* CRAVEN, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 1117, Misc. BUTTERFIELD *v.* GAZELLE. C. A. D. C. Cir. Certiorari denied.

No. 1118, Misc. O'TOOLE *v.* SCAFATI, CORRECTIONAL SUPERINTENDENT. C. A. 1st Cir. Certiorari denied. Reported below: 386 F. 2d 168.

No. 1128, Misc. SCHACK *v.* FLORIDA ET AL. C. A. 5th Cir. Certiorari denied.

No. 1172, Misc. LOVE *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg and Leonard H. Dickstein* for the United States. Reported below: 386 F. 2d 260.

*Rehearing Denied.*

No. 483. DETENBER ET AL., ADMINISTRATRICES *v.* AMERICAN UNIVERSAL INSURANCE Co., 389 U. S. 987; *ante*, p. 917. Petition for rehearing denied.

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*Miscellaneous Orders.*

No. 33, Orig. ARKANSAS *v.* TENNESSEE. Answer and counterclaim of the State of Tennessee referred to Special Master. [For earlier order herein, see 389 U. S. 1026.]

No. 133. KOLOD ET AL. *v.* UNITED STATES, *ante*, p. 136. Motion of the United States to modify order set for oral argument. MR. JUSTICE MARSHALL took no part in the consideration or decision of this motion. *Solicitor General Griswold* on the motion. *Edward Bennett Williams* for petitioners in opposition.



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No. —. LAZAROS *v.* MICHIGAN. Application for bail presented to MR. JUSTICE FORTAS, and by him referred to the Court, denied. *S. Jerome Bronson* for respondent in opposition.

No. 510. PICKERING *v.* BOARD OF EDUCATION OF TOWNSHIP HIGH SCHOOL DISTRICT 205, WILL COUNTY. Appeal from Sup. Ct. Ill. (Probable jurisdiction noted, 389 U. S. 925.) Motion of American Civil Liberties Union, Illinois Division, for leave to participate in oral argument, as *amicus curiae*, denied.

No. 1015. WITHERSPOON *v.* ILLINOIS ET AL. Sup. Ct. Ill. (Certiorari granted, 389 U. S. 1035); and

No. 1016. BUMPER *v.* NORTH CAROLINA. Sup. Ct. N. C. (Certiorari granted, 389 U. S. 1034.) Motion of F. Lee Bailey for leave to file a brief, as *amicus curiae*, granted. *F. Lee Bailey* on the motion.

No. 1200, Misc. SMITH *v.* FITZHARRIS, TRAINING FACILITY SUPERINTENDENT, ET AL. Motion for leave to file petition for writ of habeas corpus denied.

*Certiorari Granted.* (See No. 1105, October Term, 1966, *ante*, p. 411; and No. 1131, Misc., *ante*, p. 410.)

*Certiorari Denied.* (See also No. 1071, *ante*, p. 410; and No. 858, Misc., *ante*, p. 413.)

No. 1045. REED *v.* DISTRICT OF COLUMBIA. C. A. D. C. Cir. Certiorari denied. *Richard K. Lyon* for petitioner. *Charles T. Duncan, Hubert B. Pair* and *Ted D. Kuemmerling* for respondent.

No. 1062. COBIA ET UX. *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *Richard Richards* for petitioners. *Solicitor General Griswold* for the United States. Reported below: 384 F. 2d 711.

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No. 1027. *HICKS ET AL. v. PHYSICAL THERAPISTS EXAMINING BOARD FOR THE DISTRICT OF COLUMBIA*. C. A. D. C. Cir. Certiorari denied. *G. William Hammer* for petitioners. *Charles T. Duncan, Hubert B. Pair* and *David P. Sutton* for respondent.

No. 1061. *PACIFIC MARITIME ASSN. ET AL. v. WILLIAMS ET AL.* C. A. 9th Cir. Certiorari denied. *Richard Ernst* for Pacific Maritime Assn., and *Norman Leonard* for International Longshoremen's & Warehousemen's Union et al., petitioners. *Francis Heisler* for respondents. Reported below: 384 F. 2d 935.

No. 1063. *OHIO VALLEY GAS CORP. v. FEDERAL POWER COMMISSION*. C. A. D. C. Cir. Certiorari denied. *Jerome B. Libin* and *Frank J. Martin, Jr.*, for petitioner. *Solicitor General Griswold, Richard A. Solomon* and *Peter H. Schiff* for respondent.

No. 1065. *McBETH v. TEXAS & PACIFIC RAILWAY Co.* Ct. Civ. App. Tex., 2d Sup. Jud. Dist. Certiorari denied. *Fred S. Abney* for petitioner. *John M. Scott* for respondent. Reported below: 414 S. W. 2d 45.

No. 1074. *VETERANS OF THE ABRAHAM LINCOLN BRIGADE ET AL. v. ATTORNEY GENERAL OF THE UNITED STATES ET AL.* C. A. D. C. Cir. Certiorari denied. *David Rein* and *Leonard B. Boudin* for petitioners. *Solicitor General Griswold* for respondents.

No. 880. *BRAY v. CALIFORNIA*. Super. Ct. Cal., County of Orange. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted and the judgment reversed. *Redrup v. New York*, 386 U. S. 767. *Stanley Fleishman* and *Sam Rosenwein* for petitioner. *Thomas C. Lynch*, Attorney General of California, for respondent.

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No. 1075. *ZUBIK ET AL. v. ZUBIK ET AL., EXECUTORS*. C. A. 3d Cir. Certiorari denied. *Norman J. Cowie* and *Douglas A. Jacobsen* for petitioners. *Benjamin F. Stahl, Jr.*, for respondents. Reported below: 384 F. 2d 267.

No. 1078. *LOUIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Norman D. Lane* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States.

No. 1079. *F. E. MYERS & BRO. CO. v. FMC CORP.* C. A. 6th Cir. Certiorari denied. *Everett R. Hamilton* for petitioner. *Thomas O. Herbert* and *John C. Oberlin* for respondent. Reported below: 384 F. 2d 4.

No. 1080. *HEWLETT-PACKARD CO. ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Graham B. Moody, Jr.*, for petitioners. *Solicitor General Griswold* for the United States. Reported below: 385 F. 2d 1013.

No. 1084. *NATIONAL GYPSUM CO. ET AL. v. UNITED STATES GYPSUM CO.* C. A. 7th Cir. Certiorari denied. *Charles J. Merriam* for petitioners. *Charles M. Price, James G. Hering* and *Albert H. Pendleton* for respondent. Reported below: 387 F. 2d 799.

No. 1085. *ALLISON v. OVENS*. Sup. Ct. Ariz. Certiorari denied. *Neal P. Rutledge* for petitioner. *Mark Wilmer* for respondent. Reported below: 102 Ariz. 520, 433 P. 2d 968.

No. 1096. *ROBINSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *James G. Andrews, Jr.*, for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States.



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No. 1121. *PETO v. MADISON SQUARE GARDEN CORP. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 384 F. 2d 682.

No. 1046. *HAILPARN v. NEW JERSEY.* Sup. Ct. N. J. Application for extension of time to file brief in opposition to petition for writ of certiorari after denial by the Clerk denied. Certiorari denied. *Saul J. Zucker* for petitioner.

No. 1067. *KNAPP BROTHERS SHOE MANUFACTURING CORP. v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Robert W. Meserve* for petitioner. *Solicitor General Griswold, Assistant Attorney General Rogovin, Harry Baum and Albert J. Beveridge III* for the United States. Reported below: 384 F. 2d 692.

No. 1095. *GANNON v. NAVARRO.* C. A. 2d Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion that certiorari should be granted. *Wilfred L. Davis* for petitioner. *Philip Pierce* for respondent. Reported below: 385 F. 2d 512.

No. 1171. *ATLANTIC REALTY CO. v. ALLEN ET AL.* C. A. 5th Cir. Motion of respondents to dispense with printing brief granted. Certiorari denied. *Daniel K. Mayers* for petitioner. *Albert M. Horn* for respondents. Reported below: 384 F. 2d 527.

No. 494, Misc. *O'HAIR v. ABRAMOVITZ ET AL.* C. A. 5th Cir. Certiorari denied.

No. 657, Misc. *WEINREICH v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

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No. 896, Misc. *ELKSNIS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson and Beatrice Rosenberg* for the United States.

No. 1021, Misc. *ASPEITIA v. LLOYD, CORRECTIONAL SUPERINTENDENT*. C. A. 9th Cir. Certiorari denied.

No. 1022, Misc. *SHERLOCK v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 1028, Misc. *TRUAX v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 1039, Misc. *McGINNIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Ernest S. DeLaney, Jr.*, for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson and Beatrice Rosenberg* for the United States. Reported below: 384 F. 2d 875.

No. 1048, Misc. *BRADLEY v. PRESTON ET AL.* C. A. D. C. Cir. Certiorari denied. *David I. Shapiro* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson and Beatrice Rosenberg* for respondent United States.

No. 1051, Misc. *HERNANDEZ v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 1064, Misc. *BRIGGS v. NEW YORK*. App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. *Michael F. Dillon* for respondent.

No. 1076, Misc. *JOHNSON v. MINNESOTA*. Sup. Ct. Minn. Certiorari denied. *C. Paul Jones* for petitioner. Reported below: 277 Minn. 230, 152 N. W. 2d 768.

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No. 1072, Misc. SUMMERS *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg and Mervyn Hamburg* for the United States.

No. 1075, Misc. FIERRO *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 1083, Misc. GLOVER *v.* NEW YORK. Ct. App. N. Y. Certiorari denied.

No. 1085, Misc. MATTHEWS *v.* CALIFORNIA. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 1098, Misc. WASHINGTON *v.* ILLINOIS. App. Ct. Ill., 1st Dist. Certiorari denied. *Sam Adam* for petitioner. Reported below: 81 Ill. App. 2d 162, 225 N. E. 2d 673.

No. 1104, Misc. McCONNELL *v.* RHAY, PENITENTIARY SUPERINTENDENT. Sup. Ct. Wash. Certiorari denied.

No. 1105, Misc. HILL *v.* COURT OF APPEAL OF CALIFORNIA, SECOND DISTRICT, DIVISION TWO, ET AL. Sup. Ct. Cal. Certiorari denied.

No. 1154, Misc. BRECHEEN *v.* VIRGINIA. Sup. Ct. App. Va. Certiorari denied. *Albert J. Ahern, Jr.*, for petitioner.

No. 1158, Misc. REINKE *v.* WISCONSIN. Sup. Ct. Wis. Certiorari denied.

No. 1180, Misc. EWING *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg and Edward Fenig* for the United States. Reported below: 386 F. 2d 10.



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No. 1207, Misc. PRUCHA *v.* NEW YORK. Ct. App. N. Y. Certiorari denied. *William Cahn* for respondent.

No. 1215, Misc. SNIDER *v.* PEYTON, PENITENTIARY SUPERINTENDENT. C. A. 4th Cir. Certiorari denied. *Alex N. Apostolou* for petitioner. *Robert Y. Button*, Attorney General of Virginia, and *Reno S. Harp III*, Assistant Attorney General, for respondent. Reported below: 384 F. 2d 521.

No. 695, Misc. TIRADO *v.* BLACKWELL, WARDEN. C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Solicitor General Griswold*, Assistant Attorney General *Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 379 F. 2d 619.

No. 1046, Misc. DETORO *v.* MARYLAND;

No. 1047, Misc. RALPH *v.* WARDEN, MARYLAND PENITENTIARY; and

No. 1049, Misc. BROWN *v.* BROUGH, WARDEN. C. A. 4th Cir. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. *William J. McCarthy* for petitioner in No. 1046, Misc., and *Edward L. Genn* for petitioner in No. 1047, Misc. *Francis B. Burch*, Attorney General of Maryland, and *Edward F. Borgerding*, Assistant Attorney General, for respondents in each case.

*Rehearing Granted.* (See No. 1105, October Term, 1966, *ante*, p. 411.)

*Rehearing Denied.*

No. 434, Misc. JACOBS *v.* BROUGH, WARDEN, 389 U. S. 1058. Petition for rehearing denied.

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## MARCH 22, 1968.

No. —. WINTERS *v.* UNITED STATES ET AL. Application for stay presented to Mr. JUSTICE HARLAN, and by him referred to the Court, denied. Mr. JUSTICE DOUGLAS would grant the application. *Moses M. Falk* for applicant. *Solicitor General Griswold* for the United States et al. in opposition.

## MARCH 25, 1968.

*Miscellaneous Orders.*

No. 32, Orig. MISSOURI *v.* NEBRASKA. Answer of the State of Nebraska referred to Special Master. [For earlier order herein, see 389 U. S. 1001.]

No. 813. SHAPIRO, COMMISSIONER OF WELFARE OF THE STATE OF CONNECTICUT *v.* THOMPSON. Appeal from D. C. Conn. (Probable jurisdiction noted, 389 U. S. 1032);

No. 1134. WASHINGTON ET AL. *v.* HARRELL ET AL. Appeal from D. C. D. C. (Probable jurisdiction noted, *ante*, p. 940); and

No. 1138. REYNOLDS ET AL. *v.* SMITH ET AL. Appeal from D. C. E. D. Pa. (Probable jurisdiction noted, *ante*, p. 940.) Motion of the Attorney General of California for leave to participate in oral argument, as *amicus curiae*, denied. *Thomas C. Lynch*, Attorney General of California, on the motion.

No. 949. KING, COMMISSIONER, DEPARTMENT OF PENSIONS AND SECURITY, ET AL. *v.* SMITH ET AL. Appeal from D. C. M. D. Ala. (Probable jurisdiction noted, *ante*, p. 903.) Motion to remove case from summary calendar denied. *MacDonald Gallion*, Attorney General of Alabama, on the motion.

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No. 1089. *BLOCK ET AL. v. COMPAGNIE NATIONALE AIR FRANCE*. C. A. 5th Cir. The Solicitor General is invited to file a brief expressing the views of the United States.

No. 1225, Misc. *MALLERY v. MAXWELL, WARDEN, ET AL.*;

No. 1238, Misc. *SARGENT v. YEAGER, WARDEN, ET AL.*;

No. 1246, Misc. *GRAY v. FIELD, MENS COLONY SUPERINTENDENT, ET AL.*;

No. 1250, Misc. *EX PARTE MOHLER*;

No. 1256, Misc. *ARNOLD v. HENDRICK, COUNTY PRISONS SUPERINTENDENT*;

No. 1263, Misc. *DI PALERMO v. BLACKWELL, WARDEN, ET AL.*;

No. 1269, Misc. *SMITH v. NELSON, WARDEN*;

No. 1271, Misc. *LANDMAN v. CUNNINGHAM, CORRECTIONS DIRECTOR*; and

No. 1274, Misc. *BURTON v. TEXAS*. Motions for leave to file petitions for writs of habeas corpus denied.

*Certiorari Granted.*

No. 638, Misc. *FOSTER v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Motion for leave to proceed *in forma pauperis* granted. Certiorari granted limited to question whether the conduct of the police lineup resulted in a violation of petitioner's constitutional rights. Case transferred to appellate docket. *Thomas C. Lynch*, Attorney General of California, and *Edward A. Hinz, Jr.*, and *Charles P. Just*, Deputy Attorneys General, for respondent.

*Certiorari Denied.* (See also No. 1103, *ante*, p. 458.)

No. 1126. *PALMER v. NISSEN*. C. A. 1st Cir. Motion to dispense with printing petition granted. Certiorari denied. *William B. Mahoney* for respondent.



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No. 989. *RAHRIG v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Harold M. Street* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States.

No. 1066. SECOND JUDICIAL DISTRICT COURT OF NEVADA, COUNTY OF WASHOE (WRIGHT, REAL PARTY IN INTEREST) *v. NEVADA*; and

No. 1091. SECOND JUDICIAL DISTRICT COURT OF NEVADA, COUNTY OF WASHOE (EDDINGTON, REAL PARTY IN INTEREST) *v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: — Nev. —, 432 P. 2d 87.

No. 1087. *NEW YORK v. MORTON SALT CO. ET AL.* C. A. 3d Cir. Certiorari denied. *Louis J. Lefkowitz*, Attorney General of New York, *George C. Mantzoros* and *Joel A. Windman*, Assistant Attorneys General, *David Berger* and *Herbert B. Newberg* for petitioner. *Lewis H. Van Dusen, Jr.*, for respondent International Salt Co. and *Israel Packel* for respondent Cayuga Rock Salt Co. Reported below: 385 F. 2d 122.

No. 1094. *CORRAL SPORTSWEAR CO. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 10th Cir. Certiorari denied. *Karl H. Mueller* for petitioner. *Solicitor General Griswold*, *Arnold Ordman*, *Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: 383 F. 2d 961.

No. 1106. *MANSON v. INDIANA*; and

No. 1107. *SUBER v. INDIANA*. Sup. Ct. Ind. Certiorari denied. *Palmer K. Ward* for petitioners in each case. *John J. Dillon*, Attorney General of Indiana, and *Dennis J. Dewey*, Deputy Attorney General, for respondent in both cases. Reported below: — Ind. —, 229 N. E. 2d 801.

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No. 1099. *COHEN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Stanley Hendricks* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 387 F. 2d 803.

No. 1112. *TANNER MOTOR TOURS, LTD., ET AL. v. GELFAND ET VIR*. C. A. 2d Cir. Certiorari denied. *Denis R. Sheil* for petitioners. *Jacob D. Fuchsberg* for respondents. Reported below: 385 F. 2d 116.

No. 1161. *VALLECITO WATER CO. v. PUBLIC UTILITIES COMMISSION OF CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. *Herbert A. Bernhard* for petitioner. *Mary Moran Pajalich, J. Thomason Phelps and Cyril M. Saroyan* for respondent.

No. 528. *BERGUIDO ET AL. v. EASTERN AIRLINES, INC.* C. A. 3d Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *B. Nathaniel Richter, Seymour I. Toll and Charles A. Lord* for petitioners. *Owen B. Rhoads, F. Hastings Griffin, Jr., Daniel L. Stonebridge and John J. Martin* for respondent. *Solicitor General Griswold, Assistant Attorney General Weisl, Morton Hollander and Richard S. Salzman* filed a memorandum for the United States, as *amicus curiae*, by invitation of the Court. Reported below: 369 F. 2d 874. [For earlier orders herein, see 389 U. S. 925, 950.]

No. 1149. *KILSHEIMER, TRUSTEE IN BANKRUPTCY v. BEOL, INC.* C. A. 2d Cir. Motion to dispense with printing petition granted. Certiorari denied. *Samuel Newfield and Samuel W. Sherman* for petitioner. *Boris M. Komar* for respondent. Reported below: 387 F. 2d 365.

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No. 1098. *DeStefano v. Illinois*. App. Ct. Ill., 1st Dist. Certiorari denied. *Julius Lucius Echeles* for petitioner. Reported below: 85 Ill. App. 2d 274, 229 N. E. 2d 325.

No. 166, Misc. *Houston v. Oliver, Warden*. Sup. Ct. Cal. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, and *Raymond M. Momboisse* and *Daniel J. Kremer*, Deputy Attorneys General, for respondent.

No. 442, Misc. *Young v. United States*. C. A. D. C. Cir. Certiorari denied. *Acting Solicitor General Spritzer* for the United States.

No. 767, Misc. *Ellenburg v. Iowa*. Sup. Ct. Iowa. Certiorari denied. *Richard C. Turner*, Attorney General of Iowa, and *David A. Elderkin*, Assistant Attorney General, for respondent. Reported below: — Iowa —, 149 N. W. 2d 122.

No. 818, Misc. *Outing v. North Carolina*. C. A. 4th Cir. Certiorari denied. *Emanuel Emroch* for petitioner. *Thomas Wade Bruton*, Attorney General of North Carolina, *Andrew A. Vanore, Jr.*, and *Ralph A. White, Jr.*, for respondent. Reported below: 383 F. 2d 892.

No. 875, Misc. *Adams v. United States*. C. A. D. C. Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Philip R. Monahan* for the United States.

No. 893, Misc. *Buckley, aka Grayson v. United States*. C. A. 10th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 382 F. 2d 611.



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No. 930, Misc. *EARL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 936, Misc. *GEORGE v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 38 Ill. 2d 165, 230 N. E. 2d 851.

No. 1029, Misc. *HIATT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Richard Bruckner* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Philip R. Monahan* for the United States. Reported below: 384 F. 2d 675.

No. 1032, Misc. *POOR v. FRYE, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 1096, Misc. *SHYVERS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Frederic A. Johnson* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg*, *Jerome M. Feit* and *Robert G. Maysack* for the United States. Reported below: 385 F. 2d 837.

No. 1141, Misc. *VICTORIA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 1152, Misc. *RUIZ v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 382 F. 2d 1019.

No. 627, Misc. *SAPERITO v. IOWA*. Sup. Ct. Iowa. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Richard C. Turner*, Attorney General of Iowa, and *David A. Elderskin*, Assistant Attorney General, for respondent.

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No. 1162, Misc. JAMES *v.* COHEN, ACTING SECRETARY OF HEALTH, EDUCATION, AND WELFARE. C. A. 4th Cir. Certiorari denied. *Solicitor General Griswold* for respondent. Reported below: 384 F. 2d 784.

No. 1150, Misc. KOEBRICH *v.* CRAVEN. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 1157, Misc. MAINER *v.* CLARK, ATTORNEY GENERAL. C. A. D. C. Cir. Certiorari denied. *Solicitor General Griswold* for respondent.

No. 1161, Misc. KINNELL *v.* CROUSE, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 384 F. 2d 811.

No. 1167, Misc. WOLAK *v.* YEAGER, WARDEN. C. A. 3d Cir. Certiorari denied. Reported below: 385 F. 2d 478.

No. 1169, Misc. TAFOYA *v.* CALIFORNIA. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 1192, Misc. MACFADDEN *v.* MACBRIDE, U. S. DISTRICT JUDGE, ET AL. C. A. 9th Cir. Certiorari denied.

*Rehearing Denied.*

No. 625, Misc. LUSK *v.* UNITED STATES, 389 U. S. 1053. Petition for rehearing denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition.

No. 971, Misc. COMLEY *v.* UNITED STATES, *ante*, p. 973. Petition for rehearing denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition.

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No. 789, Misc. *WARNER ET UX. v. UNITED STATES*, 389 U. S. 1057. Petition for rehearing denied.

*Assignment Order.*

An order of THE CHIEF JUSTICE designating and assigning Mr. Justice Clark (retired) to perform judicial duties in the United States Court of Claims on April 1, 1968, 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. —. *DUKE v. CALIFORNIA*. Application for reduction of bail presented to MR. JUSTICE MARSHALL, and by him referred to the Court, denied. *Thomas C. Lynch*, Attorney General of California, *William E. Jones*, Assistant Attorney General, and *Richard H. Cooper*, Deputy Attorney General, in opposition to the application.

No. 34, Orig. *NEW JERSEY v. NEW YORK ET AL.* Motion for leave to file bill of complaint denied. *Arthur J. Sills*, Attorney General of New Jersey, on the motion. *Louis J. Lefkowitz*, Attorney General, *Ruth Kessler Toch*, Solicitor General, and *Julius L. Sackman* for the State of New York, and *David W. Peck* and *L. Robert Driver, Jr.*, for Hudson Rapid Tubes Corp., defendants, in opposition.

No. 1275, Misc. *BOWICK v. HEROLD*, STATE HOSPITAL DIRECTOR; and

No. 1317, Misc. *THOMAS v. WAINWRIGHT*, CORRECTIONS DIRECTOR. Motions for leave to file petitions for writs of habeas corpus denied.



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No. 1188, Misc. *FAIR v. BOARD OF ELECTIONS, CITY OF TAMPA, FLORIDA*. Motion for leave to file petition for writ of mandamus denied.

No. 1015. *WITHERSPOON v. ILLINOIS ET AL.* Sup. Ct. Ill.; and

No. 1016. *BUMPER v. NORTH CAROLINA*. Sup. Ct. N. C. Motions of Oscar Turner, Rebecca B. Madden, and American Friends Service Committee et al. for leave to file briefs, as *amici curiae*, in No. 1015, granted. Motion of NAACP Legal Defense & Educational Fund, Inc., et al., for leave to file brief, as *amici curiae*, in both cases, granted. *Joel W. Westbrook* for Turner; *John P. Frank* and *John J. Flynn* for Madden; *Alex Elson, Wil-lard J. Lassers* and *Marvin Braiterman* for American Friends Service Committee et al.; and *Jack Greenberg, James M. Nabrit III, Michael Meltsner, Leroy D. Clark, Norman C. Amaker, Charles S. Ralston* and *Anthony G. Amsterdam* for NAACP Legal Defense & Educational Fund, Inc., et al., on the motions. [For earlier orders herein, see, *e. g.*, *ante*, p. 986.]

No. 1178, Misc. *MARCHESE v. UNITED STATES ET AL.* Motion for leave to file petition for writ of habeas corpus denied. *Burton Marks* and *Bruce I. Hochman* for petitioner.

*Probable Jurisdiction Noted.*

No. 1102. *UNITED STATES v. CONCENTRATED PHOSPHATE EXPORT ASSN., INC., ET AL.* Appeal from D. C. S. D. N. Y. Probable jurisdiction noted. *Solicitor General Griswold, Assistant Attorney General Turner* and *Howard E. Shapiro* for the United States. *Marcus A. Hollabaugh* and *Alan S. Ward* for appellee Concentrated Phosphate Export Association, Inc.; *Samuel W. Murphy, Jr.*, and *Andrew J. Kilcarr* for appellee American Cyanamid Co.; *Lawrence J. McKay* and *Jerrold G.*

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*Van Cise* for appellee W. R. Grace & Co.; *Edgar E. Barton* for appellee International Minerals & Chemical Corp.; and *Edward F. Howrey* and *John Bodner, Jr.*, for appellee Mobil Oil Corp. Reported below: 273 F. Supp. 263.

*Certiorari Granted.* (See also No. 417, Misc., *ante*, p. 519; and No. 652, Misc., *ante*, p. 523.)

No. 1131. *JOHNSON v. BENNETT, WARDEN.* C. A. 8th Cir. *Certiorari* granted. *Ronald L. Carlson* for petitioner. *Richard C. Turner*, Attorney General of Iowa, and *William A. Claerhout*, Assistant Attorney General, for respondent. Reported below: 386 F. 2d 677.

No. 890, Misc. *KAUFMAN v. UNITED STATES.* C. A. 8th Cir. Motion for leave to proceed *in forma pauperis* granted. *Certiorari* granted and case transferred to appellate docket. MR. JUSTICE MARSHALL took no part in the consideration or decision of this motion and petition. *Solicitor General Griswold* for the United States.

*Certiorari Denied.* (See also No. 1129, *ante*, p. 529; and No. 869, Misc., *ante*, p. 529.)

No. 1054. *PORT AUTHORITY TRANS-HUDSON CORP. v. HUDSON RAPID TUBES CORP.* Ct. App. N. Y. *Certiorari* denied. *Sidney Goldstein*, *Joseph Lesser*, *Milton H. Pachter*, *Whitney North Seymour*, *John A. Guzzetta* and *Arthur I. Settles* for petitioner. *David W. Peck* and *L. Robert Driver, Jr.*, for respondent. *Arthur J. Sills*, Attorney General, *Joseph A. Hoffman*, First Assistant Attorney General, and *Elias Abelson*, *David A. Biederman* and *Arthur Abba Goldberg*, Deputy Attorneys General, for the State of New Jersey, as *amicus curiae*, in support of the petition. Reported below: 20 N. Y. 2d 457, 231 N. E. 2d 734.

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No. 1044. *FORSYTHE v. OHIO*. Sup. Ct. Ohio. Certiorari denied. *Joseph C. DaPore* for petitioner. *Robert L. Balyeat* for respondent.

No. 1110. *PHILLIPS v. SUPERIOR COURT IN AND FOR THE COUNTY OF LOS ANGELES ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied. *Frank O. Walther* for petitioner.

No. 1083. *BARTLETT, TRUSTEE IN BANKRUPTCY, ET AL. v. MASSACHUSETTS ET AL.* C. A. 1st Cir. Certiorari denied. *Robert Haydock, Jr.*, for Bartlett, and *Robert G. Bleakney, Jr.*, for Smith et al., petitioners. *Elliot L. Richardson*, Attorney General, and *James N. Gabriel*, *Walter H. Mayo III* and *Richard L. Seegel*, Assistant Attorneys General, for the State of Massachusetts, and *Edward F. McLaughlin, Jr.*, and *William D. Quigley* for Massachusetts Bay Transportation Authority, respondents. Reported below: 384 F. 2d 819.

No. 1088. *LAUGHLIN ET AL. v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. *Ralph J. Temple*, *Wm. Warfield Ross*, *Lawrence Speiser* and *Melvin L. Wulf* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Sidney M. Glazer* for the United States. Reported below: 128 U. S. App. D. C. 27 and 35, 385 F. 2d 287 and 295.

No. 1148. *WALTER E. HELLER & Co. v. SHAW, TRUSTEE IN BANKRUPTCY*. C. A. 5th Cir. Certiorari denied. *Charles L. Gowen* for petitioner. *Oscar M. Smith* for respondent. Reported below: 385 F. 2d 353.

No. 1123. *CHENG KAI FU v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 2d Cir. Certiorari denied. *Edward Hong* and *Thomas A. Church* for petitioner. *Solicitor General Griswold* for respondent. Reported below: 386 F. 2d 750.



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No. 1100. *RABINER & JONTOW, INC., AKA ABBE RABINER, INC. v. FEDERAL TRADE COMMISSION*. C. A. 2d Cir. Certiorari denied. *Erwin Feldman* for petitioner. *Solicitor General Griswold* and *James McI. Henderson* for respondent. Reported below: 386 F. 2d 667.

No. 1108. *MADDOX v. SMITH ET AL.* C. A. D. C. Cir. Certiorari denied. *Luther Robinson Maddox*, petitioner, *pro se*.

No. 1122. *GANDY ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Joseph P. Mannors* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Mervyn Hamburg* for the United States. Reported below: 386 F. 2d 516.

No. 1125. *BORCHELT ET AL. v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Theodore F. Schwartz* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Sidney M. Glazer* for the United States. Reported below: 386 F. 2d 760.

No. 1127. *ROCHA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *William Klein* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 387 F. 2d 1019.

No. 1157. *PASSERO ET AL. v. ZONING COMMISSION OF THE TOWN OF NORWALK*. Sup. Ct. Conn. Certiorari denied. *Max R. Lepofsky* for petitioners. *Vincent D. Flaherty* for respondent. Reported below: 155 Conn. 511, 235 A. 2d 660.

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No. 1173. STATE FARM MUTUAL AUTOMOBILE INSURANCE Co. *v.* SMOOT. C. A. 5th Cir. Certiorari denied. *John J. Bouhan* and *Glenn B. Hester* for petitioner. *Alton D. Kitchings* for respondent. Reported below: 381 F. 2d 331.

No. 1081. BROWN *v.* CLIFFORD, SECRETARY OF DEFENSE, ET AL. C. A. 3d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Melvin L. Wulf*, *Emerson L. Darnell* and *Marvin M. Karpatkin* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Jerome M. Feit* for respondents. Reported below: 387 F. 2d 150.

No. 1145. PASCENTE ET AL. *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Edward J. Calihan, Jr.*, for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 387 F. 2d 923.

No. 1109. MARSHALL ET AL. *v.* UNITED STATES. C. A. 5th Cir. Motion to dispense with printing petition granted. Certiorari denied. *Leonard R. Mellon* and *Harvey R. Klein* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 384 F. 2d 624.

No. 375, Misc. JEFFERS *v.* GLADDEN, WARDEN. C. A. 9th Cir. Certiorari denied. *Charles O. Porter* for petitioner. *Robert Y. Thornton*, Attorney General of Oregon, and *David H. Blunt*, Assistant Attorney General, for respondent. Reported below: 378 F. 2d 59.

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No. 1204. WARREN *v.* WATERTVILLE URBAN RENEWAL AUTHORITY. Sup. Jud. Ct. Maine. Certiorari denied. *Albert Raymond Rogers* for petitioner. *Philip S. Bird* for respondent. Reported below: 235 A. 2d 295.

No. 982, Misc. HAYES *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Sanford Jay Rosen* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 385 F. 2d 375.

No. 1042, Misc. PRINCIPE *v.* CALIFORNIA ET AL. C. A. 9th Cir. Certiorari denied.

No. 1050, Misc. CROSSLIN *v.* CALIFORNIA. Ct. App. Cal., 1st App. Dist. Certiorari denied. *Michael Traynor* for petitioner. Reported below: 251 Cal. App. 2d 918, 60 Cal. Rptr. 309.

No. 1060, Misc. FLEET *v.* MARYLAND. Ct. Sp. App. Md. Certiorari denied.

No. 1090, Misc. JASKO *v.* MARYLAND. Ct. Sp. App. Md. Certiorari denied.

No. 1129, Misc. JEBB *v.* KROPP, WARDEN, ET AL. C. A. 6th Cir. Certiorari denied. *Frank J. Kelley*, Attorney General of Michigan, *Robert A. Derengoski*, Solicitor General, and *Stewart H. Freeman*, Assistant Attorney General, for respondents.

No. 1094, Misc. HACKER *v.* CROUSE, WARDEN. C. A. 10th Cir. Certiorari denied.

No. 1156, Misc. CRAWFORD *v.* CALIFORNIA. Ct. App. Cal., 5th App. Dist. Certiorari denied. Reported below: 253 Cal. App. 2d 524, 61 Cal. Rptr. 472.



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No. 1133, Misc. *SCHACK v. WAINWRIGHT, CORRECTIONS DIRECTOR*. C. A. 5th Cir. Certiorari denied.

No. 1135, Misc. *LAWS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Acting Solicitor General Spritzer, Assistant Attorney General Vinson and Beatrice Rosenberg* for the United States. Reported below: 386 F. 2d 816.

No. 1142, Misc. *FRIEND v. RHAY, PENITENTIARY SUPERINTENDENT*. Sup. Ct. Wash. Certiorari denied.

No. 1143, Misc. *BONNER v. TAHASH, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 1146, Misc. *TANNER v. KERNER, GOVERNOR OF ILLINOIS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 385 F. 2d 415.

No. 1153, Misc. *VINSON v. ARIZONA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 1155, Misc. *McGEE v. KANSAS*. Sup. Ct. Kan. Certiorari denied. Reported below: 200 Kan. 188, 434 P. 2d 841.

No. 1170, Misc. *DOVE v. JUSTICES OF CRIMINAL COURT OF THE CITY OF NEW YORK ET AL.* Ct. App. N. Y. Certiorari denied.

No. 1173, Misc. *HITCHCOCK v. ARIZONA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 1179, Misc. *MONTROYA v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied. Reported below: 255 Cal. App. 2d 137, 63 Cal. Rptr. 73.

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No. 1175, Misc. SANDEFUR *v.* KROPP, WARDEN. C. A. 6th Cir. Certiorari denied. *Frank J. Kelley*, Attorney General of Michigan, *Robert A. Derengoski*, Solicitor General, *Stewart H. Freeman*, Assistant Attorney General, for respondent.

No. 1181, Misc. WRIGHT *v.* ILLINOIS. Sup. Ct. Ill. Certiorari denied.

No. 1182, Misc. LEE *v.* MCKISSACK ET AL. C. A. 9th Cir. Certiorari denied.

No. 1183, Misc. AGUIRRE *v.* CALIFORNIA. Sup. Ct. Cal. Certiorari denied.

No. 1194, Misc. ALEXANDER *v.* OLIVER, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 1197, Misc. COTA *v.* ARIZONA. Sup. Ct. Ariz. Certiorari denied. *Lawrence C. Cantor* for petitioner. *Darrell F. Smith*, Attorney General of Arizona, and *Carl Waag*, Assistant Attorney General, for respondent. Reported below: 102 Ariz. 416, 432 P. 2d 428.

*Rehearing Denied.*

No. 1047. NATIONAL INSIDER, INC. *v.* BEST MEDIUM PUBLISHING Co., INC., *ante*, p. 955;

No. 843, Misc. MORGAN *v.* UNITED STATES, *ante*, p. 962; and

No. 901, Misc. HUSKA *v.* GARDNER, SECRETARY OF HEALTH, EDUCATION, AND WELFARE, *ante*, p. 965. Petitions for rehearing denied.

No. 704, Misc. JORDAN *v.* KAMP ET AL., 389 U. S. 1055. Motion for leave to file petition for rehearing denied.

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*Miscellaneous Orders.*

No. —. *IAQUINTA v. NEW YORK CITY EMPLOYEES RETIREMENT SYSTEM ET AL.* Appeal from Ct. App. N. Y. Motions to docket and dismiss appeal under Rule 14 (3) granted. *Harry S. Taubenfeld* on the motion for appellee Rose Iaquinta. *J. Lee Rankin* on the motion for appellees New York City Employees Retirement System et al. *Jacob W. Friedman* for appellant Margaret Iaquinta in opposition. [For earlier order herein, see *ante*, p. 915.]

No. 191, October Term, 1962. *IOANNOU v. NEW YORK ET AL.*, 371 U. S. 30. Appellees are requested, within 30 days, to file a response to petition for rehearing. MR. JUSTICE FORTAS and MR. JUSTICE MARSHALL took no part in the consideration or decision of this order.

No. 635. *GARDNER v. BRODERICK, POLICE COMMISSIONER OF THE CITY OF NEW YORK, ET AL.* Appeal from Ct. App. N. Y. (Probable jurisdiction noted, *ante*, p. 918.) Motion of Patrolmen's Benevolent Association of the City of New York, Inc., for leave to file brief, as *amicus curiae*, granted. *Michael J. Silverberg* on the motion.

No. 1015. *WITHERSPOON v. ILLINOIS ET AL.* Sup. Ct. Ill. Motion of American Civil Liberties Union, Illinois Division, for leave to participate in oral argument, as *amicus curiae*, denied. *Elmer Gertz* on the motion. [For earlier orders herein, see, *e. g.*, *ante*, pp. 986, 1001.]

No. 1174. *WHITLEY ET AL. v. WILLIAMS, GOVERNOR OF MISSISSIPPI, ET AL.* Appeal from D. C. S. D. Miss. The Solicitor General is invited to file a brief expressing the views of the United States.



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No. 1316, Misc. DAVIS *v.* CORRECTIONS DIRECTOR ET AL.; and

No. 1323, Misc. LUPINO *v.* TAHASH, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied.

No. 813. SHAPIRO, COMMISSIONER OF WELFARE OF THE STATE OF CONNECTICUT *v.* THOMPSON. Appeal from D. C. Conn. (Probable jurisdiction noted, 389 U. S. 1032.) Motion of Legal Aid Society of Alameda County for leave to file brief, as *amicus curiae*, granted. *Eugene M. Swann* on the motion.

No. 638. CHENG FAN KWOK *v.* IMMIGRATION AND NATURALIZATION SERVICE. C. A. 3d Cir. (Certiorari granted, *ante*, p. 918.) Motion to remove case from summary calendar granted and fifteen additional minutes allotted to counsel supporting judgment, and a similar amount of time allotted to counsel opposing judgment. *Solicitor General Griswold* for respondent on the motion.

*Certiorari Granted.* (See No. 854, Misc., *ante*, p. 593.)

*Certiorari Denied.*

No. 1008. STONE *v.* KENTUCKY. Ct. App. Ky. Certiorari denied. *Jack G. Day* for petitioner. *John Breckinridge*, Attorney General of Kentucky, and *George F. Rabe*, Assistant Attorney General, for respondent. Reported below: 418 S. W. 2d 646.

No. 1093. WILBUR *v.* MASSACHUSETTS. Sup. Jud. Ct. Mass. Certiorari denied. *Paul T. Smith* for petitioner. *Elliot L. Richardson*, Attorney General of Massachusetts, *Willie J. Davis* and *Howard M. Miller*, Assistant Attorneys General, and *John M. Finn*, Deputy Assistant Attorney General, for respondent. Reported below: 353 Mass. 376, 231 N. E. 2d 919.

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No. 945. PHILADELPHIA TRANSPORTATION CO. ET AL. v. SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY ET AL. Sup. Ct. Pa. Certiorari denied. *Arnold R. Ginsburg* and *George J. Miller* for Philadelphia Transportation Co. et al., and *Francis T. Anderson* for Janney et al., petitioners. *William T. Coleman, Jr.*, *Lewis H. Van Dusen, Jr.*, and *Richardson Dilworth* for Southeastern Pennsylvania Transportation Authority, and *Levy Anderson* for the City of Philadelphia, respondents. Reported below: 426 Pa. 377, 233 A. 2d 15.

No. 1118. ELLIOTT ET AL. v. FEDERAL HOME LOAN BANK BOARD ET AL.; and

No. 1119. ROSS v. FEDERAL HOME LOAN BANK BOARD ET AL. C. A. 9th Cir. Certiorari denied. *Charles K. Chapman* for petitioner Long Beach Federal Savings & Loan Assn., and *George W. Trammell* for petitioner Shareholders' Protective Committee in No. 1118. *Harvey M. Grossman* for petitioner in No. 1119. *Solicitor General Griswold*, *Assistant Attorney General Weisl*, *Carl Eardley*, *John C. Eldridge*, *Leonard Schaitman* and *Alan J. Moscov* for respondents Federal Home Loan Bank Board et al., and *Thomas C. Lynch*, Attorney General of California, and *Arthur C. de Goede* and *David W. Halpin*, Deputy Attorneys General, for respondent Savings and Loan Commissioner, in both cases. Reported below: 386 F. 2d 42.

No. 1135. MIENTKE v. UNITED STATES. C. A. 7th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 387 F. 2d 1009.

No. 1140. CHANEY v. STATE BAR OF CALIFORNIA ET AL. C. A. 9th Cir. Certiorari denied. *Homer I. Mitchell* and *F. La Mar Forshee* for respondents. Reported below: 386 F. 2d 962.

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No. 1124. *CALIFORNIA v. NOROFF ET AL.* Sup. Ct. Cal. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *Gordon Ringer*, Assistant Attorney General, *Roger Arnebergh*, *Philip E. Grey* and *Michael T. Sauer* for petitioner. Reported below: 67 Cal. 2d 791, 433 P. 2d 479.

No. 1136. *FINCH ET AL. v. UNITED STATES ET AL.* C. A. 10th Cir. Certiorari denied. *Robert O. Swimmer* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Martz*, *Roger P. Marquis* and *Raymond N. Zagone* for the United States et al. Reported below: 387 F. 2d 13.

No. 1137. *AMERICAN FLYERS AIRLINE CORP. v. MCGOHEY*, U. S. DISTRICT JUDGE. C. A. 2d Cir. Certiorari denied. *Phillip D. Bostwick*, *Austin P. Magner* and *J. Patrick Hickey* for petitioner. *Lee S. Kreindler* and *Andrew P. O'Rourke* for respondent. Reported below: 385 F. 2d 936.

No. 1057. *FEDERAL TRADE COMMISSION v. AMERICAN MOTORS CORP. ET AL.* C. A. 6th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Solicitor General Griswold*, *Assistant Attorney General Turner*, *Harris Weinstein*, *Howard E. Shapiro* and *James McL. Henderson* for petitioner. *Forrest A. Hainline, Jr.*, for respondents. Reported below: 384 F. 2d 247.

No. 255, Misc. *DIPRIMA v. BETO*, CORRECTIONS DIRECTOR. C. A. 5th Cir. Certiorari denied. *Crawford C. Martin*, Attorney General of Texas, *George M. Cowden*, First Assistant Attorney General, *R. L. Lattimore*, *Howard M. Fender*, *Robert E. Owen* and *Lonny F. Zwiener*, Assistant Attorneys General, and *A. J. Carubbi, Jr.*, for respondent. Reported below: 373 F. 2d 797.



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No. 1143. CARLE & MONTANARI, INC. *v.* JOHN W. McGRATH CORP. ET AL. C. A. 2d Cir. Certiorari denied. *F. Herbert Prem* for petitioner. *James M. Leonard* and *Martin J. McHugh* for John W. McGrath Corp., and *M. E. De Orchis* for American Export Isbrandtsen Lines, Inc., respondents. Reported below: 386 F. 2d 839.

No. 1139. GLADDEN *v.* P. HENDERSON & CO. ET AL. C. A. 3d Cir. Certiorari denied. *Abraham E. Freedman* and *Avram G. Adler* for petitioner. *Timothy J. Mahoney* and *Thomas E. Byrne, Jr.*, for respondents. Reported below: 385 F. 2d 480.

No. 1155. STATE STREET BANK & TRUST CO. *v.* BANCO ESPANOL DE CREDITO. C. A. 1st Cir. Certiorari denied. *John M. Hall* and *Charles F. Choate* for petitioner. *Charles C. Cabot* for respondent. Reported below: 385 F. 2d 230.

No. 1158. LOUISVILLE CHAIR CO., INC. *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. 6th Cir. Certiorari denied. *Stuart Rothman* for petitioner. *Solicitor General Griswold*, *Arnold Ordman*, *Dominick L. Manoli* and *Norton J. Come* for respondents. Reported below: 385 F. 2d 922.

No. 1167. LION DRY GOODS, INC. *v.* RETAIL STORE EMPLOYEES UNION, LOCAL 954, ET AL. C. A. 6th Cir. Certiorari denied. *Merritt W. Green* for petitioner. *Joseph E. Finley* for respondents.

No. 1052. BOEHME *v.* WASHINGTON. Sup. Ct. Wash. Certiorari denied. MR. JUSTICE DOUGLAS took no part in the consideration or decision of this petition. *Frank August Peters* for petitioner. *Joseph D. Mladinov* for respondent. Reported below: 71 Wash. 2d 621, 430 P. 2d 527.

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No. 1175. *R. V. MCGINNIS THEATRES & PAY T. V. INC. v. VIDEO INDEPENDENT THEATRES, INC., ET AL.* C. A. 10th Cir. Certiorari denied. *Milton Bordwin* for petitioner. *Edward E. Soulé* and *Stanley Godofsky* for respondents *Paramount Film Distributing Corp.* et al., *Coleman Hayes* for respondent *Video Independent Theatres, Inc.*, and *Pat Malloy* for respondent *Delman Theatre Corp.* Reported below: 386 F. 2d 592.

No. 1144. *DONOHOO v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *John J. Hooker* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Rogovin* and *Joseph M. Howard* for the United States. Reported below: 388 F. 2d 181.

No. 1165. *MOUTON, COLLECTOR OF REVENUE OF LOUISIANA v. MISSISSIPPI RIVER FUEL CORP. ET AL.* C. A. 5th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Emmett E. Batson* and *Chapman L. Sanford* for petitioner. *Clarence L. Yancey*, *Clyde R. Brown*, *C. McVea Oliver* and *Thomas A. Harrell* for respondents. Reported below: 382 F. 2d 929.

No. 1193, Misc. *BANDY v. ATTORNEY GENERAL OF THE UNITED STATES.* C. A. 9th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Acting Solicitor General Spritzer*, *Assistant Attorney General Rogovin* and *Joseph M. Howard* for respondent.

No. 1170. *NORMAN v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. *Francis R. Salazar* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 391 F. 2d 212.

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No. 1213. *SANDERS v. BONOMI* (ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK). Ct. App. N. Y. Certiorari denied. *Michael Franck* for respondent.

No. 1166. *MOUTON, COLLECTOR OF REVENUE OF LOUISIANA v. TEXAS GAS EXPLORATION CORP.* C. A. 5th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Emmett E. Batson* and *Chapman L. Sanford* for petitioner. *Clarence L. Yancey* for respondent. Reported below: 382 F. 2d 940.

No. 492, Misc. *ROETH v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Jay M. Vogelson* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 380 F. 2d 755.

No. 709, Misc. *SAAL v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 846, Misc. *GARCIA v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 381 F. 2d 778.

No. 792, Misc. *KREUTER v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. *Ora Ray Adams, Jr.,* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 376 F. 2d 654.

No. 740, Misc. *RYAN v. NEW YORK.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. *Aaron E. Koota* and *Stanley M. Meyer* for respondent.



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No. 821, Misc. *ROETH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Jay M. Vogel*son for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 382 F. 2d 96.

No. 853, Misc. *JUSTUS v. NEW MEXICO*. C. A. 10th Cir. Certiorari denied. Reported below: 378 F. 2d 344.

No. 1015, Misc. *JONES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 386 F. 2d 427.

No. 1035, Misc. *MARTINEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 384 F. 2d 50.

No. 1054, Misc. *HENIG ET AL. v. ODORIOSO ET AL.* C. A. 3d Cir. Certiorari denied. *Victor L. Drexel* for respondents *F. W. Woolworth Co. et al.*, and *Mark D. Alspach* for respondents *Loftus et al.* Reported below: 385 F. 2d 491.

No. 1091, Misc. *PORTER v. NEW YORK*. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied.

No. 1184, Misc. *CALLOWAY v. ROYSTER ET AL.* C. A. 4th Cir. Certiorari denied.

No. 1139, Misc. *PELLICONE v. MANCUSI, WARDEN*. C. A. 2d Cir. Certiorari denied.

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No. 1171, Misc. CRAWFORD ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Joseph I. Stone* for petitioners. *Solicitor General Griswold, Assistant Attorney General Vinson and Philip R. Monahan* for the United States. Reported below: 386 F. 2d 451.

No. 1174, Misc. ENDICOTT *v.* COINER, WARDEN. Sup. Ct. App. W. Va. Certiorari denied.

No. 1204, Misc. DYES *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 1220, Misc. CRANE *v.* CALIFORNIA. C. A. 9th Cir. Certiorari denied.

No. 1229, Misc. THOMASTON *v.* GLADDEN, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 1247, Misc. WELLS *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Sam Adam* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 387 F. 2d 807.

No. 1272, Misc. THACKER *v.* COHEN, ACTING SECRETARY OF HEALTH, EDUCATION, AND WELFARE. C. A. 4th Cir. Certiorari denied. *Robert T. Winston* for petitioner. *Solicitor General Griswold* for respondent. Reported below: 387 F. 2d 387.

No. 1289, Misc. MALOFSKY ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Leon B. Polsky and Phylis Skloot Bamberger* for petitioners. *Solicitor General Griswold* for the United States. Reported below: 388 F. 2d 288 and 449.

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*Rehearing Denied.*

No. 43. ALBRECHT v. HERALD Co., DBA GLOBE-DEMOCRAT PUBLISHING Co., *ante*, p. 145. Motion to dismiss writ of certiorari denied. Petition for rehearing denied. *Lon Hocker* and *Thomas R. Newman* for respondent.

No. 524, Misc. JOHNSON v. PATE, WARDEN, *ante*, p. 973;

No. 569, Misc. PULIDO v. CALIFORNIA, *ante*, p. 960;

No. 883, Misc. PARKER v. MARYLAND ET AL., *ante*, p. 982;

No. 1012, Misc. WHITE v. PEYTON, PENITENTIARY SUPERINTENDENT, *ante*, p. 970;

No. 1118, Misc. O'TOOLE v. SCAFATI, CORRECTIONAL SUPERINTENDENT, *ante*, p. 985; and

No 1164, Misc. GERBERDING v. TAHASH, WARDEN, *ante*, p. 978. Petitions for rehearing denied.

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*Dismissal Under Rule 60.*

No. 1574, Misc. SPENCER v. WABASH CIRCUIT COURT ET AL. Motion for leave to file petition for writ of mandamus dismissed pursuant to Rule 60 of the Rules of this Court.

APRIL 19, 1968.

*Miscellaneous Order.*

No. —. HARK, INC., DBA PINELLAS GENERAL HOSPITAL v. COHEN, ACTING SECRETARY OF HEALTH, EDUCATION, AND WELFARE, ET AL. C. A. 5th Cir. Application for injunctive relief presented to Mr. JUSTICE BLACK, and by him referred to the Court, denied. *David Linn* and *Terry A. Furnell* for applicant. *Solicitor General Griswold* in opposition.



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*Miscellaneous Orders.*

No. 645. JONES ET UX. *v.* ALFRED H. MAYER CO. ET AL. C. A. 8th Cir. (Certiorari granted, 389 U. S. 968.) Parties requested to advise the Court within ten days what effect, if any, enactment of Civil Rights Act of 1968 has upon this litigation.

No. 673. GEORGE CAMPBELL PAINTING CORP. *v.* REID ET AL., MEMBERS OF NEW YORK CITY HOUSING AUTHORITY, ET AL. Appeal from Ct. App. N. Y. (Probable jurisdiction noted, *ante*, p. 918.) Motion of appellee Attorney General of New York to remove case from summary calendar granted and twenty additional minutes allotted each side. *Louis J. Lefkowitz*, Attorney General of New York, *pro se*, and *Samuel A. Hirshowitz*, First Assistant Attorney General, on the motion.

No. 742. MARYLAND ET AL. *v.* WIRTZ, SECRETARY OF LABOR, ET AL. Appeal from D. C. Md. (Probable jurisdiction noted, 389 U. S. 1031.) Motions of American Federation of Labor & Congress of Industrial Organizations, and American Federation of State, County, & Municipal Employees, AFL-CIO, for leave to file briefs, as *amici curiae*, granted. Mr. JUSTICE MARSHALL took no part in the consideration or decision of these motions. *J. Albert Woll*, *Laurence Gold* and *Thomas E. Harris* for American Federation of Labor & Congress of Industrial Organizations, and *Henry Kaiser* and *Ronald Rosenberg* for American Federation of State, County, & Municipal Employees, AFL-CIO, on the motions.

No. 1134. WASHINGTON ET AL. *v.* LEGRANT ET AL. Appeal from D. C. D. C. (Probable jurisdiction noted, *ante*, p. 940.) Upon suggestion of death of appellee Harrell motion to change caption of case granted. *Peter S. Smith* on the motion.

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No. 755. FIRST AGRICULTURAL NATIONAL BANK OF BERKSHIRE COUNTY *v.* STATE TAX COMMISSION. Appeal from Sup. Jud. Ct. Mass. (Probable jurisdiction noted, 389 U. S. 1033.) Motion of National Association of Supervisors of State Banks for leave to file brief, as *amicus curiae*, granted. *James F. Bell* and *Brian C. Elmer* on the motion.

No. 800. WORLD AIRWAYS, INC., ET AL. *v.* PAN AMERICAN WORLD AIRWAYS, INC., ET AL. C. A. 2d Cir. (Certiorari granted, *ante*, p. 919.) Motion to substitute Trans International Airways, Inc., a Delaware corporation, in place of Trans International Airways, Inc., a California corporation, as a party petitioner granted. MR. JUSTICE MARSHALL took no part in the consideration or decision of this motion. *Clayton L. Burwell* and *Frederick Bernays Wiener* on the motion.

No. 909. DESIST ET AL. *v.* UNITED STATES. C. A. 2d Cir. (Certiorari granted, *ante*, p. 943.) Motion of petitioners to remove case from summary calendar denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this motion. *Abraham Glasser* on the motion.

No. 949. KING, COMMISSIONER, DEPARTMENT OF PENSIONS AND SECURITY, ET AL. *v.* SMITH ET AL. Appeal from D. C. M. D. Ala. (Probable jurisdiction noted, *ante*, p. 903.) Motions of NAACP Legal Defense & Educational Fund, Inc., et al., and Child Welfare League of America, Inc., et al., for leave to file briefs, as *amici curiae*, granted. *Jack Greenberg*, *James M. Nabrit III*, *Leroy D. Clark* and *Charles Stephen Ralston* for NAACP Legal Defense & Educational Fund, Inc., et al., and *Helen L. Bittenwieser* and *Ephraim London* for Child Welfare League of America, Inc., et al., on the motions.

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No. 974. IN RE POWELL;

No. 1033. POWELL *v.* NATIONAL SAVINGS & TRUST Co., *ante*, p. 957, *infra*, p. 1037;

No. 1200. POWELL *v.* COMMITTEE ON ADMISSIONS AND GRIEVANCES OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA; and

No. 882, Misc. IN RE DISBARMENT OF POWELL, see 389 U. S. 924. C. A. D. C. Cir. Motion of petitioner to consolidate these cases denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this motion.

No. 1015. WITHERSPOON *v.* ILLINOIS ET AL. Sup. Ct. Ill. (Certiorari granted, 389 U. S. 1035); and

No. 1016. BUMPER *v.* NORTH CAROLINA. Sup. Ct. N. C. (Certiorari granted, 389 U. S. 1034.) Motion of NAACP Legal Defense & Educational Fund, Inc., et al. for leave to participate in oral argument, as *amici curiae*, denied. Motion of American Friends Service Committee et al. for leave to participate in oral argument, as *amici curiae*, in No. 1015 denied. Motion of the State of California for permission for three attorneys to participate in oral argument, as *amicus curiae*, in No. 1015 granted. *Jack Greenberg, James M. Nabrit III, Michael Meltsner, Leroy D. Clark, Norman C. Amaker, Charles S. Ralston and Anthony G. Amsterdam* on the motion for NAACP Legal Defense & Educational Fund, Inc., et al. *Willard J. Lassers, Alex Elson and Marvin Braiterman* on the motion for American Friends Service Committee et al. *Thomas C. Lynch, Attorney General, Albert W. Harris, Jr., Assistant Attorney General, and Robert R. Granucci and Robert R. Nock, Deputy Attorneys General*, on the motion for the State of California.

No. 1088. LAUGHLIN ET AL. *v.* UNITED STATES, *ante*, p. 1003. Motion to suspend effectiveness of order denying certiorari denied. *James J. Laughlin, pro se*, and *William J. Garber* for petitioners.



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No. 1335, Misc. LORENZANA *v.* WARDEN, RIO PIEDRAS, PUERTO RICO, PENITENTIARY;

No. 1344, Misc. CROSBY *v.* TAHASH, WARDEN; and

No. 1381, Misc. CARTER *v.* NELSON, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied.

No. 1111, Misc. SANDOVAL *v.* CLARK, ATTORNEY GENERAL, ET AL. Motion for leave to file petition for writ of mandamus denied. *Solicitor General Griswold* for respondents.

*Probable Jurisdiction Noted.*

No. 1064. UNITED STATES *v.* CONTAINER CORPORATION OF AMERICA ET AL. Appeal from D. C. M. D. N. C. Probable jurisdiction noted. *Solicitor General Griswold*, *Assistant Attorney General Turner*, *Lawrence G. Wallace*, *Robert A. Hammond III* and *Howard E. Shapiro* for the United States. *Whitney North Seymour* and *William J. Manning* for respondent Container Corporation of America; *Joseph C. Carter, Jr.*, for respondent Albermarle Paper Mfg. Co. et al.; *W. P. Sandridge* and *W. F. Womble* for respondent Carolina Container Co.; *Helmer R. Johnson* for respondent Continental Can Company, Inc.; *Howard T. Milman* for respondent Crown Zellerbach Corp.; *David J. Mays* for respondent Dixie Container Corp. et al.; *Alan W. Boyd* for respondent Inland Container Corp.; *Lawrence E. Walsh* and *Henry L. King* for respondent International Paper Co.; *Fred E. Fuller* for respondent Owens-Illinois Glass Co.; *Richard A. Whiting* for respondent St. Joe Paper Co.; *Horace R. Lamb* for respondent St. Regis Paper Co.; *James H. Epps, Jr.*, for respondent Tri-State Container Corp.; *James R. Whithrow, Jr.*, for respondent Union Bag-Camp Paper Co.; and *E. Nobles Lowe* for respondent West Virginia Pulp & Paper Co. Reported below: 273 F. Supp. 18.

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*Certiorari Granted.* (See also No. 400, *ante*, p. 717.)

No. 963. UNITED STATES *v.* DONRUSS Co. C. A. 6th Cir. *Certiorari* granted. *Solicitor General Griswold, Assistant Attorney General Rogovin, Harris Weinstein, Meyer Rothwacks and Thomas Silk, Jr.*, for the United States. *Bernard J. Long, Richard L. Braunstein and Bernard J. Long, Jr.*, for respondent. Reported below: 384 F. 2d 292.

No. 1193. GLOVER ET AL. *v.* ST. LOUIS-SAN FRANCISCO RAILWAY Co. ET AL. C. A. 5th Cir. *Certiorari* granted. *William M. Acker, Jr.*, for petitioners. *Paul R. Moody* for St. Louis-San Francisco Railway Co., and *Richard R. Lyman and Jerome A. Cooper* for Brotherhood of Railway Carmen of America, respondents. Reported below: 386 F. 2d 452.

No. 1201. SECURITIES AND EXCHANGE COMMISSION *v.* NATIONAL SECURITIES, INC., ET AL. C. A. 9th Cir. *Certiorari* granted. *Solicitor General Griswold, Daniel M. Friedman, Philip A. Loomis, Jr., David Ferber and Edward B. Wagner* for petitioner. *John P. Frank* for respondents. Reported below: 387 F. 2d 25.

No. 1207. SHUTTLESWORTH *v.* CITY OF BIRMINGHAM. Sup. Ct. Ala. *Certiorari* granted. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Jack Greenberg, James M. Nabrit III, Norman C. Amaker, Charles Stephen Ralston, Melvyn Zarr, Anthony G. Amsterdam, Arthur D. Shores and Orzell Billingsley, Jr.*, for petitioner. *J. M. Breckenridge, Earl McBee and William C. Walker* for respondent. Reported below: 281 Ala. 542, 206 So. 2d 348.

No. 1451, Misc. KAISER *v.* NEW YORK. Ct. App. N. Y. Motion for leave to proceed *in forma pauperis* granted. *Certiorari* granted and case transferred to appellate docket. *Peter L. F. Sabbatino* for petitioner. *William Cahn* for respondent. Reported below: 21 N. Y. 2d 86, 233 N. E. 2d 818.

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*Certiorari Denied.* (See also No. 1189, Misc., *ante*, p. 713.)

No. 921. *SAMUELS v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. *Certiorari denied.* *Evander C. Smith* for petitioner. *Thomas C. Lynch*, Attorney General of California, *Albert W. Harris, Jr.*, Assistant Attorney General, and *John T. Murphy*, Deputy Attorney General, for respondent. Reported below: 250 Cal. App. 2d 501, 58 Cal. Rptr. 439.

No. 1128. *HYMORE v. OHIO*. Ct. App. Ohio, Wood County. *Certiorari denied.* *Clarence M. Condon* for petitioner. *Donald D. Simmons* and *Harland M. Britz* for respondent. Reported below: See 9 Ohio St. 2d 122, 224 N. E. 2d 126.

No. 1150. *TUCKY v. CASTLE ET AL.* Sup. Ct. Hawaii. *Certiorari denied.* *Joseph A. Ryan* for petitioner.

No. 1151. *FUNEL v. FIDELITY & CASUALTY CO. OF NEW YORK*. C. A. 5th Cir. *Certiorari denied.* *Ellis C. Irwin* for petitioner. Reported below: 383 F. 2d 42.

No. 1153. *O'CONNOR v. OHIO*. Sup. Ct. Ohio. *Certiorari denied.* *James W. Cowell* for petitioner.

No. 1156. *ESCOBAR v. UNITED STATES*. C. A. 5th Cir. *Certiorari denied.* *J. Edwin Smith* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Rogovin*, *Joseph M. Howard* and *John M. Brant* for the United States. Reported below: 388 F. 2d 661.

No. 1190. *KINCHELOE v. BOARD OF MEDICAL EXAMINERS OF NORTH CAROLINA*. Sup. Ct. N. C. *Certiorari denied.* *Warren E. Miller* for petitioner. *John H. Anderson, Jr.*, for respondent. Reported below: 272 N. C. 116, 157 S. E. 2d 833.



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No. 1164. *HILLTOP REALTY, INC., ET AL. v. SEATTLE FIRST NATIONAL BANK, EXECUTOR, ET AL.* C. A. 9th Cir. Certiorari denied. *Herbert S. Little* for petitioners. *Richard S. White* for Seattle-First National Bank et al., and *James R. Stewart* for Austin Co., respondents. Reported below: 383 F. 2d 309.

No. 1168. *COTE v. NEW HAMPSHIRE.* Sup. Ct. N. H. Certiorari denied. *John W. King* for petitioner. *George S. Pappagianis*, Attorney General of New Hampshire, and *Norman E. D'Amours*, Assistant Attorney General, for respondent. Reported below: 108 N. H. 290, 235 A. 2d 111.

No. 1169. *KIRKLAND ET AL. v. TENNESSEE.* Sup. Ct. Tenn. Certiorari denied. *Moses Krislov*, *Harold E. Brown* and *P. D. Maktos* for petitioners. *George F. McCanless*, Attorney General of Tennessee, and *George W. McHenry, Jr.*, Assistant Attorney General, for respondent.

No. 1179. *LEIGHTON v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. *Gilbert S. Rosenthal* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Sidney M. Glazer* for the United States. Reported below: 386 F. 2d 822.

No. 1180. *HUNTINGTON TRUST & SAVINGS BANK v. H. B. AGSTEN & SONS, INC., ET AL.* C. A. 4th Cir. Certiorari denied. *David M. Baker* for petitioner. *Howard R. Klostermeyer* and *William B. Maxwell III* for H. B. Agsten & Sons, Inc., et al., and *Solicitor General Griswold*, *Assistant Attorney General Weisl*, *John C. Eldridge* and *Robert C. McDiarmid* for Small Business Administrator et al., respondents. Reported below: 388 F. 2d 156.

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No. 1181. *WAGNER ET AL. v. BALLANTYNE INSTRUMENTS & ELECTRONICS, INC.* C. A. 6th Cir. Certiorari denied. *Bruce Tittel* for petitioners. *Max Wall* for respondent. Reported below: 386 F. 2d 789.

No. 1182. *UELLEN ET AL. v. FREEMAN, SECRETARY OF AGRICULTURE.* C. A. 7th Cir. Certiorari denied. *George M. St. Peter* for petitioners. *Solicitor General Griswold* for respondent. Reported below: 388 F. 2d 308.

No. 1183. *MESSINA ET AL. v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. *Abraham Glasser* for petitioners. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg* and *Sidney M. Glazer* for the United States. Reported below: 388 F. 2d 393.

No. 1192. *TACKETT, JUDGE v. NEW MEXICO.* Sup. Ct. N. M. Certiorari denied. *Anthony J. Albert* for petitioner. *Boston E. Witt*, Attorney General of New Mexico, and *James V. Noble*, Assistant Attorney General, for respondent. Reported below: 78 N. M. 450, 432 P. 2d 415.

No. 1197. *McKoy ET UX., DBA BELVOIR RESTAURANT v. UNITED STATES BY RAMSEY CLARK, ATTORNEY GENERAL.* C. A. 4th Cir. Certiorari denied. *Frank M. McCann* for petitioners. *Solicitor General Griswold* and *Assistant Attorney General Pollak* for the United States. Reported below: 387 F. 2d 144.

No. 1199. *MEAUX ET AL. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *C. Anthony Friloux, Jr.*, for petitioners. *Solicitor General Griswold, Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 387 F. 2d 370.

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No. 1198. *OSER v. SMITH, HARRIS COUNTY VOTER REGISTRAR, ET AL.* 164th Jud. Dist. Tex., Harris County. Certiorari denied. *Chris Dixie* for petitioner. *Fred W. Moore* for respondent Polk.

No. 1202. *MOORE-McCORMACK LINES, INC. v. CANDIANO.* C. A. 2d Cir. Certiorari denied. *Martin J. McHugh* and *James M. Leonard* for petitioner. Reported below: 382 F. 2d 961.

No. 1205. *GOLDNER v. SILVER, DISTRICT ATTORNEY OF KINGS COUNTY.* Ct. App. N. Y. Certiorari denied. *Bernard A. Berkman, Larry S. Gordon, Joshua J. Kancelbaum* and *Gerald A. Messerman* for petitioner. *Aaron E. Koota* and *Stanley M. Meyer* for respondent.

No. 1206. *SOX v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. *Theodore W. Law III* and *George M. Lee, Jr.*, for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg* and *Mervyn Hamburg* for the United States.

No. 1211. *STERN v. ROBINSON ET AL.* C. A. 6th Cir. Certiorari denied. *Carl H. Langschmidt, Jr.*, and *Donald W. Pemberton* for petitioner. *Solicitor General Griswold, Assistant Attorney General Rogovin* and *Joseph M. Howard* for respondent United States.

No. 1215. *CARNERA, ADMINISTRATRIX v. LANCASTER CHEMICAL CORP.* C. A. 3d Cir. Certiorari denied. *Jack Mandell* for petitioner. *John J. Budd* for respondent. Reported below: 387 F. 2d 946.

No. 1286. *CHICAGO & NORTH WESTERN RAILWAY CO. v. BOSTON & MAINE CORP.* C. A. 2d Cir. Certiorari denied. *Donald L. Wallace* for petitioner. *Carl E. Newton* and *M. Lauck Walton* for respondent.



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No. 1203. *MADERA ET AL. v. BOARD OF EDUCATION OF THE CITY OF NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied. *Jack Greenberg, James M. Nabrit III, Michael Meltsner and Leroy D. Clark* for petitioners. *J. Lee Rankin, Stanley Buchsbaum and John J. Loftin* for respondents. Reported below: 386 F. 2d 778.

No. 1222. *WIGGINS ET AL. v. NORTH CAROLINA.* Sup. Ct. N. C. Certiorari denied. *Conrad O. Pearson and Romallus O. Murphy* for petitioners. *T. W. Bruton*, Attorney General of North Carolina, and *Ralph Moody*, Deputy Attorney General, for respondent. Reported below: 272 N. C. 147, 158 S. E. 2d 37.

No. 1223. *BALTIMORE CONTRACTORS, INC., ET AL. v. PERRY.* Ct. App. La., 1st Cir. Certiorari denied. *Benjamin W. Yancey and G. Edward Merritt* for petitioners. *Frank S. Normann, David E. Normann and Margot Mazeau* for respondent. Reported below: 202 So. 2d 694.

No. 1226. *GRUMBLES ET AL. v. TIMES HERALD PRINTING Co. ET AL.* C. A. 5th Cir. Certiorari denied. *William F. Billings and Robert A. Fanning* for petitioners. *Donald L. Case and Jack Pew, Jr.*, for respondents. Reported below: 387 F. 2d 593.

No. 1050. *NATIONAL LABOR RELATIONS BOARD v. CRAWFORD MANUFACTURING Co., INC., ET AL.*; and

No. 1191. *AMALGAMATED CLOTHING WORKERS OF AMERICA, AFL-CIO v. NATIONAL LABOR RELATIONS BOARD ET AL.* C. A. 4th Cir. Certiorari denied. THE CHIEF JUSTICE is of the opinion that certiorari should be granted. *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli and Norton J. Come* for petitioner in No. 1050. *Jacob Sheinkman* for petitioner in No. 1191. *Harry L. Browne and Frank A. Constangy* for respondent Crawford Manufacturing Co., Inc., in both cases. Reported below: 386 F. 2d 367.

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No. 1115. *COLLINS v. UNITED STATES*. C. A. 9th Cir. Motion to dispense with printing petition granted. Certiorari denied. *Hiram W. Kwan* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg* and *Edward Fenig* for the United States. Reported below: 390 F. 2d 260.

No. 1187. *JONES v. GASCH*, U. S. DISTRICT JUDGE. C. A. D. C. Cir. Certiorari denied. MR. JUSTICE FORTAS took no part in the consideration or decision of this petition. *Edward P. Morgan* and *Thomas M. P. Christensen* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson* and *Beatrice Rosenberg* for respondent.

No. 888, Misc. *GRAVES v. UNITED STATES*; and

No. 937, Misc. *OELKE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States in both cases. Reported below: 389 F. 2d 668.

No. 962, Misc. *GORDON v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. *Zona Fairbanks Hostetler* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 127 U. S. App. D. C. 343, 383 F. 2d 936.

No. 944, Misc. *ANNETT v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, and *Edsel W. Haws* and *John Fourt*, Deputy Attorneys General, for respondent. Reported below: 251 Cal. App. 2d 858, 59 Cal. Rptr. 888.

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No. 1120. MARVEL SPECIALTY CO., INC. *v.* BELL HOSIERY MILLS, INC. C. A. 4th Cir. Motion to dispense with printing respondent's brief granted. Certiorari denied. *Robert F. Conrad* for petitioner. *Warley L. Parrott* for respondent. Reported below: 386 F. 2d 287.

No. 717, Misc. WISE *v.* BOSLOW, PATUXENT INSTITUTION DIRECTOR. Ct. Sp. App. Md. Certiorari denied. *Francis B. Burch*, Attorney General of Maryland, and *Alfred J. O'Ferrall III*, Assistant Attorney General, for respondent.

No. 973, Misc. MCGANN *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 983, Misc. AUTREY *v.* ALABAMA. Sup. Ct. Ala. Certiorari denied. *MacDonald Gallion*, Attorney General of Alabama, and *David W. Clark* and *Lloyd G. Hart*, Assistant Attorneys General, for respondent.

No. 1016, Misc. NIX *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Sidney M. Glazer* for the United States.

No. 1057, Misc. ROWELL *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Philip R. Monahan* for the United States.

No. 1059, Misc. GASQUE *v.* NORTH CAROLINA. Sup. Ct. N. C. Certiorari denied. *Thomas Wade Bruton*, Attorney General of North Carolina, and *Ralph Moody*, Deputy Attorney General, for respondent. Reported below: 271 N. C. 323, 156 S. E. 2d 740.



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No. 1074, Misc. *TALLEY ET AL. v. CALIFORNIA*. Super. Ct. Cal., County of Los Angeles. Certiorari denied. *Herbert E. Selwyn* for petitioners. *Roger Arnebergh, Philip E. Grey* and *Michael T. Sauer* for respondent.

No. 1107, Misc. *STEVENS v. WARDEN, MARYLAND PENITENTIARY*. C. A. 4th Cir. Certiorari denied. *Herbert B. Newberg* and *Anthony G. Amsterdam* for petitioner. Reported below: 382 F. 2d 429.

No. 1108, Misc. *McMILLEN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. *F. Lee Bailey* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg* and *Sidney M. Glazer* for the United States. Reported below: 386 F. 2d 29.

No. 1122, Misc. *HOFFMAN ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Lynn S. Castner* for petitioners. *Solicitor General Griswold, Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 385 F. 2d 501.

No. 1126, Misc. *HERRERA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 384 F. 2d 525.

No. 1132, Misc. *HALL v. WARDEN, NEVADA STATE PRISON*. Sup. Ct. Nev. Certiorari denied. Reported below: — Nev. —, 434 P. 2d 425.

No. 1134, Misc. *CATANZARO v. NEW YORK*. Ct. App. N. Y. Certiorari denied.

No. 1140, Misc. *JEFFERSON v. CRAVEN, WARDEN*. C. A. 9th Cir. Certiorari denied.

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No. 1176, Misc. *ROOF v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Frederic A. Johnson* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg and Edward Fenig* for the United States.

No. 1190, Misc. *WARE v. PRESTON ET AL.* C. A. D. C. Cir. Certiorari denied. *Robert L. Weinberg* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg and Mervyn Hamburg* for respondents.

No. 1199, Misc. *MALDONADO v. BOARD OF VETERANS APPEALS*. C. A. D. C. Cir. Certiorari denied. *Solicitor General Griswold* for respondent.

No. 1205, Misc. *MCCRARY v. TENNESSEE*. Sup. Ct. Tenn. Certiorari denied. *James H. Bateman* for petitioner.

No. 1206, Misc. *WHITAKER v. KENTUCKY*. Ct. App. Ky. Certiorari denied. *David Kaplan* for petitioner. Reported below: 418 S. W. 2d 750.

No. 1209, Misc. *ROSS v. CRAVEN, WARDEN*. Sup. Ct. Cal. Certiorari denied.

No. 1213, Misc. *WILLIAMS v. FOLLETTE, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 1214, Misc. *AVILA v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied. Reported below: 253 Cal. App. 2d 308, 61 Cal. Rptr. 441.

No. 1226, Misc. *BOLTON v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 255 Cal. App. 2d 485, 63 Cal. Rptr. 153.

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No. 1216, Misc. *PERREA v. CALIFORNIA*. Sup. Ct. Cal.  
Certiorari denied.

No. 1222, Misc. *MERLE v. NEW JERSEY*. Sup. Ct.  
N. J. Certiorari denied.

No. 1227, Misc. *PAINTER v. PEYTON, PENITENTIARY  
SUPERINTENDENT*. C. A. 4th Cir. Certiorari denied.

No. 1228, Misc. *NOHELTY v. GERGEN*. Sup. Ct. Wis.  
Certiorari denied.

No. 1230, Misc. *HOWARD v. OLIVER, WARDEN*. C. A.  
9th Cir. Certiorari denied.

No. 1235, Misc. *PETERSON v. KANSAS*. Sup. Ct. Kan.  
Certiorari denied. Reported below: 200 Kan. 18, 434  
P. 2d 542.

No. 1240, Misc. *RICHIE v. TURNER, WARDEN*. Sup.  
Ct. Utah. Certiorari denied.

No. 1249, Misc. *FORTIN v. FLORIDA*. Dist. Ct. App.  
Fla., 3d Dist. Certiorari denied. Reported below: 203  
So. 2d 207.

No. 1258, Misc. *FRAZIER v. RHODE ISLAND*. Sup. Ct.  
R. I. Certiorari denied. *Herbert F. DeSimone*, Attor-  
ney General of Rhode Island, and *Donald P. Ryan*, As-  
sistant Attorney General, for respondent. Reported  
below: — R. I. —, 235 A. 2d 886.

No. 1270, Misc. *FIERRO v. CRAVEN, WARDEN*. C. A.  
9th Cir. Certiorari denied.

No. 1276, Misc. *WHITE v. NEW YORK*. App. Div.,  
Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied.



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No. 1278, Misc. *MONTGOMERY v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied. Reported below: 255 Cal. App. 2d 127, 62 Cal. Rptr. 895.

No. 1280, Misc. *McBRIDE v. NEW YORK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied.

No. 1281, Misc. *ELLIS v. GILLETTE*. Sup. Ct. Hawaii. Certiorari denied.

No. 1282, Misc. *GREEN v. PATE, WARDEN*. Cir. Ct., Cook County, Ill. Certiorari denied.

No. 1284, Misc. *KEYS v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg and Robert G. Maysack* for the United States.

No. 1286, Misc. *DANIEL v. NEW YORK*. Ct. App. N. Y. Certiorari denied. *Victor M. Earle III and Robert S. Rifkind* for petitioner. *Frank S. Hogan and Harold Roland Shapiro* for respondent.

No. 1287, Misc. *MORALES v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 1291, Misc. *WILLIAMS v. DEEGAN, WARDEN*. C. A. 2d Cir. Certiorari denied. *Leon B. Polsky and Gretchen White Oberman* for petitioner.

No. 1292, Misc. *BIRD v. VIRGINIA*. Sup. Ct. App. Va. Certiorari denied.

No. 1299, Misc. *TAFOYA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 386 F. 2d 537.

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No. 1302, Misc. *TUCKER, AKA WHEATLEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Louis V. Mangrum* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg and Mervyn Hamburg* for the United States.

No. 1303, Misc. *SCHACK v. FLORIDA*. Sup. Ct. Fla. Certiorari denied.

No. 1304, Misc. *HARRISON v. COINER, WARDEN*. C. A. 4th Cir. Certiorari denied.

No. 1306, Misc. *WILLIAMS v. NELSON, WARDEN*. Sup. Ct. Cal. Certiorari denied.

No. 1307, Misc. *NEWSOME v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 1308, Misc. *SCHACK v. STARR*. C. A. 5th Cir. Certiorari denied.

No. 1324, Misc. *GOSSER v. NEW JERSEY*. Sup. Ct. N. J. Certiorari denied. *Lawrence M. Perskie* for petitioner. *William J. Hughes* and *James A. O'Neill* for respondent. Reported below: 50 N. J. 438, 236 A. 2d 377.

No. 1330, Misc. *GRAY v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson and Beatrice Rosenberg* for the United States.

No. 1340, Misc. *GRAVES v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. *Warren E. Magee* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson and Beatrice Rosenberg* for the United States.

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No. 1356, Misc. ROBERTSON *v.* RHODE ISLAND. Sup. Ct. R. I. Certiorari denied. *Herbert F. DeSimone*, Attorney General of Rhode Island, and *Donald P. Ryan*, Assistant Attorney General, for respondent. Reported below: — R. I. —, 232 A. 2d 781.

No. 1382, Misc. HACKER *v.* CITY OF NEW YORK ET AL. Ct. App. N. Y. Certiorari denied. *J. Lee Rankin* and *Stanley Buchsbaum* for respondents. Reported below: 20 N. Y. 2d 722, 229 N. E. 2d 613.

*Rehearing Denied.*

No. 871. WISEMAN, DIRECTOR OF INTERNAL REVENUE FOR THE DISTRICT OF OKLAHOMA *v.* BARBY ET UX., *ante*, p. 339;

No. 937. COMMONWEALTH COATINGS CORP. *v.* CONTINENTAL CASUALTY CO. ET AL., *ante*, p. 979;

No. 961. HETTMAN ET AL. *v.* CHICAGO LAW INSTITUTE ET AL., *ante*, p. 338;

No. 962. McMANIGAL *v.* SIMON ET AL., *ante*, p. 980;

No. 980. ELECTRIC FURNACE CORP. *v.* DEERING MIL-LIKEN RESEARCH CORP., *ante*, p. 949;

No. 1027. HICKS ET AL. *v.* PHYSICAL THERAPISTS EXAMINING BOARD FOR THE DISTRICT OF COLUMBIA, *ante*, p. 987;

No. 672, Misc. WILLIAMS *v.* UNITED STATES, *ante*, p. 960;

No. 786, Misc. WALKER *v.* WAINWRIGHT, CORRECTIONS DIRECTOR, *ante*, p. 335;

No. 879, Misc. HARRIS *v.* RHAY, PENITENTIARY SUPER-INTENDENT, *ante*, p. 963;

No. 896, Misc. ELKSNIS *v.* UNITED STATES, *ante*, p. 990;

No. 1017, Misc. MANCILLA *v.* UNITED STATES ET AL., *ante*, p. 982; and

No. 1117, Misc. BUTTERFIELD *v.* GAZELLE, *ante*, p. 985. Petitions for rehearing denied.



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No. 237. *BIGGERS v. TENNESSEE*, *ante*, p. 404;

No. 700. *ANDERSON v. JOHNSON, WARDEN*, *ante*, p. 456;

No. 968. *BANCO NACIONAL DE CUBA v. FARR ET AL.*, *DBA FARR, WHITLOCK & Co.*, *ET AL.*, *ante*, p. 956; and

No. 1033. *POWELL v. NATIONAL SAVINGS & TRUST Co.*, *ante*, p. 957. Petitions for rehearing denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of these petitions.

No. 906. *ROVICO, INC. v. AMERICAN PHOTOCOPY EQUIPMENT Co.*, *ante*, p. 945. Motion for leave to supplement petition for rehearing granted. Petition for rehearing denied.

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*Miscellaneous Orders.*

No. 1082, Misc. *ABBOTT v. TURNER, WARDEN*; and

No. 1501, Misc. *ARMSTRONG v. HASKINS, CORRECTIONAL SUPERINTENDENT*. Motions for leave to file petitions for writs of habeas corpus denied. Treating the papers submitted as petitions for writs of certiorari, certiorari denied.

No. 1438, Misc. *JEFFRIES v. FRYE, WARDEN*;

No. 1439, Misc. *PATTERSON v. LANE, WARDEN*; and

No. 1444, Misc. *WHITE v. NOBLE, WARDEN, ET AL.* Motions for leave to file petitions for writs of habeas corpus denied.

No. 1232, Misc. *DAVIS v. CROUSE, WARDEN*; and

No. 1255, Misc. *FERNANDEZ v. DISTRICT COURT OF PUERTO RICO, BAYAMON PART, ET AL.* Motions for leave to file petitions for writs of mandamus denied.

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No. 813. SHAPIRO, COMMISSIONER OF WELFARE OF THE STATE OF CONNECTICUT *v.* THOMPSON. Appeal from D. C. Conn. (Probable jurisdiction noted, 389 U. S. 1032.) Motion for permission for two attorneys for leave to participate in oral argument granted. *Lorna Lawhead Williams*, Special Assistant Attorney General of Iowa, on the motion.

*Probable Jurisdiction Postponed.*

No. 1320, Misc. McDONALD ET AL. *v.* BOARD OF ELECTION COMMISSIONERS OF CHICAGO ET AL. Appeal from D. C. N. D. Ill. Motion for leave to proceed *in forma pauperis* granted. Further consideration of question of jurisdiction postponed to hearing of the case on the merits, and case transferred to appellate docket. *Marshall Patner* on the motion.

*Certiorari Granted.* (See also No. 1105, *ante*, p. 745; and No. 386, Misc., *ante*, p. 746.)

No. 1209. MCCARTHY *v.* UNITED STATES. C. A. 7th Cir. *Certiorari* granted. *Barnabas F. Sears*, *Wayland B. Cedarquist* and *Maurice J. McCarthy* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Rogovin* and *Joseph M. Howard* for the United States. Reported below: 387 F. 2d 838.

No. 1212. UNITED STATES *v.* AUGENBLICK ET AL. Ct. Cl. *Certiorari* granted. *Solicitor General Griswold*, *Assistant Attorney General Weisl*, *John C. Eldridge* and *Robert V. Zener* for the United States. *Joseph H. Sharlitt* and *Steven R. Rivkin* for Augenblick and *Francis J. Steiner, Jr.*, for Juhl, respondents. Reported below: 180 Ct. Cl. 131, 377 F. 2d 586; 181 Ct. Cl. 210, 383 F. 2d 1009.

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*Certiorari Denied.* (See also Misc. Nos. 1082 and 1501, *supra*.)

No. 1185. *JOFFE v. JOFFE*. Sup. Ct. N. J. *Certiorari* denied. *Eugene Gressman* and *F. Joseph Donohue* for petitioner. *J. Mortimer Rubenstein* for respondent. Reported below: 50 N. J. 265, 234 A. 2d 232.

No. 1186. *JOFFE v. JOFFE*. C. A. 3d Cir. *Certiorari* denied. *Eugene Gressman* and *F. Joseph Donohue* for petitioner. *J. Mortimer Rubenstein* for respondent. Reported below: 384 F. 2d 632.

No. 1214. *BUTLER v. UNITED STATES*. C. A. 6th Cir. *Certiorari* denied. *Ralph Rudd* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Edward Fenig* for the United States. *Marvin M. Karpatkin*, *Melvin L. Wulf* and *Bernard A. Berkman* for American Civil Liberties Union, as *amicus curiae*, in support of the petition. Reported below: 389 F. 2d 172.

No. 1220. *AMERICAN AIRLINES, INC. v. EGAN ET AL., ADMINISTRATORS*. Ct. App. N. Y. *Certiorari* denied. *John J. Martin* and *William M. Keegan* for petitioner. *Bernard Shatzkin* and *Burton S. Cooper* for respondents. Reported below: 21 N. Y. 2d 160, 234 N. E. 2d 199.

No. 1231. *HENDREX v. UNITED STATES*. C. A. 6th Cir. *Certiorari* denied. *Sanford Rosenthal* and *George Stone* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 387 F. 2d 931.

No. 1221. *MISSOURI-KANSAS-TEXAS RAILROAD Co. v. KISER*. Sup. Ct. Okla. *Certiorari* denied. *Edward K. Wheeler* and *Eldon S. Olson* for petitioner.



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No. 1224. *PRESTON v. TYNER*. Ct. App. Ohio, Fayette County. Certiorari denied. *Robert R. Crane* for petitioner.

No. 1229. *FORD v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. *Robert C. Heeney* for petitioner.

No. 1232. *HOLBROOK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Benjamin F. Kelly* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Robert G. May-sack* for the United States.

No. 1234. *HO YEH SZE v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 2d Cir. Certiorari denied. *Abraham Lebenkoff* and *Jules E. Coven* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Beatrice Rosenberg* for respondent. Reported below: 389 F. 2d 978.

No. 1240. *DAVIDSON v. DIVISION OF REVENUE OF THE DEPARTMENT OF TREASURY OF MICHIGAN*. Ct. App. Mich. Certiorari denied. *Harold S. Sawyer* for petitioner. *Frank J. Kelley*, Attorney General of Michigan, *Robert A. Derengoski*, Solicitor General, and *William D. Dexter* and *Maurice Barbour*, Assistant Attorneys General, for respondent.

No. 1051. *SOLONER ET AL. v. GARTNER*. C. A. 3d Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. *Henry Kaiser*, *Eugene Gressman*, *Edward Davis* and *Alan R. Howe* for petitioners. Reported below: 384 F. 2d 348.

No. 1274. *LEHIGH VALLEY RAILROAD Co. v. WM. SPENCER & SON CORP.* C. A. 2d Cir. Certiorari denied. *Thomas V. McMahon* for petitioner. *Daniel A. Semel* for respondent. Reported below: 387 F. 2d 623.

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No. 1082. MASTER TIME CO., LTD. *v.* DEJONGH, COMMISSIONER OF THE DEPARTMENT OF FINANCE OF THE VIRGIN ISLANDS. C. A. 3d Cir. Certiorari denied. THE CHIEF JUSTICE and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. MR. JUSTICE FORTAS took no part in the consideration or decision of this petition. *Warren H. Young* for petitioner. *Francisco Corneiro*, Attorney General of the Virgin Islands, and *Bruce MacGibbon*, Assistant Attorney General, for respondent. Reported below: 384 F. 2d 569.

No. 1163. VIRGO CORP. *v.* PAIEWONSKY, GOVERNOR OF THE VIRGIN ISLANDS, ET AL. C. A. 3d Cir. Motion of Antilles Industries, Inc., for leave to file a brief, as *amicus curiae*, granted. Certiorari denied. THE CHIEF JUSTICE and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. MR. JUSTICE FORTAS took no part in the consideration or decision of this motion and petition. *William Simon*, *John Bodner, Jr.*, and *Gerald Kadish* for petitioner. *Francisco Corneiro*, Attorney General of the Virgin Islands, and *Bruce MacGibbon*, Assistant Attorney General, for respondents Paiewonsky et al. *John D. Conner*, *Ashley Sellers* and *George C. Davis* for Antilles Industries, Inc., as *amicus curiae*, in support of the petition. Reported below: 384 F. 2d 569.

No. 1151, Misc. GIFFORD *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States.

No. 1216. PAUL *v.* DADE COUNTY, FLORIDA, ET AL. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Alfred I. Hopkins* for petitioner. *Thomas C. Britton* and *St. Julien P. Rosemond* for respondents. Reported below: 202 So. 2d 833.

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No. 1176. *WILSON v. WIMAN*, REFORMATORY SUPER-INTENDENT. C. A. 6th Cir. Certiorari denied. *John David Cole* for petitioner. *John B. Breckinridge*, Attorney General of Kentucky, and *Charles W. Runyan*, Assistant Attorney General, for respondent. Reported below: 386 F. 2d 968.

MR. JUSTICE FORTAS, with whom THE CHIEF JUSTICE and MR. JUSTICE DOUGLAS join, would grant certiorari in this case. In 1933 and 1935 petitioner was convicted in the state courts of Kentucky of housebreaking. In 1964, he was convicted of storehouse breaking. The earlier convictions were used in evidence pursuant to the Kentucky recidivist statute. Petitioner was sentenced to life in prison. The trial judge did not instruct the jury that the prior convictions could be used only for the limited purpose of the recidivist statute. I believe that we should hear this case to determine whether it is governed by *Spencer v. Texas*, 385 U. S. 554 (1967), and if so whether *Spencer v. Texas* should be reconsidered. See the separate opinion of THE CHIEF JUSTICE, in which I joined, 385 U. S., at 569, and the dissent of MR. JUSTICE BRENNAN, in which MR. JUSTICE DOUGLAS joined, 385 U. S., at 587.

No. 1189. *KRISEL v. DURAN ET AL.* C. A. 2d Cir. Certiorari denied. MR. JUSTICE FORTAS took no part in the consideration or decision of this petition. *Maurice M. Krisel, pro se*, and *Benjamin M. Cardozo, Michael H. Cardozo IV* and *Roman Beck* for petitioner. *Jose C. Aponte*, Attorney General of Puerto Rico, *William D. Rogers* and *Robert A. Bicks* for respondents. Reported below: 386 F. 2d 179.

No. 1260, Misc. *HOWARD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States.



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No. 1253. *KRAMM v. WORKMEN'S COMPENSATION APPEALS BOARD OF CALIFORNIA ET AL.* Ct. App. Cal., 4th App. Dist. Motion to dispense with printing petition granted. Certiorari denied. *Charles K. Hackler* for petitioner. *Everett A. Corten* for respondent Workmen's Compensation Appeals Board of California, and *Sidney A. Stutz* for respondent Hartford Accident & Indemnity Co.

No. 553, Misc. *GARAY v. CALIFORNIA.* Ct. App. Cal., 5th App. Dist. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, and *Edsel W. Haws* and *Craig G. McIntosh*, Deputy Attorneys General, for respondent. Reported below: 247 Cal. App. 2d 833, 56 Cal. Rptr. 55.

No. 746, Misc. *COLLIER v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General General Vinson*, *Beatrice Rosenberg* and *Edward Fenig* for the United States. Reported below: 381 F. 2d 616.

No. 1195, Misc. *MORRIS v. COINER, WARDEN.* C. A. 4th Cir. Certiorari denied. *George A. Daugherty* for petitioner. Reported below: 386 F. 2d 395.

No. 1264, Misc. *JONES v. UNITED STATES.* C. A. D. C. Cir. Certiorari denied. *Milton A. Kallis* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General General Vinson*, *Beatrice Rosenberg* and *Edward Fenig* for the United States.

No. 1290, Misc. *MATTIO v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. *Eugene P. Souther* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 388 F. 2d 368.

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No. 1243, Misc. *STANLEY v. AVERY*, CORRECTIONS COMMISSIONER. C. A. 6th Cir. Certiorari denied. Reported below: 387 F. 2d 637.

No. 1254, Misc. *BRYAN v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 254 Cal. App. 2d 231, 62 Cal. Rptr. 137.

No. 1257, Misc. *ROBINSON v. VIRGINIA*. C. A. 4th Cir. Certiorari denied.

No. 1279, Misc. *MINTZER v. DROS, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 1298, Misc. *DENMAN v. BEALE ET AL.* C. A. 1st Cir. Certiorari denied. *Jesse R. Fillman* for respondent Whitney.

No. 1300, Misc. *RUARK v. COLORADO*. Sup. Ct. Colo. Certiorari denied. Reported below: — Colo. —, 434 P. 2d 124.

No. 1310, Misc. *SCHLETTE v. CALIFORNIA ADULT AUTHORITY ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 1312, Misc. *HEIRENS v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 38 Ill. 2d 294, 230 N. E. 2d 875.

No. 1315, Misc. *PACHOLSKY v. PATE, WARDEN*. Cir. Ct., Will County, Ill. Certiorari denied.

No. 1345, Misc. *GULLETT ET AL. v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg and Edward Fenig* for the United States. Reported below: 387 F. 2d 307.

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No. 1322, Misc. *BARTLAM v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. *Laurence Leff* for respondent.

No. 1359, Misc. *HOLLAND v. CICCONE*, DIRECTOR, MEDICAL CENTER FOR FEDERAL PRISONERS. C. A. 8th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Mervyn Hamburg* for respondent. Reported below: 386 F. 2d 825.

No. 1360, Misc. *WILLIAMS v. NELSON*, WARDEN. Sup. Ct. Cal. Certiorari denied.

No. 1370, Misc. *McEACHEN v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. *Michael M. Kearney* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States.

No. 1376, Misc. *HERRINGTON v. NEW YORK*. Ct. App. N. Y. Certiorari denied.

No. 1388, Misc. *BROWN v. FOGEL*. C. A. 4th Cir. Certiorari denied. *William M. Kunstler*, *Arthur Kinoy* and *Morton Stavis* for petitioner. Reported below: 387 F. 2d 692.

No. 1219, Misc. *WILKERSON v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Solicitor General Griswold* for the United States.

No. 1405, Misc. *GALLEGOS ET AL. v. TURNER*, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 386 F. 2d 440.



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No. 1389, Misc. *PEREZ v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 1448, Misc. *CARPENTER v. CROUSE, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 389 F. 2d 53.

No. 1261, Misc. *MAGRUDER v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg and Edward Fenig* for the United States.

*Rehearing Denied.*

No. 1095. *GANNON v. NAVARRO*, *ante*, p. 989;

No. 855, Misc. *BENNETT v. MYERS, CORRECTIONAL SUPERINTENDENT*, *ante*, p. 973;

No. 1069, Misc. *WEILAND v. O'NEAL*, *ante*, p. 984; and

No. 1238, Misc. *SARGENT v. YEAGER, WARDEN, ET AL.*, *ante*, p. 994. Petitions for rehearing denied.

No. 324. *NORFOLK & WESTERN RAILWAY CO. ET AL. v. MISSOURI STATE TAX COMMISSION ET AL.*, *ante*, p. 317. Motion for leave to file petition for rehearing denied.

No. 1121. *PETO v. MADISON SQUARE GARDEN CORP. ET AL.*, *ante*, p. 989. Petition for rehearing and other relief denied.

No. 1096, Misc. *SHYVERS v. UNITED STATES*, *ante*, p. 998. Petition for rehearing denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition.