

393 U. S.

October 14, 1968.

WHITNEY STORES, INC., ET AL. *v.*
SUMMERFORD ET AL.APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF SOUTH CAROLINA.

No. 85. Decided October 14, 1968.

280 F. Supp. 406, affirmed.

E. N. Zeigler for appellants.

PER CURIAM.

The judgment is affirmed.

HORNBEAK *v.* HAMM, COMMISSIONER OF
REVENUE FOR ALABAMA.APPEAL FROM THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA.

No. 260. Decided October 14, 1968.

283 F. Supp. 549, affirmed.

Barry Hess for appellant.*MacDonald Gallion*, Attorney General of Alabama,
and *Willard W. Livingston* and *Herbert I. Burson*,
Assistant Attorneys General, for appellee.

PER CURIAM.

The motion to affirm is granted and the judgment
is affirmed.MR. JUSTICE BLACK, MR. JUSTICE HARLAN, and MR.
JUSTICE STEWART are of the opinion that probable juris-
diction should be noted and the case set for argument.