

June 1, 1970

398 U. S.

LEITCHFIELD MANUFACTURING CO., INC.,
ET AL. v. UNITED STATES ET AL.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF KENTUCKY

No. 1426. Decided June 1, 1970

Vacated and remanded.

PER CURIAM.

The judgment of the District Court is vacated and the case is remanded to that court for redetermination upon the basis of the record of the Interstate Commerce Commission proceedings.

MR. JUSTICE BLACK would note probable jurisdiction and set the case for argument.

MR. JUSTICE DOUGLAS and MR. JUSTICE HARLAN would affirm.

MR. JUSTICE MARSHALL took no part in the consideration or disposition of this case.