

OCTOBER TERM, 1968
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STATISTICS

	Original	Appellate	Miscellaneous	Total
Number of cases on dockets-----	9	1,559	2,350	3,918
Cases disposed of-----	0	1,288	1,863	3,151
Remaining on dockets-----	9	271	487	767

Cases disposed of—Appellate Docket :

By written opinions-----	113
By per curiam opinions or orders-----	192
By motion to dismiss or per stipulation (merits cases)-----	0
By denial or dismissal of petitions for certiorari-----	983

Cases disposed of—Miscellaneous Docket :

By written opinions-----	0
By denial or dismissal of petitions for certiorari-----	1,603
By denial or withdrawal of other applications-----	168
By granting of other applications-----	2
By per curiam dismissal of appeals-----	18
By other per curiam opinions or orders-----	38
By transfer to Appellate Docket-----	34

Number of written opinions-----	99
Number of printed per curiam opinions-----	14
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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

The Chief Justice said:

“The 1968 Term of the Supreme Court of the United States is now convened.”

ADMISSIONS TO THE BAR

James van Roden Springer, of Washington, D.C., Peter L. Strauss, of Washington, D.C., Walter Hersch Fleischer, of Washington, D.C., James Carver Farrington, of Washington, D.C., Gabriel A. Gutierrez, of Los Angeles, Calif., Richard W. Nichols, of Sacramento, Calif., Donald L. Reidhaar, of Berkeley, Calif., William Patrick McGinn, of Inglewood, Calif., Allen L. Norris, of Richmond, Calif., F. Michael Ahern, of Harford, Conn., James H. Tucker, of Daytona Beach, Fla., Robert M. Franklin, of Springfield, Va., Roger A. Pauley, of New York, N.Y., Edward F. Gamber, of Bethpage, N.Y., Allan N. Kornblum, of New York, N.Y., Wallace H. Johnson, Jr., of Falls Church, Va., James F. Housley, of Salt Lake City, Utah, Charles Edward Burroughs, of Milwaukee, Wisc., Lawrence G. Meyer, of Washington, D.C., and Thomas George Ragatz, of Madison, Wisc., on motion of Mr. Solicitor General Erwin N. Griswold; Ben F. McDonald, Jr., of Corpus Christi, Tex., and Bob J. Spann, of Corpus Christi, Tex., on motion of Mr. Ralph W. Yarborough; Charles L. Redman, Jr., of Jackson, Ga., on motion of Mr. John James Flynt, Jr.; Leonard K. Dowiak, of Washington, D.C., Richard Frank Holy, of Minneapolis, Minn., and Wm. J. Nierengarten, of Austin, Minn., on motion of Mr. Clark MacGregor; Richard M. Blois, of Palo Alto, Calif., and Peter C. Lehman, of San Diego, Calif., on motion of Mr. Paul N. McCloskey, Jr.

Robert Joseph O'Connor, of Wichita, Kans., on motion of Mr. Garner E. Shriver; George L. Moore, of Santa Ana, Calif., and Samuel Louis Gurwin, of Los Angeles, Calif., on motion of Mr. Craig Hosmer; Samuel N. Greenspoon, of New York, N.Y., Benjamin Greenspoon, of Washington, D.C., and Karl Ernst Davis, of Bethesda, Md., on motion of Mr. Lee W. Cowan; Robert Nathan Stone, of Los Angeles, Calif., Robert Merton Blatt, of Cincinnati, Ohio, Robert M. Harcourt, of Norfolk, Va., and William Wilbur Merritt, of Norfolk,

Va., on motion of Mr. Theodore George Gilinsky; Hugh B. Exnicios, Jr., of Metairie, La., on motion of Mr. Charles Orlando Pratt; Malek Sansour Sahami, of Washington, D.C., on motion of Mr. Richard Stanley Friedman; Robert E. Buechler, of St. Louis, Mo., on motion of Mr. Donald W. Paffle; Norman Perl, of Minneapolis, Minn., on motion of Mr. Lester S. Jayson; William Milton Swope, of Honolulu, Hawaii, on motion of Mr. John H. Schafer III; Robert Marshall Jakob, of San Jose, Calif., on motion of Mr. Clifford M. Roth; Adolfo del Castillo, of Miami, Fla., on motion of Mr. Bertram C. Singer; Duncan MacDonald Manning, of Roosevelt, N. Y., on motion of Mr. Herbert E. Forrest; Thomas Henry Blakey, of Miami, Fla., on motion of Mr. Paul Zaleski; Ralph Rabinowitz, of Norfolk, Va., on motion of Mr. Paul Shiffman; Jacob Imberman, of New York, N. Y., on motion of Mr. Victor H. Kramer.

Charles Verner Knight, of Chattanooga, Tenn., and Andrew Anthony Wassick, of Chattanooga, Tenn., on motion of Mr. Ralph Waldo Emerson; Randall C. Coleman, of Baltimore, Md., on motion of Mr. Dumond P. Hill; Horace Wheatley, of San Francisco, Calif., on motion of Mr. Belford V. Lawson, Jr., Monroe Berrol, of New York, N. Y., on motion of Mr. Paul McElligott; Alvin M. Frank, of San Jose, Calif., and Howard S. Dattan, of San Diego, Calif., on motion of Mr. Lawrence Speiser; Morton Sitver, of Phoenix, Ariz., on motion of Mr. Gordon F. Harrison; John Gordon Forester, Jr., of Washington, D.C., on motion of Mr. Walter E. Gillcrist; Phillip A. Cole, of Minneapolis, Minn., on motion of Mr. James A. Gammon; Gilbert Leo Wells, of Washington, D.C., on motion of Mr. David Hill; Garland M. Layton, of Virginia Beach, Va., on motion of Mr. James E. Palmer, Jr.; Frank L. Wiswall, Jr., of Castine, Me., on motion of Mr. Ronald A. Capone; Howard G. Reamer, of Baltimore, Md., on motion of Mr. M. Albert Figinski; Arnold William Proskin, of Albany, N. Y., on motion of Mr. Eugene Mittelman; Hoffman Stone, of Rochester, N. Y., on motion of Mr. Robert F. Ziems; Eugene L. Bernard, of Washington, D.C., on motion of Mr. Malcolm L. Sutherland.

Richard J. Boardman, of Washington, D.C., on motion of Mr. Arthur John Keeffe; Jacob Slove, of New York, N. Y., on motion of Mr. Daniel Goldstein; John P. Carroll, Jr., of New York, N. Y., on motion of Mr. Harry Tyson Carter; Michael Barry Arkin, of Springfield, Va., on motion of Mr. William Howard Arkin; Johnnie L. Cochran, Jr., of Los Angeles, Calif., on motion of Mr. Paul R. Webber III; Robert E. Anderson, of Washington, D.C., on motion of Mr. Warren Morgans; David Joseph Young, of Columbus, Ohio, on motion of Mr. George Reed; Patrick Joseph Leahy, of Burlington, Vt., and Charles Robert Tetzlaff, of Burlington, Vt., on motion of Mr. James David O'Brien; Ralph J. Althouse, Jr., of Reading, Pa., R.

Solomon Bear, of Hamburg, Pa., Norman E. Dettra, Jr., of Reading Pa., Walter M. Diener, Jr., of Douglassville, Pa., Thomas Jackson Eshelman, of Reading, Pa., Paul T. Essig, Sr., of Reading, Pa., Leonard J. Gajewski, of Reading, Pa., Bernard R. Gerber, of Reading, Pa., Frederick J. Giorgi, of Reading, Pa., Charles M. Guthrie, Jr., of Reading, Pa., Scott L. Huyett, of Reading, Pa., LeRoy Hyman, of Reading, Pa., Adam B. Krafczek, of Reading, Pa., James H. Murray, of Reading, Pa., E. Kenneth Nyce, of Boyertown, Pa., Michael A. O'Pake, of Reading, Pa., Walter Paul, of Reading, Pa., Morgan D. Reinbold, of Reading, Pa., Forrest G. Schaeffer, Jr., of Reading, Pa., Raymond S. Schlegel, of Reading, Pa., Robert Forrest Shapiro, of Reading, Pa., Frederick R. Snyder, of Reading, Pa., Eugene F. Wisniewski, of Reading, Pa., and Jane Ludwig Worley, of Womelsdorf, Pa., on motion of Mr. John W. Biehl, were admitted to practice.

OPINION PER CURIAM

No. 605. Californians for an Alternative in November et al., appellants, *v.* California et al. Appeal from the Supreme Court of California. The appeal is dismissed. Opinion *per curiam*.

* ORDERS IN PENDING CASES

No. —. F. Lee Hawthorne, Chairman, etc., petitioner, *v.* L. Stanley Hardaway, Secretary, et al. Application for a stay presented to the Chief Justice, and by him referred to the full Court, is denied.

No. —. Bradish G. Morse, et al., petitioners, *v.* Charles B. Boswell et al.;

No. —. Jeffrey S. Berke et al., petitioners, *v.* Victor J. MacLaughlin et al.;

No. —. Phillip A. Miazga et al., petitioners, *v.* V. J. MacLaughlin et al.;

No. —. Joel Felberbaum et al., petitioners, *v.* V. J. MacLaughlin et al.; and

No. —. Joe Don Looney et al., petitioners, *v.* Victor J. MacLaughlin et al. The applications for stays presented to Mr. Justice Douglas, and by him referred to the Court, are denied. Mr. Justice Douglas dissents.

CERTIORARI DENIED

No. 606. LeRoy Eldridge Cleaver, etc., et al., petitioners, *v.* Frank M. Jordan, Secretary of State of California. Petition for writ of certiorari to Supreme Court of California denied.

ORAL ARGUMENT

No. 543. Glen A. Williams et al., appellants, *v.* James A. Rhodes et al. Argued by Mr. David J. Young for the appellants and by Mr. Charles S. Lopeman for the appellees.

No. 544. Socialist Labor Party et al., appellants, *v.* James A. Rhodes et al. Leave granted by Mr. Jerry Gordon to appear and present oral argument for the appellants, *pro hac vice*, on motion of Mr. Lawrence Speiser. Argued by Mr. Jerry Gordon for the appellants, *pro hac vice*, by special leave of Court, and by Mr. Charles S. Lopeman for the appellees.

Adjourned until Monday, October 14, 1968, at 10 o'clock.

The day call for Monday, October 14, 1968, will be as follows: **133**, O.T. 1967, **11**, **197**, and **9**, Orig.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ORDER IN PENDING CASE

No. 613. Thomas W. McArthur et al., petitioners, v. Clark Clifford, Secretary of Defense, et al. The application for a stay is denied.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ORDER IN PENDING CASE

No. —. William Sullivan, Jr., et al., petitioners, v. John H. Cushman et al. The motion for stay, referred to the Court, is denied. Mr. Justice Douglas would grant the stay.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

James H. Hentzen, of Kansas City, Mo., Melvin Wayne Davidson, of Kansas City, Mo., Louis Schultz, of Hicksville, N.Y., Harvey E. Soicher, of Merrick, N.Y., and David W. Powers, of Wheaton, Ill., on motion of Mr. Solicitor General Erwin N. Griswold; Arthur Samuel Black, of Beverly Hills, Calif., and Leon E. Panetta, of Monterey, Calif., on motion of Mr. Thomas H. Kuchel; Frank Patrick Hernandez, of Dallas, Tex., on motion of Mr. Ralph W. Yarborough; J. Tom Haley, Jr., of Warren, Ark., on motion of Mr. David H. Pryor; James Louis Blawie, of Fremont, Calif., on motion of Mr. Martin R. McLendon; C. J. Taylor, Jr., of Amarillo, Tex., on motion of Mr. Brice Wilson Rhyne; David J. Allen, of Munster, Ind., on motion of Mr. James M. Nicholson; Jim T. Robinson, of Enid, Okla., on motion of Mr. Peyton Ford; Maurice De Lano Fuller, Jr., of San Francisco, Calif., on motion of Mr. Noble McCartney; Alan Barnes Steber, of Houston, Tex., on motion of Miss Jean Elyse Morris; David Edward Trice, of Columbia, Tenn., and Thomas Patrick Burns, III, of Houston, Tex., on motion of Mr. Michael Arthur Brown; Karl L. Ecker, of Detroit, Mich., on motion of Mr. Harold F. Reis; Carter Bledsoe, of Washington, D.C., on motion of Mr. John Patrick Baker; Alf Leif Erickson, of San Francisco, Calif., on motion of Mr. Steven John Fellman; Allyn Matthews Wallace, of Savannah, Ga., on motion of Mr. Harry Peter Anestos; William L. Dwyer, of Seattle, Wash., on motion of Mr. Stanton Pavian Sender; Anthony James Correro III of New Orleans, La., and Frederick W. Ellis, of Baton Rouge, La., on motion of Mr. Paul M. Hebert; Steve Polgar of Livonia, Michigan, on motion of Mr. Francis D. Flanagan;

Sebert H. Keiffer, of Washington, D.C., on motion of Mr. Robert Arthur Diemer; George William Van Pelt, of Lyndhurst, Ohio, on motion of Mr. John Burns Simpson, Jr.; Carl Anthony, of San Francisco, Calif., on motion of Mr. James V. Heffernan; Dudley W. Conner, of Hattiesburg, Miss., on motion of Mr. Will S. Wells; Floyd H. Schnek, of Palm Springs, Calif., on motion of Mr. Thomas D. Wilcox; James W. Bradford, of Indianapolis, Ind., and Jack C. Brown, of Indianapolis, Ind., on motion of Mr. Ray S. Donaldson; Louis Kaplan, of New York, N.Y., on motion of Mr. Samuel Ross; Thomas Roy

Beierly, of Seattle, Wash., and Robert R. Beezer, of Seattle, Wash., on motion of Mr. Robert V. Schnabel; George Michael Hare, of Independence, Mo., on motion of Mr. Donald R. Moore; Duane A. Comport, of Batavia, Ill., Geo. E. Stephens, of Oswego, Ill., on motion of Mr. William H. Clarke; Beverly R. Keil, of Columbus, Ga., on motion of Mr. Jack Thomas Brinkley; William Sherman Shelow, III, of Cincinnati, Ohio, on motion of Mr. Francis G. Cole; Dennis M. Nolan, of Media, Pa., and Herbert Weston Tomlinson, of Media, Pa., on motion of Mr. Lionel A. Wexman; Warren H. Kopke, of Great Bend, Kans., on motion of Mr. Albert M. Cole; Andrew J. S. Jumonville, of Lafayette, La., on motion of Mr. James J. Davidson, Jr., and William Edward Shaddock, of Lake Charles, La., on motion of Mr. Oliver P. Stockwell, were admitted to practice.

The Chief Justice said:

"The orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally."

OPINIONS PER CURIAM

No. 50. Hanover Insurance Company of New York, appellant, *v.* Carl S. Victor. Appeal from the Court of Appeals of New York. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 52. Makah Indian Tribe, etc., appellants, *v.* Tax Commission of the State of Washington et al. Appeal from the Supreme Court of Washington. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 57. Charles Cohon et al., appellants, *v.* Edward J. Kirby, Director of the Department of Alcoholic Beverage Control of California. Appeal from the Court of Appeal of California, First Appellate District. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 85. Whitney Stores, Inc., et al., appellants, *v.* T. Kenneth Summerford, etc., et al. Appeal from the United States District Court for the District of South Carolina. The judgment is affirmed. Opinion *per curiam*.

No. 114. Desert Outdoor Advertising, Inc., appellant, *v.* County of San Bernardino. Appeal from the Court of Appeal of California, Fourth Appellate District. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 159. Ruth E. Biddle, Administratrix, appellant, *v.* Ida M. Bowser et al. Appeal from the Supreme Court of Ohio. The appeal is dis-

missed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 179. William C. Lopstein et ux., appellants, *v.* City of Sycamore. Appeal from the Supreme Court of Illinois. The motion to strike the response to the jurisdictional statement is denied. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 181. Samson Market Company, Inc., appellant, *v.* Edward J. Kirby, etc. Appeal from the Court of Appeal of California, Second Appellate District. The motion to dismiss the appeal is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 216. Patrick G. Martone, appellant, *v.* Cecil Morgan et al. Appeal from the Supreme Court of Louisiana. The appeal is dismissed for want of a substantial federal question. Opinion *per curiam*. Mr. Justice Black dissents.

No. 230. Edwin R. Lewinson, appellant, *v.* Robert J. Crews, as County Clerk, Kings County. Appeal from the Court of Appeals of New York. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*. Mr. Justice Douglas is of the opinion that probable jurisdiction should be noted.

No. 239. Estate of Arlester L. Burnell, Warden, appellant, *v.* Colorado. Appeal from the Supreme Court of Colorado. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*. Mr. Justice Douglas is of the opinion that probable jurisdiction should be noted.

No. 242. Jorge I. Rosso and Carmen Descartes, appellants, *v.* Puerto Rico. Appeal from the Supreme Court of Puerto Rico. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*. Mr. Justice Fortas took no part in the consideration or decision of this case.

No. 251. Russell C. Roberts, individually and as Judge of the Circuit Court of Faulkner County, Arkansas, et al, appellants, *v.* Odell Pollard, etc., et al. Appeal from the United States District Court for the Eastern District of Arkansas. The judgment is affirmed. Opinion *per curiam*. Mr. Justice Black is of the opinion that probable jurisdiction should be noted.

No. 260. Martha A. Hornbeak, etc., appellant, *v.* Phillip Hamm, Commissioner of Revenue for Alabama. Appeal from the United States District Court for the Middle District of Alabama. The motion

to affirm is granted and the judgment is affirmed. Opinion *per curiam*. Mr. Justice Black, Mr. Justice Harlan, and Mr. Justice Stewart are of the opinion that probable jurisdiction should be noted and case set for argument.

No. 263. Ralph Ilowite, petitioner, *v.* United States et al. On petition for writ of certiorari to United States Court of Appeals for the Third Circuit. Petition for writ of certiorari granted, judgment vacated, and case remanded to Court of Appeals with directions to dismiss the case as moot. Opinion *per curiam*.

No. 270. Paul Penjaska and John Penjaska, appellants, *v.* Goodbody & Company. Appeal from the Supreme Court of Michigan. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 284. Louisiana Education Commission for Needy Children et al., appellants, *v.* Bryan Poindexter et al. Appeal from the United States District Court for the Eastern District of Louisiana. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*.

No. 286. Antonio Peter Guerra, appellant, *v.* Mississippi. Appeal from the Supreme Court of Mississippi. The appeal is dismissed for want of a properly presented federal question. Opinion *per curiam*.

No. 324. Westside Liquor Company, appellant, *v.* Edward J. Kirby, etc. Appeal from the Court of Appeal of California, Second Appellate District. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 325. The Pennwick Corporation, appellant, *v.* Edward J. Kirby, etc. Appeal from the Court of Appeal of California, Second Appellate District. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 326. Samson Market Company, Inc., appellant, *v.* Edward J. Kirby, etc. Appeal from the Court of Appeal of California, Second Appellate District. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 335. Martin Andersen et al., appellants, *v.* Florida. Appeal from the Supreme Court of Florida. The appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 355. National Motor Freight Traffic Association, Inc., et al., appellants, *v.* United States et al. Appeal from the United States Dis-

trict Court for the District of Columbia. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*.

No. 3, Misc. Donald L. Blabon, petitioner, *v.* Louis S. Nelson, Warden. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *In re Bevill*, 68 A.C. 916, —P. 2d —, as modified by 69 A. C. 202, —P. 2d —. Opinion *per curiam*.

No. 39, Misc. James Floyd Workman, petitioner, *v.* Utah. On petition for writ of certiorari to the Supreme Court of Utah. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment reversed and case remanded to the Supreme Court of Utah for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam*.

No. 59, Misc. Richard D. Tyrrell, petitioner, *v.* Sherman H. Crouse, Warden. On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment reversed and case remanded to the United States District Court for the District of Kansas for further proceedings in conformity with the opinion of this court. Opinion *per curiam*.

No. 86, Misc. Clyde Bates and Manuel Chavez, petitioners, *v.* Louis S. Nelson, Warden. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Motions to supplement petition for certiorari and for leave to proceed *in forma pauperis* granted. Petition for certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Burgett v. Texas*, 389 U.S. 109; *Bruton v. United States*, 391 U.S. 123, and *Roberts v. Russell*, 392 U.S. 293. Opinion *per curiam*.

No. 87, Misc. Jack D. McConnell, petitioner, *v.* B. J. Rhay, Superintendent, Washington State Penitentiary; and

No. 458, Misc. Douglas Stiltner, petitioner, *v.* B. J. Rhay, Superintendent, Washington State Penitentiary. On petitions for writs of certiorari to the Supreme Court of Washington. Motions for leave to proceed *in forma pauperis* and petitions for writs of certiorari granted. Judgments reversed and cases remanded to the Supreme Court of Washington for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam*.

No. 133, Misc. Londell Brown and Warren E. Gilliam, Jr., petitioners, *v.* Stanley R. Resor, Secretary of the Army. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Motion for leave to proceed *in forma pauperis* and petition for

writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Carafas v. LaVallee*, 391 U.S. 234. Opinion *per curiam*.

No. 149, Misc. Jesse Leon Jones, petitioner, *v.* Georgia. On petition for writ of certiorari to the Supreme Court of Georgia. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Supreme Court of Georgia for further consideration in light of *Witherspoon v. Illinois*, 391 U.S. 510. Opinion *per curiam*.

No. 187, Misc. Henry Powell Arsenault, petitioner, *v.* Massachusetts. On petition for writ of certiorari to the Supreme Judicial Court of Massachusetts. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment reversed and case remanded to the Supreme Judicial Court of Massachusetts for further proceeding not inconsistent with the opinion of this Court. Opinion *per curiam*.

No. 197, Misc. Thomas A. Butler, appellant, *v.* Joseph F. Brierley, Superintendent, State Correctional Institution. Appeal from the Supreme Court of Pennsylvania, Eastern District. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 430, Misc. Samuel E. Muniz, appellant, *v.* George J. Beto, Director, Texas Department of Corrections. Appeal from the Court of Criminal Appeals of Texas. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 473, Misc. Melvin G. Lemanski, appellant, *v.* Lucille Lemanski. Appeal from the Appellate Court of Illinois, Second District. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 9, Original. United States of America, plaintiff, *v.* State of Louisiana et al. This case is set for argument on the supplemental decrees proposed by the United States and the State of Texas. The motion of the State of Louisiana for additional time for oral argument on the supplemental decree applicable to it is denied. The Chief Justice and Mr. Justice Marshall took no part in the consideration or decision of these matters.

No. 993, Misc. In the Matter of the Disbarment of Edith Fischer Lichota. It is ordered that Edith Fischer Lichota, of Toledo, Ohio, be suspended from the practice of law in this Court and that rule issue, returnable within forty days, requiring her to show cause why she should not be disbarred from the practice of law in this Court.

No. 19. Universal Interpretive Shuttle Corporation, petitioner, *v.* Washington Metropolitan Area Transit Commission et al. The motion of respondent, Washington Metropolitan Area Transit Commission, to preclude argument on question not in issue and the motion of respondent, D.C. Transit System, Inc., to clarify the status of question regarding D.C. Transit System's franchise are denied. Mr. Justice Marshall took no part in the consideration or decision of these motions.

No. 39. Enrique Perez, petitioner, *v.* California. The motion of the petitioner for the appointment of counsel is granted, and it is ordered that Peter G. Fetros, Esquire, of San Francisco, California, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

No. 44. William Skinner et al., petitioners, *v.* Louisiana. The motion of the petitioner for leave to proceed further herein *in forma pauperis* is granted. The case will be heard on the typewritten record.

No. 53. Harold Kaufman, petitioner, *v.* United States. The motion of petitioner for the transcription and certification of additional portions of the record is granted. Mr. Justice Marshall took no part in the consideration or decision of this motion.

No. 56. Lear, Incorporated, petitioner, *v.* John S. Adkins. The motion of the Solicitor General for leave to participate in the oral argument, as *amicus curiae*, is granted and twenty minutes are allotted for that purpose. A similar amount of time is likewise allotted to counsel for the respondent.

No. 71. Presbyterian Church in the United States et al., petitioners, *v.* Mary Elizabeth Blue Hull Memorial Presbyterian Church et al. The motion of the Right Reverend John E. Hines, Presiding Bishop of the Protestant Episcopal Church in the United States of America, for leave to file a brief, as *amicus curiae*, is granted.

No. 74. Philip Jerome Stiles, petitioner, *v.* United States. The motion of the petitioner for the appointment of counsel is granted, and it is ordered that Charles J. Rogers, Jr., Esquire, of Providence, Rhode Island, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

No. 81. Brotherhood of Locomotive Engineers, petitioner, *v.* John P. McElroy et al.; and

No. 128. Terminal Railroad Association of St. Louis, petitioner, *v.* John P. McElroy et al.; and

No. 191. Geraldine Snell et al., appellants, *v.* George K. Wyman, as Commissioner, New York State Department of Social Services, et al. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 163. Evelle J. Younger, appellant, *v.* John Harris, Jr., et al. The Attorney General of California is invited to file a brief in this case expressing the views of the State of California.

No. 193. International Salt Company, petitioner, *v.* Ohio Turnpike Commission. The motion of the petitioner to defer consideration of the petition for writ of certiorari is granted.

No. 197. John William Butenko, petitioner, *v.* United States. The motion of the petitioner for the appointment of counsel is granted, and it is ordered that Charles Danzig, Esquire of Newark, New Jersey, a member of the Court of this Court, be, and he is hereby, appointed to serve as counsel for the petitioner in this case. Mr. Justice Marshall took no part in the consideration or decision of this motion.

No. 198. Richard M. Smith, petitioner, *v.* Fred M. Hooey, Judge, Criminal District Court of Harris County, Texas. The motion of the petitioner for the appointment of counsel is granted, and it is ordered that Charles Alan Wright, Esquire, of Austin, Texas, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

No. 199. George B. Harris, Judge of United States District Court for the Northern District of California, *v.* Louis S. Nelson, Warden. The motion of the petitioner for the appointment of counsel is granted, and it is ordered that J. Stanley Pottinger, Esquire, of San Francisco, California, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

No. 620. James L. Moore, et al., appellants, *v.* Samuel Shapiro, etc., et al. Because of the representation of the State of Illinois that "It would be a physical impossibility for the State to effectuate the relief which the appellants seek," the "Motion to Advance and Expedite the Hearing and Disposition of this Cause" is denied. Mr. Justice Fortas would grant the motion.

No. 647. Sallie M. Hadnott et al., appellants, *v.* Mabel S. Amos, etc., et al. The application for restoration of temporary relief is granted pending oral argument on the application, which is set for Friday, October 18, 1968, at 9:00 a.m. The case is placed on the summary calendar. Mr. Justice Black took no part in the consideration or decision of this application.

APPEALS—JURISDICTION NOTED

No. 258. Morris H. Kramer, appellant, *v.* Union Free School District No. 15 et al. Appeal from the United States District Court for

the Eastern District of New York. In this case probable jurisdiction noted and case placed on the summary calendar.

No. 269. Lester Gunn et al., appellants, *v.* University Committee to End the War in Viet Nam et al. Appeal from the United States District Court for the Western District of Texas. In this case probable jurisdiction noted and case placed on the summary calendar.

No. 293. Robert Eli Stanley, appellant, *v.* Georgia. Appeal from the Supreme Court of Georgia. In this case probable jurisdiction noted and case placed on the summary calendar.

No. 370. Aaron E. Koota, as District Attorney of the County of Kings, appellant, *v.* Sanford Zwickler. Appeal from the United States District Court for the Eastern District of New York. In this case probable jurisdiction noted and case placed on the summary calendar.

No. 376. Dunbar-Stanley Studios, Inc., appellant, *v.* Alabama. Appeal from the Supreme Court of Alabama. In this case probable jurisdiction noted and case placed on the summary calendar.

No. 48. Julian Messner, Inc., et al., appellants, *v.* Warren E. Spahn. Appeal from the Court of Appeals of New York. In this case probable jurisdiction noted and case placed on the summary calendar. Counsel are requested to discuss in their briefs and oral arguments, in addition to the other questions presented, the question whether the injunctive relief provided in the final judgment entered September 3, 1964, in the Supreme Court for the County of New York constitutes an unconstitutional restraint upon publication.

No. 238. David I. Wells, appellant, *v.* Nelson A. Rockefeller, as Governor of the State of New York, et al. Appeal from the United States District Court for the Southern District of New York. In this case probable jurisdiction noted and case placed on the summary calendar and set to follow Nos. 30 and 31.

CERTIORARI GRANTED

No. 156. Clayton S. Kramer, petitioner, *v.* Caribbean Mills, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and case placed on the summary calendar.

No. 158. Brotherhood of Railroad Trainmen et al., petitioners *v.* John P. O'Connell, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted and case placed on the summary calendar.

No. 280. United States, petitioner, *v.* Skelly Oil Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted and case placed on the summary calendar.

No. 291. Federal Marine Terminals, Inc., petitioner, *v.* Burnside Shipping Company, Limited. Petition for writ of certiorari to the

United States Court of Appeals for the Seventh Circuit granted and case placed on the summary calendar.

No. 306. Fortner Enterprises, Inc., petitioner, *v.* United States Steel Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted and case placed on the summary calendar.

No. 172. Elmer L. Dirks, individually and as General Chairman of the Brotherhood of Railroad Trainmen, et al., petitioners, *v.* W. L. Birkholtz et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted and case placed on the summary calendar and set to follow No. 158.

No. 273. Russell Scofield et al., petitioners, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted reserving for decision, after argument, the question of whether the petition for certiorari was timely filed. Case placed on summary calendar.

No. 68, Misc. Reyes Arias Orozco, petitioner, *v.* Texas. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Court of Criminal Appeals of Texas granted. Case transferred to the appellate docket and placed on the summary calendar.

No. 329, Misc. Edward Boykin, Jr., petitioner, *v.* Alabama. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Alabama granted. Case transferred to the appellate docket and placed on the summary calendar.

No. 529, Misc. Martin Rene Frazier, petitioner, *v.* H. C. Cupp, Warden. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted. Case transferred to the appellate docket and placed on the summary calendar.

No. 560, Misc. Billy Don Franklin Boulden, petitioner, *v.* William C. Holman, Warden. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted. Case transferred to the appellate docket and placed on the summary calendar.

No. 60, Misc. John Davis, petitioner, *v.* Mississippi. Motion for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Supreme Court of Mississippi granted limited to the first question presented by the petition which reads as follows:

"Whether the introduction into evidence at petitioner's criminal trial of his fingerprints, taken as a result of petitioner's illegal arrest, violated petitioner's rights under the Fourth and Fourteenth Amendments?" Case transferred to the appellate docket and placed on the summary calendar.

No. 202, Misc. James F. O'Callahan, petitioner, *v.* J. J. Parker, Warden. Motion for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted limited to the first question presented by the petition which reads as follows:

"1. Does a court-martial, held under the Articles of War, Tit. 10, U.S.C. § 801 *et seq.*, have jurisdiction to try a member of the Armed Forces who is charged with commission of a crime cognizable in a civilian court and having no military significance, alleged to have been committed off-post and while on leave, thus depriving him of his constitutional rights to indictment by a grand jury and trial by a petit jury in a civilian court?"

Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI DENIED

No. 58. Edward Somerville, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 59. Donald Somerville and Marjorie Kullerstrand, petitioners, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 64. John A. Metheany, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 66. Thomas A. Alvarez, petitioner, *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 70. John P. Parrish, petitioner, *v.* United States; and

No. 72. Isadore Parzow, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 75. Carolina Pipeline Company, petitioner, *v.* York County Natural Gas Authority. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 78. Big Run Coal & Clay Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 79. Dubin-Haskell Lining Corp., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 83. American Manufacturing Company of Texas, petitioner, *v.* The Heald Machine Company. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 86. AMP Incorporated, petitioner, *v.* Wilbur J. Cohen, Secretary of Health, Education and Welfare, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 87. Mrs. R. L. Clark, as legal guardian for Shirley Tucker, petitioner, *v.* Great American Insurance Company of New York. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 88. Irene Bartsch, petitioner, *v.* Metro-Goldwyn-Mayer, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 89. William L. Steadham et al., petitioners, *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 90. David B. Goodman et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 92. William Orlando Duggar, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 93. Noah Grimes and Alice Thomas Pearson, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 96. Orlando Daily Newspapers, Inc., et al., petitioners, *v.* Melvin M. Belli. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 97. Margaret Thomas Powe and William A. Powe, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 99. Cincinnati Gas & Electric Company et al., petitioners, *v.* Federal Power Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 100. Dargan Suther, petitioner, *v.* City of Midfield, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 101. Frank DeNiro, Jr., et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 102. John William Shapard, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 103. Edmund Winkler, petitioner, *v.* Pennsylvania Railroad Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 104. United States, petitioner, *v.* Cajo Trading, Inc. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 105. Continental Casualty Company, petitioner, *v.* United States for the use and benefit of Minneapolis-Honeywell Regulator Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 107. Matthew Ianniello, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 110. Seymour Komitor, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 111. Oliver Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 112. Difco Laboratories, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 113. Mandask Compania de Vapores, S. A., petitioner, *v.* Federazione Italiana dei Consorzi, Agrari, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 115. Roland H. Del Mar and the Riggs National Bank of Washington, D.C., etc., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 116. General Longshore Workers, I.L.A., Local Union 1418, et al., petitioners, *v.* New Orleans Steamship Association. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 118. Sam Vince et ux., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 121. Remedios B. Abinoja et al., petitioners, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 123. American Finishing Company, petitioner, *v.* National Labor Relation Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 125. Luria Brothers and Company, Inc., petitioner, *v.* Federal Trade Commission; and

No. 126. Baldwin-Lima-Hamilton Corporation et al., petitioners, *v.* Federal Trade Commission. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 127. The Bassick Company et al., petitioners, *v.* David R. Blake, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 135. Charles John Funk, petitioner, *v.* David K. Funk et al. Petition for writ of certiorari to the Court of Appeals of Arizona denied.

No. 140. Good-All Electric Mfg. Co., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 142. James Robert Grogan, III, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 145. David Lee Williams et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 148. Cornelius Fullbright, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 151. Edward Nason, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 152. Trust Company of Georgia, Executor under the will of Carling Dinkler, Sr., et al., petitioners, *v.* Aubrey C. Ross, District Director of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 153. Frederick H. Eaton, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 154. Fort Howard Paper Company, petitioner, *v.* Kimberly-Clark Corporation. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 155. Joseph O. Abramson et ux., petitioners, *v.* Colonial Oil Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 157. Douglas Houston and John Lewis Simpson, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 160. International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, (UAW), petitioner, *v.*

National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 162. Robert N. Golubin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 167. Banco Credito y Ahorro Ponceno, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 169. Robert Bolivar DePugh, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 170. Local Union No. 705, Hotel and Restaurant Employees and Bartenders Union, AFL-CIO, petitioner, *v.* W. Willard Wirtz, Secretary of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 171. Bricklayers, Masons & Plasterers' International Union of America, Local 11, AFL-CIO, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 173. Richard E. Gorman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 174. Howard Dean Hansen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 176. Felix Benitez Rexach, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 178. Daniel Patton Kramer, petitioner, *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 182. Tommy Truchinski, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 183. A. J. Industries, Inc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 185. Willis Attocknie, petitioner, *v.* Stewart L. Udall, Secretary of the Interior. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 186. George D. Mills, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 187. M. Rudolph Preuss, Trustee in Bankruptcy of Crosby Teletronics Corp., petitioner, *v.* General Electric Co., Inc. Petition

for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 188. The Miami Beach First National Bank and Fred R. Baisden, as Executors, etc., et al., petitioners, *v.* Inter-Continental Promotions, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 189. Alvin A. Jacobsen, etc., petitioner, *v.* International Transport, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 190. Othell Campbell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 192. Evelyn Walker, petitioner, *v.* The Ohio River Company. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 194. Carson Pirie Scott & Company et al., petitioners, *v.* John Factor. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 196. Donald DeSimone, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 202. Lee Rubber & Tire Corporation, petitioner, *v.* United Rubber, Cork, Linoleum and Plastic Workers of America, AFL-CIO, Local 102, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 204. Herbert S. Bauch, as President of Local 832, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, et al., petitioners, *v.* City of New York et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 207. The Maryland Petition Committee, et al., petitioners, *v.* Lyndon B. Johnson et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 208. Rayex Corporation et al., petitioners, *v.* American Optical Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 209. Marcan Products Corporation et al., petitioners, *v.* The A. H. Emery Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 213. Ernest Clifton Langley, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 215. Willis K. Baker, Jr., and Mervin Cornelsen, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 217. Duane Johnson, petitioner, *v.* Benbrook Water and Sewer Authority. Petition for writ of certiorari to the Supreme Court of Texas and/or Court of Civil Appeals of Texas, Second Supreme Judicial District, denied.

No. 218. Alcoa Steamship Company, Inc., petitioner, *v.* Charles Ferran & Company, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 220. Irving Shapiro, petitioner, *v.* Lee T. Shapiro. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 222. Weyerhaeuser Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 223. James Mahoney et al., petitioners, *v.* Federal Savings and Loan Insurance Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 224. J. P. Stevens & Co., Inc., petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 226. Silver, Inc., et al., petitioners, *v.* Webcor, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 227. Albert R. Avella et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 229. Edward Steve McFarland, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 232. Retail Store Employees Union Local 954, petitioner, *v.* Lane Drug Company et al.; and

No. 233. Lane Drug Company et al., petitioners, *v.* National Labor Relations Board et al. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 234. Tonkin Corporation of California, dba Seven-Up Bottling Company of Sacramento, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 235. Gibraltar Factors Corporation, petitioner, *v.* Samuel S. Baranow, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 236. Michael Connor, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of Superior Court of California, County of Alameda, denied.

No. 240. Seafarers International Union of North America, AFL-CIO, et al., petitioners, *v.* W. Willard Wirtz, Secretary of Labor, United States Department of Labor. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 241. Paul Ching-Szu Chen, petitioner, *v.* R. William Foley, District Director of Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 245. Herman Taller, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 246. Nathan Fred Marks, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 252. Stuyvesant Insurance Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 253. Carlond Hammond, petitioner, *v.* Arkansas ex rel. John Davis, Sheriff. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 254. Argonaut Savings and Loan Association et al., petitioners, *v.* Federal Deposit Insurance Corporation, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 255. John James Brennan et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 256. Orlando Cepeda, petitioner, *v.* Cowles Magazines and Broadcasting, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 257. Petition of Oliver Lee York and Margaret Edna York for adoption of a female infant, petitioners. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 259. James A. Rhodes, etc., et al., petitioners, *v.* Nathaniel Buchanan et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 261. Stanley M. Klebanoff, petitioner, *v.* Co-Ordinating Committee on Discipline. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 264. D. Spencer Grow, petitioner, *v.* United States; and

No. 275. C. Oran Mensik, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 265. Joseph G. Berlin, petitioner, *v.* Barbara F. Berlin. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 266. Florida, petitioner, *v.* Emelwon, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 267. Nebro Johnson, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Term of Supreme Court of New York, First Judicial Department, denied.

No. 268. Raymond Burns and James B. Hert, petitioners, *v.* New Mexico et al. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 272. Rosa Ella Graham Beasley et al., petitioners, *v.* W. P. H. McFaddin, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 274. Joseph I. Moreali, petitioner, *v.* Workmen's Compensation Appeals Board of California et al. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 276. Serv-Air, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 277. Ruth Montgomery, as Executrix of the Estate of Orion V. Montgomery, etc., et al., petitioners, *v.* Goodyear Aircraft Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 281. William H. Kenner et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 283. John Lowell Hannah et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 285. The General Tire and Rubber Company, petitioner, *v.* Isocyanate Products, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 287. American Pipe and Construction Co., petitioner, *v.* California et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 288. Jefferson Construction Co., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 289. First American Insurance Company, petitioner, *v.* John P. O'Connor. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 292. United Mine Workers of America et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 294. Richard Hauff, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 295. Clarence Lothridge and Zorina Barnett, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 296. Paul Walter Pearce, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 299. Erwin-Newman Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 300. Albert H. Grisham, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 301. LTV Electrosystems, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 302. Anthony Nunzio Oddo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 304. Southern Blowpipe & Roofing Company et al., petitioners, *v.* Chattanooga Gas Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 308. James J. Ritter, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 309. Leo Kubik and J. C. White, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 310. District of Columbia Redevelopment Land Agency, petitioner, *v.* Donald S. Nash et ux. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 312. Jewel Ramsey Crouch, Administratrix, etc., petitioner, *v.* the Chesapeake and Ohio Railway Company. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 313. Grace D. Graham, petitioner, *v.* Jaime Luis Colon. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 316. James Donald Edwards, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 318. Vance Trucking Company, Inc., et al., petitioners, *v.* Canal Insurance Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 319. Vincent John Rao, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 321. Victoria A. Hart, petitioner, *v.* David W. Hedrick, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 327. William J. Jacobs, petitioner, *v.* Toledo Bar Association. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 328. Lawrence Lawson Webb, petitioner, *v.* City of Lynchburg, Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 331. Euclid National Bank, petitioner, *v.* The Federal Home Loan Bank Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 333. Pan American World Airways, Inc., petitioner, *v.* Allied Air Freight International Corp. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 334. Willis O. Mizner, petitioner, *v.* Ruth E. Mizner. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 336. Anton Lyszczuk, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 339. Joe Edwin Miller, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 340. Lucius J. Breeland, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 341. Estate of Eugene L. Freeland, etc., et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 342. Jerome Henry, Superintendent, Indiana State Reformatory, petitioner, *v.* Charles O. Cotner. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 345. Reuben F. Gray et al., petitioners, *v.* Department of Highways, State of Louisiana, et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 346. Ellis C. MacDougall, Director of the South Carolina Department of Corrections, et al., petitioners, *v.* Ray S. Bailey. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 351. Mike Roberts Color Productions, Inc., petitioner, *v.* Colourpicture Publishers, Inc. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 353. Elijah White Ratcliff, petitioner, *v.* E. Ivan Bruce and Truman Blocker, Jr. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 354. Howard James Hansen, etc., petitioner, *v.* Securities and Exchange Commission. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 359. John F. Graham, petitioner, *v.* Harold H. Greene et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 361. Equitable Life Insurance Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 362. Godfrey P. Schmidt, petitioner, *v.* Joseph S. McCarthy and Seymour J. Spelman. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 363. Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employes, et al., petitioners, *v.* National Mediation Board et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 365. M. A. Holahan, Trustee, et al., petitioners, *v.* J. Harry Henderson et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 371. Wolf Low, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 373. John H. Todd, Jr., petitioner, *v.* Alvin H. Frankel, etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 331. Albert J. Minichello and Nicholas Mauriello, etc., petitioners, *v.* William B. Camp, Comptroller of Currency for the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 335. Elmer G. Paxton, petitioner, *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 55. C. C. Peyton, Superintendent of the Virginia State Penitentiary, petitioner, *v.* Alfred Coles. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 82. Hiram W. Morris, Jr., petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied. Dissenting opinion by Mr. Justice Black with whom Mr. Justice Douglas joins.

No. 94. John A. Acree et al., petitioners, *v.* Air Line Pilots Association et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 98. Harry J. Amell et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 119. Thomas Kapatos, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 141. Carl I. Cohen, petitioner *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 290. Crown Coat Front Co., Inc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 108. Jackson Morgan, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion that certiorari should be granted.

No. 120. Anthony F. Palmisano et al., petitioners, *v.* Baltimore County Welfare Board. Petition for writ of certiorari to the Court of Appeals of Maryland denied. The Chief Justice and Mr. Justice Douglas are of the opinion that certiorari should be granted.

No. 122. Betty Gannett Tormey, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 133. George H. Fultz, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 136. Francisco Perez and Joan Fae Schiffiler, petitioners, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 139. Joseph J. Remenyi, petitioner, *v.* Clark M. Clifford, Secretary of Defense, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 164. Irven Lee Dawkins and Carol W. Thomas, petitioners, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, and/or Supreme Court of Florida denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 177. Mary A. Loschi et al., petitioners, *v.* Massachusetts Port Authority. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 203. William E. Thoresen III, petitioner, *v.* Maine. Petition for writ of certiorari to the Supreme Judicial Court of Maine denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 219. Cosmo Rosado, petitioner, *v.* Walter J. Flood, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 225. Montell R. Meacham, doing business as the "Barbary Coast", petitioner, *v.* The Department of Alcoholic Beverage Control, State of California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 320. Perry J. Owens, petitioner, *v.* The Atchison, Topeka and Santa Fe Railway Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 348. In the Matter of William E. Thoresen III, petitioner. Petition for writ of certiorari to the United States Court of Appeals for the

First Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 349. William E. Thoresen III, petitioner, *v.* William Goodwin. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 132. Yuen Kam Chuen and Ng Sui Sang, petitioners, *v.* P. A. Esperdy, as District Director of the Immigration and Naturalization Service for the District of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit 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.

No. 143. Bruns, Nordeman & Co., petitioner, *v.* American National Bank and Trust Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Black dissents.

No. 147. L. W. Ferrell and Joe Ferrell, next friends of Phillip Ferrell, et al., petitioners, *v.* Dallas Independent School District et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Dissenting opinion by Mr. Justice Douglas.

No. 149. Russell G. Courtney, petitioner, *v.* United States. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 298. George L. Vaughn, Jr., petitioner, *v.* Municipal Court, Los Angeles Judicial District, et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Supreme Court of California denied.

No. 184. Arkansas Valley G & T, Inc., et al, petitioners, *v.* Federal Power Commission et al. Motion of Tri-State Generation and Transmission Association, Inc., for leave to file brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 210. Walter Lee Parman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Fortas took no part in the consideration or decision of this petition.

No. 211. North Carolina, petitioner, *v.* Louis Anthony Logner. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Black is of the opinion that certiorari should be granted and judgment reversed.

No. **214**. Anna Mary White, petitioner, *v.* Evansville American Legion Home Association. Petition for writ of certiorari to the Supreme Court of Indiana denied. Mr. Justice Black dissents from the denial of petition for writ of certiorari.

No. **303**. Ezra Parks, petitioner, *v.* Simpson Timber Company, et al.; and

No. **322**. Simpson Timber Company, petitioner, *v.* Ezra Parks et al. Motion in No. **303** to use record in No. **1335**, Oct. Term, 1966, granted. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **311**. Conley Electronics Corporation, etc., petitioner, *v.* Federal Communications Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Douglas took no part in the consideration or decision of this petition.

No. **314**. Clifford H. Ray, petitioner, *v.* Seaboard Air Line Railroad Company. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied. Mr. Justice Black dissents from the denial of certiorari in this case; he would grant and reverse summarily, believing it was clearly error to grant summary judgment against the petitioner. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **337**. Time, Inc. and Dan Jenkins, petitioners, *v.* Bon Air Hotel, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Opinion by Mr. Justice Black with whom Mr. Justice Douglas concurs:

I would grant certiorari in this case and hold that the petitioners, *Time, Inc.*, and *Dan Jenkins*, were entitled to summary judgment since, for the reasons stated in the concurring opinions of Mr. Justice Douglas and myself in *New York Times Co. v. Sullivan*, 376 U.S. 254, 293; *Rosenblatt v. Baer*, 383 U.S. 75, 94, and *Curtis Publishing Co. v. Butts*, 388 U.S. 130, 170. I believe that a libel judgment against these petitioners is forbidden by the First Amendment's guarantee that freedom of the press shall not be abridged, a guarantee made applicable to the States by the Fourteenth Amendment. This constitutional bar would apply to any state of facts that might be shown at the trial of this case. I believe the First Amendment was intended to leave the press free from the harassment and expense of suits such as this.

No. **350**. Agnes L. Haines, etc., petitioner, *v.* Southern Pacific Company. Petition for writ of certiorari to the Supreme Court of Arizona denied. Mr. Justice Black dissents from the denial of certiorari; he would grant certiorari and set the case down for oral argument.

No. 367. Utah Pie Company, petitioner, *v.* Continental Baking Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted. The Chief Justice took no part in the consideration or decision of this petition.

No. 8, *Misc.* Francis O'Halloran, petitioner, *v.* Alfred T. Rundle, Superintendent, State Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 9, *Misc.* Luis Morales, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 12, *Misc.* Danny Alvan Johnson et al., petitioners, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 14, *Misc.* Michael J. Schweininger, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 15, *Misc.* Albert Russell Laudermilk, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 17, *Misc.* James Sessions, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 18, *Misc.* Joseph V. Agosto, petitioner, *v.* Alaska. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 19, *Misc.* Melvin Ford, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 20, *Misc.* Charles Robert Clarke, petitioner, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 21, *Misc.* Lucien Peters, petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 24, *Misc.* Lawrence Rensing, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 25, *Misc.* Damon Shelton Napier, petitioner, *v.* United States;

No. 26, *Misc.* Jerry Leonard Cowart, petitioner, *v.* United States; and

No. 27, *Misc.* John Doward Skipper, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 28, *Misc.* Johnny Banks, petitioner, *v.* Walter E. Craven, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 29, *Misc.* James G. Martin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 30, *Misc.* Charles H. Cindle, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 31, *Misc.* Guadalupe Miranda Torres, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 32, *Misc.* Debs Crawford, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 33, *Misc.* Robert Eugene Whited, petitioner, *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 34, *Misc.* David Almeida, petitioner, *v.* Alfred T. Rundle, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 35, *Misc.* Charles D. Boyd, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 36, *Misc.* Leonard Thomas King, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Western Division, denied.

No. 37, *Misc.* Scotty Shirley Hanks, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 38, *Misc.* George Silva Salas and Pappy Fuentes, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 40, *Misc.* Thomas Russel, petitioner, *v.* Walter E. Craven, Warden, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 41, *Misc.* Claude Ray, Jr., petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 42, *Misc.* Roosevelt Flournoy, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 44, **Misc.** Frank Leslie Holden, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 45, **Misc.** Lloyd Dale Watroba, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 46, **Misc.** Ronald Handy, petitioner, *v.* Director, Patuxent Institution. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 47, **Misc.** Emil Schoepflin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 48, **Misc.** Jose Chabolla-Delgado, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 49, **Misc.** James Ball, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 51, **Misc.** Charley Bernal, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 53, **Misc.** Roy Persinger, petitioner, *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 54, **Misc.** James Edward Padgett, petitioner, *v.* Louie L. Wainwright, Director, Division of Corrections of Florida. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 56, **Misc.** Joseph H. Milani, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 58, **Misc.** William H. Kendrick, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 62, **Misc.** Verlon Hershel Ussery et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 63, **Misc.** Ellis Frederick Newton, Jr., petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 65, **Misc.** William Edmund Hindmarsh, petitioner, *v.* United States; and

No. 66, **Misc.** Charles Edward Hindmarsh, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 67, **Misc.** James McKinney, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 69, **Misc.** Harold D. Strain, petitioner, *v.* James M. Goslin, Sheriff, Caddo Parish, Louisiana. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 70, **Misc.** Richard Eugene Loux, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71, **Misc.** Jesue Torres Limon, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 72, **Misc.** James D. St. Clair, petitioner, *v.* Alexander Napoli, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 73, **Misc.** Robert Bradwell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 74, **Misc.** LeRoy Smith, petitioner, *v.* Frank A. Eyman, Warden, et al. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 76, **Misc.** John E. Minor, petitioner, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 77, **Misc.** Lilia B. Velasco and Nellie J. C. Morales, petitioners, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 78, **Misc.** Isauro H. Glorioso, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 80, **Misc.** Dorman Fred Talbot, Jr., petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 82, **Misc.** Jimmy C. Johnson, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 84, **Misc.** Jacob Jennings, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 85, **Misc.** William Taylor, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **90, Misc.** Paul L. Fitzsimmons, petitioner, *v.* Howard Yeager, Principal Keeper of the New Jersey State Prison, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **91, Misc.** Calvin J. Taylor, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **92, Misc.** Robert Lee Davis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **93, Misc.** George Thomas Stockley, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. **94, Misc.** Floyd Frank Wells, petitioner, *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. **95, Misc.** Harold Oscar Thomas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **97, Misc.** Lanier Allison Ramer, petitioner, *v.* United States; and

No. **141, Misc.** Eugene Richard Church, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **99, Misc.** James Kinney Roy, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. **100, Misc.** Leoplan Gregory, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **101, Misc.** James Kitt, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. **102, Misc.** Clifford V. Latta, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. **104, Misc.** Melvin B. Bishop, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **106, Misc.** Donald McCoy, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 107, **Misc.** William Joseph Coghlan, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 108, **Misc.** Juanita Avent et al., etc., petitioners, *v.* Newark Housing Authority et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 109, **Misc.** Edmond G. Blunner and Herbert Perry, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 111, **Misc.** John Michael Smith, petitioner, *v.* Montgomery Ward and Co., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 112, **Misc.** Ethelyn G. Bynacker, etc., petitioner, *v.* Bernard E. McMichael. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 114, **Misc.** Buddy Boggs and Ernest P. McKinney, petitioners, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 115, **Misc.** Chester L. Edgerton, petitioner, *v.* Maryland. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 117, **Misc.** Sally D. Dear, petitioner, *v.* Ralph C. Dear. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 118, **Misc.** John Willie Thomas, petitioner, *v.* H. V. Field, Superintendent, California Men's Colony, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 119, **Misc.** Harvey Marcelin, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 122, **Misc.** Roosevelt Boone, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 123, **Misc.** David Broderick, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 124, **Misc.** Clell Clate Yount, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 126, **Misc.** Ralph A. Varone, petitioner, *v.* Alice E. Varone. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 127, **Misc.** Jessie Jackson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 128, **Misc.** William Angel Barrio, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 130, **Misc.** Lester L. Grogg, petitioner, *v.* Warden, Maryland Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 131, **Misc.** Wayne J. Hill, petitioner, *v.* City of Seattle. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 132, **Misc.** Louis Perez Cerda, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 134, **Misc.** Frank Carlino, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 135, **Misc.** James Morris Fletcher, petitioner, *v.* James F. Maroney, Superintendent, Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 137, **Misc.** Robert Bennett Burns, petitioner, *v.* John W. Turner, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 139, **Misc.** Stephen Luther Evans, petitioner, *v.* County of Delaware, Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 142, **Misc.** Robert B. Davis, Jr., petitioner, *v.* James C. Harper, Commissioner, Cleveland House of Correction. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 146, **Misc.** Troy Clark, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 148, **Misc.** Anthony L. Manni, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 150, **Misc.** E⁷Thelbert Rucker, petitioner, *v.* City of Flint et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 151, **Misc.** Roosevelt Boone, petitioner, *v.* Maryland. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 152, **Misc.** Walter Miniard, petitioner, *v.* John L. Lewis et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **154, Misc.** Warren Carl Sherrick, petitioner, *v.* Frank A. Eymann, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **155, Misc.** Max Jacob Gutkowsky, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **157, Misc.** Willie Redd, petitioner, *v.* Virginia. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **159, Misc.** Opal Taylor, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. **160, Misc.** Johnny Thomas, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. **161, Misc.** Hugh James Minhinnick, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. **162, Misc.** Robert Lynn Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **163, Misc.** Nonie Tenorio, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **164, Misc.** Hayden Louis Harris and Thomas Benton Harris, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **165, Misc.** Jesse Williams, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. **166, Misc.** William T. Jordan, petitioner, *v.* North Carolina et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **168, Misc.** Mariano Alonso Leyva, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. **170, Misc.** Ozell Henry, petitioner, *v.* Robert O. Weaver, Parole Administrator. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **171, Misc.** William Lusk, petitioner, *v.* Frank L. Strickland et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **172, Misc.** Daniel Anthony Burns, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for Ninth Circuit denied.

No. 173, **Misc.** Howard Wilson, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 174, **Misc.** Odell Wright, petitioner, *v.* E. P. Perini, Superintendent, Marion Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 175, **Misc.** James Robert Stockman, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 176, **Misc.** Louis Edward Baker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 177, **Misc.** Allan Dean Hudson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 179, **Misc.** Francisco R. Ramos, petitioner *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 180, **Misc.** Loomis Melvin Smith, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 181, **Misc.** Alex Joseph Duran, Jr., petitioner, *v.* Wayne K. Patterson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 182, **Misc.** Selina Breaux, petitioner, *v.* G. H. Leidenheimer Co., Ltd., et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 183, **Misc.** John L. Darby, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 184, **Misc.** Frank Jones, petitioner, *v.* Hugh Stanton et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 185, **Misc.** James E. Sykes, petitioner, *v.* Edwin T. Purtell, Sheriff. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 186, **Misc.** Robert G. Nicholson and Jimmy D. Maddox, petitioners, *v.* Maurice H. Sigler, Warden. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 189, **Misc.** Marvin Joe Reeves, petitioner, *v.* Utah. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. 190, **Misc.** Frank L. Blackwelder, petitioner, *v.* North Carolina. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 191, *Misc.* Clarence W. Jones, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 192, *Misc.* Guy A. Duval, petitioner, *v.* J. T. Willingham, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 193, *Misc.* Kenneth C. Lockett, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 194, *Misc.* William Roscoe Brown, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 196, *Misc.* Benjamin Hemphill, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 198, *Misc.* Roosevelt Boone, petitioner, *v.* Charles Moylan, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 199, *Misc.* Albert G. Levy et al., petitioners, *v.* Montgomery County, Maryland, et al. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 203, *Misc.* Raymond C. Woollaston, petitioner, *v.* James F. Maroney, Superintendent State Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 204, *Misc.* Joseph Oglesby, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 206, *Misc.* James Daniel Loewing, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 209, *Misc.* Tony Woodrow Rea, petitioner, *v.* Lake F. Russell, Warden. Petition for writ of certiorari to the Supreme Court of Tennessee, Western Division, denied.

No. 210, *Misc.* Francis A. McTague, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 212, *Misc.* William Nordeste, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 213, *Misc.* Sedric Hooper, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 214, **Misc.** Gene R. Trotter, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 215, **Misc.** James R. Durham, Jr., petitioner, *v.* Luke Brewer, Sheriff. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 216, **Misc.** Richard K. Blaylock, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 218, **Misc.** Raymond Gilbert Rice, petitioner, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 219, **Misc.** Jesse Jackson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fifth Appellate District, denied.

No. 220, **Misc.** Lester Jackson, petitioner, *v.* Louie L. Wainwright, Director, Florida Division of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 222, **Misc.** Carl Ancrum, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 225, **Misc.** Henry Stahl, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 228, **Misc.** Richard Oliver Joseph Mayberry, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 229, **Misc.** James P. Taylor, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 230, **Misc.** Adam Stamm, petitioner, *v.* Alfred T. Rundle, Superintendent, State Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 232, **Misc.** George Henry Taylor, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 233, **Misc.** Louie Chacon, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 234, **Misc.** Wesley Jay Myers, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **236, Misc.** Leonard Wymer Walle, Jr., petitioner, *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. **237, Misc.** Pearl Belk, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. **238, Misc.** Louis Ludwik Furtak, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. **239, Misc.** Eddie Lee Elton, petitioner, *v.* Ohio. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **240, Misc.** Florencia Elma Vda. de Detablan, petitioner, *v.* Administrator, U.S. Veterans Administration. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **241, Misc.** Gale William Nettles, petitioner, *v.* Illinois. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. **242, Misc.** Manuel Estrada, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **243, Misc.** Dennis Randel, petitioner, *v.* Texas Board of Pardons and Paroles et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. **244, Misc.** George Fajeriak, petitioner, *v.* Alaska. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. **245, Misc.** Otis Williams, petitioner, *v.* Essex County Welfare Board. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. **246, Misc.** Nolan Felix Burchil, petitioner, *v.* Louie L. Wainwright, Division of Corrections. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. **247, Misc.** Barry Keith Leavitt, petitioner, *v.* Rhode Island. Petition for writ of certiorari to the Supreme Court of Rhode Island denied.

No. **250, Misc.** T. C. Potter, petitioner, *v.* Florida. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **251, Misc.** James S. Pacheco, petitioner, *v.* Matthew Carberry, Sheriff, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **253, Misc.** John Stanley Siwakowski, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of

certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 254, Misc. Ray Jones, Jr., et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 256, Misc. Vernander William Harvey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 257, Misc. Elmer Poos, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 259, Misc. Walter Ellis Cole, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 260, Misc. Willie Arthur Davis, petitioner, *v.* California. Petition for writ of certiorari to the Superior Court of California, County of Butte, denied.

No. 261, Misc. Alfred Jackson, petitioner, *v.* E. P. Perini, Superintendent, Marion Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 264, Misc. Calvin Manning, petitioner, *v.* Joseph R. Brierley. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 265, Misc. Harold Arredondo Ortiz, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 267, Misc. Samuel Moody, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 268, Misc. August Costanzo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 270, Misc. Rufus Marshall, Jr., et ux., petitioners, *v.* Southern Farm Bureau Casualty Co., et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 273, Misc. Robert Blackman, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 274, Misc. Robert E. Younglove, petitioner, *v.* Attorney General of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 275, **Misc.** Louis Ludwik Furtak, petitioner, *v.* Daniel J. McMann, Warden. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 276, **Misc.** Edward J. Pillis, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 277, **Misc.** Warfield Milo Goings, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 278, **Misc.** George G. Shifflett, petitioner, *v.* C. C. Peyton, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 279, **Misc.** Walter James Scott, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 281, **Misc.** Evelyn R. Marks, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 282, **Misc.** LeRoy Nash, petitioner, *v.* Frederick G. Reincke, Warden. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 283, **Misc.** David Daniel Cagnolatti, petitioner, *v.* California Adult Authority et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 285, **Misc.** Rufus Earl Davis, petitioner, *v.* Superintendent of California Medical Facility. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 286, **Misc.** Gary W. Oddy, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 291, **Misc.** Ray Arnold Pemberton, petitioner, *v.* Ohio. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 293, **Misc.** Frederick W. Copeland, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 295, **Misc.** William E. McGuire, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 297, **Misc.** Dolphin G. Thompson, petitioner, *v.* The Evening Star Newspaper Company. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 298, **Misc.** Lewis Walter Redd, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 301, **Misc.** Barbara Jean Reid, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 305, **Misc.** Donald J. Russo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 308, **Misc.** William H. Christman, petitioner, *v.* Gerald S. Leshner. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 309, **Misc.** John Wright, petitioner, *v.* Charles L. McKendrick, Warden. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 310, **Misc.** Arthur Harper, petitioner, *v.* H. E. Russell, Superintendent, State Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 311, **Misc.** Louis L. Furtak, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 313, **Misc.** Joe Garrison Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 315, **Misc.** Reuel W. Missmer, petitioner, *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 318, **Misc.** Bruce Pierce, petitioner, *v.* Wilbur Cohen, Secretary of Health, Education, and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 319, **Misc.** Virginia Kovic, petitioner, *v.* Department of Public Welfare, Florida. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 320, **Misc.** James McKean and Glenda McKean, petitioners, *v.* Carmae Corp., et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 321, **Misc.** Harry Rogers, petitioner, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 322, **Misc.** George Raymond Joerger, petitioner, *v.* Louie L. Wainwright, Director, Florida Division of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **323, Misc.** George B. Tunstall, petitioner, *v. Maryland*. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. **325, Misc.** Harbour Tower Development Corp., et al., petitioners, *v. A. D. Matheson et al.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **326, Misc.** Julius Maranze, petitioner, *v. William Terry, Bankrupt*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **327, Misc.** William F. Englehart, petitioner, *v. Massachusetts*. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. **328, Misc.** Octaviano Joseph Perez, petitioner, *v. Nebraska*. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. **331, Misc.** Kenneth Hines, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **332, Misc.** Ernest Tait, petitioner, *v. Ward Lane, Warden*. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **333, Misc.** Hutson Moore, petitioner, *v. New York*. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. **339, Misc.** Milton Jerome Willard, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **340, Misc.** Alton Oliver Anderson, Jr., petitioner, *v. Texas*. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. **341, Misc.** James Boston, petitioner, *v. California*. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. **342, Misc.** Donald Gene Boag, petitioner, *v. Walter E. Craven, Warden*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **344, Misc.** Manuel Vega Guerrero, petitioner, *v. Louis S. Nelson, Warden*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **345, Misc.** Oie Willoughby, petitioner, *v. Indiana*. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. **348, Misc.** Wally Shelby, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. **350, Misc.** Dennis Ball, petitioner, *v.* Harry E. Russell, Superintendent, State Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **351, Misc.** David John Haskett, petitioner, *v.* Marion County Criminal Court, Division One, et al. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. **352, Misc.** James Paul Gogley, Jr., petitioner, *v.* Virginia. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **355, Misc.** Theoplis F. Baker, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **356, Misc.** William H. Brown, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. **357, Misc.** Thomas Baker Barfield, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **358, Misc.** Harry Princeton Henderson, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. **360, Misc.** Herman Max Ruth, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **363, Misc.** Keith Wallace, petitioner, *v.* H. V. Field et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **364, Misc.** F. Leland Jones, petitioner, *v.* Fred B. Hulse, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **365, Misc.** Gustavo Lucio, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **366, Misc.** Gale William Nettles, petitioner, *v.* Illinois. Petition for writ of certiorari to the Circuit Court of Will County, Illinois, denied.

No. **368, Misc.** Robert Louis Williford, petitioner, *v.* J. T. Willingham, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 370, *Misc.* Joseph Nicholas Crisafi, petitioner, *v.* Arthur L. Oliver, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 371, *Misc.* Billy Eugene Dillon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 372, *Misc.* Richard Allen Hubbard, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 375, *Misc.* John Oraa Tucker, petitioner, *v.* Herbert J. Steffes, Circuit Judge, etc. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 378, *Misc.* Rushing Greer, petitioner, *v.* Frank J. Pate, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 382, *Misc.* Wilbur O. Morton, petitioner, *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 384, *Misc.* Emilio S. Garcia, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 385, *Misc.* Sidney Jenkins, petitioner, *v.* George A. Kropp, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 386, *Misc.* James Davis, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 388, *Misc.* Ralph Samuel Giles, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Eastern Division, denied.

No. 389, *Misc.* Henry Fred Garcia, petitioner, *v.* John W. Turner, Warden. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. 390, *Misc.* Arthur Eugene Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 392, *Misc.* Irving James Walcott, petitioner, *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 393, *Misc.* John A. Watts, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 396, *Misc.* Leon J. Lewis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 398, *Misc.* Leroy Wayne Earp, petitioner, *v.* Oregon. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 400, *Misc.* James Edward Black, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 401, *Misc.* Larry R. Williamson, petitioner, *v.* New Mexico. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 402, *Misc.* Donald Ray Hoskins, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 404, *Misc.* Jimmy Vaughn, Jr., petitioner, *v.* Mose Trujillo, Sheriff, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 406, *Misc.* Elmo Williams, petitioner, *v.* H. V. Field et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 407, *Misc.* Walter Fox, petitioner, *v.* Oregon. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 415, *Misc.* Dorthé Andrews et al., petitioners, *v.* Mercedes Maria Betancourt. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 426, *Misc.* Ralph C. Turner, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 445, *Misc.* Ernest H. Pritchett, Jr., petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 446, *Misc.* James Vienne, petitioner, *v.* Walter Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 447, *Misc.* Herman Magby, petitioner, *v.* Frank J. Pate, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 450, *Misc.* J. DeWitt Bowman, petitioner, *v.* First National Bank of Harrisonburg et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 452, *Misc.* Adrian Rosa, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 453, *Misc.* Hollis Morton, petitioner, *v.* Harry S. Avery, Commissioner, Department of Correction, Tennessee. Petition for writ of

certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **454, Misc.** Louis Toliver, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. **456, Misc.** Eldon Vernon Williams, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. **457, Misc.** Albert Michael Lucero, petitioner, *v.* Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. **461, Misc.** Harold Loman, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. **464, Misc.** Robert Charles Young and Edward Glen Williams, petitioners, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **465, Misc.** Arthur L. Frederick, petitioner, *v.* J. E. Baker, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **469, Misc.** Nathaniel Wade, petitioner, *v.* Howard Yeager, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **470, Misc.** Peter W. Macey, petitioner, *v.* Palmer C. Scafati, Superintendent, Massachusetts Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **471, Misc.** Jim Fair, petitioner, *v.* Tom Adams, Secretary of State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. **472, Misc.** Josh McDaniels, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **474, Misc.** Gary Edward Holstein, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. **476, Misc.** Rexford G. Cassidy, petitioner, *v.* Walter M. Riddles, City Sergeant, City of Danville, Virginia, Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **477, Misc.** Henry Grady Maddox, petitioner, *v.* New York. Petition for of certiorari to the Court of Appeals of New York denied.

No. **484, Misc.** Harry Levine et al., petitioners, *v.* Revlon, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 491, *Misc.* George W. Marcum, petitioner, *v.* Kentucky et al. Petition for writ of certiorari to the Court of Appeals for the Sixth Circuit denied.

No. 527, *Misc.* Ervin Hohensee and Richard Hohensee, petitioners, *v.* Lovell O. Minear. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 530, *Misc.* Daniel Biglow, petitioner, *v.* Louie Wainwright, Director, Florida Division of Corrections. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 538, *Misc.* L. Barbara Savely Swanson, petitioner, *v.* Millard L. Bridges, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 556, *Misc.* David McCorpen, petitioner, *v.* Central Gulf Steamship Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 582, *Misc.* Ralph C. Turner, petitioner, *v.* D. J. Sheehy. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 612, *Misc.* James Edward Washington, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 23, *Misc.* Kenneth Jordan, petitioner, *v.* Ohio et al. Petition for writ of certiorari to the Supreme Court of Ohio denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 55, *Misc.* Joe Allan Smoak, petitioner, *v.* California. Petition for writ of certiorari to the Superior Court of California, County of Orange, denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 61, *Misc.* Maynard Fred Edwards, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 64, *Misc.* Rollin Eugene Smith, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 98, *Misc.* Henry H. Banks, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 125, *Misc.* Herbert W. Boeckenhaupt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 263, *Misc.* Paul V. Winters, Jr., petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 306, *Misc.* Emmitt O. Hashfield, petitioner, *v.* Circuit Court of Monroe County, Indiana, et al. Petition for writ of certiorari to the Supreme Court of Indiana denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 83, *Misc.* Charles Griffith Wright, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, and for other relief, denied.

No. 96, *Misc.* Israel Schawartzberg, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 300, *Misc.* Frederick C. Fermin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 312, *Misc.* Lloyd Lucas, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 494, *Misc.* Julia Lee Charles, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 113, *Misc.* S. Leon Levy, petitioner, *v.* John W. Macy, Jr., et al. Motion to supplement record granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this motion and petition.

No. 121, *Misc.* Henry A. Vigliano, petitioner, *v.* John G. Thevos et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Brennan took no part in the consideration or decision of this petition.

No. 158, *Misc.* Lloyd Eldon Miller, Jr., petitioner, *v.* Frank J. Pate, Warden. Motion of Radio Station W-A-I-T (Chicago) et al., for leave to file brief, as *amici curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 338, *Misc.* Edward Andre Oquendo, petitioner, *v.* United States. Motion of Youth against War and Fascism for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

LEAVE TO FILE PETITIONS FOR WRITS OF CERTIORARI DENIED

No. 169, *Misc.* Clarence Eugene Wilson, petitioner, *v.* California; and

No. 594, *Misc.* Time, Inc. and Dan Jenkins, petitioners, *v.* Bon Air Hotel, Inc. Motions for leave to file petitions for writs of certiorari denied.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 105, *Misc.* Charles Allison, petitioner, *v.* Louis S. Nelson, Warden et al.;

No. 266, *Misc.* Brooks L. Chandler, petitioner, *v.* John W. Turner, Warden;

No. 272, *Misc.* Edward McCray, petitioner, *v.* J. T. Willingham, Warden;

No. 302, *Misc.* Phillip L. Pelletier, petitioner, *v.* Jacob J. Parker, Warden;

No. 346, *Misc.* Ruchell Magee, petitioner, *v.* Louis S. Nelson, Warden, et al.;

No. 347, *Misc.* Jessie J. Jones, petitioner, *v.* Harold W. Follette, Warden;

No. 353, *Misc.* Edward Frank Kanieski, petitioner, *v.* John C. Burke, Warden;

No. 367, *Misc.* Ex parte Jack Kamsler, petitioner;

No. 381, *Misc.* Starr L. Card, petitioner, *v.* George A. Kropp, Warden;

No. 419, *Misc.* Glen R. Holscher, petitioner, *v.* Jack G. Young, Warden;

No. 436, *Misc.* Edward Blake Taylor, petitioner, *v.* John C. Burke, Warden;

No. 451, *Misc.* Ottis Mayo Jones, petitioner, *v.* Olin G. Blackwell, Warden;

No. 501, *Misc.* Herman R. Hayman, petitioner, *v.* C. J. Fitzharris, Superintendent, California Training Facility;

No. 509, *Misc.* Orlanderous Roberts, petitioner, *v.* C. C. Peyton, Superintendent, Virginia State Penitentiary;

No. 511, *Misc.* Joseph Michael Lacaze et al., petitioners, *v.* Olin G. Blackwell, Warden;

No. 558, *Misc.* Willie J. Byrd, petitioner, *v.* Louis S. Nelson, Warden;

No. 579, *Misc.* Robert Edward William Cowling, petitioner, *v.* Walter E. Craven, Warden; and

No. 584, *Misc.* Edward Ward Owen, petitioner, *v.* Arkansas. Motions for leave to file petitions for writs of habeas corpus denied.

No. 11, *Misc.* Oscar Floyd Wharton, petitioner, *v.* Sherman H. Crouse, Warden. Motion for leave to file petition for writ of habeas corpus denied. The Chief Justice, Mr. Justice Black, Mr. Justice Brennan and Mr. Justice Stewart would transfer this case to the United States District Court under 28 U.S.C. 2241(b). *Peyton v Rowe*, 391 U.S. 54.

No. 296, *Misc.* J. B. Smith, petitioner, *v.* Carl G. Hoeker, Warden;

No. 316, *Misc.* Irwin W. Anderten, petitioner, *v.* Warden, South Dakota Penitentiary;

No. 334, *Misc.* Raymond Nielson, petitioner, *v.* Don R. Erickson, Warden;

No. 361, *Misc.* John Arthur Welsh, petitioner, *v.* L. S. Nelson, Warden;

No. 536, *Misc.* Ronald Arthur Fossum, petitioner, *v.* Jack D. Porter, Sheriff of King County, Washington; and

No. 576, *Misc.* John Arthur Welsh, petitioner, *v.* L. S. Nelson, Warden. Motions for leave to file petitions for writs of habeas corpus denied. Treating the papers submitted as petitions for writs of certiorari, certiorari is denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 200, *Misc.* Leroy Harshaw, petitioner, *v.* Theodore Levin, United States District Judge, etc.;

No. 205, *Misc.* Eusebius J. Biggs, petitioner, *v.* William Campbell, Judge, etc.; and

No. 526, *Misc.* Daniel Colchico et al., petitioners, *v.* William T. Sweigert, United States District Judge. Motions for leave to file petitions for writs of mandamus denied.

No. 140, *Misc.* Duncan Miller, petitioner, *v.* Stewart Udall et al. Motion for leave to file petition for writ of mandamus and/or prohibition denied.

No. 374, *Misc.* Z. T. Osborn, Jr., petitioner, *v.* Paul C. Weick, Chief Judge, et al. Motion for leave to file petition for writ of mandamus denied. Mr. Justice Marshall took no part in the consideration or decision of this motion.

LEAVE TO FILE PETITIONS FOR WRITS OF PROHIBITION DENIED

No. 448, Misc. Louis Ortega, petitioner, *v.* James Montante, Judge Circuit Court of Wayne County, Michigan; and

No. 532, Misc. Carl E. Anderson, petitioner, *v.* United States et al. Motions for leave to file petitions for writs of prohibition denied.

No. 516, Misc. American Pipe and Construction Co., petitioner, *v.* Martin Pence, United States District Judge. Motion for leave to file petition for writ of prohibition and/or mandamus denied.

REHEARINGS DENIED

No. 247, October Term, 1967. The Puyallup Tribe, etc. petitioner *v.* Department of Game of Washington et al.;

No. 405, October Term, 1967. Leroy Powell, appellant, *v.* Texas;

No. 508, October Term, 1967. Thelma Levy, etc., appellant, *v.* Louisiana, etc., et al.;

No. 639, October Term, 1967. Minnie Brade Glona, petitioner, *v.* American Guarantee & Liability Insurance Company et al.;

No. 765, October Term, 1967. Russel Milton Wills, petitioner, *v.* United States;

No. 941, October Term, 1967. Frank Anthony Carcerano, petitioner, *v.* Clarence T. Gladden, Warden;

No. 1015, October Term, 1967. William C. Witherspoon, petitioner, *v.* Illinois et al.;

No. 1076, October Term, 1967. Ernest C. Pickens, petitioner, *v.* Arthur L. Oliver, Warden;

No. 1178, October Term, 1967. Edward Franzen, petitioner, *v.* The Township of Elk et al.;

No. 1245, October Term, 1967. In the Matter of Disciplinary Proceedings against Loring J. Whiteside, petitioner;

No. 1255, October Term, 1967. Reuben L. Jones, appellant, *v.* Louisiana;

No. 1261, October Term, 1967. Lewis P. Goldman, appellant, *v.* New York;

No. 1289, October Term, 1967. Garland Claude Cochran and Jack Donald Evans, petitioners, *v.* United States;

No. 1319, October Term, 1967. William P. Hagerty, petitioner, *v.* Louisiana;

No. 1330, October Term, 1967. Sherman H. Skolnick, and Peter S. Sarelas, appellants, *v.* Walter H. Moses et al.;

No. 1343, October Term, 1967. Thelbert Earl O'Kelley and Eugene Thurman Landers, Jr., petitioners, *v.* California; and

No. 1452, **October Term, 1967.** John J. Scarselletti, petitioner, *v.* Aetna Casualty & Surety Company. Petitions for rehearing denied.

No. 469, **October Term, 1962.** United States for the use and benefit of Henry J. Larkin, etc., petitioner, *v.* Platt Contracting Co., Inc., et al. Motion for leave to file petition for rehearing denied. Mr. Justice Fortas and Mr. Justice Marshall took no part in the consideration or decision of this motion.

No. 23, **October Term, 1967.** First National Bank of Arizona, petitioner, *v.* Cities Service Co. Petition for rehearing denied. Mr. Justice Douglas took no part in the consideration or decision of this petition.

No. 232, **October Term, 1967.** United States, petitioner, *v.* David Paul O'Brien; and

No. 233, **October Term, 1967.** David Paul O'Brien, petitioner, *v.* United States;

No. 335, **October Term, 1967.** The Hanover Shoe, Inc., petitioner *v.* United Shoe Machinery Corporation; and

No. 463, **October Term, 1967.** United Shoe Machinery Corporation, petitioner, *v.* The Hanover Shoe, Inc.;

No. 857, **October Term, 1967.** James Miller, a/k/a Frank James Coppola, petitioner, *v.* United States;

No. 974, **October Term, 1967.** In the Matter of Diana Kearny Powell, petitioner;

No. 1200, **October Term, 1967.** Diana Kearny Powell, petitioner, *v.* Committee on Admissions and Grievances of the United States District Court for the District of Columbia;

No. 1364, **October Term, 1967.** Commissioner of Internal Revenue, petitioner, *v.* Sugar Daddy, Inc., et al.; and

No. 1389, **October Term, 1967.** Adolph Weinberg et ux., petitioners, *v.* Commissioner of Internal Revenue. Petitions for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of these petitions.

No. 309, **October Term, 1967.** American Federation of Musicians of the United States and Canada, et al., petitioners, *v.* Joseph Carroll et al.; and

No. 310, **October Term, 1967.** Joseph Carroll et al., petitioners, *v.* American Federation of Musicians of the United States and Canada et al. Petition for rehearing denied. The Chief Justice and Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 618, **October Term, 1967.** Fortnightly Corporation, petitioner, *v.* United Artists Television, Inc. Motion of the Authors League of America, Inc., for leave to file brief, as *amicus curiae*, in support of rehearing granted. Petition for rehearing denied. Mr. Justice Dou-

glas, Mr. Justice Harlan and Mr. Justice Marshall took no part in the consideration or decision of this motion and petition.

No. 788, October Term, 1967. James D. McCollough, petitioner, *v.* The Travelers Insurance Company, et al.;

No. 877, October Term, 1967. Andrew Nicholson, petitioner, *v.* C. D. Calbeck, Deputy Commissioner, et al.; and

No. 1017, October Term, 1967. John Houser, petitioner, *v.* J. J. O'Leary, Deputy Commissioner, Fourteenth Compensation District, et al.; and

No. 1369, October Term, 1967. Arthur Sonderegger, petitioner, *v.* Olive Heiss. Motions for leave to file petitions for rehearing denied.

No. 1269, October Term, 1967. Central Bank and Trust Company, appellant, *v.* United States et al.; and

No. 1270, October Term, 1967. Dages I. Boyle, appellant, *v.* United States et al. Petitions for rehearing denied. Mr. Justice Fortas took no part in the consideration or decision of these petitions.

No. 1377, October Term, 1967. Nathan Wechsler et al., petitioners, *v.* United States. Motion for leave to file supplement to petition for rehearing granted. Petition for rehearing denied.

No. 501, Misc., October Term, 1967. Lewis G. Robinson, petitioner *v.* Civil Service Commission, City of Cleveland, Ohio;

No. 920, Misc., October Term, 1967. Carl Houston Roberts, petitioner, *v.* Lake F. Russell, Warden;

No. 969, Misc., October Term, 1967. Frank Wolff, petitioner, *v.* Jay Foley;

No. 1030, Misc., October Term, 1967. Leon E. West, petitioner, *v.* Daniel McMann, Warden;

No. 1198, Misc., October Term, 1967. George Willie Hobbs, petitioner, *v.* Max P. Frye, Warden;

No. 1224, Misc., October Term, 1967. Clifford Darrell Carroll, petitioner, *v.* Texas;

No. 1262, Misc., October Term, 1967. Saul Kozuck et ux., petitioners, *v.* Lal Construction Company;

No. 1309, Misc., October Term, 1967. Edward Hodge, petitioner, *v.* Tennessee;

No. 1363, Misc., October Term, 1967. Jose Becera-Soto, petitioner, *v.* United States;

No. 1401, Misc., October Term, 1967. Doss Jackson, Jr., petitioner, *v.* United States;

No. 1447, Misc., October Term, 1967. Robert Watson, petitioner, *v.* Common Pleas Court of Philadelphia, Pa., et al.;

No. 1482, Misc., October Term, 1967. Abner Siegal, petitioner, *v.* United States;

No. 1494, Misc., October Term, 1967. Travis T. Perkins, petitioner, *v.* United States;

No. 1571, Misc., October Term, 1967. William McNeill, petitioner, *v.* John P. Garrity, Warden;

No. 1637, Misc., October Term, 1967. N. K. Fields, appellant, *v.* Department of Social Welfare;

No. 1646, Misc., October Term, 1967. William Randolph Cinnamon, petitioner, *v.* Kentucky;

No. 1653, Misc., October Term, 1967. Robert Jewell Landman, Sr., petitioner, *v.* C. C. Peyton, Superintendent, Virginia State Penitentiary;

No. 1674, Misc., October Term, 1967. Eusebius J. Biggs, petitioner, *v.* United States;

No. 1675, Misc., October Term, 1967. Eusebius J. Biggs, petitioner, *v.* William G. Campbell, etc.; and

No. 1854, Misc., October Term, 1967. Eusebius J. Biggs, petitioner, *v.* John Does et al.;

No. 1861, Misc., October Term, 1967. Lester E. Morford, III, petitioner, *v.* Carl Hocker, Warden; and

No. 1875, Misc., October Term, 1967. Claude Harris, petitioner, *v.* B. J. Rhay, Superintendent, Washington State Penitentiary. Petitions for rehearing denied.

No. 548, Misc., October Term, 1967. Jack Lloyd McCarty and John Boyd, petitioners, *v.* Kansas. Petition for rehearing by petitioner, McCarty, denied.

No. 883, Misc., October Term, 1967. Ray Elbert Parker, petitioner, *v.* Maryland et al. Motion for leave to file second petition for rehearing denied.

No. 1550, Misc., October Term, 1967. Freda Clark, petitioner, *v.* Catherine Payne. Motion of Lewis Clark for leave to file brief, as *amicus curiae*, in support of rehearing granted. Petition for rehearing denied.

No. 1579, Misc., October Term, 1967. Richard Silva, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Motion for leave to file petition for rehearing denied.

ORAL ARGUMENT

No. 133, October Term, 1967. Willie Israel Alderman et al., petitioners, *v.* United States. Reargued by Mr. Solicitor General Griswold for the respondent and by Mr. Edward Bennett Williams for the petitioners.

No. 11. Igor A. Ivanov, petitioner, *v.* United States. Argued by Mr. Edward Bennett Williams for the petitioner and by Mr. Solicitor General Griswold for the respondent.

No. 197. John William Butenko, petitioner, *v.* United States. Argued by Mr. Charles Danzig for the petitioner and by Mr. Solicitor General Griswold for the respondent.

No. 9, **Original**. United States of America, plaintiff, *v.* State of Louisiana et al. Three hours allowed for oral argument. Argument commenced by Mr. Victor A. Sachse for the defendants and continued by Mr. J. B. Miller for the defendants.

Adjourned until tomorrow at 10 o'clock.

The day call for Tuesday, October 15, 1968, will be as follows: Nos. 9, **Orig.**, 3, and 25 (26 and 36).

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Leon H. Sorell, of San Francisco, Calif., Simon Spill, of Biddeford, Me., Robert James Pape, of Rockville Centre, N.Y., John M. Farrell, Jr., of Manhasset, N.Y., Marcus F. Clark, of Lebanon, Ohio, P. Daniel Fedders, of Franklin, Ohio, and William Warnock Gibbs, of Miami, Fla., on motion of Mr. Louis Fenner Claiborne; Anthony Michael Summers, of Los Angeles, Calif., and Stuart H. Swett, of Coronado, Calif., on motion of Mr. Thomas H. Kuchel; Maynard Garrison, of San Francisco, Calif., and Maynard Garrison, Jr., of San Francisco, Calif., on motion of Mr. George Hughes Revercomb; Alan Friend Rothschild, of Columbus, Ga., on motion of Mr. William W. Koontz; Newton S. Friedman, of Duluth, Minn., on motion of Mr. Lawrence Speiser; Luther Edward Creel, Jr., of Athens, Ala., on motion of Mr. Walter R. Johnson; Robert Loring Dolbeare, of Richmond, Va., on motion of Mr. Lewis T. Booker, Jr.; Ronald J. Buttarazzi, of Rochester, N.Y., on motion of Mr. Irwin Goldbloom; Claude R. Miller, of Dallas, Tex., on motion of Mr. Francis A. Keegan; James Ralph Curto, of San Diego, Calif., on motion of Mr. Michael Arthur Brown; Robert Bruce Lacey, of Detroit, Mich., and Ellis Robert Whinham, Jr., of Detroit, Mich., on motion of Mr. Lawrence G. Meyer; Robert Allan Rozen, of Miami, Fla., on motion of Mr. Harold Franklin McCart, Jr.; James J. Oppen, of Santa Barbara, Calif., on motion of Mr. Willard M. Hanger; Mario G. Obledo, of San Antonio, Tex., on motion of Mr. Jack Greenberg; Elliott C. Lichtman, of Washington, D.C., on motion of Mr. Arnold Georges Derfner; Barry Arthur Zaslav, of Silver Spring, Md., on motion of Mr. Leonard Blondes; William A. Runyan, of Akron, Ohio, on motion of Mr. Frederick Sass, Jr.; and Ronald Lee Aylward, of St. Louis, Mo., and Richard Henderson Ely, of St. Louis, Mo., on motion of Mr. John Egan Shea, were admitted to practice.

ORAL ARGUMENT

No. 9, Original. United States of America, plaintiff, *v.* State of Louisiana et al. Argument continued by Mr. J. B. Miller for the defendants, by Mr. Archibald Cox for the plaintiff, and concluded by Mr. Victor A. Sachse for the defendants.

No. 3. Richard Allen et al., appellants, *v.* State Board of Elections et al. Argued by Mr. Norman C. Amaker for the appellants and by Mr. R. D. McIllwaine, III, for the appellees.

OPINION

No. 543. Glen A. Williams et al., appellants, *v.* James A. Rhodes et al.; and

No. 544. Socialist Labor Party et al., appellants, *v.* James A. Rhodes et al. Appeals from the United States District Court for the Southern District of Ohio. Judgment affirmed in No. 544. Judgment modified in No. 543 to grant the Independent Party the right to have its name printed on the ballot. Opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Douglas. Opinion by Mr. Justice Harlan concurring in the result. Opinion by Mr. Justice White dissenting in No. 543 and concurring in No. 544. Dissenting opinion by Mr. Justice Stewart in No. 543, who concurs in the judgment in No. 544 insofar as it denies equitable relief to the appellants. Dissenting opinion by Mr. Chief Justice Warren.

Adjourned until tomorrow at 10 o'clock.

The day call for Wednesday, October 16, 1968, will be as follows:
Nos. 25 (26 and 36), 7, and 8.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Harry M. Sterling, of Denver, Colo., on motion of Mr. Louis Fenner Claiborne; Joe H. Eidson, of Fort Worth, Tex., on motion of Mr. William E. Foley; Perry D. Loomer, Jr., of Dallas, Tex., Thomas E. Flynn, of Washington, D.C., and Charles E. Brown II, of Gainesville, Mo., on motion of Mr. Harold W. Gardner; David M. Jenkins II, of Washington, D.C., on motion of Mr. Earl G. Spiker; George Browning III, of Washington, D.C., and Gary Raymond Eliassen, of Washington, D.C., on motion of Mr. Kenneth A. Pels; Karl A. Limbach, of San Francisco, Calif., on motion of Mr. James Lawrence Dooley; John D. Lawyer, of Denver, Colo., on motion of Mr. Terrence Sheehy; Herman Miller, of Washington, D.C., on motion of Mr. Raphael G. Urciolo; Thomas H. Link, of Akron, Ohio, on motion of Mr. Francis C. Browne; Walter Love Stratton, of Greenwich, Conn., on motion of Mr. Andrew J. Kilcarr; Michael R. Pizziferri, of Brighton, Mass., and Joseph A. Todisco, of Natick, Mass., on motion of Mr. Peter F. Hines; and Thomas G. Dignan, Jr., of Boston, Mass., on motion of Mr. Leon E. Irish, were admitted to practice.

ORDERS IN PENDING CASES

No. —. John P. McAbee et al., petitioners, *v.* Eugene Martinez et al. The application for injunctive relief presented to the Chief Justice, and by him referred to the Court, is denied.

No. —. David Quinn Cavagnaro, petitioner, *v.* Ramsey Clark, Attorney General, et al.; and

No. **889**, *Misc.* Mark Paulekas, petitioner, *v.* Ramsey Clark, Attorney General, et al. These applications for stays, made to Mr. Justice Douglas, were submitted by him to the Court and denied by it. Mr. Justice Douglas, Mr. Justice Harlan, and Mr. Justice Stewart would grant the stays.

ORAL ARGUMENT

No. **25**. J. C. Fairley et al., appellants *v.* Joe T. Patterson et al.;

No. **26**. Charles E. Bunton et al., appellants, *v.* Joe T. Patterson et al.; and

No. 36. Clifton Whitley et al., appellants, *v.* John Bell Williams, Governor of Mississippi, et al. Three hours allowed for oral argument. Argued by Mr. Armand Derfner and Mr. Elliott C. Lichtman for the appellants, by Mr. Stephen J. Pollak for the United States, as *amicus curiae*, by special leave of Court, and by Mr. William A. Allain and Mr. Will S. Wells for the appellees. Memorandum from Solicitor General to come.

No. 7. Susan Epperson et al., appellants, *v.* Arkansas. Argued by Mr. Eugene R. Warren for the appellants and by Mr. Don Langston for the appellee.

No. 8. William Spinelli, petitioner, *v.* United States. Leave granted Mr. Joseph J. Connolly to appear and present oral argument for the respondent, *pro hac vice*, on motion of Mr. Daniel M. Friedman. Argument commenced by Mr. Irl B. Baris for the petitioner.

Adjourned until tomorrow at 10 o'clock.

The day call for Thursday, October 17, 1968, will be as follows: Nos. 8, 10, 13 (and 15), and 5.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Marcel B. Poché, of San Jose, Calif., Ian Richard Ruman, of Los Angeles, Calif., and Charles L. Ruffner, of Maimi, Fla., on motion of Mr. Daniel M. Friedman; Eleanor Holmes Norton, of Philadelphia, Pa., on motion of Judge A. Leon Higginbotham, Jr.; Emanuel Francis Abbate, of New York, N.Y., and Emil V. Pilz, of New York, N.Y., on motion of Mr. George Foster Mackey; John Hughes Verchot, of Washington, D.C., on motion of Mr. Irving L. Chasen; Thomas Graham, Jr., of New York, N.Y., on motion of Mr. Calvin Davison; Lewis Weinstock, of Philadelphia, Pa., on motion of Mr. James M. Marsh; Edward William Brown, of San Jose, Calif., on motion of Mr. Maurice H. Klitzman; Albert H. Blumenthal, of New York, N.Y., on motion of Mr. David T. Goldstick; William Paul Jackson, Jr., of Washington, D.C., on motion of Mr. Martin Sterenbuch; and Sherrill William Colvin, of Fort Wayne, Ind., on motion of Mr. William D. Matthews, were admitted to practice.

ORAL ARGUMENT

No. 8. William Spinelli, petitioner, *v.* United States. Argument continued by Mr. Irl B. Baris for the petitioner, by Mr. Joseph J. Connolly for the respondent, *pro hac vice*, by special leave of Court, and concluded by Mr. Irl B. Baris for the petitioner.

No. 10. WHYY, Inc., appellant, *v.* Borough of Glassboro et al. Argued by Mr. James M. Marsh for the appellant and by Mr. John W. Trimble for the appellees.

No. 13. The Baltimore and Ohio Railroad Company et al., appellants, *v.* Aberdeen and Rockfish Railroad Company et al.; and

No. 15. Interstate Commerce Commission, appellant, *v.* Aberdeen and Rockfish Railroad Company et al. Argued by Mr. Edward A. Kaier and Mr. Arthur J. Cerra for the appellants and by Mr. Carl E. Sanders and Mr. Howard J. Trienens for the appellees.

Adjourned until tomorrow at 9 o'clock.

The day call for Friday, October 18, 1968, will be as follows: No. 647.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Robert P. Schwenn, of Huntsville, Ala., and Rober F. Boulton, Jr., of Atlanta, Ga., on motion of Mr. Charles Morgan, Jr., were admitted to practice.

ORAL ARGUMENT

No. 647. Sallie M. Hadnott et al., appellants, *v.* Mabel S. Amos, etc., et al. Argued by Mr. Charles Morgan, Jr., for the appellants and by Mr. L. Drew Redden for the appellees.

Adjourned until Monday, October 21, 1968, at 10 o'clock.

The day call for Monday, October 21, 1968, will be as follows: Nos. 5, 6, 19, and 16 (and 18).

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ORDER IN PENDING CASE

No. 647. Sallie M. Hadnott et al., appellants, *v.* Mabel S. Amos, etc. et al. The order entered October 14, 1968, restoring temporary relief is continued pending action upon the jurisdictional statement which has been filed. The motion to advance and expedite is denied. Opinion by Mr. Justice Harlan, concurring in part and dissenting in part. Mr. Justice Stewart and Mr. Justice White dissent from the continuance of the order restoring temporary relief. Mr. Justice Black took no part in the consideration or decision of this matter.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSION TO THE BAR

Fred C. Dodge, of Oakland, Calif., P. J. Carroll, of Miami, Fla., Benjamin E. Franklin, of Kansas City, Kans., Ernest A. Carabillo, Jr., of New York, N.Y., Lawrence S. Greenwald, of Beltsville, Md., and Albert Bahcall, of Milwaukee, Wisc., on motion of Mr. Solicitor General Erwin N. Griswold; Barry H. Singer, of Scarsdale, N.Y., on motion of Mr. Erwin L. Weisl, Jr.; Jonathan S. Cohen, of Alexandria, Va., on motion of Mr. Daniel M. Friedman; Wayne S. Bishop, of Bethesda, Md., on motion of Mr. Norton J. Come; Kenneth L. Anderson, of Louisville, Ky., and A. Scott Hamilton, Jr., of Louisville, Ky., on motion of Miss Margaret H. Brass; James Richard Beek, of Ann Arbor, Mich., on motion of Mr. Daniel A. Rezneck; William F. Reynard, of Denver, Colo., on motion of Mr. Lawrence Speiser; John Cornelius Bomar, of Shelbyville, Tenn., John Christopher Shofner, of Shelbyville, Tenn., James Lafayette Bomar, Jr., of Shelbyville, Tenn., and Jack Middleton Irion, of Shelbyville, Tenn., on motion of Mr. Norman A. Flaningam; Overton Anderson Currie, of Atlanta, Ga., and Edward Hornsby Wasson, Jr., of Atlanta, Ga., on motion of Mr. Henry B. Keiser; Wade M. Smith, of Raleigh, N.C., and James Harold Tharrington, of Raleigh, N.C., on motion of Mr. J. C. B. Ehringhaus, Jr.; Wade Hampton Hargrove, Jr., of Raleigh, N.C., on motion of Mr. Richard Hildreth; Joseph M. Butler, of Rapid City, S. Dak., and Thomas H. Foye, of Rapid City, S. Dak., on motion of Mr. Raymond W. Bergan; Vincent Edgar Odgers, of Tucson, Ariz., on motion of Mr. James H. Mann; and Estelle A. Fishbein, of Baltimore, Md., Anthony Morris Carey, of Baltimore, Md., Thomas A. Garland, of Baltimore, Md., George William Liebmann, of Baltimore, Md., Alfred James O'Ferrall, III, of Baltimore, Md., and S. Leonard Rottman, of Baltimore, Md., on motion of Mr. Robert Francis Sweeney, were admitted to practice.

The Chief Justice said:

“The orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally.”

OPINION PER CURIAM

No. 195. Chemical Tank Lines, Inc., appellant, *v.* Edward W. Holstine. Appeal from the Supreme Court of Appeals of West Virginia. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*. Mr. Justice Black dissents.

No. 206. Continental Oil Company, appellant, *v.* United States. Appeal from the United States District Court for the District of New Mexico. The judgment is affirmed. Opinion *per curiam*. Mr. Justice Harlan, believing that the case involves issues of fact and law which should not be decided without plenary consideration, would note probable jurisdiction and set the case for argument. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 247. Federal Power Commission, petitioner, *v.* United Gas Pipe Line Company; and

No. 248. Memphis Light, Gas and Water Division, petitioner, *v.* United Gas Pipe Line Company. On petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit. Motion in No. 247 to use record in Nos. 127 and 128, October Term, 1966, granted. Petitions for writs of certiorari granted, judgment reversed, and cases remanded to the Court of Appeals with instructions to return case to the Commission for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*. Mr. Justice Fortas and Mr. Justice Marshall took no part in the consideration or decision of these cases.

No. 279. V. Lee Bounds, Warden, petitioner, *v.* Marion Frank Crawford. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Witherspoon v. Illinois*, 391 U.S. 510, and for consideration of the other constitutional questions raised in the case. Opinion *per curiam*. Mr. Justice Black dissents.

No. 352. In re Robert W. Hagopian, appellant. Appeal from the Supreme Judicial Court of Massachusetts. The motion for leave to file an amended jurisdictional statement is granted. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 364. Mary Lee Lake et vir, appellants, *v.* Potomac Light and Power Company. Appeal from the Supreme Court of Appeals of West Virginia. The appeal is dismissed for want of jurisdiction. Treating

the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 379. International Terminal Operating Co., Inc., petitioner, v. N. V. Nederl. Amerik Stoomv. Maats. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Petition for writ of certiorari granted, judgment reversed, and case remanded to the United States District Court for the Middle District of Pennsylvania for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*.

No. 380. Andrew Dymytryshyn et al., appellants, v. P. A. Esperdy, District Director of the New York District of the Immigration and Naturalization Service. Appeal from the United States District Court for the Southern District of New York. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 17, **Original**. State of Nebraska, plaintiff, v. State of Iowa.

IT IS ORDERED that the Honorable Joseph P. Willson, Senior Judge of the United States District Court for the Western District of Pennsylvania, be, and he is hereby appointed Special Master in this case in the place of the Honorable Charles J. Vogel, Resigned. The Special Master shall have authority to fix the time and conditions for the filing of additional pleadings and to direct subsequent proceedings, and authority to summon witnesses, issue subpoenas, and take such evidence as they may be introduced and such as he may deem it necessary to call for. The master is directed to submit such reports as he may deem appropriate.

The master shall be allowed his actual expenses. The allowances to him, the compensation paid to his technical, stenographic, and clerical assistants, the cost of printing his report, and all other proper expenses shall be charged against and be borne by the parties in such proportion as the Court hereafter may direct.

IT IS FURTHER ORDERED that if the position of Special Master in this case becomes vacant during a recess of the Court, the Chief Justice shall have authority to make a new designation which shall have the same effect as if originally made by the Court herein.

No. 40. William Joe Johnson, petitioner, v. Harry S. Avery, Commissioner of Correction; et al. The motion of the American Civil Liberties Union et al., for leave to file a brief, as *amici curiae*, is granted.

APPEALS—JURISDICTION NOTED

No. 243. Citizen Publishing Company et al., appellants, v. United States. Appeal from the United States District Court for the

District of Arizona. In this case probable jurisdiction is noted and the case is placed on the summary calendar. Mr. Justice Fortas took no part in the consideration or decision of this case.

No. **366**. United States, appellant, *v.* Henry Preston Covington. Appeal from the United States District Court for the Southern District of Ohio. In this case probable jurisdiction is noted. Case placed on the summary calendar and set for oral argument immediately following No. **65**.

CERTIORARI GRANTED

No. **109**. Margaret E. Snyder, petitioner, *v.* Charles Harris and Earl Kirchoff. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted and case placed on the summary calendar.

No. **343**. United States, petitioner, *v.* An Article of Drug * * * Bacto-Unidisk * * *. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted and case placed on the summary calendar.

No. **117**. The Gas Service Company, petitioner, *v.* Otto R. Coburn, etc. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted. Case placed on the summary calendar and set for oral argument immediately following No. **109**.

No. **297**. Immigration and Naturalization Service, petitioner, *v.* Veljko Stansic. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted and case placed on the summary calendar.

No. **43, Misc.** Fred Banks, petitioner, *v.* California. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Court of Appeal of California, First Appellate District, granted. Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI DENIED

No. **80**. Emmett Canard et al., petitioners, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **146**. Nicholas Gallicchio, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. **166**. Joseph Rinaldi, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **282**. National Plan, Inc., et al., petitioners, *v.* Church of Christ of Ecorse, Michigan, et al.; and

No. 391. Church of Christ of Ecorse, Michigan, et al., petitioners, *v.* National Plan, Inc., et al. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 305. Stanley Westreich, petitioner, *v.* Walter P. McFarland. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 307. James Edmund Brady, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 315. Mason Hoffenberg, petitioner, *v.* Abraham L. Kaminstein, Register of Copyrights. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 329. William G. Brakefield, petitioner, *v.* Walter P. McFarland. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 338. N. Alfred Winn, petitioner, *v.* The Florida Bar. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 347. American Life and Accident Insurance Company of Kentucky, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 356. Oil, Chemical and Atomic Workers International Union, Long Beach Local No. 1-128, petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 360. J. Sterling Halstead, petitioner, *v.* Refined Syrups & Sugars, Inc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 368. Association on Broadcasting Standards, Inc., et al., petitioners, *v.* Federal Communications Commission and United States;

No. 369. The King's Garden, Inc., petitioner, *v.* Federal Communications Commission and United States; and

No. 390. WBEN, Inc., petitioner, *v.* Federal Communications Commission and United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 374. James A. Totton, dba Totton and Dunn Company, petitioner, *v.* Local 43 of United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada. Petition for writ of certiorari to the United States Court of Appeal for the Sixth Circuit denied.

No. **382**. Estelle Latta, petitioner, *v.* Wells Fargo Bank et al. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. **330**. Charles Conley Lynch et al., petitioners, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied. Mr. Justice Black dissents.

No. **378**. Delaware Valley Conservation Association et al., petitioners, *v.* Stanley R. Resor, Individually and as Secretary of the Department of the Army, et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **50, Misc.** George Wm. Daegele, petitioner, *v.* Sherman H. Crouse, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **75, Misc.** Richard Arland Taylor, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. **289, Misc.** Phillip Shorey, petitioner, *v.* Warden, Maryland Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **418, Misc.** John Wellington Johnson, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. **420, Misc.** Walter Williams, petitioner, *v.* Walter E. Craven, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **421, Misc.** James M. Fletcher, petitioner, *v.* California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **424, Misc.** M. A. Steinhardt, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied.

No. **432, Misc.** Ben Lee Brown, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. **433, Misc.** Joe Montanez Ray, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **434, Misc.** Robert O. Gilmore, Jr., petitioner, *v.* California Adult Authority et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 435, *Misc.* Rush O. Nichols, petitioner, *v.* Ray H. Page, Warden, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 439, *Misc.* Cleon Robbins, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 468, *Misc.* Charles Edward Townsend, petitioner, *v.* City of Helena, Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied

No. 488, *Misc.* Robert Montague, petitioner, *v.* B. J. Rhay, Superintendent, Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 489, *Misc.* Donald Corn, petitioner, *v.* Oklahoma et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 492, *Misc.* Paul Arnold, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 493, *Misc.* Sheldon A. Dorian, petitioner, *v.* James F. Maroney, Superintendent, State Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 496, *Misc.* Robert E. Pierce, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 504, *Misc.* Vernon L. Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 510, *Misc.* Louis L. Furtak, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 514, *Misc.* Santiago Torres Melendez, petitioner, *v.* Lawrence E. Wilson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 517, *Misc.* James William Collins, petitioner, *v.* Louis S. Nelson, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 518, *Misc.* William Leighton McDonough, petitioner, *v.* Director, Patuxent Institution. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 519, *Misc.* Jim Fair, petitioner, *v.* Anthony Schleman Tax Collector et al. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 523, *Misc.* Tony Valdez, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 539, *Misc.* Robert F. Urbano, petitioner, *v.* Wenda Davis Sondern, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 544, *Misc.* Joel D. Hankins et al., petitioners, *v.* Matthew A. Kane, etc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 549, *Misc.* Frederick C. Fermin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 551, *Misc.* Paul Nathaniel Hall, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 574, *Misc.* Junius Gregory, petitioner, *v.* Joe Louis Waller. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 588, *Misc.* Emmet Walter Wendt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 623, *Misc.* Robert Allen Ray, petitioner, *v.* United States District Court, Middle District of Pennsylvania. Petition for writ of certiorari to the United States of Appeals for the Third Circuit denied.

No. 633, *Misc.* George C. Desmond, petitioner, *v.* United States Board of Parole. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 641, *Misc.* Kenneth Ronald Graves, petitioner, *v.* Nevada. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 648, *Misc.* Thomas Edward Kayser and Ronald Mathes, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 156, *Misc.* Herbert A. Ellenbogen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 583, *Misc.* Charles I. Spiesel, petitioner, *v.* Allan Roos et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 217, Misc. James O'Hear Sanders et al., petitioners, *v.* Griffin B. Bell, etc., et al.; and

No. 463, Misc. Jack A. Gullo, petitioner, *v.* District of Columbia Court of General Sessions, Domestic Relations Branch, et al. Motions for leave to file petitions for writs of mandamus denied.

REHEARINGS DENIED

No. 569, Misc., October Term, 1966. Thomas Griffin, petitioner, *v.* Edward J. Hendrick, Superintendent of County Prisons. Motion for leave to file petition for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of this motion.

No. 636, Misc., October Term, 1967. E'Thelbert Rucker, petitioner, *v.* Donn D. Parker, et al. Motion for leave to file a second petition for rehearing denied.

RECESS ORDER

The Court will take a recess from Monday, October 28, 1968, until Tuesday, November 12, 1968.

ORAL ARGUMENT

No. 5. Sidney Street, appellant, *v.* New York. Argued by Mr. David T. Goldstick for the appellant and by Mr. Harry Brodbar for the appellee.

No. 6. Joseph Carroll et al., petitioners, *v.* The President and Commissioners of Princess Anne et al. Argued by Mrs. Eleanor H. Norton and Mr. William H. Zinman for the petitioners and by Mr. S. Leonard Rottman and Mr. Alexander G. Jones for the respondents.

No. 19. Universal Interpretive Shuttle Corporation, petitioner, *v.* Washington Metropolitan Area Transit Commission et al. One hour and forty minutes allowed for oral argument. Argument commenced by Mr. Jeffrey L. Nagin for the petitioner and continued by Mr. Clyde O. Martz for the United States, as *amicus curiae*, by special leave of Court, and by Mr. Russell W. Cunningham for the respondents.

Adjourned until tomorrow at 10 o'clock.

The day call for Tuesday, October 22, 1968, will be as follows: Nos. 19, 16 (and 18), 14, 17, and 20.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Elizabeth A. Helfrich, of Salinas, Calif., James K. Batchelor, of Fullerton, Calif., and Mark Owens, Jr., of Berkeley, Calif., on motion of Mr. Clyde O. Martz; William Alan Fawcett, of Washington, D.C., Robert Vaughn Bullock, of Alexandria, Va., Marvin J. Morrison, of St. Paul, Minn., and Guy E. Matthews, of Houston, Tex., on motion of Mr. James McI. Henderson; Alfred L. Wolff, of Fort Atkinson, Wisc., on motion of Mr. Marion Albert Figinski; Kent Sandidge, III, of Nashville, Tenn., on motion of Mr. Philip Silverman; Wilfred Grifka, of Altadena, Calif., and John Helms Warden, of Rowland Heights, Calif., on motion of Mr. Philip Travis; William C. Cahill, of Phoenix, Ariz., and William H. Drummond, of Phoenix, Ariz., on motion of Mr. Eric P. Schellin; Ernest William Hays, of Silver Spring, Md., on motion of Mr. Wilson M. Matthews; Douglas Vernon Rigler, of Bethesda, Md., on motion of Mr. Ephraim Jacobs; Jorge Luis Ortiz-Viera, of San Juan, P.R., on motion of Mr. Victor A. Altman; and Frederico Ramirez-Ros, of San Juan, P.R., on motion of Mr. Overton Anderson Currie, were admitted to practice.

ORAL ARGUMENT

No. 19. Universal Interpretive Shuttle Corporation, petitioner, *v.* Washington Metropolitan Area Transit Commission, et al. Argument continued by Mr. Russel W. Cunningham and Mr. Manuel J. Davis for the respondents and concluded by Mr. Clyde O. Martz for the United States, as *amicus curiae*, by special leave of Court.

No. 16. Brotherhood of Locomotive Firemen and Enginemen et al., appellants, *v.* Chicago, Rock Island and Pacific Railroad Company et al.; and

No. 18. Robert N. Hardin, Prosecuting Attorney for the Seventh Judicial Circuit of Arkansas, et al., appellants, *v.* Chicago, Rock Island and Pacific Railroad Company et al. One and one-half hours allowed for oral argument. Argued by Mr. James E. Youngdahl and Mr. Leslie Evitts for the appellants and by Mr. Robert V. Light and Mr. Martin M. Lucente for the appellees.

No. 14. Commonwealth Coatings Corporation, petitioner, *v.* Continental Casualty Company et al. Argued by Emanuel Harris for the petitioner and by Mr. Overton A. Currie for the respondents.

No. 17. United States, petitioner, *v.* The Donruss Company. Argument commenced by Mr. Mitchell Rogovin for the petitioner and continued by Mr. Richard L. Braunstein for the respondent.

Adjourned until tomorrow at 10 o'clock.

The day call for Wednesday, October 23, 1968, will be as follows: Nos. 17, 20, and 9 (33 and 34).

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Marvin Goldsmith, of Beverly Hills, Calif., and Arne L. Schoeller, of Minneapolis, Minn., on motion of Mr. Harris Weinstein; Jerome Elliot Sharfman, of Washington, D.C., on motion of Mr. Robert William Ginnane; Frances M. Dudleston, of Portland, Oreg., and Dorothy M. Martindale, of Portland, Oreg., on motion of Miss L. Marie Van Hise; Thomas D. Pucci, of Providence, R.I., on motion of Mr. James H. Duffy; Albert Grossman, of Los Angeles, Calif., on motion of Mr. Donald K. Graham; Osee R. Fagan, of Gainesville, Fla., on motion of Mr. Clarence Worth Rowley, Jr.; Douglas Brendan O'Connell, of New York, N.Y., on motion of Mr. William Barrett Taylor III; William Robert Creasey, of Dallas, Tex., and Michael Dale Cropper, of Fort Worth, Tex., on motion of Mr. Carl Frederick Bauersfeld; Jerry S. Byrd, of Washington, D.C., on motion of Mr. DaCosta V. Mason; and G. Alan Cunningham, of Minneapolis, Minn., on motion of Mr. John P. Arness, were admitted to practice.

ORAL ARGUMENT

No. 17. United States, petitioner, *v.* The Donruss Company. Argument concluded by Mr. Richard L. Braunstein for the respondent.

No. 20. Joyce C. Thorpe, petitioner, *v.* Housing Authority of the City of Durham. Argued by Mr. James M. Nabrit III, for the petitioner and by Mr. Daniel K. Edwards for the respondent.

No. 9. Bernard Shapiro, Commissioner of Welfare of the State of Connecticut, appellant, *v.* Vivian Thompson;

No. 33. Walter E. Washington et al., appellants, *v.* Clay Mae Le-grant et al.; and

No. 34. Roger A. Reynolds et al., appellants, *v.* Juanita Smith et al. Three hours allowed for oral argument. Reargument commenced by Mr. Francis J. MacGregor for the appellants and continued by Mrs. Lorna L. Williams for the State of Iowa, as *amicus curiae*, by Mr. Richard W. Barton and Mr. William C. Sennett for the appellants and by Mr. Archibald Cox for the appellees.

Adjourned until tomorrow at 10 o'clock.

The day call for Thursday, October 24, 1968, will be as follows: Nos. 9 (33 and 34), 29, 35, and 46.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSION TO THE BAR

William Thompson Finley, Jr., of Falls Church, Va., on motion of Mr. Warren Christopher; William Francis Hayes, of Ripon, Wis., on motion of Mr. Louis Fenner Claiborne; John N. Gardner, of Cleveland, Ohio, and John J. Gill, of Cleveland, Ohio, on motion of Mr. Earl R. Stanley; Robert H. Johnson, of Cambridge, Mass., and Leon Friedman, of New York, N.Y., on motion of Mr. Melvin L. Wulf; Milnor H. Senior, of Denver, Colo., on motion of Mr. Charles Franklin Cook, Jr.; Clyde Franklin Willian, of Chicago, Ill., on motion of Mr. James P. Hume; Donald L. Benton, of Ventura, Calif., on motion of Mr. Richard Thomas Burress; Randolph Guggenheimer, Jr., of New York, N.Y., on motion of Mr. Alan S. Ward; Robert Ullman, of New York, N.Y., on motion of Mr. Vincent A. Kleinfeld; Kenneth M. Nohe, of Wichita, Kans., on motion of Mr. Charles B. Kirbow; Leo J. McNamara, of East Lyme, Conn., on motion of Mr. James A. Dorsch; Harry Downs, of Cambridge, Mass., on motion of Mr. Paul Edmund McNulty; Richard Scrivener Beatty, of Washington, D.C., and Robert S. Edwards, of Plant City, Fla., on motion of Mr. Howard Cecil Kilpatrick; Garth E. Griffith, of Cleveland, Ohio, and Doyle S. Morris, of Cleveland, Ohio, on motion of Mr. Edward K. Wheeler; and James Edward Fannon, Jr., of Bowie, Md., John Joseph Garrity, Jr., of West Hyattsville, Md., Donald Paul McLaughlin, of Hyattsville, Md., Joseph Christopher Sauerwein, of Upper Marlboro, Md., and Edward Allen Shepherd, Jr., of Riverdale, Md., on motion of Mr. Arthur Albert Marshall, Jr., were admitted to practice.

ORAL ARGUMENT

No. 9. Bernard Shapiro, Commissioner of Welfare of the State of Connecticut, appellant, *v.* Vivian Thompson;

No. 33. Walter E. Washington et al., appellants, *v.* Clay Mae Legrant et al.; and

No. 34. Roger A. Reynolds et al., appellants, *v.* Juanita Smith et al. Argument continued by Mr. Archibald Cox for the appellees and concluded by Mr. William C. Sennett for the appellants. Memorandum for appellees to come.

No. 29. United States, appellant *v.* The Concentrated Phosphate Export Association, Inc., et al. Argued by Mr. Warren Christopher for the appellant and by Mr. Samuel W. Murphy, Jr., for the appellees.

No. 35. Carl F. Grunenthal, petitioner, *v.* The Long Island Railroad Company et al. Argued by Mr. Milford J. Meyer for the petitioner and by Mr. Daniel M. Gibson for the respondents.

No. 46. James J. Oestereich, petitioner, *v.* Selective Service System Local Board No. 11, Cheyenne, Wyoming, et al. Argued by Mr. Melvin L. Wulf for the petitioner and by Mr. Solicitor General Griswold for the respondents.

Adjourned until Monday, October 28, 1968, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ORDERS IN PENDING CASES

No. ——. William S. Johnson et al., petitioners, *v.* Beverly E. Powell, etc. The application for a stay of deployment presented to Mr. Justice Douglas, and by him referred to the Court, is denied. Separate opinion by Mr. Justice Douglas.

No. **889, Misc.** Mark Paulekas, petitioner, *v.* Ramsey Clark, Attorney General, et al. The petition for a rehearing from the denial of the stay of induction is granted, and the stay heretofore granted by Mr. Justice Douglas is continued until the further order of the Court. Mr. Justice Fortas dissents.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, and Mr. Justice Fortas.

ADMISSIONS TO THE BAR

John K. Van de Kamp, of Pasadena, Calif., Walter F. O'Brien, of Sacramento, Calif., Robert R. Mallicoat, of Beverly Hills, Calif., Gillis E. Powell, of Crestview, Fla., James E. Moore, of Niceville, Fla., Jack M. Webb, of Houston, Tex., Lotario D. Ortega, of Albuquerque, N. Mex., Vernon A. Townes, of Denver City, Tex., Ramiro B. Martinez, of McAllen, Tex., and W. Jiles Roberts, of Houston, Tex., on motion of Mr. Solicitor General Erwin N. Griswold; Charles Vance Mauney, of Albuquerque, N. Mex., on motion of Mr. Stewart French; Denny Joe Silman, of Fort Worth, Tex., and Robert F. Watson, of Fort Worth, Tex., on motion of Mr. Walter P. North; Kenneth Watkins, of Houma, La., on motion of Mr. Julian P. Freret.

Carter A. Bradford, of Orlando, Fla., and Kenneth F. Oswald, of Orlando, Fla., on motion of Mr. Mortimer Caplan; William M. Hereford, of Sarasota, Fla., on motion of Mr. John Laughlin; Elias Powell, of Los Angeles, Calif., on motion of Mr. Victor H. Kramer; Irving David Friedman, of Los Angeles, Calif., on motion of Mr. Frank R. Hammill; John William Emerson, Jr., of Naples, Fla., on motion of Mr. Ralph Waldo Emerson; Lawrence D. Hollman, of Bethesda, Md., on motion of Mr. Carlyle C. Ring, Jr.; Thomas E. Harman, of Fairfax, Va., on motion of Mr. Hubert D. Snider; Albert S. Gorman, of Brooklyn, N.Y., and Jack S. Gorman, of Brooklyn, N.Y., on motion of Mr. Simon Liberman; John J. Clerkin, of Chicago, Ill., and Donald E. Nelson, of Minneapolis, Minn., on motion of Mr. Leonard D. Eesley; Elmo Schwab, Jr., of Galveston, Tex., James George Rhinehardt Smith, of Galveston, Tex., Stuart J. Shoob, of Phoenix, Ariz., and Robert Eugene Pembleton, of Richmond, Va., on motion of Mr. T. W. Lain; Dennis Rex Hunt, of Rockford, Ill., Charles Frederick Bell, of San Francisco, Calif., and Gerald Frederick Richman, of Miami, Fla., on motion of Mr. David Joel Passamaneck; Richard Edward Rapps, of Atlanta, Ga., on motion of Mr. Howard W. Morgan, Jr.; Peter Q. Nyce, Jr., of Mount Victoria, Md., John M. Bradley, of Salt Lake City, Utah, William Benton Carne, of Alexandria, Va., and Michael Edmund Giboney, of Salt Lake City, Utah, on motion of Mr. Louis A. Masciocchi.

Milton Richard Allen, of Granite City, Ill., William Edward Brandt, of Granite City, Ill., Felix Lascelles Callis, of Granite City, Ill., Horace L. Calvo, of Granite City, Ill., Joseph Francis Cunningham, Jr., of East St. Louis, Ill., George Filcoff, Jr., of Granite City, Ill., George John Gitchoff, of Granite City, Ill., Moses Wilkins Harrison, of Collinsville, Ill., William E. Johnson, of Edwardsville, Ill., Dwight C. Taylor, of Collinsville, Ill., and Thomas Mathew Welch, of Collinsville, Ill., on motion of Mr. Grant Redmon; Meyer Baer, of New York, N.Y., Morris Engelberg, of Brooklyn, N.Y., Felix Eron, of Millburn, N.J., Harold J. Finkelstein, of New York, N.Y., Daniel Neil Gordon, of Woodhaven, N.Y., Robert E. Lees, of New York, N.Y., Myron Moscovita, of Bergenfield, N.J., Parker Kalloch Murray, of New York, N.Y., Raymond Polen, of New York, N.Y., Arthur M. Saypol, of New York, N.Y., Joseph Weiss, of New York, N.Y., Morris R. Sherman, of New York, N.Y., and Edward A. Sullivan, of Forest Hills, N.Y., on motion of Mr. Cyril Francis Brickfield.

Jerome B. Haddox, of Columbus, Ohio, Otis R. Hess, Jr., of Washington Court House, Ohio, Frederick Stephen Kotte, of Columbus, Ohio, Elizabeth I. Whitesides, of Glendale, Ohio, Richard Charles Witte, of Wyoming, Ohio, James D. Zachritz, of Xenia, Ohio, Edwin Vonder Ahe, of Cincinnati, Ohio, Ruth V. Barton, of Cincinnati, Ohio, Nicholas Bauer, of Cincinnati, Ohio, Floyd Black, of Cincinnati, Ohio, David J. Boyd, of Cincinnati, Ohio, Theodore P. Brackman, of Cincinnati, Ohio, Donald E. Calhoun, of Cincinnati, Ohio, Stephen Cohen, of Cincinnati, Ohio, James Joseph Condit, of Cincinnati, Ohio, Chester T. Cruze, of Cincinnati, Ohio, Charles Maxwell Dieffenbach, of Cincinnati, Ohio, Richard Thaddeus Dugan, of Cincinnati, Ohio, Lorice Ede, of Cincinnati, Ohio, William H. Fellerhoff, of Cincinnati, Ohio, Frank F. Ferris II, of Cincinnati, Ohio, Edward Fidler, of Cincinnati, Ohio, Richard H. Finan, of Cincinnati, Ohio, Mae Louise Finkbeiner, of Cincinnati, Ohio, Philip Renner Finkelmeier, of Cincinnati, Ohio, John Richard Fletcher, of Cincinnati, Ohio, Ferdinand A. Forney, of Cincinnati, Ohio, David F. Fries, of Cincinnati, Ohio, Gustav E. Gebhart, of Cincinnati, Ohio, James Joseph Geygan, of Cincinnati, Ohio, Stanley Goodman, of Cincinnati, Ohio, Thomas M. Gordon, of Cincinnati, Ohio, Marvin Francis Grant, of Cincinnati, Ohio, Dale Wheeler Griffin, of Cincinnati, Ohio, Wilbur Jack Grosse, of Cincinnati, Ohio, Robert William Gwinner, of Cincinnati, Ohio, Charles E. Hamilton, of Cincinnati, Ohio, William Smith Hammelrath, of Cincinnati, Ohio, Margaret R. Helmling, of Cincinnati, Ohio, Guy M. Hild, of Cincinnati, Ohio, Robert W. Hilton, Jr., of Cincinnati, Ohio, Lawrence William Hunt, of Cincinnati, Ohio, William Lee Keener, of Cincinnati, Ohio, James C. Klusmeyer, of Cincinnati, Ohio, Morris J. Leher, of Cincinnati, Ohio, Albert J. Lerner of Cincinnati, Ohio, Lewis Levy, of Cincinnati, Ohio, Harold Lieberman, of Cincin-

nati, Ohio, Donald H. Lisner, of Cincinnati, Ohio, Bruce F. Lowe, of Cincinnati, Ohio, James L. Lyons, of Cincinnati, Ohio, Stanley Paul Mathews, of Cincinnati, Ohio, Cecil R. McLain, of Cincinnati, Ohio, Frederick W. Mebs, of Cincinnati, Ohio, Albert Mechley, Jr., of Cincinnati, Ohio, Carl Lore Meier, of Cincinnati, Ohio, William J. Moran, of Cincinnati, Ohio, Leo D. Morand, of Cincinnati, Ohio, Norbert Alan Nadel, of Cincinnati, Ohio, Henry Thompson Nicholas, Jr., of Cincinnati, Ohio, Christine Panos, of Cincinnati, Ohio, Eugene K. Purdy, of Cincinnati, Ohio, Constantine Nicholas Revelos, of Cincinnati, Ohio, Charles E. Richter, of Cincinnati, Ohio, Albert A. Rogoff, of Cincinnati, Ohio, Stanley W. Rozic, of Cincinnati, Ohio, John P. Scashill, of Cincinnati, Ohio, Gary L. Schneider, of Cincinnati, Ohio, Joan T. Schneider, of Cincinnati, Ohio, James E. Sieve, of Cincinnati, Ohio, Starbuck Smith, Jr., of Cincinnati, Ohio, Harry Stoller, of Cincinnati, Ohio, Thomas F. H. Stueve, of Cincinnati, Ohio, Nell Day Surber, of Cincinnati, Ohio, Donald G. Swallow, of Cincinnati, Ohio, Maury M. Tepper, of Cincinnati, Ohio, Ernest J. Timperman, of Cincinnati, Ohio, Frank J. Von Hagen, of Cincinnati, Ohio, Donald E. Waggoner, of Cincinnati, Ohio, Donald G. Warschauer, of Cincinnati, Ohio, Raymond J. Wilson, of Cincinnati, Ohio, Frank H. Wulfhorst, of Cincinnati, Ohio, and George G. Zachritz, Jr., of Cincinnati, Ohio, on motion of Mr. Robert Taft, Jr., were admitted to practice.

The Chief Justice said:

“The orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally.”

OPINIONS PER CURIAM

No. 212. Carlos Overton, petitioner, *v.* New York. On petition for writ of certiorari to the Court of Appeals of New York. Petition for writ of certiorari granted, judgment of the Appellate Term of Supreme Court of New York vacated, and case remanded to the Appellate Term of Supreme Court of New York for further consideration in light of *Bumper v. North Carolina*, 391 U.S. 543. Opinion *per curiam*. Mr. Justice Black dissents and would affirm the judgment of conviction.

No. 249. Harold C. Fuller, petitioner, *v.* Alaska. On petition for writ of certiorari to the Supreme Court of Alaska. Petition for writ of certiorari granted and judgment affirmed. Opinion *per curiam*. Mr. Justice Black dissents for the reasons set out in his dissenting opinion in *Linkletter v. Walker*, 381 U.S. 618, 640. Mr. Justice Douglas, believing that the rule of *Lee v. Florida*, 392 U.S. 378, which was applied retroactively in that case, should be applied retroactively in other cases too, dissents.

No. 375. Velma L. Mengelkoch et al., appellants, *v.* Industrial Welfare Commission and North American Aviation, Inc. Appeal from the United States District Court for the Central District of California. The order of the three-judge district court dissolving itself is vacated so that a timely appeal may be taken to the Court of Appeals. The appeal from the decision of the single judge is dismissed for want of jurisdiction. Opinion *per curiam*.

No. 414. Thomas Rogers Lichten et al., appellants, *v.* Texas. Appeal from the Court of Criminal Appeals of Texas. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*. Mr. Justice Harlan is of the opinion that probable jurisdiction should be noted and set the case for argument.

ORDERS IN PENDING CASES

No. —. John P. Roman, appellant, *v.* H. H. Critz, etc. The application for a stay of a court-martial presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. 31, **Original**. State of Utah, plaintiff, *v.* United States. The Report of the Special Master is received and ordered filed. Exceptions, if any, may be filed by the parties within 45 days. Reply briefs, if any, may be filed within 30 days thereafter. Mr. Justice Marshall took no part in the consideration or decision of this matter.

No. 71. Presbyterian Church in the United States et al., petitioners, *v.* Mary Elizabeth Blue Hull Memorial Presbyterian Church et al. The motion of W. J. Williamson, Secretary of Concerned Presbyterians, Inc., for leave to file a brief, as *amicus curiae*, is granted.

No. 161. Choctaw Nation and Chickasaw Nation, petitioner, *v.* The Atchison, Topeka and Santa Fe Railway Company et al. The Solicitor General is invited to file a brief expressing the views of the United States.

CERTIORARI GRANTED

No. 403. Jack Frederick McKart, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted and case placed on the summary calendar.

No. 413. North Carolina et al., petitioners, *v.* Clifton A. Pearce. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted. Case placed on the summary calendar.

CERTIORARI DENIED

No. 383. Walter P. Mackiewicz and Florence B. Mackiewicz, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 384. New York Credit Men's Adjustment Bureau, Inc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 386. Aline Swinford, petitioner, *v.* Allied Finance Company of Casa View. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Fifth Supreme Judicial District, denied.

No. 387. Jimmie R. Evans et al., petitioners, *v.* Ivan Allen, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 388. Malco Manufacturing Company et al., petitioners, *v.* National Connector Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 389. Continental Nut Company, petitioner, *v.* Robert L. Berner Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 392. Donald Swan, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 393. Harold Matzner and Dorothe Matzner, petitioners, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 395. Earl D. Pollock, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 396. Air India, petitioner, *v.* Larry J. Hoffman, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 397. Standard Cigar Company, petitioner, *v.* Tabacalera Severiano Jorge, S. A., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 398. Howard Franklin Cobb and Maurice F. Stehman, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 401. Dennis M. Valley, petitioner, *v.* Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 402. Carl DiGiovanni, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 404. Mair J. Schepps, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 405. Armand A. Mayer, petitioner, *v.* Arnold Ordman, as General Counsel of the National Labor Relations Board. Petition for

writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 406. McCullough Tool Company, petitioner, *v.* Well Surveys, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 407. C. Murray Henderson, Warden, petitioner, *v.* Albert George Progue et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 408. Sam Lawrence Nugara, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 409. Los Angeles Herald Examiner, etc., et al, petitioners, *v.* San Francisco-Oakland Newspaper Guild et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 411. F. H. Sparks Co., Inc., petitioner, *v.* The George Sollitt Construction Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 412. Roger Lee Glavin and Robert Loring Chesney, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 415. Robert J. Ebbert et al., petitioners, *v.* Edward J. Brenner, Commissioner of Patents. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 249, Misc. Adolphus Ruben Thomas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 369, Misc. James Leon Clay and Leo Junior Clay, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 405, Misc. Willie James Ford, petitioner, *v.* United States; and

No. 414, Misc. Ruby Ann Howard, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 410, Misc. George S. Steele, petitioner, *v.* Louis S. Nelson, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 411, Misc. Gene Streeter, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 427, Misc. Audie A. Dentis, petitioner, *v.* Oklahoma et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 478, *Misc.* William H. Jackson, petitioner, *v.* Maryland. Petition for writ of certiorari to the Circuit Court of Baltimore County, Maryland, denied.

No. 479, *Misc.* William Smith, Jr., petitioner, *v.* California Adult Authority et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 486, *Misc.* William Fontana et ux., petitioners, *v.* Richard L. Walker et al. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 513, *Misc.* Odell Morton, Jr., petitioner, *v.* New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 521, *Misc.* Felice Paul Failla, petitioner, *v.* California et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 525, *Misc.* Gary Claude Lamb, petitioner, *v.* City of Eastlake, Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 528, *Misc.* Lamar Bell, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied.

No. 535, *Misc.* Jimmie Ray Wood, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 537, *Misc.* L. Barbara Savely Swanson, petitioner, *v.* White House Utility District et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 573, *Misc.* Thomas Jackson, petitioner, *v.* California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 578, *Misc.* Louis Raffa, petitioner, *v.* City of Cleveland. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 621, *Misc.* Jack Kamsler, petitioner, *v.* Tri Par Radio and Appliance Co., Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 626, *Misc.* Charles Edward Carroll, petitioner, *v.* Alabama. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 630, *Misc.* John Joseph Heslip, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 294, *Misc.* William Carr Robinson, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland de-

nied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **408, Misc.** Lawrence W. White, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Mr. Justice Black and Mr. Justice Stewart are of the opinion that certiorari should be granted.

No. **593, Misc.** Hubert James Putt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **600, Misc.** John Carter McClellan, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. The Chief Justice, Mr. Justice Douglas, Mr. Justice Stewart, and Mr. Justice Fortas concur in the denial of certiorari, pointing out that the issues under *Witherspoon v. Illinois*, 391 U.S. 510, can be decided only upon consideration of a transcript of the *voir dire* of the jury, which is not now in the record but which can presumably be made available in state or federal collateral proceedings.

LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. **425, Misc.** Murray A. A. Murphy, petitioner, *v.* United States Court of Appeals for the Ninth Circuit et al. Motion for leave to file petition for a writ of mandamus and for other relief denied.

Adjourned until Tuesday, November 12, 1968, at 10 o'clock.

The day call for Tuesday, November 12, 1968, will be as follows:
Nos. **12, 51, 21, and 63.**

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ORDER IN PENDING CASE

No. **1065, Misc.** Joseph A. F. Valenti, petitioner, *v.* Edward Lumbar, Chief Judge, etc., et al. The request for an acceleration of the time within which respondents may submit their response to the motion for leave to file a petition for mandamus is denied without prejudice to consideration of the petition on its merits.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ORDER IN PENDING CASE

No. ——. Albert Shanker, Individually and as President of United Federation of Teachers, Local 2, et al., and Walter J. Degan, Individually and as President of Council of Supervisory Associations et al., appellants, *v.* J. Lee Rankin, Corporation Counsel of the City of New York etc. The application for a stay presented to Mr. Justice Harlan, and by him referred to the Court, is denied.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Glen B. Smith, of Chelmsford, Mass., Henry K. Osterman, of Chevy Chase, Md., James W. Hardison, of Williamston, N.C., and Elliott Hugh Kajan, of Washington, D.C., on motion of Mr. Solicitor General Erwin N. Griswold; Thomas G. Lovett, Jr., of Minneapolis, Minn., on motion of Mr. Donald M. Fraser; James F. Boccardo, of San Jose, Calif., on motion of Mr. Don Edwards; Louis Basson, of New York, N.Y., Kenneth Campbell, of St. Albans, N.Y., Walter Bernard Eigen, of Brooklyn, N.Y., Murray Leonard Goldberg, of Brooklyn, N.Y., and Maurice N. Greene, of Brooklyn, N.Y., on motion of Mr. Laurence H. Axman; Marian F. Penix, of Jonesboro, Ark., on motion of Mr. Marcus A. Hollabaugh.

David N. Ellenhorn, of New York, N.Y., on motion of Mr. Daniel Albert Rezneck; John A. Berry, of Streator, Ill., and George D. Crowley, of Chicago, Ill., on motion of Mr. Daniel M. Friedman; James Allen Kiger, of Washington Court House, Ohio, and Dan L. Johnston, of Des Moines, Iowa, on motion of Mr. Lawrence Speiser; Richard L. Blanck, of Salt Lake City, Utah, on motion of Mr. John M. Bradley; Richard F. Bellman, of New York, N.Y., Norman Purnell, of Akron, Ohio, and Lewis M. Steel, of New York, N.Y., on motion of Mr. Robert L. Carter; Carl Michael Hall, of Fairfax, Va., on motion of Mr. Richard Cullen Browne; Henry T. Crocker, of Pottstown, Pa., on motion of Mr. James Brent Clark, Jr.; Charles M. Richardson, Jr., of San Francisco, Calif., on motion of Mr. John Montague Steadman; Guy C. Hunt, of Pasadena, Calif., on motion of Mr. Roger Arthur Clark; Douglas Purnell Connor, of Mount Olive, N.C., on motion of Mr. Hugh Q. Alexander; Robert W. Wyckoff, of San Francisco, Calif., on motion of Mr. Arthur Lee Quinn; Alvin R. Cowan, of New York, N.Y., on motion of Mr. Leon Shimberg; James Edward Frasier, of Tulsa, Okla., on motion of Mr. Walter Scott Allen; Eugene E. Huppenbauer, Jr., of New Orleans, La., on motion of Mr. Donald Cefaratti, Jr.; David S. Barr, of Washington, D.C., on motion of Mr. Louis Sherman; and Gerald Kogan, of Miami, Fla., and H. Robert Koltnow, of Miami, Fla., on motion of Mr. Karl L. Ecker, were admitted to practice.

OPINIONS

No. 7. Susan Epperson et al., appellants, *v.* Arkansas. Appeal from the Supreme Court of Arkansas. Judgment reversed and case remanded to the Supreme Court of Arkansas for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Fortas. Concurring opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Harlan. Opinion by Mr. Justice Stewart concurring in the result.

No. 13. The Baltimore and Ohio Railroad Company et al., appellants, *v.* Aberdeen and Rockfish Railroad Company et al.; and

No. 15. Interstate Commerce Commission, appellant, *v.* Aberdeen and Rockfish Railroad Company et al. Appeals from the United States District Court for the Eastern District of Louisiana. Judgment modified and as modified is affirmed. Opinion by Mr. Justice Douglas.

No. 10. WHYY, Inc., appellant, *v.* Borough of Glassboro et al. Appeal from the Supreme Court of New Jersey. Judgment reversed and case remanded to the Supreme Court of New Jersey for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam* announced by Mr. Chief Justice Warren. Mr. Justice Black dissents from the reversal and would affirm the judgment.

The Chief Justice said:

"The other orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally."

OPINIONS PER CURIAM

No. 399. Edgar H. Smith, Jr., petitioner, *v.* Howard Yeager, Warden. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. Petition for writ of certiorari granted, judgment reversed, and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*. Mr. Justice White dissents and would grant certiorari and set case for oral argument.

No. 417. Atlantic Ocean Products, Inc., et al., appellants, *v.* Walter D. Leth, Director, Department of Agriculture of Oregon, et al. Appeal from the United States District Court for the District of Oregon. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*.

No. 439. John Doolin, dba National Novelty Company, et al., appellants *v.* Marshall Korshak, Director of Revenue, et al. Appeal from the Supreme Court of Illinois. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 533, Misc. William T. Cross et al., appellants, *v.* Court of Appeal of California, First Appellate District, et al. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 132, October Term, 1965. Margaret L. Holt et al., petitioners, *v.* Allan P. Kirby et al. The motion of Morris Smith et al. to recall and amend judgment in this case is denied. Mr. Justice Fortas and Mr. Justice Marshall took no part in the consideration or decision of this motion.

No. 65. Timothy F. Leary, petitioner, *v.* United States. The motion of American Civil Liberties Union for leave to file a brief, as *amicus curiae*, is granted.

No. 461. Frieda Suffin, petitioner, *v.* The Pennsylvania Railroad Company et al. The Solicitor General is invited to file a brief expressing the views of the United States.

No. 642. Edward Boykin, Jr., petitioner, *v.* Alabama. The motion of the petitioner for the appointment of counsel is granted, and it is ordered that E. Graham Gibbons, Esquire, of Mobile, Alabama, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

No. 644. Billy Don Franklin Boulden, petitioner, *v.* William C. Holman, Warden. The motion of the petitioner for the appointment of counsel is granted, and it is ordered that William B. Moore, Jr., Esquire, of Montgomery, Alabama, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

No. 646. James F. O'Callahan, petitioner, *v.* J. J. Parker, Warden. The application for bail or release on personal recognizance presented to Mr. Justice Brennan, and by him referred to the Court, is denied.

No. 670. Fred Banks, petitioner, *v.* California. The motion of the petitioner for the appointment of counsel is granted, and it is ordered that Thomas J. Klitgaard, Esquire, of San Francisco, California, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

CERTIORARI GRANTED

No. 418. Curtis M. Simpson, Warden, petitioner, *v.* William S. Rice. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted. Case placed on the summary calendar and set for oral argument immediately following No. 413.

No. 436. Paulette Boudreaux Rodrigue et al., petitioners, *v.* Aetna Casualty and Surety Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and case placed on the summary calendar.

No. 463. National Labor Relations Board, petitioner, *v.* Wyman-Gordon Company. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit granted and case placed on the summary calendar.

No. 453. John McMillan Gregg, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted limited to the questions raised in the case with respect to Rule 32 (c) (1) of the Federal Rules of Criminal Procedure and case placed on the summary calendar.

No. 221. Hubert Ray Stidham, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied.

No. 394. Cullen Huckaby, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 410. Joseph M. David, petitioner, *v.* June Strelecki, Director of Division of Motor Vehicles, State of New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 416. John A. Epling, petitioner, *v.* Ohio State Bar Association. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 419. Charles E. Hart, Jr., petitioner, *v.* Ohio State Bar Association. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 420. Dennis Henry Loraine, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 421. Henry Kenneth Wangrow and Mark Edward Murphy, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 422. Mary Townsend Cochran, petitioner, *v.* George L. Morris and Girard Trust Bank, etc., et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 424. Dresser Industries, Inc., petitioner, *v.* Heraeus Engelhard Vacuum, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 425. Monroe Auto Equipment Co., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 427. John Daniel Owens, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 428. Tormod Langemyr, dba Tom Carpentry Construction Company, petitioner, *v.* Patrick J. Campbell, etc., et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 429. Alfred Louis Cappabianca, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 433. Seymour Buxbom, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of the ~~Supreme~~ Court of California, County of Riverside, denied. **SUPERIOR**

No. 434. Department of Forests and Parks et al., petitioners, *v.* George's Creek Coal and Land Company. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 435. General Electric Credit Corporation, petitioner, *v.* Ernest V. Noblett. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 437. Louis Barenfanger, dba Barenfanger Construction Company, petitioner, *v.* Charles Louis. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 440. Georgia Highway Express, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 442. Marvin K. Swofford et al., dba The Pathfinder Company, petitioner, *v.* B & W, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 444. Baggett Transportation Company, petitioner, *v.* Hughes Transportation, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 445. Edward Lee Roberts et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 447. Frederick P. Mustell, petitioner, *v.* Frank A. Rose et al. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 448. George Laris, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 449. Robert M. Brake, petitioner, *v.* Don Shoemaker et al. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 450. Hamilton Memorial Gardens, Inc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 452. Richard Jewell Newland, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 454. Charles William Eaton and Sammy Lee Eaton, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 456. Cumberland Farms, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 458. Leah Joyce Teller, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 459. Coastwise Packet Company, Inc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 460. Leah Turpin, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 464. Courtesy Chevrolet, Inc., petitioner, *v.* Tennessee Walking Horse Breeders' and Exhibitors' Association of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 465. A. M. Faucette, Jr., etc., petitioner, *v.* Ruth K. Van Dolson. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 466. Edward Robert Gyuro, petitioner, *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 467. David Juaire, petitioner, *v.* Walter Marshak, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 468. The Gypsum Transportation, Ltd., petitioner, *v.* The Board of Commissioners of the Port of New Orleans. Petition for writ of certiorari to the Court of Appeals of Louisiana, Fourth Circuit, denied.

No. 469. Vicki Laurel Parker, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 470. Janel Sales Corp. et al., petitioners, *v.* Lanvin Parfums, Inc. etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 576. Cullen Huckaby, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 578. Wyman-Gordon Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 144. Port of New York Authority et al., petitioners, *v.* Ronald G. Wolin, etc. Motion to dispense with printing response granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 205. Murchison and Company et al., petitioners, *v.* Glo Co. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Fortas took no part in the consideration or decision of this petition.

No. 423. Anthony Baratta, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 430. Vernon C. Lyons, petitioner, *v.* Chicago Park District. Petition for writ of certiorari to the Supreme Court of Illinois denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 455. Anthony Caperci et al., petitioners, *v.* Earl P. Huntoon, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Mr. Justice Black is of the opinion that certiorari should be granted.

No. 462. Morris Smith et al., petitioners, *v.* Allan P. Kirby, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Fortas and Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 509. Morton Sobell, petitioner, *v.* Attorney General of the United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Douglas, Mr. Justice Harlan and Mr. Justice Brennan are of the opinion that certiorari should be granted. The renewed application for release presented to Mr. Justice Brennan, and by him referred to the Court, is denied. Mr. Justice Douglas would grant bail for the reason that petitioner arguably has never received credit for the entire time he has served in prison. Mr. Justice White took no part in the consideration or decision of this petition and application.

No. 120, *Misc.* Joseph V. Poe, petitioner, *v.* Cletus J. Fitzharris, Superintendent, California State Prison. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 129, *Misc.* William K. Howard, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 138, **Misc.** Glover Sapp, Jr., petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 235, **Misc.** Charles E. Evans, petitioner, *v.* H. C. Cupp, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 288, **Misc.** John George, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 303, **Misc.** Robert Graham, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 359, **Misc.** Albert Harris, petitioner, *v.* Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 377, **Misc.** Joe Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 391, **Misc.** Juan Manuel Roman-Morales, petitioner, *v.* United States; and

No. 497, **Misc.** Vincente Juarez-Flores, petitioner, *v.* United States. Petition for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 399, **Misc.** Andrew Lee White, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 437, **Misc.** Charles Edward Lewis, petitioner, *v.* Max P. Frye, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 438, **Misc.** Leroy Jackson, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 440, **Misc.** Henry L. Ford, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 444, **Misc.** Daniel Dresden DeFoe, petitioner, *v.* United States; and

No. 462, **Misc.** Charles Morgan, petitioner, *v.* United States. Petition for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 467, **Misc.** John Theodore Walker, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 482, **Misc.** John Watts, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 498, **Misc.** Louis Teplitzky, petitioner, *v.* Bureau of Compensation, United States Department of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 520, **Misc.** Jess Joe Valenzuela, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 546, **Misc.** Richard H. Jemison, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 547, **Misc.** Ralph Carder, Jr., petitioner, *v.* Warden, Maryland Penitentiary. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 567, **Misc.** William Hughes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 595, **Misc.** Jack India, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 598, **Misc.** Aziz Alobaidi, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 611, **Misc.** Joseph Cottlo, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 613, **Misc.** Walter Berry Thomas, Sr., petitioner, *v.* Florida. Petition for writ of certiorari to the Court of Appeal of Florida, Second District, denied.

No. 614, **Misc.** Willis G. Coonts, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied.

No. 617, **Misc.** James K. Shannon, petitioner, *v.* Sherman H. Crouse, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 622, **Misc.** Walter Nash, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 624, **Misc.** Jesse J. X. Stuckey, petitioner, *v.* Ramsey Clark, Attorney General, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 635, **Misc.** Albert Lonzo Cantrell, petitioner, *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 636, **Misc.** J. C. Combs, petitioner, *v.* H. V. Field, Superintendent. Petition for writ of certiorari to the Supreme Court of California denied.

No. 637, **Misc.** Wayne G. Marvel, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 649, **Misc.** Isaiah Coleman, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 653, **Misc.** Raymond V. Masterson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 661, **Misc.** Jack Kamsler, petitioner, *v.* John Stamos, States Attorney for Cook County, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 664, **Misc.** Boswell M. Hale, petitioner, *v.* Nicholas Gotten. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 666, **Misc.** Severo Arellano Esparza, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 671, **Misc.** Frank J. Martinez, petitioner, *v.* Idaho. Petition for writ of certiorari to the Supreme Court of Idaho denied.

No. 677, **Misc.** Earl J. Brinson, petitioner, *v.* Howard M. Comstock, Superintendent, Sierra Conservation Center. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 681, **Misc.** Alfredo Perez, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 687, **Misc.** Kenneth O. Pollard, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 693, **Misc.** Ralph C. Turner, petitioner, *v.* United States Government et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 696, **Misc.** Ben Odes, petitioner, *v.* The Civil Service Commission of the City of Chicago et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 698, **Misc.** James A. Johnson, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Los Angeles, denied.

No. 700, **Misc.** William Sasso, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 701, **Misc.** Benny Morganti, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 716, **Misc.** Richard D. Ward, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 723, *Misc.* Terrance I. Poston, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 746, *Misc.* John Howard Prince, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 758, *Misc.* Ruben Gines Quinones, petitioner, *v.* New York. Petition for writ of certiorari to the Supreme Court of New York, New York County, denied.

No. 694, *Misc.* Johnny Foster, petitioner, *v.* George A. Kropp, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit and for other relief denied.

No. 695, *Misc.* James Henry Allison, petitioner, *v.* Louie L. Wainwright, Director, Division of Corrections of Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, and for other relief denied.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 678, *Misc.* John D. Malena, petitioner, *v.* California et al.;

No. 679, *Misc.* In the Matter of Application of Theodore R. Henderson, petitioner; and

No. 795, *Misc.* Jerry Spencer Diamond, petitioner, *v.* L. S. Nelson, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 568, *Misc.* Charles J. Juliano, petitioner, *v.* Ohio et al.;

No. 591, *Misc.* Jim Fair, petitioner, *v.* Public Service Commission;

No. 718, *Misc.* Jim Fair, petitioner, *v.* James F. Taylor, Clerk, et al.; and

No. 786, *Misc.* Ex parte Jack Kamsler, petitioner. Motions for leave to file petitions for writs of mandamus denied.

REHEARINGS DENIED

No. 37, *Misc.* Scotty Shirley Hanks, petitioner, *v.* United States;

No. 46, *Misc.* Ronald Handy, petitioner, *v.* Director, Patuxent Institution;

No. 54, *Misc.* James Edward Padgett, petitioner, *v.* Louie L. Wainwright, Director, Division of Corrections of Florida;

No. 137, *Misc.* Robert Bennett Burns, petitioner, *v.* John W. Turner, Warden;

No. 293, *Misc.* Frederick W. Copeland, petitioner, *v.* Florida;

No. 322, Misc. George Raymond Joerger, petitioner, *v.* Louie L. Wainwright, Director, Florida Division of Corrections;

No. 382, Misc. Wilbur O. Morton, petitioner, *v.* Kansas; and

No. 419, Misc. Glen R. Holscher, petitioner, *v.* Jack G. Young, Warden. Petitions for rehearing denied.

ORAL ARGUMENT

No. 12. Samuel Desist et al., petitioners, *v.* United States. Argued by Mr. Abraham Glasser for the petitioners and by Mr. Francis X. Beytagh, Jr. for the respondent.

No. 51. United States, appellant, *v.* Joseph Francis Nardello and Isadore Weisberg. Leave granted Mr. Philip A. Lacovara to appear and present oral argument for the appellant, *pro hac vice* on motion of Mr. Solicitor General Griswold. Argued by Mr. Philip A. Lacovara for the appellant, *pro hac vice*, by special leave of Court, and by Mr. F. Emmett Fitzpatrick, Jr., for the appellees. Memorandum for appellant to come.

No. 21. John F. Tinker and Mary Beth Tinker, minors, etc., et al., petitioners, *v.* Des Moines Independent Community School District et al. Argued by Mr. Dan Johnston for the petitioners and by Mr. Allan A. Herrick for the respondents.

Adjourned until tomorrow at 10 o'clock.

The day call for November 13th Nos. 63, 24, and 32.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Sam Blackham, of El Paso, Tex., on motion of Mr. Louis Fenner Claiborne; Irving Vincent, of Florence, Ariz., on motion of Mr. J. F. Bishop; Neil J. Lynch, of Butte, Mont., on motion of Mr. B. K. Wheeler; Louis Howard Dembo, of Chicago, Ill., and William A. Claerhout, of Norwalk, Iowa, on motion of Mr. Peter N. Chumbris; Floyd Dore Hunter, of East Brunswick, N.J., on motion of Mr. Charles E. Martin; Robert Melvin Peterson, of Alexandria, Va., on motion of Mr. Francis B. Van Nuys; Peter G. Fetros, of Sacramento, Calif., on motion of Mr. Edsel W. Haws; Robert Lawrence Berry, of Omaha, Nebr., on motion of Mr. Alan D. McArthur; Donald Wiener Fisher, of Toledo, Ohio, on motion of Mr. Edward J. Hickey, Jr.; Vincent W. Ambrose, of New York, N.Y., on motion of Mr. Joseph E. Ross; Emil Carl Marquardt, Jr., of Clearwater, Fla., on motion of Mr. John P. Southmayd; and Robert B. Beaudoin, of Seattle, Wash., Clifton D. Blanks, of McAlester, Okla., and Clyde H. Crockett, of Freeport, Tex., on motion of Mr. Walter Laughn Lewis, were admitted to practice.

ORAL ARGUMENT

No. 63. Nellie Hunter, appellant, *v.* Edward O. Erickson, Mayor of the City of Akron, et al. One hour and forty minutes allowed for oral argument. Argued by Mr. Robert L. Carter for the appellant, by Mr. Louis F. Claiborne for the United States, as *amicus curiae*, by special leave of Court, and by Mr. Alvin C. Vinopal for the appellees.

No. 24. Federal Trade Commission, petitioner, *v.* Texaco, Inc., et al. Argued by Mr. Daniel M. Friedman for the petitioner and by Mr. Milton Handler and Mr. Edgar E. Barton for the respondents.

No. 32. Gale H. Johnson, petitioner, *v.* John E. Bennett, Warden. Argument commenced by Mr. Ronald Carlson for the petitioner.

Adjourned until tomorrow at 10 o'clock.

The day call for Thursday, November 14, 1968, will be as follows: Nos. **32, 38, 39, 40** and **42**.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

J. Ernest Hartz, Jr., of San Francisco, Calif., on motion of Mr. Louis F. Oberdorfer; Barbara Matusik Miller, of Lyons, Ill., on motion of Mrs. Carolyn Royall Just; Dale William Bruce, of Wichita, Kans., and H. Winston Hathaway, of Muskegon, Mich., on motion of Mr. Peter L. Strauss; James A. Sprunk, of Toledo, Ohio, and Louis A. Highmark, of Indianapolis, Ind., on motion of Mr. Fred E. Fuller; Leah Brock McCartney, of Springfield, Ill., and Clarence Maurice Mitchell, Jr., of Baltimore, Md., on motion of Mr. Elmer Williams Henderson; John F. Schrankel, of Washington, D.C., and Holloway Wooten, of Washington, D.C., on motion of Mr. Harold C. Nystrom; Joseph Frederick Vallario, Jr., of Clinton, Md., on motion of Mr. Sebert H. Keiffer; George V. Voinovich, of Cleveland, Ohio, on motion of Mr. John B. Simpson, Jr.; R. Eugene McGannon, of Kansas City, Mo., on motion of Mr. James Francis Gordy; Philip J. Curtis, of Chicago, Ill., on motion of Mr. W. Theodore Pierson; H. Vincent E. Mitchell, of Cleveland, Ohio, on motion of Mr. David P. Close; Charles Frisbie, of Kansas City, Mo., on motion of Mr. George Browning III; Joseph Sarfaty, of Beverly Hills, Calif., on motion of Mr. Dorsey K. Offutt; Peter Tijerina, of San Antonio, Tex., on motion of Mr. Jack Greenberg; Donald Devon Doxsee, of Indianapolis, Ind., and Douglas Bruce McFadden, of Indianapolis, Ind., on motion of Mr. Sidney Milum; G. Wayne McKellips, Jr., of Phoenix, Ariz., on motion of Mr. William J. Fannin; Pierce Winningham III, of Nashville, Tenn., on motion of Mr. Karl Patterson Warden; and John T. Buckley, of Utica, N.Y., on motion of Mr. John K. Meagher, were admitted to practice.

ORAL ARGUMENT

No. 32. Gale H. Johnson, petitioner, *v.* John E. Bennett, Warden. Argument continued by Mr. Ronald L. Carlson for the petitioner, by Mr. William A. Claerhout for the respondent and concluded by Mr. Ronald L. Carlson for the petitioner.

No. 38. James G. Glover et al., petitioners, *v.* St. Louis-San Francisco Railway Company et al. Argued by Mr. William M. Acker, Jr., for the petitioners and by Mr. Donald W. Fisher for the respondents.

No. 39. Enrique Perez, petitioner, *v.* California. Argued by Mr. Peter G. Fetros for the petitioner and by Mr. Edsel W. Haws for the respondent.

No. 40. William Joe Johnson, petitioner, *v.* Harry S. Avery, Commissioner of Correction, et al. Argued by Mr. Karl P. Warden for the petitioner and by Mr. Thomas E. Fox for the respondents.

Adjourned until Monday, November 18, 1968, at 10 o'clock.

The day call for Monday, November 18, 1968, will be as follows:
Nos. 42, 27, 9, **Orig.**, 41 and 47.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

James M. Rhodes, of Daytown, Tex., on motion of Mr. Attorney General William Ramsey Clark; Knox Bemis, of Texarkana, Ark., George O. Wilson III, of Glen Rock, N.J., Harold Davis Lewis, of Tallahassee, Fla., John Lovett Westberry, of Tallahassee, Fla., Melvin Ray Lind, of Danville, Ind., Gerald L. Bepko, of Chicago, Ill., William C. Ballard, Jr., of Louisville, Ky., Frank Neil Fleischer, of Washington, D.C., Stephen E. Delanty, of Chicago, Ill., Edward S. Robe, of Athens, Ohio, David Reuben Goldberg, of Toledo, Ohio, and Frederic S. Le Clercq, of Atlanta, Ga., on motion of Mr. Solicitor General Erwin N. Griswold; Paul D. Mahoney, of Washington, D.C., on motion of Mr. Robert L. Leggett; Wellington Y. Chew, of El Paso, Tex., and Jack N. Ferguson, of El Paso, Tex., on motion of Mr. Richard C. White; Craig Covington Cantey, Jr., of Houston, Tex., on motion of Mr. Robert R. Casey; Michael Aaronson, of San Carlos, Calif., on motion of Mr. Paul N. McCloskey, Jr.; Kenneth L. Maddy, of Fresno, Calif., and Charles P. Just, of Sacramento, Calif., on motion of Mrs. Doris H. Maier; Ford Wallace Ekey, of Dayton, Ohio, James Wesley Harbison, Jr., of New York, N.Y., and Jon M. Sebaly, of Dayton, Ohio, on motion of Mr. Whitney North Seymour; Stanley A. Bass, of Chicago, Ill., on motion of Mr. Lawrence Speiser.

Duncan Witherbee O'Dwyer, of Rochester, N.Y., on motion of Mr. Joseph E. Donahue; Roy Denver Sexton, of Oneida, Tenn., John Arthur McLaughlin, of Colorado Springs, Colo., and Lewis Zoll Griswold, of Seattle, Wash., on motion of Mr. Walter Laughn Lewis; Stanley P. Hebert, of Washington, D.C., on motion of Mr. Meritt H. Steger; Bernard Gibbs Barrow, of Norfolk, Va., on motion of Mr. Anthony William Gross; Neil Tasher, of Denver, Colo., and Frank J. Malloy, of Denver, Colo., on motion of Mr. Charles F. Cook, Jr.; Bruce A. Bevan, Jr., of Los Angeles, Calif., on motion of Mr. John Nolan; Lewis Harrison Markowitz, of York, Pa., Richard E. Kohler, of York, Pa., Hugh D. Manifold, of York, Pa., Basil A. Shorb, of York, Pa., and Robert J. Wire, Jr., of York, Pa., on motion of Mr. Arthur Markowitz; Jeremy Edward Butler, of Phoenix, Ariz., and A. Gordon Olsen, of Phoenix, Ariz., on motion of Mr. John P. Frank;

J. Dan Struve, of San Antonio, Tex., on motion of Mr. Kenneth H. Burns; Edward Kaplan, of Chicago, Ill., on motion of Mr. Donald Doerster; H. Richard Dunipace, of Bowling Green, Ohio, on motion of Mr. Daniel L. O'Connor; Robert Darrell Krumme, of New York, N.Y., on motion of Mr. Howard T. Milman; James Richard Albrecht, of Minneapolis, Minn., on motion of Mr. Thomas C. Brickle; David Mardan Weitzman, of Falls Church, Va., on motion of Mr. Philip J. Hirschkop; Edward P. Taptich, of Bethesda, Md., on motion of Mr. Arthur Scheiner; Richard Frederick Kotz, of Washington, D.C., on motion of Mr. Paul Ganson; Anthony J. Colavita, of Eastchester, N.Y., and Harry J. Hill, of Eastchester, N.Y., on motion of Mr. Joseph Vohnout; and Taylor Rastrick Briggs, of Tuxedo Park, N.Y., and Howard Richard Wachtel, of Ossining, N.Y., on motion of Mr. Horace R. Lamb, were admitted to practice.

OPINIONS

No. 35. Carl F. Grunenthal, petitioner, *v.* The Long Island Railroad Company et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed and case remanded to the Court of Appeals with directions to enter a judgment affirming the judgment of the United States District Court for the Southern District of New York. Opinion by Mr. Justice Brennan. Dissenting opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice Stewart.

No. 16. Brotherhood of Locomotive Firemen and Enginemen et al., appellants, *v.* Chicago, Rock Island and Pacific Railroad Company, et al.; and

No. 18. Robert N. Hardin, Prosecuting Attorney for the Seventh Judicial Circuit of Arkansas, et al., appellants, *v.* Chicago, Rock Island and Pacific Railroad Company, et al. Appeals from the United States District Court for the Western District of Arkansas. Judgment reversed and cases remanded to the United States District Court for the Western District of Arkansas with instructions to dismiss the complaint. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Douglas. Mr. Justice Fortas took no part in the consideration or decision of these cases.

No. 14. Commonwealth Coatings Corporation, petitioner, *v.* Continental Casualty Company et al. On writ of certiorari to the United States Court of Appeals for the First Circuit. Judgment reversed and case remanded to the United States District Court for the District of Puerto Rico for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black. Concurring opinion by Mr. Justice White with whom Mr. Justice Marshall joins. Dissenting

opinion by Mr. Justice Fortas with whom Mr. Justice Harlan and Mr. Justice Stewart join.

Mr. Justice Black said:

"The other orders have been certified by Mr. Justice Black and filed with the Clerk and will not be announced orally."

OPINION PER CURIAM

No. 323. Pete Recznik, petitioner, *v.* City of Lorain. On petition for writ of certiorari to the Court of Appeals of Ohio, Lorain County. Petition for writ of certiorari granted, judgment reversed, and case remanded to the Court of Appeals of Ohio, Lorain County, for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam*. Dissenting opinion by Mr. Justice Black with whom Mr. Justice Harlan joins. Mr. Justice Stewart and Mr. Justice White would deny petition for certiorari.

ORDERS IN PENDING CASES

No. ——. Henry R. Drent et al., petitioners, *v.* William A. McKean et al. The application for a stay presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. 30. James C. Kirkpatrick, Secretary of State of Missouri, et al., appellants, *v.* Paul W. Preisler et al.; and

No. 31. F. V. Heinkel et al., appellants, *v.* Paul W. Preisler et al. The motions of the appellants for additional time for oral argument are granted and an additional thirty minutes, to be divided equally, is allotted to counsel for the appellants. An additional thirty minutes is allotted to counsel for the appellees.

No. 156, Misc. Herbert A. Ellenbogen, petitioner, *v.* United States. The respondent is requested to file a response to the petition for rehearing within thirty days. Mr. Justice Marshall took no part in the consideration or decision of this matter.

APPEAL—JURISDICTION NOTED

No. 492. Clarence Brandenburg, appellant, *v.* Ohio. Appeal from the Supreme Court of Ohio. In this case probable jurisdiction is noted and the case is placed on the summary calendar. The Attorney General of Ohio is invited to file a brief expressing the views of the State of Ohio.

CERTIORARI GRANTED

No. 138. Adam Clayton Powell, Jr., et al., petitioners, *v.* John W. McCormack et al. Petition for writ of certiorari to the United States

Court of Appeals for the District of Columbia Circuit granted and case placed on the summary calendar.

No. 473. John H. Bingler, District Director of Internal Revenue, petitioner, *v.* Richard E. Johnson et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit and case placed on the summary calendar.

No. 477. United States, petitioner, *v.* United States Coin and Currency, etc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted and case placed on the summary calendar.

No. 480. Harold Lawrence Blasius, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted limited to Question 1 presented by the petition which reads as follows:

"1. Does an individual violate Section 33 of Title 35, United States Code, by representing that he is qualified to prepare applications for patent, when the individual is not registered with the Patent Office?"

"(a) Did the Court of Appeals for the Second Circuit err in its opinion that the provisions of Section 33 of Title 35, United States Code, are clear, and not ambiguous as determined by the United States Court of Appeals for the District of Columbia Circuit in *Hull v. United States*, 390 F. 2d 462 (D.C. Cir. 1968), thus creating a conflict within the Circuits?"

"(b) Does the word 'qualified' as used in Section 33 of Title 35, United States Code means skill of 'knowhow' in performing the service or does it mean legal and actual authority from the Patent Office to perform a particular function?"

The case is placed on the summary calendar.

No. 195, Misc. Thornton A. Jenkins, petitioner, *v.* Delaware. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Delaware granted. Case transferred to the appellate docket and placed on the summary calendar.

No. 227, Misc. Adolpho Rodriquez, petitioner, *v.* United States. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted. Case transferred to the appellate docket and placed on the summary calendar.

No. 231, Misc. Glenn Martin Harrington, petitioner, *v.* California. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, granted. Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI DENIED

No. 237. Nicholas Angeleri, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 250. John E. Coyne, petitioner, *v.* Donald Watson, Sheriff, Clermont County, Ohio. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 278. Walston A. Lynn et al., petitioners, *v.* J. W. Caraway et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 471. Perfo-Log, Inc., petitioner, *v.* Well Surveys, Inc., now Dresser Systems, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 475. Dan Paul, petitioner, *v.* Dade County Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 476. James Shrout, dba The Shrout Agency, petitioner, *v.* McDonald's System, Inc., et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 481. First Camden National Bank & Trust Co., petitioner, *v.* Donald T. Lapinsohn et ux. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia District, denied.

No. 482. John J. Moretti, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 484. Dorothea M. Scroggins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 485. The London and Overseas Insurance Co. et al, petitioners, *v.* Bunge Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 486. Ralph Hubert Houston, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 489. Arnold Van Den Wymelenberg, etc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 495. Eugene Rex Fitzwater, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 497. The Borden Company et al., petitioners, *v.* National Dairy Products Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 472. Bernard S. Garrett and Joseph B. Morris, petitioners, *v.* United States. Motion to dispense with printing petition granted. Pe-

tion for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 493. Jack Rudolph Woods, petitioner, *v.* Oklahoma. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 491. Utility Users League et al., petitioners, *v.* Federal Power Commission et al. Motion to dispense with printing portions of appendix to the petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 498. Newark Stereotypers' Union No. 18, petitioner, *v.* Newark Morning Ledger Co. et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Brennan took no part in the consideration or decision of this petition.

No. 314, Misc. Raymond Carley Pruett, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 443, Misc. Floyd Ray Phillips, petitioner, *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 475, Misc. Robert Benson, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 566, Misc. Paul Francis Baker, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 581, Misc. Ernest Woodrow Marsh, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 585, Misc. Juan B. Saldana, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 586, Misc. Joseph J. Tynan, petitioner, *v.* Frank A. Eyman, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 592, Misc. Richard Harvey Haines and Guy Leslie Green, petitioners, *v.* Robert T. Kingsley. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 602, Misc. Thurman A. Smith, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 609, Misc. Claude W. Nichols, petitioner, *v.* Lake F. Russell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 628, Misc. Jackie Carver Hill, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. **632, Misc.** Clemon Blanchey, Jr., petitioner, *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. **638, Misc.** Vernon Maxey, petitioner, *v.* George A. Kropp, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **639, Misc.** Alfred G. Fierro, petitioner, *v.* Merle R. Schneckloth et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **646, Misc.** Louis D. Ponce, aka Dave Dominguez, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **689, Misc.** Miguel Romero Valdivia, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **692, Misc.** Charles H. Creighbaum, petitioner, *v.* John C. Burke, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **702, Misc.** Aaron Washington Frazier, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **620, Misc.** Harry Levine et al., petitioners, *v.* Lever Brothers Co. et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Mr. Justice Fortas took no part in the consideration or decision of this petition.

No. **682, Misc.** Johnny Mixon, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. **505, Misc.** Bobby R. Brown, petitioner. *v.* George J. Beto, Director, Texas Department of Corrections; and

No. **823, Misc.** Claude A. Buchanan, petitioner, *v.* John C. Burke, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

REHEARINGS DENIED

No. **800, October Term, 1967.** World Airways, Inc., et al, petitioners, *v.* Pan American World Airways, Inc., et al.; and

No. **969, October Term, 1967.** American Society of Travel Agents, Inc., petitioner, *v.* Pan American World Airways, Inc., et al. Motion for leave to supplement petition for rehearing granted. Petition for

rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of this motion and petition.

No. 946, October Term, 1967. Civil Aeronautics Board, petitioner, *v.* Pan American World Airways, Inc., et al. Petition for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 196. Donald DeSimone, petitioner. *v.* United States;

No. 274. Joseph I. Moreali, petitioner, *v.* Workmen's Compensation Appeals Board of California et al.;

No. 341. Estate of Eugene L. Freeland, etc., et al., petitioners, *v.* Commissioner of Internal Revenue;

No. 353. Elijah White Ratcliff, petitioner, *v.* E. Ivan Bruce and Truman Blocker, Jr.;

No. 50, Misc. George Wm. Daegele, petitioner, *v.* Sherman H. Crouse, Warden;

No. 150, Misc. E'Thelbert Rucker, petitioner, *v.* City of Flint et al.;

No. 171, Misc. William Lusk, petitioner, *v.* Frank L. Strickland et al.;

No. 367, Misc. Ex parte Jack Kamsler, petitioner;

No. 396, Misc. Leon J. Lewis, petitioner, *v.* United States; and

No. 473, Misc. Melvin G. Lemanski, appellant, *v.* Lucille Lemanski. Petitions for rehearing denied.

No. 132. Yuen Kam Chuen and Ng Sui Sang, petitioners, *v.* P. A. Esperdy, as District Director of the Immigration and Naturalization Service for the District of New York. Petition for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

RECESS ORDER

The Court will take a recess from Monday, November 25, 1968, until Monday, December 9, 1968.

ORAL ARGUMENT

No. 42. Fred L. Shuttlesworth, petitioner, *v.* City of Birmingham, Alabama. Argued by Mr. Jack Greenberg for the petitioner and by Mr. Earl McBee for the respondent.

No. 27. United States, appellant, *v.* Container Corporation of America et al. Argued by Mr. Edwin M. Zimmerman for the appellant and by Mr. Whitney North Seymour for the appellees.

No. 9, Original. United States of America, plaintiff, *v.* State of Louisiana et al. Argued by Mr. Louis F. Claiborne for the plaintiff and by Mr. Houghton Brownlee, Jr., for the defendants.

No. 41. Securities and Exchange Commission, petitioner, *v.* National Securities, Inc., et al. Argument commenced by Mr. Solicitor General Griswold for the petitioner.

Adjourned until tomorrow at 10 o'clock.

The day call for Tuesday, November 19, 1968, will be as follows:
Nos. 41, 47, 53, 68, and 73.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Joseph S. Oteri, of Boston, Mass., on motion of Mr. Stanton P. Sender; John Anthony Notte III, of North Providence, R.I., on motion of Mr. John A. Notte, Jr.; Matthew James Beemsterbore, of Flossmoor, Ill., and Stanislaus Thaddeus Kusper, Jr., of Chicago, Ill., on motion of Mr. William Robert Ming, Jr.; Marshall R. Bentzman, of Washington, D.C., and Allen Katz, of Hyattsville, Md., on motion of Mr. John B. Hausner; Jack K. Weber, of Los Angeles, Calif., on motion of Mr. William E. James; Richard Lucas Williams III, of Winnetka, Ill., on motion of Mr. Stephen Deaderick Potts; Michael C. Sudol, Jr., of Metuchen, N.J., on motion of Mr. Raymond Underwood; Harold Mendelow, of Miami, Fla., on motion of Mr. Phillip Goldman; Peter R. Cohen, of Los Angeles, Calif., on motion of Mr. Jeffrey L. Nagin; Arnold Henson, of Chappaqua, N.Y., on motion of Mr. Cyril F. Hetsko; Thomas Henry Dorwart, of Lincoln, Nebr., on motion of Mr. Alan D. McArthur; Jerry Mack Hyde, of Dallas, Tex., on motion of Mr. Thomas P. Brown III; Ford Richard Paulson, of Provo, Utah, on motion of Mr. Sterling Rex Lewis; and Jeremiah D. Finnegan, of Jefferson City, Mo., on motion of Mr. J. David Mann, Jr., were admitted to practice.

OPINION

No. 6. Joseph Carroll et al., petitioners, *v.* The President and Commissioners of Princess Anne et al. On writ of certiorari to the Court of Appeals of Maryland. Judgment reversed and case remanded to the Court of Appeals of Maryland for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Fortas. Mr. Justice Black concurs in the result. Mr. Justice Douglas, while joining the opinion of the Court, adheres to his dissent in *Kingsley Books, Inc. v. Brown*, 354 U.S. 436, 446-447, and to his concurring opinion in *Freedman v. Maryland*, 380 U.S. 51, 61-62.

ORAL ARGUMENT

No. 41. Securities and Exchange Commission, petitioner, *v.* National Securities, Inc., et al. Argument concluded by Mr. John P. Frank for the respondents.

No. 47. Walter B. Foster, petitioner, *v.* California. Argued by Mr. Kenneth L. Maddy for the petitioner and by Mrs. Doris H. Maier for the respondent.

No 53. Harold Kaufman, petitioner, *v.* United States. Argued by Mr. Bruce R. Jacob for the petitioner and by Mr. John S. Martin, Jr., for the respondent.

No. 68. Sam L. McDonald et al., appellants, *v.* Board of Election Commissioners of Chicago et al. Argued by Mr. Stanley A. Bass for the appellants and by Mr. Stanley T. Kusper, Jr., for the appellees. Brief for appellants to come.

Adjourned until tomorrow at 10 o'clock.

The day call for Wednesday, November 20, 1968, will be as follows:
Nos. 73, 74, 131, and 56.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Herbert Wayne Gillies, of Houston, Tex., and Wm. C. Morrow, of Midland, Tex., on motion of Mr. Thomas C. Mann; Marion Steele Hays, of Little Rock, Ark., on motion of Mr. Brooks Hays; James Thomas Hale, of Minneapolis, Minn., on motion of Mr. Ralph J. Moore, Jr.; Robert Girard Pariseault, of Providence, R.I., and Charles Joseph Rogers, Jr., of Providence, R.I., on motion of Mr. Benjamin Feld; William E. Zleit, of Kansas City, Mo., on motion of Mr. Joseph E. Donahue; Richard F. Dole, Jr., of Iowa City, Iowa, on motion of Mr. Peter Leffert Wolff; Keith J. Kearney, of Tustin, Calif., on motion of Mr. Alvin S. Brown; and Walter Reinold Wertheim, of Cleveland, Ohio, on motion of Mr. Milton Shore, were admitted to practice.

ORAL ARGUMENT

No. 73. Robert Newton Gardner, Jr., petitioner, *v.* California. Argued by Mr. Charles E. Rickershauser, Jr., for the petitioner and by Mr. Jack K. Weber for the respondent. Memorandum for petitioner to come.

No. 74. Philip Jerome Stiles, petitioner, *v.* United States. Argued by Mr. Charles J. Rogers, Jr., for the petitioner and by Mr. Solicitor General Griswold for the respondent.

No. 131. Carmine Vincent Palmieri, petitioner, *v.* Florida. Argued by Mr. Philip Goldman for the petitioner and by Mr. Harold Mendelow for the respondent.

No. 56. Lear, Incorporated, petitioner, *v.* John S. Adkins. Two hours and forty minutes allowed for oral argument. Argument commenced by Mr. C. Russell Hale for the petitioner and continued by Mr. Lawrence G. Wallace for the United States, as *amicus curiae*, by special order of Court.

Adjourned until tomorrow at 10 o'clock.

The day call for Thursday, November 21, 1968, will be as follows: Nos. 56 and 45.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Richard J. Steffens, of Menasha, Wisc., on motion of Mr. Brice Wilson Rhyne; Stuart Gary Rosen, of Wapping, Conn., Lockwood K. Grigg, of Derby, Kans., and Samuel Kadell, of Skokie, Ill., on motion of Mrs. Leah Brock McCartney; James William Badie, of Hastings on Hudson, N.Y., on motion of Mr. Eric P. Schellin; Robert G. Breetz, of Louisville, Ky., on motion of Mr. Herbert G. Breetz; Warren Curtis Kiracofe, of Washington, D.C., on motion of Mr. Charles R. Larouche; Louis G. Juliano, of New York, N.Y., on motion of Mr. James F. Hart; W. P. Butler, of Chicago, Ill., on motion of Mr. Robert A. Maloney; John T. O'Halloran, of West Trenton, N.J., on motion of Mr. Roland A. Linger; and Matthew Joseph Wheeler, Jr., of Chicago, Ill., on motion of Mr. Martin Emilius Carlson, were admitted to practice.

ORAL ARGUMENT

No. 56. *Lear, Incorporated, petitioner, v. John S. Adkins.* Argument continued by Mr. Peter R. Cohen for the respondent and concluded by Mr. C. Russell Hale for the petitioner.

No. 45. *United States, petitioner, v. Richard G. Augenblick et al.* Argued by Mr. Edwin L. Weisl, Jr., for the petitioner and by Mr. Joseph H. Charlitt and Mr. Francis J. Steiner, Jr., for the respondents.

Adjourned until Monday, November 25, 1968, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Merrill Lee Hartman, of Dallas, Tex., on motion of Mr. Attorney General William Ramsey Clark; Waldense D. Malouf, of Palm Harbor, Fla., Richard Alan Radis, of Fort Lauderdale, Fla., Ira A. Nagel, of Boston, Mass., Richard J. Snyder, of Boston, Mass., William Bernard Sherman, of Forest Hills, N.Y., Diarmuid F. O'Scannlain, of Portland, Oreg., and James Barbar, of Buckhannon, W. Va., on motion of Mr. Solicitor General Erwin N. Griswold; Harold M. Gross, of Eugene, Oreg., on motion of Mr. Wayne Lyman Morse; John Pope Ellis, of Arlington, Va., and Zel E. Lipsen, of Arlington, Va., on motion of Mr. Brooks Hays; Robert Markham Ball, of Washington, D.C., on motion of Mr. Robert W. Ball; Richard A. Block, of St. Louis, Mo., on motion of Mr. Leon E. Irish; Patrick Nicholas Harkins III, of Jackson, Miss., on motion of Mr. Wm. Ephraim Cresswell; Edward N. Barol, of Philadelphia, Pa., on motion of Mr. Jerry M. Hamovit; Norman Ramm, of New York, N.Y., on motion of Mr. Frank E. G. Weil; Richard Eugene Turner, of Annandale, Va., on motion of Mr. William Thomas Dooley, Jr.

John Blevney Willard, of West Hartford, Conn., on motion of Mr. Gene W. Stockman; Gerald Jorgensen Lewis, of San Diego, Calif., on motion of Mr. Robert Worth Berry; Robert Dixon, of Miami, Fla., on motion of Mr. Harry S. Littman; John A. Westberg, of New York, N.Y., on motion of Mr. Richard J. Wertheimer; Lawrence Dean Cobb, of Dumas, Tex., on motion of Mr. John F. O'Neal; Jefferson Bernis Brown, of Portsmouth, Va., on motion of Mr. Thomas R. Dyson, Jr.; John Elbert Watson, of Houston, Tex., on motion of Mr. Joseph Tamasy; Sidney P. Schreiber, of Los Angeles, Calif., on motion of Mr. David I. Granger; Edward Michael Ross, of Inglewood, Calif., and Malcolm Douglas MacArthur, of Washington, D.C., on motion of Mr. Ralph I. Petersbergers; Dennis J. Donahue, Jr., of West Haven, Conn., John J. Philbin, of West Haven, Conn., and Louis Smith Votto, of West Haven, Conn., on motion of Mr. Hubert B. Pair, Arthur William Murphy, of Boston, Mass., Jeffrey McKenzie Graham, of Williamsburg, Va., William Robert Hitt, of St. Louis, Mo., Francis Marion Thigpen, Jr., of Mobile, Ala., and Jack M. Railsback, of Meridian, Tex., on motion of Mr. Lew Brundage; and Alexander F.

Dillard, of Tappahannock, Va., Alexander Fleet Dillard, Jr., of Tappahannock, Va., Ammon Gresham Dunton, Jr., of White Stone, Va., Mandley Ray Johnston, of Lively, Va., James Taylor Robertson, of Montross, Va., Lawrence M. Taylor, of Heathsville, Va., Thomas Aquilla Williams, of Callao, Va., and Harlan Harvey Hinkle, of Brownsburg, Ind., on motion of Mr. John T. Casey, were admitted to practice.

OPINIONS

No. 29. United States, appellant, *v.* The Concentrated Phosphate Export Association, Inc., et al. Appeal from the United States District Court for the Southern District of New York. Judgment reversed and case remanded to the United States District Court for the Southern District of New York for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Marshall. Dissenting opinion by Mr. Justice White with whom Mr. Justice Stewart joins. Mr. Justice Harlan took no part in the decision of this case.

No. 19. Universal Interpretive Shuttle Corporation, petitioner *v.* Washington Metropolitan Area Transit Commission et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and case remanded to the United States District Court for the District of Columbia for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Stewart joins. Mr. Justice Marshall took no part in the consideration or decision of this case.

The Chief Justice said:

"The other orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally."

OPINIONS PER CURIAM

No. 134. George F. Collins, Jr., petitioner, *v.* Commissioner of Internal Revenue. On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of the opinion of the Supreme Court of Oklahoma in *Collins v. Oklahoma Tax Commission*, dated October 15, 1968. Opinion *per curiam*.

No. 478. Jeremiah Stamler and Yolanda F. Hall, appellants, *v.* Edwin E. Willis et al.; and

No. 479. Milton M. Cohen, appellant, *v.* Edwin E. Willis et al. Appeals from the United States District Court for the Northern District of Illinois. The motion to dismiss is granted and the appeals are dismissed. Opinion *per curiam*. Mr. Justice Black, Mr. Justice Douglas,

and Mr. Justice Harlan are of the opinion that further consideration of the question of jurisdiction should be postponed to the hearing of the cases on the merits and that the cases be set for oral argument. Mr. Justice Marshall took no part in the consideration or decision of these cases.

No. 499. City of Austin, appellant, *v.* Charles A. Webster. Appeal from the Supreme Court of Texas. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 501. John Hewett Arthur, appellant, *v.* Virginia. Appeal from the Supreme Court of Appeals of Virginia. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*. Mr. Justice Douglas is of the opinion that probable jurisdiction should be noted.

No. 504. Farbenfabriken Bayer A.G., appellant, *v.* United States. Appeal from the United States District Court for the District of Columbia. The motion to dismiss is granted and the appeal is dismissed. Opinion *per curiam*.

No. 520. The Atchison, Topeka and Santa Fe Railway Company, et al., appellants, *v.* United States et al. Appeal from the United States District Court for the Northern District of Texas. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*.

No. 88, Misc. Forrest Cummings Green, petitioner, *v.* John W. Turner, Warden. On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Garrison v. Patterson, Warden*, 391 U.S. 464. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. —. Michael Zaffarano, petitioner, *v.* William Walter Fitzpatrick, Warden. The application for bail presented to Mr. Justice Harlan, and by him referred to the Court, is denied.

No. 49. Zenith Radio Corporation, petitioner, *v.* Hazeltine Research, Inc., et al. The Solicitor General is invited to file a brief expressing the views of the United States.

CERTIORARI GRANTED

No. 76. Philip Cardinale, Jr., petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana granted and case placed on the summary calendar.

No. 517. The National Board of Young Men's Christian Associations et al., petitioners, *v.* United States. Petition for writ of certiorari of the United States Court of Claims granted and case place on the summary calendar.

No. 252, Misc. Ted Steven Chimel, petitioner, *v.* California. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of California granted. Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI DENIED

No. 165. Calvary Bible Presbyterian Church of Seattle et al., petitioners, *v.* Board of Regents of the University of Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 443. Pennsylvania Public Utility Commission, petitioner, *v.* Bessemer and Lake Erie Railroad Company et al.; and

No. 638. Co-Operative Legislative Committee, Railroad Brotherhoods in the State of Pennsylvania, petitioner, *v.* Bessemer and Lake Erie Railroad Company et al. Petitions for writs of certiorari to the Supreme Court of Pennsylvania, Middle District, denied.

No. 494. William Elden, petitioner, *v.* Addison Farmers Mutual Insurance Company. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 503. Helen Jenkins Kington, petitioner, *v.* United States. Petition for writ of certiorari in the United States Court of Appeals for the Sixth Circuit denied.

No. 505. Farbenfabriken Bayer A.G., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 506. New York Shipping Association, Inc., et al., petitioners, *v.* District 2, Marine Engineers Beneficial Association (AFL-CIO), et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 508. Ewell C. Qualls, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 513. Cornelia O'Connor Grey et al., petitioners, *v.* First Nation Bank in Dallas et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 514. Clark E. Finks and Francis A. Willette, Jr., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 516. Harry S. Berberian, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 518. Moreland H. Hogan et al., petitioners, *v.* Ivor B. Clark Co., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 519. Marvin Hayutin, petitioner, *v.* United States; and

No. 567. Leon Nash, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 521. Dorris E. Dreyfus, petitioner, *v.* Michael Reese Hospital and Medical Center. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 522. F. L. Crowder tr/as Harriman Broadcasting Company, petitioner, *v.* Federal Communications Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 523. Illinois, petitioner, *v.* Eugene Miller. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 524. Board of Trustees of Arkansas A. & M. College et al., petitioners, *v.* H. Brent Davis. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 527. Bernard F. Curry et ux., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 529. Earl M. Owens, petitioner, *v.* John P. Traynor, Deputy Commissioner, United States Department of Labor, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 530. Estate of Russell Harrison Varian, etc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 532. Darlington-Hartsville Coca-Cola Bottling Company et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 623. California, petitioner, *v.* Superior Court of California for the County of San Diego. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 426. Jeremiah J. Kelley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Dissenting opinion by the Chief Justice.

No. 502. Dillard Morrison, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 510. Santo R. Sgarlato, Jr., petitioner, *v.* Solomon A. Klein. Petition for writ of certiorari to the Court of Appeals of New York denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion that certiorari should be granted.

No. 515. Louis Kaye, petitioner, *v.* Co-Ordinating Committee on Discipline, etc. Petition for writ of certiorari to the Court of Appeals of New York denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion that certiorari should be granted.

No. 511. Edward J. Simons et al., petitioners, *v.* Jerry Vinson et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit and for other relief denied.

No. 412, Misc. Joseph W. ^{CALBERA}Carroza, petitioner, *v.* Vermont. Petition for writ of certiorari to the Supreme Court of Vermont denied.

No. 483, Misc. Anthony Dentine, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 542, Misc. In the Matter of Frank Alexander Russo, petitioner. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 561, Misc. James L. Bundy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 577, Misc. William Leon Wallace, Jr., petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 580, Misc. Luke Dismuke, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 587, Misc. James Thomas Wadsworth, petitioner, *v.* Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 599, Misc. Tony Olvera, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 601, Misc. Harold F. Brewer, petitioner, *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 604, Misc. Cecil ^ABell, petitioner, *v.* Alabama. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 616, Misc. Malcolm R. Schlette, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 644, Misc. Gustavo Gonzalez, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 647, *Misc.* Sylvester Lockhart, Jr., petitioner, *v.* Edward J. Hendrick et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 654, *Misc.* William Thomas Hilberry, petitioner, *v.* James F. Maroney, Superintendent of Western State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 660, *Misc.* Robert Charles Garvie, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 669, *Misc.* Alexander Junior Caldwell, petitioner, *v.* Ira M. Coiner, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 674, *Misc.* Marvin John Piche, petitioner, *v.* B. J. Rhay, Superintendent, Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 676, *Misc.* Raymond Hilliard, petitioner, *v.* George B. Harris, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 706, *Misc.* Harry Mercer, petitioner, *v.* Arlen Specter et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 707, *Misc.* Ralph Darling, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 708, *Misc.* Albert Lonzo Cantrell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 714, *Misc.* Gerald Groves, petitioner, *v.* Mark G. Schultz, Sheriff, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 731, *Misc.* Stephen Conover, petitioner, *v.* TV Station WPTZ, Channel 5, a Rollins Station, Plattsburgh. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 737, *Misc.* George Wayne Aguiar, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 739, *Misc.* John Arthur Welsh, petitioner, *v.* L. S. Nelson, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 756, *Misc.* Johnny Watson, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. **768, Misc.** Riley L. Miller, petitioner, *v.* California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **775, Misc.** Tennison Madison, petitioner, *v.* W. C. Brown, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **380, Misc.** Mose Garlin Starrett, petitioner, *v.* Bobby Bruce, etc. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **631, Misc.** Horace Nelson Laws et al., petitioners, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied. Mr. Justice Brennan took no part in the consideration or decision of this petition.

LEAVE TO FILE PETITIONS FOR WRITS OF CERTIORARI DENIED

No. **838, Misc.** Farbenfabriken Bayer A. G., petitioner *v.* United States; and

No. **839, Misc.** Farbenfabriken Bayer A. G., petitioner, *v.* United States. Motions for leave to file petitions for writs of certiorari denied.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. **717, Misc.** Grady Asbon Cox, petitioner, *v.* John C. Burke, Warden; and

No. **869, Misc.** Joseph Robinson, Jr., petitioner, *v.* C. C. Peyton, Superintendent of the Virginia State Penitentiary. Motions for leave to file petitions for writs of habeas corpus denied.

REHEARINGS DENIED

No. **1511, Misc., October Term, 1967.** Frederick W. Copeland, petitioner, *v.* First Federal Savings and Loan Association of Lake County et al. Motion for leave to file petition for rehearing denied.

No. **50.** Hanover Insurance Company of New York, appellant, *v.* Carl S. Victor;

No. **154.** Fort Howard Paper Company, petitioner, *v.* Kimberly-Clark Corporation;

No. **159.** Ruth E. Biddle, Administratrix, appellant, *v.* Ida M. Bowser et al.;

No. **270.** Paul Penjaska and John Penjaska, appellants, *v.* Goodbody & Company;

No. **281.** William H. Kenner et al., petitioners, *v.* Commissioner of Internal Revenue;

No. **319.** Vincent John Rao, petitioner, *v.* United States;

No. 321. Victoria A. Hart, petitioner, *v.* David W. Hedrick, etc.;

No. 334. Willis O. Mizner, petitioner, *v.* Ruth E. Mizner;

No. 343. United States, petitioner, *v.* An Article of Drug • • •
Bacto-Unidisk • • •; and

No. 359. John F. Graham, petitioner, *v.* Harold H. Greene et al.
Petitions for rehearing denied.

No. 242. Jorge I. Rosso and Carmen Descartes, appellants, *v.* Puerto Rico. Petition for rehearing denied. Mr. Justice Fortas took no part in the consideration or decision of this petition.

No. 126, **Misc.** Ralph A. Varone, petitioner, *v.* Alice E. Varone;

No. 172, **Misc.** Daniel Anthony Burns, petitioner, *v.* United States;

No. 405, **Misc.** Willie James Ford, petitioner, *v.* United States; and

No. 424, **Misc.** M. A. Steinhardt, petitioner, *v.* Florida. Petitions for rehearing denied.

No. 527, **Misc.** Ervin Hohensee and Richard Hohensee, petitioners, *v.* Lovell O. Minear. Motion for leave to file petition for rehearing denied.

Adjourned until Monday, December 9, 1968, at 10 o'clock.

The day call for Monday, December 9, 1968, will be as follows: Nos. 43, 199, 60, and 61.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSION TO THE BAR

Louis R. Eglash, of Los Angeles, Calif., Clifford Joseph Schott, of Lakeland, Fla., John Fredric Wendel, of Lakeland, Fla., Robert H. Mackenzie, of Tampa, Fla., Thomas G. Wilson, of Tampa, Fla., George Patrick Smith II, of Buffalo, N.Y., Michael Seth Fawer, of New York, N.Y., William Forbes Ramsey, of Greensboro, N.C., Thomas Albert Hansen, of Dayton, Ohio, and J. Lawrence Blankenship, of Oklahoma City, Okla., on motion of Mr. Solicitor General Erwin N. Griswold; John H. Moore II, of Ft. Lauderdale, Fla., on motion of Mr. J. Herbert Burke; Joseph Francis Leonard, Jr., of Kerrville, Tex., on motion of Mr. Harold Barefoot Sanders; John Van Voorhis, of Rochester, N.Y., on motion of Mr. Eugene Van Voorhis; Judith N. Stein, of Washington, D.C., and Stephen W. Stein, of Washington, D.C., on motion of Mr. Charles T. Duncan; Pierce Moore, of Decatur, Ga., and J. J. Wade, Jr., of Charlotte, N.C., on motion of Mr. Paul F. Treusch; Geo. M. Leppert, of New Orleans, La., on motion of Mr. John Patrick Baker; Leo Ellwood Holt, of Chicago, Ill., on motion of Mr. Louis Fenner Claiborne; Stanford G. Ross, of New York, N.Y., on motion of Mr. Frank M. Wozencraft; Humes Jefferson Franklin, of Waynesboro, Va., Everett Mauck Garber, Jr., of Waynesboro, Va., and Gorden Wallace Poindexter, Jr., of Waynesboro, Va., on motion of Mr. I. Martin Leavitt; Lester A. Bonaguro, of Arlington Heights, Ill., and Robert Harry Reeder, of Evanston, Ill., on motion of Mr. Barnard J. Waters.

Charles Ronald Burns Kirk, of San Francisco, Calif., on motion of Mr. Derald E. Granberg; Martin S. Depper, of Oakland, Calif., on motion of Mr. Thomas J. O'Connell; Gilbert F. De Borba, of Fremont, Calif., and Henry Mariani, of Santa Clara, Calif., on motion of Mrs. LuVerne Conway; Breece W. Sloan, of Oakland, Calif., on motion of Mr. Ralph J. Moore, Jr.; James R. Stanley, of Philadelphia, Pa., on motion of Mr. John J. Carmody; Walter A. Kernan, of New York, N.Y., on motion of Mr. George E. McMurray, Jr.; Paul E. Goldstein, of Chicago, Ill., on motion of Mr. Marshall Patner; Mitchell A. Kramer, of Philadelphia, Pa., on motion of Mr. Frank E. Hahn, Jr., Albert Felton Jenkins, Jr., of Atlanta, Ga., and Frank S. Cheatham, Jr.,

of Savannah, Ga., on motion of Mr. Charles L. Gowen; James Edward McAleer, of Savannah, Ga., and Frank Brooks Zeigler, of Savannah, Ga., on motion of Mr. Harry Peter Anestos; Richard L. Curry, of Chicago, Ill., and Howard C. Goldman, of Chicago, Ill., on motion of Mr. Raymond F. Simon; William Dan Copland, of Columbus, Ga., and James Benjamin Finley, of Columbus, Ga., on motion of Mr. Grover H. Posey; and Robert Lyle Wiesenthal, of Downers Road, Ill., on motion of Mr. Dennis Rex Hunt, were admitted to practice.

OPINIONS

No. 131. Carmine Vincent Palmieri, petitioner, *v.* Florida. On writ of certiorari to the Supreme Court of Florida. Writ of certiorari dismissed as improvidently granted. Opinion *per curiam* announced by Mr. Chief Justice Warren.

No. 74. Philip Jerome Stiles, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the First Circuit. Writ of certiorari dismissed as improvidently granted. Opinion *per curiam* announced by Mr. Chief Justice Warren.

The Chief Justice said:

"The other orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally."

OPINIONS PER CURIAM

No. 553. South Carolina State Board of Education et al., appellants *v.* J. Arthur Brown et al.; and

No. 563. Mrs. Ernest T. Cribb et al., appellants, *v.* J. Arthur Brown et al. Appeals from the United States District Court for the District of South Carolina. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*.

No. 579. Clay L. Shaw, appellant, *v.* Jim Garrison et al. Appeal from the United States District Court for the Eastern District of Louisiana. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*. Mr. Chief Justice Warren took no part in the consideration or decision of this case.

No. 659. Lawrence Landry et al., appellants, *v.* John S. Boyle, Chief Judge of the Circuit Court of Cook County, Illinois, et al. Appeal from the United States District Court for the Northern District of Illinois. The appeal is dismissed for failure to comply with rule 13(1). Opinion *per curiam*.

No. 423, Misc. John E. Moore, appellant, *v.* Ohio. Appeal from the Supreme Court of Ohio. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers

whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 747, Misc. Larry Cross, appellant, *v.* Illinois. Appeal from the Supreme Court of Illinois. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. —. Salvatore Granello, petitioner, *v.* United States. The application for bail presented to Mr. Justice Harlan, and by him referred to the Court, is denied. Mr. Justice Brennan and Mr. Justice Marshall took no part in the consideration or decision of this application.

No. —. Charles Francis Frazier, petitioner, *v.* United States; and
No. —. Carol W. Thomas, petitioner, *v.* Joe M. Crevasse, Jr., Sheriff of Alachua County, Florida. The applications for bail presented to Mr. Justice Black, and by him referred to the Court, are denied.

No. —. Eugene Hairston, petitioner, *v.* Illinois; and

No. —. Alfred Schnitzler, petitioner, *v.* Harold W. Follette, Warden. The applications for bail presented to Mr. Justice Douglas, and by him referred to the Court, are denied.

No. —. Floyd Bloss, petitioner, *v.* Michigan. The application for stay and bail presented to Mr. Justice Stewart, and by him referred to the Court, is denied.

No 40. William Joe Johnson, petitioner, *v.* Harry S. Avery, Commissioner of Correction, et al. The motions of Harry D. Smith and Calvin C. Shobe for leave to file briefs, as *amicus curiae*, are denied.

No. 65. Timothy F. Leary, petitioner, *v.* United States. The motion of the National Student Association for leave to file a brief, as *amicus curiae*, is granted.

No. 366. United States, appellant, *v.* Henry Preston Covington. The motion of appellee for leave to proceed further herein *in forma pauperis* is granted. The motion for the appointment of counsel is granted, and it is ordered that William J. Davis, Esquire, of Columbus, Ohio, be, and he is hereby, appointed to serve as counsel for the appellee in this case.

No. 413. North Carolina et al., petitioners, *v.* Clifton A. Pearce. The motion of the respondent for the appointment of counsel is granted, and it is ordered that Larry B. Sitton, Esquire, of Greensboro, North Carolina, be, and he is hereby, appointed to serve as counsel for the respondent in this case.

No. 749. Adolpho Rodriguez, petitioner, *v.* United States. The motion of the petitioner for the appointment of counsel is granted, and it is ordered that William R. Wallace, Esquire, of San Francisco, California, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

APPEALS—JURISDICTION NOTED

No. 244. John S. Boyle, Chief Judge of the Circuit Court of Cook County, Illinois, et al., appellants, *v.* Lawrence Landry, et al. Appeal from the United States District Court for the Northern District of Illinois. In this case probable jurisdiction is noted and case placed on the summary calendar.

No. 543. Roderick Jenkins, appellant, *v.* John Julien McKeithen et al. Appeal from the United States District Court for the Eastern District of Louisiana. In this case probable jurisdiction is noted and case placed on the summary calendar.

No. 580. George Samuels et al., appellants, *v.* Thomas J. Mackell, District Attorney, et al.; and

No. 844, **Misc.** Fred Fernandez, appellant, *v.* Thomas J. Mackell, District Attorney, et al. Appeals from the United States District Court for the Southern District of New York. In these cases probable jurisdiction is noted. Cases consolidated and one hour allotted for oral argument. Motion for leave to proceed *in forma pauperis* in No. 844 **Misc.** granted and case transferred to appellate docket.

CERTIORARI GRANTED

No. 223. James T. Willingham and C. A. Jarvis, petitioners, *v.* Daniel Morgan. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted and case placed on the summary calendar.

No. 483. Doris Daniel and Rosalyn Kyles, petitioners, *v.* Euell Paul, Jr., etc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted and case placed on the summary calendar.

No. 574. United States, petitioner, *v.* Estate of Joseph P. Grace, deceased, et al. Petition for writ of certiorari to United States Court of Claims granted and case placed on the summary calendar.

No. 528. Nacirema Operating Co., Inc., et al., petitioners, *v.* William H. Johnson et al.; and

No. 663. John P. Traynor and Jerry C. Oosting, Deputy Commissioners, petitioners, *v.* William H. Johnson et al. Motion of respondent, Avery, in No. 528 to dispense with printing brief in opposition granted. Petitions for writs of certiorari to the United States

Court of Appeals for the Fourth Circuit granted. Cases consolidated and one hour allotted for oral argument.

No. **442, Misc.** Raymond Joseph DuVernay, petitioner, *v.* United States. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted. Case transferred to appellate docket, placed on summary calendar, and set for oral argument immediately following No. **403**.

CERTIORARI DENIED

No. **180.** Fred Cosentino, petitioner, *v.* The Royal Netherlands Steamship Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **487.** National Dairy Products Corporation, petitioner, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **531.** Wyndham Associates et al., petitioners, *v.* David C. Bintliff et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **533.** Eura Mae Higginbotham Green et al., petitioners, *v.* The Texas Gulf Sulphur Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **534.** Mabel Whayne, petitioner, *v.* M. V. Shuttler, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **535.** The Western and Southern Life Insurance Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **536.** Joseph Reiter and LeRoy Guntner, petitioners, *v.* Federal Savings and Loan Insurance Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **537.** Hendry Corporation, petitioner, *v.* United States Fidelity and Guaranty Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **538.** Lavino Shipping Company, petitioner, *v.* American-West African Line, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **539.** Resolute Insurance Company, petitioner, *v.* ^{NORTH}South Carolina et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 540. Eastern Air Lines, Inc., petitioner, *v.* Donald A. Scott, etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 541. Louis LeLaurin, petitioner, *v.* Frost National Bank Trustee et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 545. Terminal Railroad Association of St. Louis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 547. Policarpus Ramantanin, petitioner, *v.* Department of Personnel of the City of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 549. John D. Senchal et al., petitioners, *v.* V. H. Carroll, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 550. S. Dean Slough, petitioner, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 551. Corn Products Company, petitioner, *v.* Baxter Laboratories, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 552. N. V. Stoomvaart Maatschappij "Netherland", petitioner, *v.* Standard Oil Company of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 554. The Scam Instrument Corporation, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 557. A. C. Park, petitioner, *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 560. Arnold Constable Corporation, petitioner, *v.* Eudowood Shopping Center, Inc. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 564. Confederation Life Association, petitioner, *v.* Manuel Antonio Vega y Arminan. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 565. Edward Fredkin, petitioner, *v.* Eugene H. Irasek. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 566. Paul Sulger, petitioner, *v.* B. H. Pochyla et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 569. Howard Curry, petitioner, *v.* The Florida Bar. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 570. Snelling and Snelling of Baltimore, Inc., petitioner, *v.* Angelo R. Mascaro et al. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 571. Gary James Sylvia, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 575. Michael D. Preston, petitioner, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 577. Joseph P. Glimco et ux., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 581. Bernard D. Grossman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 583. Cecil B. Sanner et ux., petitioners, *v.* The Trustees of the Shepard and Enoch Pratt Hospital. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 586. Romeo Trujillo-M, petitioner, *v.* The Bank of Nova Scotia. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 588. HLH Products, Division of Hunt Oil Co., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 589. Jesus Rolon Marxuach, petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 590. Robert Jayson et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 556. Carl R. Anderson and Gerritt A. Gates, petitioners, *v.* Empire Seafoods, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 558. James M. Pennington et al., petitioners, *v.* United Mine Workers of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Black is of the opinion that certiorari should be granted. Mr. Justice Fortas took no part in the consideration or decision of this petition.

No. 568. Howard B. Quinn, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 584. Joe R. Ramos et ux., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the

Ninth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 89, Misc. Frank Dvorsky, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 116, Misc. Stillman Small, petitioner, *v.* Wilbur J. Cohen, Secretary, Department of Health, Education and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 136, Misc. John P. Shale, etc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 178, Misc. Oskar Gruenwald, petitioner, *v.* Wilbur J. Cohen, Secretary, Department of Health Education, and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 207, Misc. Theodore C. Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 248, Misc. Samuel Frazier, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 262, Misc. Orrin Scott Reed, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 304, Misc. Robert G. Gallagher, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 324, Misc. Wilson Gray et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 335, Misc. George Watson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 343, Misc. Howard Clifford Moore, petitioner, *v.* H. C. Cupp, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 413, Misc. Jesse James Gilbert, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 416, Misc. James Raymond Alaway, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 423, *Misc.* Willie Charles Hill, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 460, *Misc.* William Isaac Davis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 466, *Misc.* William R. Daugherty, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 481, *Misc.* Monroe Cornish, petitioner, *v.* Thomas J. Kenney, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 503, *Misc.* Robert L. McHale, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 548, *Misc.* Dale Norwood Hall, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 552, *Misc.* Steven V. Scott, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 554, *Misc.* William Dean Rogerson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 575, *Misc.* Edward Heisler, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 607, *Misc.* Albert Lee Matherne, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 645, *Misc.* David Harold Robinson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 659, *Misc.* Alonzo Calloway and Terry L. S. McCowey, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 672, *Misc.* Victor D. Cifarelli, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 673, *Misc.* James Douglas Davis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 675, **Misc.** Agnes Bauman, petitioner, *v.* Michael Bauman. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 697, **Misc.** Billy Joe Martin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 704, **Misc.** Salvador S. Perez, petitioner, *v.* Sherman H. Crouse, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 705, **Misc.** L. Barbara Savely Swanson et al., petitioners, *v.* Judge Boyers, Sumner County Circuit Court, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 713, **Misc.** Clarence L. Davis, Jr., et al., petitioners, *v.* Walter Turner et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 722, **Misc.** Samuel E. Muniz, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 740, **Misc.** John F. Beltowski, petitioner, *v.* Minnesota. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 748, **Misc.** Richard Willup Lee, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 749, **Misc.** Edward Hill, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 750, **Misc.** Alonzo Roland, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 754, **Misc.** Ramon G. Morales, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 760, **Misc.** John T. P. Haughey, petitioner, *v.* B. J. Rhay, Superintendent, Washington State Penitentiary, et al. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 761, **Misc.** Nathaniel Raullerson, petitioner, *v.* Wayne K. Paterson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 765, **Misc.** Ronald Harry Smith, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 771, *Misc.* In the Matter of Dwight Gaskins, petitioner. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 772, *Misc.* Elbert Eugene Green, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 777, *Misc.* Waymond Augustus Nichols, petitioner, *v.* C. C. Peyton. Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 783, *Misc.* Selvin Lemon, Jr., petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 784, *Misc.* Arthur C. Schultz, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 787, *Misc.* John Stephen Willard, Sr., petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 789, *Misc.* Emile Catalanotto, petitioner, *v.* Associates Discount Corporation. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 792, *Misc.* Albert Brooks, petitioner, *v.* William E. Buder, Judge, etc. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 800, *Misc.* Carl L. Courtney, petitioner, *v.* Virginia State Parole Board. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 802, *Misc.* Robbie Craig, petitioner, *v.* Carl Hocker. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 805, *Misc.* Albert E. Martinez, Jr., petitioner, *v.* Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 809, *Misc.* Ruby Fay Chinowith, petitioner, *v.* Insurance Company of North America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 816, *Misc.* Carlton Lamarr Hogan, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 821, *Misc.* James Conway, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fifth Appellate District, denied.

No. **822, Misc.** Clarence E. Jones, Sr., petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. **824, Misc.** Dolphin G. Thompson et ux., petitioners, *v.* Leonard P. Walsh et al., Judges, etc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **825, Misc.** Charles G. Stapleton, petitioner, *v.* Superior Court, Los Angeles County. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **827, Misc.** Lawrence Prillerman, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. **853, Misc.** Edward H. Bradshaw, petitioner, *v.* Island Creek Coal Co. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **280, Misc.** Leopold J. Gunston, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **290, Misc.** James Roger Edwards, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **299, Misc.** Albert David O'Day, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **651, Misc.** John Brandon, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **711, Misc.** John Otis Sumrall, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **725, Misc.** Joe Lingo, Jr., petitioner, *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **742, Misc.** Robert E. Johnson, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California and for other relief denied.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 780, **Misc.** Grady L. Harper, Jr., petitioner, *v.* Walter E. Craven, Warden, et al.;

No. 886, **Misc.** Clyde C. Stout, petitioner, *v.* Michigan;

No. 913, **Misc.** Ralph C. Turner, petitioner, *v.* Donald J. Sheehy, Superintendent of Lorton Reformatory, et al.; and

No. 963, **Misc.** Oscar Shipp, petitioner, *v.* Walter E. Craven, Warden. Motions for leave to file petitions for writ of habeas corpus denied.

No. 703, **Misc.** Jack Lee Park, petitioner, *v.* Louis S. Nelson, Warden, et al. Motion for leave to file petition for writ of habeas corpus and for other relief denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 788, **Misc.** Standard Fruit and Steamship Co., petitioner, *v.* Seybourn H. Lynne, Chief Judge, etc., et al.; and

No. 794, **Misc.** Forest Alexander, petitioner, *v.* Fred W. Kaess, Judge, etc. Motions for leave to file petitions for writs of mandamus denied.

REHEARINGS DENIED

No. 149. Russell G. Courtney, petitioner, *v.* United States;

No. 212, Carlos Overton, petitioner, *v.* New York;

No. 249. Harold C. Fuller, petitioner, *v.* Alaska;

No. 364. Mary Lee Lake, et vir, appellants, *v.* Potomac Light and Power Company;

No. 381. Albert J. Minichello and Nicholas Mauriello, etc., petitioners, *v.* William B. Camp, Comptroller of Currency for the United States, et al.; and

No. 414. Thomas Rogers Lichten et al., appellants, *v.* Texas. Petitions for rehearing denied.

No. 239. Estate of Arlester L. Burnell, Ward, appellant, *v.* Colorado. Motion for leave to file petition for rehearing denied.

No. 375. Velma L. Mengelkoch et al., appellants, *v.* Industrial Welfare Commission and North American Aviation, Inc. Petition for rehearing by appellant, Mengelkoch, denied.

No. 82, **Misc.** Jimmy C. Johnson, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections;

No. 544, **Misc.** Joel D. Hankins et al., petitioners, *v.* Matthew A. Kane, etc.;

No. 621, **Misc.** Jack Kamsler, petitioner, *v.* Tri Par Radio and Appliance Co., Inc., et al.;

No. **661, Misc.** Jack Kamsler, petitioner, *v.* John Stamos, State's Attorney for Cook County, et al.; and

No. **786, Misc.** Ex parte Jack Kamsler, petitioner. Petitions for rehearing denied.

No. **300, Misc.** Frederick C. Fermin, petitioner, *v.* United States. Petition for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **316, Misc.** Irwin W. Anderten, petitioner, *v.* Warden, South Dakota Penitentiary; and

No. **421, Misc.** James M. Fletcher, petitioner, *v.* California. Motions for leave to file petitions for rehearing denied.

RECESS ORDER

The Court will take a recess from Monday, December 16, 1968, until Monday, January 13, 1969.

ORAL ARGUMENT

No. **43.** William J. McCarthy, petitioner, *v.* United States. Argued by Mr. Maurice J. McCarthy for the petitioner and by Mr. James Van R. Springer for the respondent.

No. **199.** George B. Harris, Judge of United States District Court for the Northern District of California *v.* Louis S. Nelson, Warden. One hour and forty minutes allowed for oral argument. Argued by Mr. J. Stanley Pottinger for the petitioner, by Mr. Derald E. Granberg for the respondent and by Mr. Jerome Feit for the United States, as *amicus curiae*, by special leave of Court.

No. **71.** Presbyterian Church in the United States et al., petitioners, *v.* Mary Elizabeth Blue Hull Memorial Presbyterian Church et al. Argument commenced by Mr. Charles L. Gowen for the petitioners and continued by Mr. Owen H. Page for the respondents.

Adjourned until tomorrow at 10 o'clock.

The day call for Tuesday, December 10, 1968, will be as follows: Nos. **71, 60, 44, and 150.**

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Tom Downs, of Detroit, Mich., on motion of Mr. Wilbur D. Sparks; Joseph Patrick Kubat, of Little Rock, Ark., on motion of Mr. Floyd Lee Williams; Robert A. Yothers, of Seattle, Wash., on motion of Mr. Stanton Pavian Sender; Hart T. Mankin, of Houston, Tex., on motion of Mr. Bernard J. Waters; Ralph Werner, of New York, N.Y., on motion of Mr. Neville Miller; Louise S. Kornis, of New Orleans, La., on motion of Mr. George M. Leppert; Donald Gordon Black, of San Rafael, Calif., on motion of Mr. Robert L. Maier; Gerald Daniel McGonigle, of Salem, N.H., on motion of Mr. Glen B. Smith; Daniel H. Mahoney, of Albany, N.Y., on motion of Mr. John Joseph Leahy; Lee Leibik, of Chicago, Ill., on motion of Mr. Marshall Patner; Brooks Braddock La Grua, of Stonington, Conn., on motion of Mr. Joseph E. Donahue; Albert Lionel Jacobs, Jr., of New York, N.Y., on motion of Mr. Albert L. Jacobs; C. Lee Cook, Jr., of Chicago, Ill., and Victor P. Kayser, of Chicago, Ill., on motion of Mr. John D. Nies; and George F. Carroll, Jr., of Norwalk, Conn., and Joseph D. Harbaugh, of Branford, Conn., on motion of Mr. Robert N. Grosby, were admitted to practice.

ORAL ARGUMENT

No. 71. Presbyterian Church in the United States et al., petitioners, *v.* Mary Elizabeth Blue Hull Memorial Presbyterian Church et al. Argument continued by Mr. Owen H. Page for the respondents and concluded by Mr. Charles L. Gowen for the petitioners.

No. 60. Dick Gregory et al., petitioners, *v.* City of Chicago. Argued by Mr. Marshall Patner for the petitioners and by Mr. Raymond F. Simon for the respondent.

No. 61. National Labor Relations Board, petitioner, *v.* Joseph T. Strong, d/b/a Strong Roofing & Insulating Co. Argued by Mr. Harris Weinstein for the petitioner and by Mr. Charles G. Bakaly, Jr., for the respondent.

No. 44. William Skinner et al., petitioners, *v.* Louisiana. Argued by Mr. George M. Leppert for the petitioners and by Mrs. Louise Kornis for the respondent.

Adjourned until tomorrow at 10 o'clock.

The day call for Wednesday, December 11, 1968, will be as follows:
Nos. **150, 69, 198, 65, and 366.**

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Ben Adelman, of Canoga Park, Calif., on motion of Mr. Daniel M. Friedman; John Edgar Brown III, of Cleveland, Tenn., and John Ervin Linn, of Chattanooga, Tenn., on motion of Mr. Howard H. Baker, Jr.; Harvey Erwin Schlesinger, of Jacksonville, Fla., on motion of Mr. Edward Albert Charron; Richard Davidson Humphreys, of Pittsburgh, Pa., on motion of Mr. John L. Ostby; Robert Gorham Fuller, Jr., of Augusta, Maine, and Jerome Samson Matus, of Gardiner, Maine, on motion of Mr. William J. Levy; Courtland D. Perry, of Augusta, Maine, on motion of Mr. David James Sharpe; Bryon Thomas Cooksey, of Vero Beach, Fla., on motion of Mr. John P. Cole, Jr.; Alford Lee Trueax, Jr., of Huntingdon Valley, Pa., on motion of Mr. Thomas J. Greer, Jr.; John Peter Barnes, of Washington, D.C., on motion of Mr. William Wood Watson; John Alexander Dahlstrom, of Salt Lake City, Utah, on motion of Mr. Wallace L. Duncan; William O. Carpenter, of Arlington, Va., on motion of Mr. John Gordon Smith; and Bruce S. Feldacker, of St. Louis, Mo., Wm. David Newbern, of Fayetteville, Ark., and Russell Clyde Shaw, of Wapakoneta, Ohio, on motion of Mr. Michael Arthur Brown, were admitted to practice.

ORAL ARGUMENT

No. 150. Frances Mattiello, appellant, *v.* Connecticut. Argued by Mr. Robert N. Grosby for the appellant and by Mr. George F. Carroll, Jr., for the appellee.

No. 69. Brotherhood of Railroad Trainmen et al., petitioners, *v.* Jacksonville Terminal Company. Argued by Mr. Neal P. Rutledge for the petitioners and by Mr. Dennis G. Lyons for the respondent.

No. 198. Richard M. Smith, petitioner, *v.* Fred M. Hooey, judge, Criminal District Court of Harris County, Texas. Argued by Mr. Charles Alan Wright for the petitioner and by Mr. Joe S. Moss for the respondent.

No. 65. Timothy F. Leary, petitioner, *v.* United States. Argument commenced by Mr. Robert J. Haft for the petitioner and continued by Mr. John S. Martin, Jr., for the respondent.

Adjourned until tomorrow at 10 o'clock.

The day call for Thursday, December 12, 1968, will be as follows:
65, 366, 200, and 201.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

John Jackson Irwin, Jr., of Tucson, Ariz., on motion of Mr. Morris K. Udall; Michael Stewart Horne, of Washington, D.C., on motion of Mr. Charles A. Miller; Natalie Baskin, of Coral Gables, Fla., and Leonard David Baskin, of Coral Gables, Fla., on motion of Mr. Harold H. Shaller; Larry Dale Ripley, of Boise, Idaho, Robert E. Simpson, of Tacoma, Wash., and James Warren Cook, of Seattle, Wash., on motion of Mr. Stanton Pavian Sender; Jack B. Strong, of Longview, Tex., on motion of Mr. Kenneth H. Burns; John Arlen Evans, of Gulfport, Miss., on motion of Mr. Wm. Ephraim Cresswell; Donald W. Bird, of St. Louis, Mo., and Arthur Gaillard McComas, of Elk City, Okla., on motion of Mr. John S. Martin, Jr.; Donald Marvin Caplan, of Silver Spring, Md., N. Alfred Pasternak, of Bethesda, Md., and Stanley Wanger, of Washington, D.C., on motion of Mr. M. Michael Cramer; Richard Lee Barr, of Des Moines, Iowa, on motion of Mr. Michael H. Bader; John K. Dubiel, of Houston, Tex., on motion of Mr. Lawrence Henneberger; Bruce S. Rogow, of Miami, Fla., on motion of Mr. Ralph Jason Temple; Anthony A. Sicilia, of Chicago, Ill., on motion of Mr. Philip R. Ehrencrantz; Albert Ralph Trower, of Napa, Calif., on motion of Mr. Morton Hollander; Michael J. Henke, of Washington, D.C., on motion of Mr. Henry P. Sailer; and Charles P. Mirarchi, Sr., of Philadelphia, Pa., and Charles P. Mirarchi, Jr., of Philadelphia, Pa., on motion of Mr. Michael C. Rainone, were admitted to practice.

ORAL ARGUMENT

No. 65. Timothy F. Leary, petitioner, *v.* United States. Argument continued by Mr. John S. Martin, Jr., for the respondent and concluded by Mr. Robert J. Haft for the petitioner.

No. 366. United States, appellant, *v.* Henry Preston Covington. Leave granted Mr. Philip A. Lacovara to appear and present oral argument for the appellant, *pro hac vice*, on motion of Mr. John S. Martin, Jr. Argued by Mr. Philip A. Lacovara for the appellant, *pro hac vice*, by special leave of Court, by Mr. William J. Davis for the appellee and by Mr. Robert J. Haft for the appellee by special leave of Court.

No. **200.** Ben H. Frank, petitioner, *v.* United States. Argued by Mr. John B. Ogden for the petitioner and by Mr. Peter L. Strauss for the respondent.

No. **201.** John Dalmer Benton, petitioner, *v.* Maryland. Argued by Mr. M. Michael Cramer for the petitioner and by Mr. Edward F. Borgerding for the respondent.

Adjourned until Monday, December 16, 1968, at 10'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Leo J. Beauclair, of Valley City, N. Dak., William R. Weissman, of New York, N. Y., Joseph Jerome Lastelick, of Dallas, Tex., Charles M. Haar, of Cambridge, Mass., and Fred Bruner of Dallas, Tex., on motion of Mr. Attorney General William Ramsey Clark; Roger Carl Ohlrich, of Washington, D. C., Edward Otho Cresap Ord, of Washington, D. C., James E. Biava, of Los Angeles, Calif., Ralph W. Cook, of Sacramento, Calif., Joseph Taback, of Los Angeles, Calif., Stephen J. Csontos, of Washington, D. C., Joseph Minotti, of Bushnell, Fla., Joseph Eckford Brown, Jr., of Jackson, Miss., Ronald Alan Pearlman, of St. Louis, Mo., Allen Goldstein, of Rockville, Md., Alvin Hirshen, of New York, N. Y., Denis E. Dillon, of New York, N. Y., Winford Virgil Weiford, of Canton, Ohio, John H. Chambers, of Arlington, Tex., David Greene Lilly, of Los Angeles, Calif., and Jacob J. Ross, Jr., of Natrona, Pa., on motion of Mr. Solicitor General Erwin N. Griswold; Wendell Wilkie Mitchell, of Gadsden, Ala., on motion of Mr. Tom Bevill; Linus L. Zukas, of Atlanta, Ga., on motion of Mr. Benj. B. Blackburn III; Marion Justin Reinhardt, of Brooklyn, N. Y., on motion of Judge Edward D. Re; David P. Houlihan, of Bethesda, Md., on motion of Mr. Stanley Metzger; Reuben B. Robertson III, of Washington, D. C., on motion of Mr. Peter L. Strauss; Raymond John Long, of McLean, Va., on motion of Mr. Arthur J. Keefe; Gerard Joseph Glass, of San Francisco, Calif., on motion of Mr. Joseph Forer.

Thomas Charles Green, of Minneapolis, Minn., on motion of Mr. David G. Bress; David Henry Olson, of Los Angeles, Calif., and William Fauver, of Falls Church, Va., on motion of Mr. Robert E. Nagle; J. Marne Gleason, of New York, N. Y., on motion of Mr. Roy W. McDonald; Robert Regnor Rydell, of Des Moines, Iowa, on motion of Mr. Thomas L. C. Vail; Michael Roy Sonnenreich, of Washington, D. C., on motion of Mr. Robert L. Bogomolny; George William McBurney, of Chicago, Ill., on motion of Mr. Richard J. Flynn; John Michael Bollman, of San Diego, Calif., on motion of Mr. Arthur B. Hanson; Paul Lynch, of Shreveport, La., and Patrick C. Coughlan, of Boca Raton, Fla., on motion of Mr. Michael Arthur Brown; Donald Martin Fenmore, of Los Angeles, Calif., on motion

of Mr. Maxwell J. Fenmore; Hardin Austin Whitney, Jr., of Salt Lake City, Utah, on motion of Mr. Jerome B. Libin; Ronald J. St. Onge, of Stamford, Conn., on motion of Mr. William K. Tell, Jr.; Lawrence Glenn Mertes, of Washington, D.C., on motion of Mr. Glendale O. Scott; Jeremiah Luxemburger, of Atlanta, Ga., on motion of Mr. Phillip Dean Bostwick; Ralph Adam Fine, of New York, N.Y., and Jerome M. Kay, of New York, N.Y., on motion of Mr. James G. Greilsheimer; Thomas Ball Bracken, of Washington, D.C., and Ronnie A. Yoder, of Washington, D.C., on motion of Mr. John H. Quinn, Jr.; and Roger A. Bjorvik, of Chicago, Ill., Nelson C. Cuddeback, of Chicago Heights, Ill., Clayton F. Everett, of Chicago, Ill., Matthew J. Gormley III, of Haverstraw, N.Y., William L. Haas, of Framingham, Mass., Gerald E. A. Holland, of Chicago, Ill., John C. Kiely, Jr., of Chicago, Ill., Carl J. Klein, of Morton Grove, Ill., Charles P. Logan, Jr., of Wheaton, Ill., Raymond R. Mech, of Des Plaines, Ill., Gerson E. Meyers, of Chicago, Ill., James S. Mills, of Geneva, Ill., Bernard H. Ostrowsky, of Chicago, Ill., Keith D. Schulz, of Chicago, Ill., Ernest Redington Stent, of Chicago, Ill., Howard Walker, of Chicago, Ill., and Robert E. Wiss, of Chicago, Ill., on motion of Mr. Donald D. Chapman, were admitted to practice.

OPINIONS

No. 46. James J. Oestereich, petitioner, *v.* Selective Service System Local Board No. 11, Cheyenne, Wyoming, et al. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment reversed and case remanded to the United States District Court for the District of Wyoming where petitioner must have the opportunity to prove the facts alleged and also to demonstrate that he meets the jurisdictional requirements of 28 U.S.C. § 1331. Opinion by Mr. Justice Douglas. Opinion by Mr. Justice Harlan concurring in the result. Dissenting opinion by Mr. Justice Stewart with whom Mr. Justice Brennan and Mr. Justice White join.

No. 24. Federal Trade Commission, petitioner, *v.* Texaco, Inc., et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and case remanded to the Court of Appeals for enforcement of the Commission's order with the exception of paragraphs five and six of the order against Texaco. Opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice Stewart.

No. 32. Gale H. Johnson, petitioner, *v.* John E. Bennett, Warden. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment vacated and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this court. Opinion *per curiam* announced by Mr. Chief Justice Warren. Mr. Justice Black dissents.

The Chief Justice said:

"The other orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally."

OPINIONS PER CURIAM

No. 561. Johnny C. Wilson et al., appellants, *v.* Asa D. Kelley, Jr., Director of the State Board of Corrections of Georgia, et al. Appeal from the United States District Court for the Northern District of Georgia. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*. Mr. Justice Douglas and Mr. Justice White are of the opinion that probable jurisdiction should be noted.

No. 572. Ramsey Clark et al., appellants, *v.* Charles Joseph Cuney Gabriel. Appeal from the United States District Court for the Northern District of California. Motion of appellee for leave to proceed *in forma pauperis* granted, judgment reversed and case remanded to the United States District Court for the Northern District of California for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*. Concurring opinion by Mr. Justice Douglas. Mr. Justice Brennan, Mr. Justice Stewart, and Mr. Justice White concur in the judgment for the reasons stated in Mr. Justice Stewart's dissenting opinion in No. 46, *ante*. Mr. Justice Black would note probable jurisdiction and set case down for argument.

No. 609. Standard Oil Company of California, appellant, *v.* City of Los Angeles et al. Appeal from the Court of Appeal of California, Second Appellate District. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 615. Household Goods Carriers' Bureau et al., appellants, *v.* United States et al. Appeal from the United States District Court for the Northern District of California. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*.

No. 617. Suzanne G. Ogle, appellant, *v.* V. A. Heim, Auditor-Controller of the County of Orange, California. Appeal from the Supreme Court of California. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. ——. Franklin P. Gavin, petitioner, *v.* Emmet J. Lynch. The application for a stay presented to Mr. Justice Black, and by him referred to the Court, is denied.

No. ——. Sherman H. Skolnick et al., appellants, *v.* Mayor and City Council of Chicago et al. The application for a stay presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. —. *Great Northern Railway Merger* case. The applications by the United States and the city of Auburn, Washington, for a stay of the effectiveness of orders of the Interstate Commerce Commission, dated November 30, 1967, and April 11, 1968, authorizing the merger of the Great Northern Railway Company, the Northern Pacific Railway Company, the Chicago, Burlington and Quincy Railroad Company, the Pacific Coast Railway Company and the Spokane, Portland and Seattle Railway Company, are granted, said stay to remain in effect until further order of this Court. Mr. Justice Fortas took no part in the consideration or decision of these applications.

No. 49. Zenith Radio Corporation, petitioner, *v.* Hazeltine Research, Inc., et al. The request for additional time is granted and a total of three hours is allotted for oral argument.

No. 201. John Dalmer Benton, petitioner, *v.* Maryland. This case is restored to the docket for reargument on March 24, 1969, limited to the following question, not specified in the original writ:

“Does the ‘concurrent sentence doctrines,’ enunciated in *Hirabayashi v. United States*, 320 U.S. 81, 105, and subsequent cases, have continuing validity in light of such decisions as *Ginsberg v. New York*, 390 U.S. 629, 633, n. 2, *Peyton v. Rowe*, 391 U.S. 54, *Carafas v. LaVallee*, 391 U.S. 234, 237–238, and *Sibron v. New York*, 392 U.S. 40, 50–58?”

The Solicitor General is invited to file a brief expressing the views of the United States and to participate in oral argument.

No. 243. Citizen Publishing Company et al., appellants, *v.* United States. The motion of Robert L. Stern for leave to participate in oral argument, for *amici curiae*, is denied. Mr. Justice Fortas took no part in the consideration or decision of this motion.

No. 273. Russell Scofield et al., petitioners, *v.* National Labor Relations Board et al. The motion of respondent, International Union, UAW, to argue orally is granted and twenty additional minutes are allotted for that purpose. Counsel for the petitioners are likewise allotted twenty additional minutes for oral argument. Mr. Justice Marshall took no part in the consideration or decision of this motion.

No. 379. International Terminal Operating Co., Inc., petitioner, *v.* N. V. Nederl. Amerik Stoomv. Maats. The motion to recall and amend the judgment of this Court is granted. It is ordered that the certified copy of the judgment sent to the District Court be recalled and the case be remanded to the United States Court of Appeals for the Second Circuit.

No. 646. James F. O’Callahan, petitioner, *v.* J. J. Parker, Warden. The motion to remove this case from the summary calendar is denied.

No. 889, Misc. Mark Paulekas, petitioner, *v.* Ramsey Clark, Attorney General, et al. The stay heretofore granted by this Court on October 25, 1968, is hereby dissolved.

APPEALS—JURISDICTION NOTED

No. 620. James L. Moore et al., appellants, *v.* Samuel Shapiro, etc., et al. Appeal from the United States District Court for the Northern District of Illinois. In this case probable jurisdiction noted and case placed on the summary calendar.

No. 647. Sallie M. Hadnott et al., appellants, *v.* Mabel S. Amos, etc., et al. Appeal from the United States District Court for the Middle District of Alabama. Motion to dispense with printing jurisdictional statement granted. In this case probable jurisdiction noted and case set for oral argument on January 21, 1969, together with the motion for an order to show cause why Judge Herndon should not be held in contempt and for other relief. Appellants' briefs shall be filed by January 3, 1969, and responding briefs by January 17, 1969. Case may be presented on the original record, without printing. Mr. Justice Black took no part in the consideration or decision of these matters.

CERTIORARI GRANTED

No. 573. National Labor Relations Board, petitioner, *v.* Gissel Packing Company, Inc., et al.; and

No. 691. Food Store Employees Union, Local No. 347, Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO, petitioner, *v.* Gissel Packing Company, Inc. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit granted. Cases consolidated and a total of two hours allotted for oral argument.

No. 585. The Sinclair Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit granted. Case placed on summary calendar and set for oral argument immediately following Nos. 573 and 691.

No. 622. William L. Maxwell, petitioner, *v.* O. E. Bishop, Superintendent, Arkansas State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted, limited to questions 2 and 3 of the petition which read as follows:

"2. Whether Arkansas' practice of permitting the trial jury absolute discretion, uncontrolled by standards or directions of any kind, to impose the death penalty violates the Due Process Clause of the Fourteenth Amendment?"

"3. Whether Arkansas' single-verdict procedure, which requires the jury to determine guilt and punishment simultaneously and a defendant to choose between presenting mitigating evidence on the punishment issue or maintaining his privilege against self-incrimination on the guilt issue, violates the Fifth and Fourteenth Amendments?"

Case placed on the summary calendar and set for oral argument immediately following No. 642.

No. 167, **Misc.** Tommie E. L. Williams, petitioner, *v.* City of Oklahoma City et al. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma granted. Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI DENIED

No. 525. Matson Navigation Company, petitioner, *v.* C. R. Smith, Secretary of Commerce, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 593. Ruby L. Porter, etc., petitioner, *v.* St. Louis-San Francisco Railway Company. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 594. Legal Integrity Preservation Society, Inc., et al., petitioners, *v.* Eugene X. Murphy et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 597. Mississippi Power Company et al., petitioners, *v.* South Mississippi Electric Power Association. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 599. Phoenix Title & Trust Company, etc., petitioner, *v.* Edna (Van-Y) Markel. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 600. Architectural Models, Inc., petitioner, *v.* Nils C. Neklason and Donald Nusbaum, doing business as Scale Models Unlimited. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 601. Robert H. Howie, Jr., petitioner, *v.* Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 602. Charles R. Barr et al., petitioners, *v.* Ruthie Mae Chatman et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 603. Continental Nut Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 604. Van A. Stillely, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 607. Ray Jackson Cribb, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 612. Theatrical Protective Union No. 1, International Alliance on Theatrical and Stage Employees, AFL-CIO, petitioner, *v.* Harold Phalen et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 614. The Commercial National Bank of Kansas City et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 618. Alabama Power Company, petitioner, *v.* Alabama Electric Cooperative, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 621. Frank J. Ragen, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 687. Evelle J. Younger, District Attorney, etc., petitioner, *v.* Superior Court of California, County of Los Angeles. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 591. Vivian Walsh Barron, petitioner, *v.* Florida. Motion to dispense with printing petition granted. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 592. John E. Bennett, Warden, petitioner, *v.* Ronald Maurice Stump. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Black, Mr. Justice Harlan, and Mr. Justice White are of the opinion that certiorari should be granted.

No. 595. Earl R. Hinger, petitioner, *v.* City of Piqua. Petition for writ of certiorari to the Supreme Court of Ohio denied. The Chief Justice, Mr. Justice Black, and Mr. Justice Fortas are of the opinion that certiorari should be granted.

No. 608. Howard J. Theckston et ux., petitioners, *v.* Triangle Publications, Inc., et al. Petition for writ of certiorari to the Supreme Court of New Jersey denied. Mr. Justice Fortas is of the opinion that certiorari should be granted.

No. 613. Thomas W. McArthur et al., petitioners, *v.* Clark Clifford, Secretary of Defense, et al. Motions to dispense with printing petition and to amend petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Dissenting opinion by Mr. Justice Douglas.

No. 258, Misc. Robert A. Jones, petitioner, *v.* Merle R. Schneckloth et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 287, Misc. Paul B. Owens, petitioner, *v.* Harry E. Russell, Superintendent, State Correctional Institution, et al. Petition for writ

of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **336, Misc.** Murray Pincus, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. **373, Misc.** LeRoy Early, petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **441, Misc.** Howard James Beaver, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **459, Misc.** Merlin Clair Bean and Louis Ann LeMay, petitioners, *v.* Minnesota. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. **499, Misc.** Charles Tolbert, petitioner, *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. **531, Misc.** Kenneth G. Sheldon, petitioner, *v.* Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. **596, Misc.** Stephen D. Zerschausky, petitioner, *v.* George Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **597, Misc.** Robert Van Ermen, petitioner, *v.* John C. Burke. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **615, Misc.** Ralph H. Lemon, petitioner, *v.* Oregon. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. **658, Misc.** Roger S. Bandy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **685, Misc.** Albert Lessard, petitioner, *v.* Fred R. Dickinson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **690, Misc.** Douglas Warner, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. **727, Misc.** Herman Grimsley, petitioner, *v.* Warren Pinto, Superintendent, New Jersey State Prison Farm, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **763, Misc.** Rohalia Roberts, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 767, **Misc.** Robert M. Jordan, petitioner, *v.* United States; and No. 774, **Misc.** Harry Lee Stokes, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 769, **Misc.** Kenneth R. Plaisance, petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 778, **Misc.** Clayton Gilbert Knepfler, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 810, **Misc.** Harry Junior Williams, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 814, **Misc.** Cecil Hollis, petitioner, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 818, **Misc.** Roger S. Bandy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 843, **Misc.** Paul A. Studenroth, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 845, **Misc.** George Paul Conway, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 861, **Misc.** John C. Bennett, petitioner, *v.* North Carolina. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 866, **Misc.** John Wesly Williams, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 896, **Misc.** Thomas Edward Blunt, petitioner, *v.* D. J. Sheehy, Superintendent, Lorton Reformatory, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 897, **Misc.** Herman Williams, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 898, **Misc.** Lee Arthur Henley, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 903, **Misc.** Jack R. Delaney, petitioner, *v.* Hoyt C. Cupp, Warden. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 147, **Misc.** Eddie Pool, petitioner, *v.* Louis S. Nelson, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit and for other relief denied.

No. **223, Misc.** Leroy George Mendez, petitioner, *v.* California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **330, Misc.** James Nelson Coleman, petitioner, *v.* E. L. Maxwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **255, Misc.** Johnny Leo Hill, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion that certiorari should be granted.

LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. **341, Misc.** James E. Dooley, petitioner, *v.* Alabama. Motion for leave to file petition for writ of habeas corpus denied.

LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. **360, Misc.** Laurence Pat Schmiedeberg, petitioner, *v.* Dan E. Walton, Judge. Motion for leave to file petition for writ of mandamus denied.

REHEARINGS DENIED

No. **696, Misc.** Ben Odes, petitioner, *v.* The Civil Service Commission of the City of Chicago et al.; and

No. **698, Misc.** James A. Johnson, petitioner, *v.* California. Petitions for rehearing denied.

No. **36, Misc.** Clyde Bates and Manuel Chavez, petitioners, *v.* Louis S. Nelson, Warden; and

No. **132, Misc.** Louis Perez Cerda, petitioner, *v.* United States. Motions for leave to file petitions for rehearing denied.

Adjourned until Monday, January 13, 1969, at 10 o'clock.

The day call for Monday, January 13, 1969, will be as follows: Nos. **30** (and **31**), **238**, **269**, and **273**.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Michael J. Balgley, of Chicago, Ill., Charles Freeland, of Pikesville, Md., Charles Frederick Carson Ruff, of Washington, D.C., Brian Conboy, of New York, N.Y., Bruce A. Burns, of Lake Success, N.Y., Solomon Leo Warhaftig, of New York, N.Y., and Don E. Stokes, of Dallas, Tex., on motion of Mr. Solicitor General Erwin N. Griswold; Paul G. Bower, of Los Angeles, Calif., and Wesley A. Pomeroy, of Menlo Park, Calif., on motion of Mr. Warren M. Christopher; Bernard M. King, of Fremont, Calif., on motion of Mr. Don Edwards; Marie Stuart Klooz, of Washington, D.C., on motion of Mrs. Frances Norrington; Marian R. Pearlman, of New York, N.Y., on motion of Mr. Edward Weinberg; Carl D. Hall, Jr., of Tulsa, Okla., on motion of Mr. Ardon B. Judd, Jr.; J. Hugo Madison, of Norfolk, Va., James A. Overton, of Portsmouth, Va., and Sterling Wilson Walker, of Norfolk, Va., on motion of Mr. Herbert O. Reid; David D. Day, of Philadelphia, Pa., John G. Kneafsey, of Philadelphia, Pa., and Alexander Schachter, of New York, N.Y., on motion of Mr. J. David Mann, Jr.; Whayne S. Quin, of Washington, D.C., and Wallace E. Whitmore, of Washington, D.C., on motion of Mr. Norman M. Glasgow; Michael Jennings Keady, of San Francisco, Calif., on motion of Mr. Bruce A. Butcher; Gerry M. Miller, of Milwaukee, Wisc., on motion of Mr. David Leo Uelmen; and Jonathan W. Lubell, of New York, N.Y., on motion of Mr. Monroe M. Friedman, were admitted to practice.

OPINIONS

No. 17. United States, petitioner, *v.* The Donruss Company. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and case remanded to the United States District Court for the Western District of Tennessee for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Marshall. Opinion by Mr. Justice Harlan with whom Mr. Justice Douglas and Mr. Justice Stewart join concurring in part and dissenting in part.

No. 20. Joyce C. Thorpe, petitioner, *v.* Housing Authority of the City of Durham. On writ of certiorari to the Supreme Court of North

Carolina. Judgment reversed and case remanded to the Supreme Court of North Carolina for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Warren. Concurring opinion by Mr. Justice Black.

No. 51. United States, appellant, *v.* Joseph Francis Nardello and Isadore Weisberg. Appeal from the United States District Court for the Eastern District of Pennsylvania. Judgment reversed and case remanded to the United States District Court for the Eastern District of Pennsylvania for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Warren. Mr. Justice White took no part in the decision of this case.

The Chief Justice said:

"The other orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally."

OPINIONS PER CURIAM

No. 191. Geraldine Snell et al., appellants, *v.* George K. Wyman, as Commissioner, New York State Department of Social Services, et al. Appeal from the United States District Court for the Southern District of New York. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*. Mr. Justice Douglas is of the opinion that probable jurisdiction should be noted.

No. 490. James Boyd et al., appellants, *v.* Ramsey Clark, Attorney General of the United States, et al. Appeal from the United States District Court for the Southern District of New York. The judgment is affirmed, *Clark v. Gabriel*, 392 U.S. —, without reaching the jurisdictional question raised under 28 U.S.C. § 1331. Opinion *per curiam*.

No. 648. Markham Advertising Company, Inc., et al. appellants, *v.* Washington et al. Appeal from the Supreme Court of Washington. The appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 652. Jerome R. Freed, appellant, *v.* Ronald J. Baldi et al. Appeal from the Supreme Court of Colorado. The appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 665. Louise Tucker Bennett et al., each individually and on behalf of all others similarly situated, appellants, *v.* D. S. Cottingham et al. Appeal from the United States District Court for the Northern District of Alabama. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*. The Chief Justice, Mr. Justice Harlan and Mr. Justice Brennan are of the opinion that probable jurisdiction should be noted.

No. 684. Abbott Estrin, etc., et al., appellants, *v.* W. F. Moss, Commissioner of Agriculture of Tennessee, et al. Appeal from the Supreme Court of Tennessee, Middle Division. The appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 703. Charlie W. Ward, etc., et al., appellants, *v.* Lyndon B. Johnson et al. Appeal from the United States District Court for the Northern District of Illinois. The motion to dispense with printing the jurisdictional statement is granted. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Opinion *per curiam*.

No. 706. Williams and Company, Inc., appellant, *v.* City of Pittsburgh et al. Appeal from the Supreme Court of Pennsylvania, Western District. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 708. Charles H. Cox et al., appellants, *v.* United States et al. Appeal from the United States District Court for the Western District of Missouri. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*.

No. 719. Robert A. Bennett, appellant, *v.* Mississippi. Appeal from the Supreme Court of Mississippi. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 733. J. Harvie Williams et al., appellants, *v.* Virginia State Board of Elections et al. Appeal from the United States District Court for the Eastern District of Virginia. The judgment is affirmed. Opinion *per curiam*.

No. 738. Adkins Transfer Company, Inc., et al., appellants, *v.* Harold Dornbos and Beverly Dornbos, individually and dba H. J. Dornbos & Bro., a co-partnership. Appeal from the Supreme Court of Michigan. The motions to dismiss are granted and the appeal is dismissed for want of a final judgment. Opinion *per curiam*. Mr. Justice Black and Mr. Justice Douglas are of the opinion that the appeal should be dismissed for want of a substantial federal question. Mr. Justice Stewart is of the opinion that further consideration of the question of jurisdiction should be postponed to the hearing of the case on the merits. Mr. Justice Fortas took no part in the consideration or decision of this case.

No. 745. C. L. Hilliard, appellant, *v.* City of Gainesville, Florida. Appeal from the Supreme Court of Florida. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*. Mr. Justice Douglas is of the opinion that probable jurisdiction should be noted.

No. 756. Mid-Valley Pipeline Company, appellant, *v.* Donald R. King, Commissioner of Revenue, et al. Appeal from the Supreme

Court of Tennessee, Middle Division. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*. Mr. Justice Stewart and Mr. Justice White are of the opinion that probable jurisdiction should be noted.

No. **221, Misc.** Donald Leslie Berger, petitioner, *v.* California. On petition for writ of certiorari to the Court of Appeal of California, Second Appellate District. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeal of California, Second Appellate District, for reconsideration in light of this Court's decision in *Barber v. Page*, 390 U.S. 719. Opinion *per curiam*.

No. **371, Misc.** Mosewood Brown, appellant, *v.* Ira M. Coiner, Warden. Appeal from the Supreme Court of Appeals of West Virginia. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. ——. Billy David Dickens, appellant, *v.* United States. The application for bail pending appeal presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No.——. Stephen F. Schonbrun, petitioner, *v.* Commanding Officer et al. The application for reconsideration of the denial of a stay of mandate presented to Mr. Justice Harlan, and by him referred to the Court, is denied. Mr. Justice Douglas is of the opinion that the application should be granted.

No. **13.** The Baltimore and Ohio Railroad Company, et al., appellants, *v.* Aberdeen and Rockfish Railroad Company et al. The appellees are requested to file within 30 days a response to the petition for rehearing.

No. **44.** William Skinner et al., petitioners, *v.* Louisiana. The motion of petitioners for leave to file a brief after argument is granted, and such brief shall be filed within ten days.

No. **138.** Adam Clayton Powell, Jr., et al., petitioners, *v.* John W. McCormack et al. The motion to remove this case from the summary calendar is granted.

No. **216.** Patrick G. Martone, appellant, *v.* Cecil Morgan et al. The motion to consolidate this case with No. **548** is denied.

No. **297.** Immigration and Naturalization Service, petitioner, *v.* Veljko Stanisic. The motion of the respondent for the appointment of counsel is granted, and it is ordered that G. Bernhard Fedde, Esquire, of Portland, Oregon be, and he is hereby, appointed to serve as counsel for the respondent in this case.

No. 418. Curtis M. Simpson, Warden, petitioner, *v.* William S. Rice. The motion of the respondent for leave to proceed further herein *in forma pauperis* is granted. The motion of the respondent for the appointment of counsel is granted, and it is ordered that Oakley W. Melton, Esquire, of Montgomery, Alabama, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for the respondent in this case.

No. 453. John McMillan Gregg, petitioner, *v.* United States. The motion of the petitioner for leave to proceed further herein *in forma pauperis* is granted. The motion of the petitioner for the appointment of counsel is granted, and it is ordered that Dean E. Richards, Esquire, of Indianapolis, Indiana, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

No. 480. Harold Lawrence Blasius, petitioner, *v.* United States. The motion of the petitioner to dismiss the writ of certiorari under Rule 60 is granted.

No. 750. Glenn Martin Harrington, petitioner, *v.* California. The motion of respondent to dispense with printing the appendix is denied.

No. 770. Ted Steven Chimel, petitioner, *v.* California. The joint motion to dispense with printing the appendix is denied. The request for additional time for oral argument is denied.

APPEALS—JURISDICTION NOTED

No. 163. Evelle J. Younger, appellant, *v.* John Harris, Jr., et al. Appeal from the United States District Court for the Central District of California. Motion to dispense with printing motion to affirm granted. In this case probable jurisdiction noted and case placed on the summary calendar.

No. 610. John L. Sullivan, Tax Commissioner of the State of Connecticut, et al., appellants, *v.* United States et al. Appeal from the United States Court of Appeals for the Second Circuit. In this case probable jurisdiction noted and case placed on the summary calendar.

No. 701. Gaston County, North Carolina, appellant, *v.* United States. Appeal from the United States District Court for the District of Columbia. In this case probable jurisdiction noted and case placed on the summary calendar.

CERTIORARI GRANTED

No. 624. Clyde A. Perkins, petitioner, *v.* Standard Oil Company of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 672. United States, petitioner, *v.* John P. King. Petition for writ of certiorari to the United States Court of Claims granted and case placed on the summary calendar.

No. 717. United States et al., petitioners, *v.* Radio Television News Directors Association et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted. Case placed on the summary calendar and set for oral argument immediately following No. 2.

CERTIORARI DENIED

No. 81. Brotherhood of Locomotive Engineers, petitioner, *v.* John P. McElroy et al; and

No. 128. Terminal Railroad Association of St. Louis, petitioner, *v.* John P. McElroy et al. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 332. David Bruce Moskowitz, petitioner, *v.* J. Winston Kindt et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 400. William J. Veres, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 441. Douglas Bryant and Doris May Bryant, petitioners, *v.* Illinois and the City of Chicago. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 451. Jeff Fort, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 512. General Time Corporation, petitioner, *v.* Securities and Exchange Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 625. Nathan Habib, petitioner, *v.* Yvonne C. Edwards. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 627. Libbey-Owens-Ford Glass Company, petitioner, *v.* Frank W. McCulloch et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 628. Everett Anderson, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 629. In the Matter of the Succession of E. W. K. Andrau. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 630. Richard T. Barnes et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 631. Yellow Cab Company, petitioner, *v.* Democratic Union Organizing Committee, Local 777, S.I.U.N.A., AFL-CIO. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **635.** Irving D. Friedman et ux., petitioners, *v.* Chesapeake and Ohio Railway Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **637.** Town of Hempstead et al., petitioners, *v.* American Airlines, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **639.** Washington Metropolitan Area Transit Commission, petitioner, *v.* United States et al.; and

No. **658.** Washington, Virginia and Maryland Coach Company, Inc., et al., petitioners, *v.* United States et al. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **640.** Ultimate Research and Development Corp., et al., petitioners, *v.* The Taylor Wine Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **649.** John Dwain Dugger, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **653.** Emmogene Snyder Prescott, petitioner, *v.* Shell Oil Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **654.** McGordon Southall, t/a Southall Realty Company, petitioner, *v.* Lillie Brown. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **655.** Laurence Davis, petitioner, *v.* Norman M. Littell. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **656.** Roscoe L. Norman et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. **661.** Edgar I. Shott, Jr., petitioner, *v.* Thomas A. Conroy, etc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **664.** Ransburg Electro-Coating Corp., petitioner, *v.* Ionic Electrostatic Corporation. Petition for writ of certiorari to the United States Courts of Appeals for the Fourth Circuit denied.

No. **666.** Helen Corrine Scales Trice, Executrix, etc., petitioner *v.* Commercial Union Assurance Company, Ltd., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **669.** Francis J. Ivancie, petitioner, *v.* Robert Y. Thornton, Attorney General of Oregon, et al. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. **674.** William P. T. Preston, Jr., et al., petitioners, *v.* United States Trust Company of New York et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **677.** Elfriede Berta Poprowski, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **678.** Flambeau Plastics Corporation, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **679.** In the Matter of Nathan Shavin, petitioner. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. **680.** Warren H. Byrd, petitioner, *v.* Ward Lane, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **681.** ~~Jarobe~~ Bros. Storage Warehouse, Inc., petitioner, *v.* Allied Van Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **685.** Union Railway Company, petitioner, *v.* Swift & Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **686.** Robert Wilbur Ball, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. **688.** United Steelworkers of America, petitioner, *v.* CCI Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **689.** Louis Famiano, petitioner, *v.* Gerald Enyeart, aka Gerry Enyeart, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **690.** Chris D. Stoltzfus et ux., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **692.** Deming National Bank, petitioner, *v.* Morrison Flying Service. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **693.** Michael Zakutansky and Arthur M. Johnston, petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 694. Robert M. Pagano, petitioner, *v.* Samuel A. Martin and Howard E. Miniter, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 695. International Brotherhood of Electrical Workers, Local Union No. 5, petitioner, *v.* United States of America, Equal Employment Opportunity Commission. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 696. City of Miami Beach, Florida, petitioner, *v.* Victor H. Kugel et al. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 697. Alfred Romero et ux, petitioners, *v.* Ten Eyck-Shaw, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 700. Howard Hunt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 702. George Leslie Samuels, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 707. Brotherhood of Locomotive Firemen and Enginemen et al., petitioners, *v.* Chicago, Milwaukee, St. Paul & Pacific Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 710. William Travis Blackburn, petitioner, *v.* United States; and

No. 723. Isaac Call, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 714. Estate of Eleanor Buchanan Talbott, etc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 718. William J. Dawson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 721. Darlington Manufacturing Company, petitioner, *v.* National Labor Relations Board et al.; and

No. 722. Deering Milliken, Inc., et al., petitioners, *v.* National Labor Relations Board et al. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 724. Charles Marcus, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 725. Raymond Patriarca et al., petitioners, *v.* United States. Petition for a writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 727. Lloyd Braxton Burgess, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 728. Ira Clemens (individually and on behalf of others adversely affected), petitioner, *v.* Central Railroad Company of New Jersey et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 729. International Woodworkers of America, Local Union 3-3, AFL-CIO, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 730. Robert M. Shelton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 736. J. A. Cain dba Cain's Bar, petitioner, *v.* State Beverage Department of Florida et al. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 737. Irving Napue, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 739. Claude B. Morgan, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 742. Transit Casualty Company et al., petitioners, *v.* Security Trust Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 743. William Lee Freeman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 746. Ford M. Converse, petitioner, *v.* Stewart L. Udall, Secretary of the Interior. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 747. Structural Laminates, Inc., petitioner, *v.* Douglas Fir Plywood Association. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 751. Cannery Workers Union of the Pacific, etc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 752. Milton Frank Allen Publications, Inc., petitioner, *v.* Georgia Association of Petroleum Retailers, Inc. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 754. Percell Tarboro, petitioner, *v.* Reading Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 821. General Time Corporation, petitioner, *v.* Securities and Exchange Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 633. Allen M. Krebs and Walter D. Teague, III, etc., petitioners, *v.* John M. Ashbrook et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 709. Martha G. Whitfield, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 716. General Time Corporation, petitioner, *v.* Talley Industries, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 636. Howard Yeager, Principal Keeper of the New Jersey State Prison, petitioner, *v.* Sylvester Johnson and Stanley Cassidy. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 657. San Jacinto Sand Company, Inc., petitioner, *v.* Southwestern Bell Telephone Company. Motion to enlarge record granted. Petition for writ of certiorari to Court of Civil Appeals of Texas, Fourteenth Supreme Judicial District, denied.

No. 667. John G. Garner et ux., petitioners, *v.* Commissioner of Internal Revenue. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for Sixth Circuit denied.

No. 671. Margaret McD. Leonard, Administratrix, etc., petitioner, *v.* James H. Wharton, Administrator, C.T.A., etc. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 683. Billie James Rose, petitioner, *v.* New Mexico. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 711. Dominick E. Bartone, petitioner, *v.* United States. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 676. Vito Genovese, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 682. Frank Ditto, petitioner, *v.* City of Chicago et al. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion that certiorari should be granted.

No. 16, Misc. Lee Dell Walker, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 201, Misc. Eugene J. McCullough, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 317, Misc. George Bobby Mixon, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 349, Misc. Aristedes Menendez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 354, Misc. Duane Edward Krug, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 362, Misc. William Edward Bradley, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 376, Misc. John L. Lacey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 383, Misc. Grady Monroe Holsen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 394, Misc. Anthony F. Oliveri, petitioner, *v.* Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 455, Misc. Edgar Moore, etc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 495, Misc. Paul Zamora, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 555, *Misc.* Adam Amos Mack, petitioner, *v.* Victor G. Walker, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 557, *Misc.* Roland Tyler, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 563, *Misc.* James Carlton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 565, *Misc.* Richard Burton Hendrickson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 569, *Misc.* Fred Tolever, petitioner, *v.* S. Lamont Smith, Warden. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 603, *Misc.* William Lee Miller, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 610, *Misc.* Raymond Leroy Mendez, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 643, *Misc.* George Bailey and Virginia Royals Holmes, petitioners, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 650, *Misc.* Jack Barofsky, petitioner, *v.* General Electric Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 655, *Misc.* Ralph P. Bauerlien, petitioner, *v.* Warden, Maryland Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 657, *Misc.* George W. Price, Jr., petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 670, *Misc.* Earl Tinch, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 684, *Misc.* Jackie Benny Boykin, a/k/a Benny Jackie Boykin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 719, *Misc.* Travis M. Lewis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 728, *Misc.* Miguel Marcelo Retolaza, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 735, *Misc.* Henry Hopkins, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 736, *Misc.* John Louis Nelson, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 759, *Misc.* Henry V. Wolenski, petitioner, *v.* John P. Shovlin, M.D. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 764, *Misc.* Alberto Llanes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 779, *Misc.* George Emerson Hart, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 782, *Misc.* Thurston Hill, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 791, *Misc.* Gerard Peabody, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 796, *Misc.* Lawrence Ray Yant, petitioner, *v.* Olin G. Blackwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 803, *Misc.* George L. Webb, petitioner, *v.* Howard M. Comstock, Superintendent, Sierra Conservation Center. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 806, *Misc.* Leonard M. Arnold, petitioner, *v.* Edward J. Hendrick, Superintendent, etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 808, *Misc.* Lowell M. Birrell, petitioner, *v.* William B. Herlands, United States District Judge, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 811, *Misc.* Rocco Salvatore Lupino, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 817, *Misc.* James Colavecchio and Albert Figer, petitioners, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Eighth Judicial District, denied.

No. 819, **Misc.** Sam Hamlett, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 820, **Misc.** Truman Adonis Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 830, **Misc.** Maudelene H. Strickland, petitioner, *v.* Wilbur J. Cohen, Secretary of the Department of Health, Education and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 832, **Misc.** William W. Blakey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 833, **Misc.** Paul Bumpus, petitioner, *v.* Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 835, **Misc.** Vera E. Dooner, petitioner, *v.* Charles Buckman, Director of Kings Park State Hospital. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 837, **Misc.** Ulysses Henderson, petitioner, *v.* Pennsylvania et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 842, **Misc.** James Gordon McCloskey, petitioner, *v.* Harold M. Boslow, Director, Patuxent Institution. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 846, **Misc.** Roy Gene Bond, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 848, **Misc.** Cecil George Woodside, Jr., petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 849, **Misc.** Anthony Tortorice, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 852, **Misc.** Lally B. Hibbert, petitioner, *v.* New York City Transit Authority. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 854, **Misc.** Francis Furlong, petitioner, *v.* George Walker. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 856, **Misc.** Donald Richard Leeman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **862, Misc.** Sam Zimmerman, petitioner, *v.* Warden, Maryland House of Correction. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. **863, Misc.** Harvey Wurtzburger, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. **864, Misc.** Charles D. Larson, petitioner, *v.* John E. Bennett, Warden. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. **868, Misc.** New England Enterprises, Inc., et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **870, Misc.** Dennis R. Clark, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **872, Misc.** Edward McCarthy, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. **873, Misc.** Rudolph Lavon Watkins, petitioner, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. **874, Misc.** William Lent, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. **876, Misc.** John Johnson, petitioner, *v.* New York et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **878, Misc.** Gerald Glen Boyden, petitioner, *v.* Jesse W. Curtis, United States District Judge. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **879, Misc.** Gerald George Norman, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. **880, Misc.** Etienne Desroche, petitioner, *v.* Liberty Mutual Insurance Company et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. **881, Misc.** James Raymond Alaway, petitionerr, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **882, Misc.** Roy E. Bracamonte, petitioner, *v.* H. V. Field. Petition for writ of certiorari to the Supreme Court of California denied.

No. **885, Misc.** Benny Snell, petitioner, *v.* Curtis M. Simpson, Warden. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. **888, Misc.** Earnest Norman, petitioner, *v.* Richard H. Chambers, Judge, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **889, Misc.** Mark Paulekas, petitioner, *v.* Ramsey Clark, Attorney General, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **890, Misc.** Tom Cruz Carlin, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **891, Misc.** James Wilson, petitioner, *v.* Raymond K. Procnier et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **892, Misc.** Harvell J. Lewis, petitioner, *v.* California Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **893, Misc.** Hinda Baskin, petitioner, *v.* Thomas Tourlentes et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **895, Misc.** Cardell Shaird, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York denied.

No. **899, Misc.** Frank Hoffer, petitioner, *v.* Spearin, Preston & Burrows, Inc., and Tully & Di Napoli, Inc., etc. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. **900, Misc.** Eddie H. Hill, petitioner, *v.* California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **902, Misc.** Max Jerome Owens, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **904, Misc.** William M. Pinkney, Sr., petitioner, *v.* Koret of California et al. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. **906, Misc.** Melvin Lewis Elliott, petitioner, *v.* Oregon. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. **908, Misc.** Danton S. Miller, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **910, Misc.** Jack R. Delaney, petitioner, *v.* Clarence T. Gladden, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 911, *Misc.* Richard Riffon, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 914, *Misc.* James William Cammann, petitioner, *v.* Lloyd H. Burke, Judge, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 915, *Misc.* Louis Ludwik Furtak, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 916, *Misc.* William George Knaub, petitioner, *v.* Alaska. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 917, *Misc.* George H. Nassar, petitioner, *v.* Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 918, *Misc.* C. W. Tarrance, petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 920, *Misc.* Alexander Thomas Stevens, petitioner, *v.* Alaska. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 922, *Misc.* Donnie Lee Martin, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 925, *Misc.* Doyle Waller, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 927, *Misc.* Doyle Howard Mace, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 928, *Misc.* James McCrimmon, petitioner, *v.* Frank J. Pate, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 930, *Misc.* Ralph Vernon Catlett, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 931, *Misc.* Donald E. Dorsey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 932, *Misc.* John L. Hart, petitioner, *v.* James F. Maroney, Superintendent, State Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 933, *Misc.* Calvin Keplinger, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 935, **Misc.** Arley Ward, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 941, **Misc.** Ruchell Magee, petitioner, *v.* California et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 942, **Misc.** David Lee Peacock, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 944, **Misc.** Frank Jackson, petitioner, *v.* Warren Pinto, Superintendent, New Jersey State Prison Farm, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 945, **Misc.** Marvin J. Piche, petitioner, *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 948, **Misc.** Leonard F. Murray, petitioner, *v.* John W. Macy, Jr., etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 950, **Misc.** Richard E. Smiley, petitioner, *v.* Harry Pregerson et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 954, **Misc.** Carl Edmund Owens, petitioner, *v.* H. V. Field, Superintendent, California Men's Colony. Petition for writ of certiorari to the Supreme Court of California denied.

No. 955, **Misc.** Charles Burchfield, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 957, **Misc.** Eleanore J. Evans, petitioner, *v.* United States Veterans Administration Hospital, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 958, **Misc.** Lehman Silas Elliott, petitioner, *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 961, **Misc.** Irwin W. Anderten, petitioner, *v.* Don R. Erickson, Warden. Petition for writ of certiorari to the Supreme Court of South Dakota denied.

No. 962, **Misc.** Kevin Akin, by his next friend, Virginia Akin, petitioner, *v.* Board of Education of Riverside Unified School District. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 965, **Misc.** Alvera M. Aldabe, petitioner, *v.* Charles D. Aldabe. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 970, **Misc.** Sherman Bickman, petitioner, *v.* Frank J. Pate, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 972, **Misc.** Moses Pipkin, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 974, **Misc.** John Michael Carter, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 975, **Misc.** Otis Eugene Peele, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 983, **Misc.** Norfleet Sawyer, petitioner, *v.* Department of Correction et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 989, **Misc.** William S. Williamson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 1000, **Misc.** Sam Hatcher, petitioner, *v.* Louie L. Wainwright, Director, Florida Division of Corrections. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 1002, **Misc.** Frederick Rupert Chandler, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 1007, **Misc.** Thomas Vacca, petitioner, *v.* Harold V. Field, Superintendent, California Men's Colony. Petition for writ for certiorari to the Supreme Court of California denied.

No. 1008, **Misc.** Joseph Schiavoni, Administrator, petitioner *v.* Honus Wagner Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1009, **Misc.** Arthur J. Nathaniel, petitioner, *v.* Texas. Petition for writ of certiorari to the District Court of Brazoria County, Texas, 23rd Judicial District, denied.

No. 1011, **Misc.** Jesse G. Argo, petitioner, *v.* C. M. Simpson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1012, **Misc.** Edward Donald Kroll, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1013, **Misc.** Roberto Perez, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 1016, **Misc.** Frank Brown, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1017, **Misc.** Eugene Klechka, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas, denied.

No. 1025, **Misc.** Joseph Grant, Jr., petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California, denied.

No. 1028, **Misc.** Bobby L. Mayberry, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey, denied.

No. 397, **Misc.** Joe M. Prendez, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit, denied. Mr. Justice Brennan and Mr. Justice Stewart are of the opinion that certiorari should be granted, judgment vacated and case remanded for further consideration in light of *Peyton v. Rowe*, 391 U.S. 54.

No. 422, **Misc.** Darold Forney, petitioner, *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska, denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 572, **Misc.** John McWilliams, petitioner, *v.* United States. Motion to remand and petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit, denied. Mr. Justice Marshall took no part in the consideration or decision of this motion and petition.

No. 743, **Misc.** Robert Gray, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit, denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 884, **Misc.** Gerard Cachoian, petitioner, *v.* United States. Motion for leave to supplement petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this motion and petition.

No. 924, **Misc.** John Cunningham, petitioner, *v.* James F. Maroney, Superintendent, State Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit and for other relief denied.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 1005, **Misc.** William S. Alloway, Jr., petitioner, *v.* Frank A. Eyman et al;

No. 1044, **Misc.** Charles William McCarthy, petitioner, *v.* North Carolina;

No. 1058, **Misc.** Joseph B. Montalbano, petitioner, *v.* H. V. Field, Superintendent, California Men's Colony;

No. 1063, **Misc.** Francis M. Cupp, petitioner, *v.* Sherman H. Crouse, Warden;

No. 1071, *Misc.* Charles F. Schwamb, petitioner, *v.* John C. Burke, Warden, et al.;

No. 1081, *Misc.* William Spencer Berry, petitioner, *v.* C. J. Fitzharris, Warden;

No. 1083, *Misc.* Billie Doyle Pippin, petitioner, *v.* O. G. Blackwell, Warden;

No. 1092, *Misc.* Glenn R. Bryant, petitioner, *v.* Walter E. Craven, Warden;

No. 1101, *Misc.* Thomas W. Schmitt, petitioner, *v.* John C. Burke, Warden;

No. 1102, *Misc.* Joe James Archuleta, petitioner, *v.* John W. Turner, Warden, and

No. 1125, *Misc.* Stephen P. Childress, petitioner, *v.* Louie L. Wainwright, Director, Florida Division of Corrections. Motions for leave to file petitions for writs of habeas corpus denied.

No. 1029, *Misc.* Henry Glenn Westendorf, petitioner, *v.* Wayne K. Patterson, 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 is denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 1021, *Misc.* Jim Fair, petitioner, *v.* Tom Adams, Secretary of State, et al.; and

No. 1049, *Misc.* Jim Fair, petitioner, *v.* The Florida Public Service Commission. Motions for leave to file petitions for writs of mandamus denied.

No. 977, *Misc.* Eusebius J. Biggs, petitioner, *v.* Justices of the Supreme Court of Illinois. Motion for leave to file for writ of mandamus and for other relief denied.

REHEARINGS DENIED

No. 131. Carmine Vincent Palmieri, petitioner, *v.* Florida;

No. 423. Anthony Baratta, petitioner, *v.* United States;

No. 443. Pennsylvania Public Utility Commission, petitioner, *v.* Bessemer and Lake Erie Railroad Company et al.;

No. 519. Marvin Hayutin, petitioner, *v.* United States;

No. 521. Dorris E. Dreyfus, petitioner, *v.* Michael Reese Hospital and Medical Center;

No. 560. Arnold Constable Corporation, petitioner, *v.* Eudowood Shopping Center, Inc.;

No. 567. Leon Nash, petitioner, *v.* United States;

No. 36, *Misc.* Leonard Thomas King, petitioner, *v.* Tennessee;

No. 62, *Misc.* Verlon Hershel Ussery et al., petitioners *v.* United States;

No. 521, *Misc.* Felice Paul Failla, petitioner, *v.* California et al.;

No. 704, *Misc.* Salvador S. Perez, petitioner, *v.* Sherman H. Crouse, Warden; and

No. 740, *Misc.* John F. Beltowski, petitioner, *v.* Minnesota. Petitions for rehearing denied.

No. 16. Brotherhood of Locomotive Firemen and Enginemen et al., appellants, *v.* Chicago, Rock Island and Pacific Railroad Company et al.; and

No. 18. Robert N. Hardin, Prosecuting Attorney for the Seventh Judicial Circuit of Arkansas, et al., appellants, *v.* Chicago, Rock Island and Pacific Railroad Company et al.; and

No. 558. James M. Pennington et al., petitioners, *v.* United Mine Workers of America. Petitions for rehearing denied. Mr. Justice Fortas took no part in the consideration or decision of these petitions.

No. 374. James A. Totton, d/b/a Totton and Dunn Company, petitioner, *v.* Local 43 of United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada;

No. 394. Cullen Huckaby, petitioner, *v.* United States; and

No. 576. Cullen Huckaby, petitioner, *v.* United States;

No. 472. Bernard S. Garrett and Joseph B. Morris, petitioners, *v.* United States; and

No. 692, *Misc.* Charles H. Creighbaum, petitioner, *v.* John C. Burke. Warden. Motions for leave to file petitions for rehearing denied.

No. 568. Howard B. Quinn, petitioner, *v.* United States. Petition for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

ORAL ARGUMENT

No. 30. James C. Kirkpatrick, Secretary of State of Missouri, et al., appellants, *v.* Paul W. Preisler et al.; and

No. 31. F. V. Heinkel et al., appellants, *v.* Paul W. Preisler et al. Argued by Mr. Thomas J. Downey and Mr. David Collins for the appellants and by Mr. Irving Achtenberg for the appellees.

No. 238. David I. Wells, appellant, *v.* Nelson A. Rockefeller, as Governor of the State of New York, et al. Argued by Mr. Robert B. McKay for the appellant and by Mr. George D. Zuckerman for the appellees.

No. 269. Lester Gunn et al., appellants, *v.* University Committee to End the War in Viet Nam et al. Argument commenced by Mr. David W. Louisell for the appellants and continued by Mr. Sam Houston Clinton, Jr., for the appellees.

Adjourned until tomorrow at 10 o'clock.

The day call for Tuesday, January 14, 1969, will be as follows: Nos. 269, 273, 158, 172, and 293.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Paul Anthony Tucker, of Houston, Tex., on motion of Mr. Ralph W. Yarborough; Robert Christian Eckhardt, of Houston, Tex., on motion of Mr. Charles L. Black, Jr.; Jack N. Turoff, of Cleveland, Ohio, and Robert S. Turoff, of Cleveland, Ohio, on motion of Mr. Charles A. Vanik; Daniel Martin Head, of Washington, D.C., and Philip E. Henderson, of Houma, La., on motion of Mr. Charles E. Pledger, Jr.; Nolan Sklute, of Newburgh, N.Y., on motion of Mr. Walter E. Lewis; Thomas J. Klitgaard, of San Francisco, Calif., on motion of Mr. Richard J. MacLaury; Gunter von Conrad, of Arlington, Va., on motion of Mr. James D. Williams, Jr.; John Edward Eidam, of Omaha, Nebr., on motion of Mr. Paul O. Ritter; Harding A. Orren, of St. Paul, Minn., on motion of Mr. Ronald A. Jacks; Gary C. Randall, of Bellevue, Wash., on motion of Mr. Lincoln Arnold; Andrew G. Kuttner, of Washington, D.C., on motion of Mr. Ronnie A. Yoder; William R. Flora, of Presque Isle, Me., on motion of Mr. Alan S. Ward; Floyd Edmund Boline, of Minneapolis, Minn., on motion of Mr. John A. Cochrane; Joel Ibert Keiler, of Washington, D.C., on motion of Mr. Allen G. Siegel; Henry Crowell Chappell, Jr., of Union Springs, Ala., on motion of Mr. Dennis R. Hunt; James J. Morrissey, Jr., of New York, N.Y., on motion of Mr. Andrew J. Kilcarr; Kendall L. Manock, of Fresno, Calif., on motion of Mr. Karl D. Loos; Bertrand H. Weidberg, of New York, N.Y., on motion of Mr. Harry Stewart Weidberg; and James T. Edmunds, of Kenbridge, Va., on motion of Mr. James E. Palmer, Jr., were admitted to practice.

OPINIONS

No. 27. United States, appellant, *v.* Container Corporation of America et al. Appeal from the United States District Court for the Middle District of North Carolina. Judgment reversed and case remanded to the United States District Court for the Middle District of North Carolina for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Concurring opinion by Mr. Justice Fortas. Dissenting opinion by Mr. Justice

Marshall with whom Mr. Justice Harlan and Mr. Justice Stewart join.

No. 45. United States, petitioner, *v.* Richard G. Augenblick et al. On writ of certiorari to the United States Court of Claims. Judgments reversed and case remanded to the United States Court of Claims for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas.

No. 38. James G. Glover et al., petitioners, *v.* St. Louis-San Francisco Railway Company et al. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case remanded to the United States District Court for the Northern District of Alabama for trial. Opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Harlan.

ORAL ARGUMENT

No. 269. Lester Gunn et al., appellants, *v.* University Committee to End the War in Viet Nam et al. Argument continued by Mr. Sam Houston Clinton, Jr., for the appellees and concluded by Mr. David W. Louisell for the appellants.

No. 273. Russell Scofield et al., petitioners, *v.* National Labor Relations Board et al. One hour and forty minutes allowed for oral argument. Argued by Mr. James Urdan for the petitioners and by Mr. Norton J. Come and Mr. John Silard for the respondents.

No. 158. Brotherhood of Railroad Trainmen et al., petitioners, *v.* John P. O'Connell, etc., et al. Argued by Mr. Arnold B. Elkind for the petitioners and by Mr. Lee Leibik for the respondents.

No. 172. Elmer L. Dirks, Individually and as General Chairman of the Brotherhood of Railroad Trainmen, et al., petitioners, *v.* W. L. Birkholz et al. Argued by Mr. David L. Uelmen for the petitioners and by Mr. Lee Leibik for the respondents. Memorandum for respondents to come.

No. 293. Robert Eli Stanley, appellant, *v.* Georgia. Argument commenced by Mr. Wesley R. Asinof for the appellant and continued by Mr. J. Robert Sparks for the appellee.

Adjourned until tomorrow at 10 o'clock.

The day call for Wednesday, January 15, 1968, will be as follows:
Nos. 293, 243, 280, 291, and 376.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Abraham Kazen, Jr., of Laredo, Tex., Wallace Dean Henderson, of San Antonio, Tex., Lee C. White, of Omaha, Nebr., and Murray Comarow, of Washington, D.C., on motion of Mr. Attorney General William Ramsey Clark; Vernon Carroll Webb, of Tallahassee, Fla., on motion of Mr. Solicitor General Erwin N. Griswold; Wm. Matthew Byrne, Jr., of Los Angeles, Calif., on motion of Mr. Warren Christopher; J. Hugh Aaron, of Yakima, Wash., on motion of Mr. Thomas Stephen Foley; Paul McCambridge of Chicago, Ill., on motion of Mr. William Leavenworth Colby; John W. Hough, of Chicago, Ill., on motion of Mr. Ben C. Fisher; George A. Wilkinson, Jr., of Hyattsville, Md., on motion of Mr. Cullen B. Jones, Jr.; Mark Wells White, Jr., of Austin, Tex., on motion of Mr. John N. Papajohn; Glen B. Hardymon, of Charlotte, N.C., on motion of Mr. John Edward Thornton; Gerald A. Connell, of Stamford, Conn., on motion of Mr. Charles D. Mahaffie, Jr.; and John A. Craig, of Hawthorne, N.Y., and Thomas E. Tyre, of Ossining, N.Y., on motion of Mr. Robert J. Casey, were admitted to practice.

OPINION

No. 61. National Labor Relations Board, petitioner, *v.* Joseph T. Strong, d/b/a Strong Roofing & Insulating Co. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Mr. Justice Black concurs in the reversal of the Court of Appeals' judgment, but he would direct that the case be remanded to the Board for it to determine whether to submit to arbitration in accord with the contract. Dissenting opinion by Mr. Justice Douglas.

ORAL ARGUMENT

No. 293. Robert Eli Stanley, appellant, *v.* Georgia. Argument continued by Mr. J. Robert Sparks for the appellee and concluded by Mr. Wesley R. Asinof for the appellant.

No. **243**. Citizen Publishing Company et al., appellants, *v.* United States. Argued by Mr. Richard J. MacLaury for the appellants and by Mr. Daniel M. Friedman for the appellee.

No. **280**. United States, petitioner, *v.* Skelly Oil Company. Argued by Mr. Solicitor General Griswold for the petitioner and by Mr. Robert J. Casey for the respondent.

No. **291**. Federal Marine Terminals, Inc., petitioner, *v.* Burnside Shipping Company, Limited. Argued by Mr. John W. Hough for the petitioner and by Mr. Paul McCambridge for the respondent.

Adjourned until tomorrow at 10 o'clock.

The day call for Thursday, January 16, 1969, will be as follows:
Nos. **376, 258- 62, and 370.**

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

James Warren Walsh, of Orinda, Calif., on motion of Mr. Jerome Russell Waldie; Patricia Smith, of Los Angeles, Calif., Ira Kenneth Reiner, of Beverly Hills, Calif., and Joseph L. Graves, of Monterey Park, Calif., on motion of Mr. James C. Corman; Wade Videtto Mallard, Jr., of Atlanta, Ga., on motion of Mr. Peter L. Strauss; Robert Allen Sedler, of Lexington, Va., on motion of Mr. Joseph Forer; Albert G. Marriott, of Export, Pa., on motion of Mr. John D. Nies; Martin H. Freeman, of Upper Marlboro, Md., on motion of Mr. Jerrold V. Powers; Kenneth L. Marple, of Silver Spring, Md., on motion of Mr. Charles K. Chaplin; James W. Salter, of Newton, Ga., on motion of Mr. R. Edwin Brady; Alan H. Levine, of New York, N.Y., on motion of Mr. Osmond K. Fraenkel; and John C. Bresnahan, of Lawrence, Mass., on motion of Mr. Richard S. Sullivan, were admitted to practice.

ORAL ARGUMENT

No. 376. Dunbar-Stanley Studios, Inc., appellant, *v.* Alabama. Argued by Mr. J. Edward Thornton for the appellant and by Mr. William H. Burton for the appellee.

No. 258. Morris H. Kramer, appellant, *v.* Union Free School District No. 15 et al. Argued by Mr. Osmond K. Fraenkel for the appellant and by Mr. John P. Jehu for the appellees. Memoranda to come.

No. 62. Thomas R. Kaiser, petitioner, *v.* New York. Leave granted Mr. Henry J. Boitel to appear and present oral argument for the petitioner, *pro hac vice*, on motion of Mr. Peter L. F. Sabbatino. Argued by Mr. Peter L. S. Sabbatino for the petitioner, by Mr. Henry J. Boitel for the petitioner, *pro hac vice*, by special leave of Court, and by Mr. William Cahn for the respondent.

No. 370. Elliott Golden, as District Attorney of the County of Kings, appellant, *v.* Sanford Zwickler. Argued by Mr. Samuel A. Hirshowitz for the appellant and by Mr. Emanuel Redfield for the appellee.

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Adjourned until Monday, January 20, 1969, at 1 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

William H. Dentzel, of Los Angeles, Calif., Richard Upson Harker, of Los Angeles, Calif., Marvin B. Woods, of Lakeland, Fla., J. Mason Wines, of Auburndale, Fla., and Hubert David Patty, of Maryville, Tenn., on motion of Mr. Solicitor General Erwin N. Griswold; and Henry L. Gilliam, of Dallas, Tex., on motion of Mr. Thomas G. Crouch, were admitted to practice.

OPINIONS

No. **63.** Nellie Hunter, appellant, *v.* Edward O. Erickson, Mayor of the City of Akron, et al. Appeal from the Supreme Court of Ohio. Judgment reversed and case remanded to the Supreme Court of Ohio for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice White. Concurring opinion by Mr. Justice Harlan with whom Mr. Justice Stewart joins. Dissenting opinion by Mr. Justice Black.

No. **198.** Richard M. Smith, petitioner, *v.* Fred M. Hooey, Judge Criminal District Court of Harris County, Texas. On writ of certiorari to the Supreme Court of Texas. Judgment vacated and case remanded to the Supreme Court of Texas for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Stewart. Mr. Justice Black concurs in the opinion and judgment of the Court, but he would make it absolutely clear to the Supreme Court of Texas that so far as the federal constitutional question is concerned its judgment is set aside only for the purpose of giving the petitioner a trial, and that if a trial is given the case should be dismissed. Separate opinion by Mr. Justice Harlan. Concurring opinion by Mr. Justice White.

No. **73.** Robert Newton Gardner, Jr., petitioner, *v.* California. On writ of certiorari to the Superior Court of California, County of San Luis Obispo. Judgment reversed and case remanded to the Superior Court of California, County of San Luis Obispo, for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Douglas. Mr. Justice Black concurs in the judgment of reversal and all of the Court's opinion except the part which appears on page 4. He is of the opinion that, as stated in *Griffin v. Illinois*, 351

U.S. 12, there may be no necessity for a full stenographic transcript in California habeas corpus cases, and for that reason would not automatically require the State to supply one in cases like this case. Dissenting opinion by Mr. Justice Harlan with whom Mr. Justice Stewart joins.

The Chief Justice said:

"The other orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally."

OPINIONS PER CURIAM

No. 478. Jeremiah Stamler and Yolanda F. Hall, appellants, *v.* Edwin E. Willis et al.; and

No. 479. Milton M. Cohen, appellant, *v.* Edwin E. Willis et al. Appeal from the United States District Court for the Northern District of Illinois. Petition for rehearing denied. Motion to amend judgment entered on November 25, 1968, dismissing appeals granted. Judgment dismissing appeals vacated and new judgment will issue providing that judgment below be vacated and cases remanded to the United States District Court for the Northern District of Illinois so that it may enter a fresh decree from which timely appeals may be taken to the Court of Appeals. Opinion *per curiam*. Mr. Justice Marshall took no part in the consideration or decision of these cases.

No. 496. Maria Gorun et al., appellants, *v.* Victor H. Fall, et al. Appeal from the United States District Court for the District of Montana. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*. Opinion by Mr. Justice Douglas with whom Mr. Justice Black, Mr. Justice Harlan and Mr. Justice Fortas concur.

No. 596. Allen Dahl et al., appellants, *v.* The Republican State Committee et al. Appeal from the United States District Court for the Western District of Washington. Judgment vacated and case remanded to the United States District Court for the Western District of Washington for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*. Mr. Justice Douglas dissents. Mr. Justice Harlan, believing that jurisdiction lies in this Court, would affirm the judgment below.

No. 726. Frank Sutton, on behalf of himself and others similarly situated, appellant, *v.* Tom Adams, as Secretary of State of Florida, et al. Appeal from the Supreme Court of Florida. The appeal is dismissed for want of a substantial federal question. Opinion *per curiam*. Mr. Justice Black and Mr. Justice Harlan would note probable jurisdiction and set the case for oral argument.

No. 731. Alabama State Teachers Association et al., appellants, *v.* Alabama Public School and College Authority et al. Appeal from the

United States District Court for the Middle District of Alabama. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Harlan.

No. 734. Alaska et al., appellants, *v.* International Union of Operating Engineers, Local 302, AFL-CIO, et al. Appeal from the United States District Court for this District of Alaska. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*.

No. 740. Standard Fruit and Steamship Company, appellant, *v.* United Fruit Company et al. Appeal from the United States District Court for the Eastern District of Louisiana. The motions to dismiss are granted and the appeal is dismissed for want of jurisdiction. Opinion *per curiam*.

No. 741. Fred O. Dickinson, Jr., Comptroller of the State of Florida, appellant, *v.* The First National Bank of Homestead; Homestead, Florida, et al. Appeal from the United States District Court for the Northern District of Florida. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*. Mr. Justice Stewart is of the opinion that probable jurisdiction should be noted. Mr. Justice Fortas took no part in the consideration or decision of this case.

No. 773. Joseph A. F. Valenti, appellant, *v.* Nelson A. Rockefeller, Governor of the State of New York, et al. Appeal from the United States District Court for the Western District of New York. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*.

No. 852. George Backer, etc., appellant, *v.* Nelson A. Rockefeller, Governor of the State of New York. Appeal from the United States District Court for the Southern District of New York. The motion to affirm granted and the judgment is affirmed. Opinion *per curiam*.

No. 854. Randolph Phillips et al., appellants, *v.* Nelson A. Rockefeller, Governor, et al. Appeal from the United States District Court for the Southern District of New York. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 580. George Samuels et al., appellants, *v.* Thomas J. Mackell, District Attorney, et al.; and

No. 813. Fred Fernandez, appellant, *v.* Thomas J. Mackell, District Attorney, et al. The joint motion of the appellants to enlarge the time for oral argument of these consolidated cases is granted and fifteen additional minutes are allotted for that purpose. Counsel for the appellees are likewise allotted fifteen additional minutes for oral argument.

No. **582.** Continental Casualty Company et al., appellants, *v.* The Robertson Lumber Company. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. **670.** Fred Banks, petitioner, *v.* California. The motion of the respondent to dispense with printing the record is denied.

CERTIORARI GRANTED

No. **791.** Ronald L. Crane, petitioner, *v.* Cedar Rapids and Iowa City Railway Company. Petition for writ of certiorari to the Supreme Court of Iowa granted and case placed on the summary calendar.

No. **830.** Dale E. Noyd, petitioner, *v.* Charles R. Bond, Jr., etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted and case placed on the summary calendar. The stay heretofore granted by Mr. Justice Douglas shall remain in effect pending the issuance of the judgment of this Court or until further order of this Court.

CERTIORARI DENIED

No. **161.** Choctaw Nation and Chickasaw Nation, petitioners, *v.* The Atchison, Topeka and Santa Fe Railway Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **542.** Alvin L. Dugas, petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. **712.** International Association of Machinists, petitioner, *v.* Vincent P. Brady;

No. **713.** Trans World Airlines, Inc., petitioner, *v.* Vincent P. Brady; and

No. **735.** Vincent P. Brady, petitioner, *v.* Trans World Airlines, Inc., et al. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **757.** Freddie Joe Welch and Paul L. Tugwell, petitioners, *v.* Gerald B. Leavey, Deputy Commissioner, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **758.** John Langenbacher Co., Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **759.** Intertype Company, a Division of Harris-Intertype Corporation, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 761. Melvin F. Beaty, etc., et al., petitioners, *v. M. S. Steel Company, Inc.* Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 766. Harry R. Lea and Roslyn T. Lea, co-partners, etc., petitioners, *v. Consolidated Sun Ray, Inc., et al.* Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 767. Delta Theatres, Inc., petitioner, *v. Paramount Pictures, Inc., et al.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 768. Croll-Reynolds Co., Inc., et al., petitioners, *v. Perini-Leavell-Jones-Vinell et al.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 769. City of Amarillo, Amarillo Independent School District, et al., petitioners, *v. W. S. Eakens et al.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 771. Chester Orsini, petitioner, *v. Frederick Reincke, Warden.* Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 774. Brotherhood of Locomotive Firemen and Enginemen et al., petitioners, *v. Louisville and Nashville Railroad Company.* Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 775. Harry Brown, petitioner, *v. New York.* Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 779. Willie Gray Garrison, petitioner, *v. Alabama.* Petition for writ of certiorari to the Court of Appeals of Alabama denied.

No. 786. Wilcox Manufacturing Company, petitioner, *v. Jeffrey Galion Manufacturing Company.* Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 789. Eleanor B. Snyder et al., petitioners, *v. City of Boulder, Colorado.* Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 559. California, petitioner, *v. Edwin C. S. Johnson.* Motion to dispense with printing respondent's brief granted. Petition for writ of certiorari to Supreme Court of California denied. Mr. Justice Stewart is of the opinion that certiorari should be granted.

No. 760. Joseph John Hession et ux., petitioners, *v. Pennsylvania.* Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 762. J. P. Kimbrell, petitioner, *v.* The Lawrence County Bar Association et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 763. Bernhard Rosee, petitioner, *v.* Board of Trade of the City of Chicago et al. Motion to dispense with printing portions of appendix denied. Motion to amend petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 764. Bardish G. Morse et al., petitioners, *v.* Charles B. Boswell, Commanding Officer, Fort George G. Meade, Maryland, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Dissenting opinion by Mr. Justice Douglas.

No. 781. Robert F. Urbano, petitioner, *v.* The Reader's Digest Association, Inc. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 782. Ardell Lee, etc., et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit 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.

No. 785. Cheng Fu Sheng and Lin Fu Mei, petitioners, *v.* United States Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Dissenting opinion by Mr. Justice Douglas.

No. 787. The Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied. The Chief Justice, Mr. Justice Douglas and Mr. Justice Brennan are of the opinion that certiorari should be granted.

No. 788. Knickerbocker Insurance Company, petitioner, *v.* Patricia Faison et al. Motion of Motor Vehicle Accident Indemnification Corporation for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 431, Misc. Alfred Gonzales, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 502, Misc. Chester Erb, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 522, Misc. Billy Wayne Butcher, petitioner, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 570, Misc. David Kast et al., petitioners, *v.* California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California. County of San Francisco. denied.

No. 634, *Misc.* Billie Thomas Adams, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 662, *Misc.* James Millard Jones, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 686, *Misc.* Edward McIntyre, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 745, *Misc.* Jack Lesley Marson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 799, *Misc.* Kenneth Beardsley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 834, *Misc.* John L. Barringer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 855, *Misc.* William G. Sullivan, petitioner, *v.* Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 858, *Misc.* Fernando M. Flores, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 887, *Misc.* Thomas Henry Robinson, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 894, *Misc.* Coe Kane, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 905, *Misc.* Clyde Montgomery and Nyles Montgomery, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 919, *Misc.* Erwin Horman, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 923, *Misc.* Norman G. Bernier, petitioner, *v.* Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 926, *Misc.* John Cunningham, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 934, *Misc.* Kenneth Phillips, petitioner, *v.* Alfred T. Rundle, Superintendent, State Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 940, **Misc.** Clarence Coleman, petitioner, *v.* Ernest Maxwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 949, **Misc.** Milton Howard, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 951, **Misc.** Antranik Paroutian, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 969, **Misc.** Robert J. Goodman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 976, **Misc.** Leo J. Murray, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 990, **Misc.** William B. McDonald, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 998, **Misc.** Gordon Jay Thompson, petitioner, *v.* Jacob J. Parker, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1020, **Misc.** Alexander Joseph Muszalski, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 1032, **Misc.** Joe David Murray, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 1035, **Misc.** Frank J. Leaver, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 1036, **Misc.** Kenneth G. Super, petitioner, *v.* Howard D. Yeager, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1047, **Misc.** William McNeill, petitioner, *v.* State Use Industries, Automobile Registration Department. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1128, **Misc.** Willie P. Quarles, petitioner, *v.* United States Attorney General, Ramsey Clark, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1130, **Misc.** Cruz Ramirez, petitioner, *v.* Frank A. Eyman, Warden, et al. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. **798, Misc.** Douglas Cecil Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **1118, Misc.** Willard Wilson Wood, petitioner, *v.* Olin G. Blackwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. **1014, Misc.** Norman John Hendrix, petitioner, *v.* O. G. Blackwell, Warden;

No. **1129, Misc.** Harry D. Smith, petitioner, *v.* Ray H. Page, et al.;

No. **1132, Misc.** Ronald Arthur Fossum, petitioner, *v.* Jack D. Porter, Sheriff; and

No. **1168, Misc.** Robert Galloway White, petitioner, *v.* Warden, Maryland Penitentiary. Motions for leave to file petitions for writs of habeas corpus denied.

REHEARINGS DENIED

No. **442.** Marvin K. Swofford et al., d/b/a The Pathfinder Company, petitioners, *v.* B & W, Inc.;

No. **223, Misc.** Leroy George Mendez, petitioner, *v.* California;

No. **711, Misc.** John Otis Sumrall, petitioner, *v.* United States;

No. **778, Misc.** Clayton Gilbert Knepler, petitioner, *v.* United States;

No. **787, Misc.** John Stephen Willard, Sr., petitioner, *v.* Florida; and

No. **861, Misc.** John C. Bennett, petitioner, *v.* North Carolina. Petitions for rehearing denied.

RECESS ORDER

The Court will take a recess from Monday, January 27, 1969, until Monday, February 24, 1969.

The Court adjourned for the purpose of attending the inauguration of the President of the United States.

Adjourned until tomorrow at 10 o'clock.

The day call for Tuesday, January 21, 1969, will be as follows: Nos. **647, 109, and 117.**

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Burton J. Stanley, of Sacramento, Calif., Ronald K. Cacciatore, of Tampa, Fla., Edward C. Vining, Jr., of Miami, Fla., William Lane Bruce, of Cambridge, Mass., and Richard Henry Pershan, of New York, N.Y., on motion of Mr. Solicitor General Erwin N. Griswold; Gary R. Landau, of Indianapolis, Ind., and Charles Thomas Gleason, of Indianapolis, Ind., on motion of Mr. Vance Hartke; David Eugene Waddell, of Akron, Ohio, on motion of Mr. William Saxbe; Richard E. Mueting, of Norfolk, Nebr., on motion of Mr. Roman L. Hruska; Monte G. Basbas, of Newton, Mass., on motion of Mrs. Margaret M. Heckler; Davis W. Duke, Jr., of Fort Lauderdale, Fla., on motion of Mr. J. Herbert Burke; Gerrit Henry Wormhoudt, of Wichita, Kans., on motion of Mr. Garner E. Shriver; Robert L. Dalmbert, of Columbus, Ind., on motion of Mr. Andrew Jacobs, Jr.; David George Clark, of North Canton, Ohio, on motion of Mr. Frank T. Bow; Edmund Etchison Woodley, of Lake Charles, La., on motion of Mr. Edwin W. Edwards; Richard D. Bray, of Martinsville, Ind., and James H. Ferguson, of Bloomington, Ind., on motion of Mr. William G. Bray; Peter R. Liebschutz, of Rochester, N.Y., on motion of Mr. Barber B. Conable, Jr.; Thomas DeLancey Wood, of Miami, Fla., on motion of Mr. Donald D. Chapman; James Duncan Campbell, Jr., of Camp Hill, Pa., on motion of Mr. Michael A. Brown; Philip A. Ryan, of Kensington, Md., on motion of Mr. Walter A. Slowinski.

Gilbert A. Haddad, of Miami, Fla., and L. Norton Preddy, of Miami, Fla., on motion of Mr. Wallace T. Ward; Cicero Garner, Jr., of Atlanta, Ga., and James Clinkscales Hill, of Atlanta, Ga., on motion of Mr. Daryal A. Myse; Romae Turner Powell, of Atlanta, Ga., on motion of Mr. Wiley A. Branton; Frank H. Wilcox, of Arlington, Va., on motion of Mr. William E. Burkhalter; Nathaniel Jay Friedman, of Los Angeles, Calif., and Marco Joseph Muscarello, of Chicago, Ill., on motion of Mr. John Juergensmeyer; Igor I. Sikorsky, Jr., of Hartford, Conn., on motion of Mr. H. S. Dunn, Jr.; Joseph Anthony Sapip, of Brooklyn, N.Y., on motion of Mr. George Spiros; James Louis Zemelman, of St. Louis, Mo., and Charles Alan Seigel, of St. Louis, Mo., on motion of Mr. Hyman G. Stein; Richard E. Cook, of Arkansas

City, Kans., on motion of Mr. William Robert Martin; John E. Norris, of Lake City, Fla., and Stanley E. Neely, of Dallas, Tex., on motion of Mr. A. Yates Dowell, Jr.; Thomas A. Brown, of Hartford City, Ind., on motion of Mr. Belden Hill Bell; Thomas H. Mahan, of Helena, Mont., on motion of Mr. Richmond F. Allen; Charles W. Havens III, of Washington, D.C., on motion of Mr. Paul G. Warnke; James LiBrize, of Niagara Falls, N.Y., on motion of Mr. Russell A. Rourke; Dupree D. Davis, of East St. Louis, Ill., on motion of Mr. Billy Jones; Walter Robert Baron, of Chicago, Ill., on motion of Mr. Charles C. Moore, Jr.; Sheldon P. Schuman, of Bethesda, Md., on motion of Mr. E. L. Koepenick; Carl Lester Cain, of Los Angeles, Calif., on motion of Mr. Thurman L. Dodson; and Perry Hubbard, of Tuscaloosa, Ala., on motion of Mr. L. Drew Redden, were admitted to practice.

ORAL ARGUMENT

No. 647. Sallie M. Hadnott et al., appellants, *v.* Mabel S. Amos, etc., et al. Two hours and forty minutes allowed for oral argument. Argued by Mr. Charles Morgan, Jr., for the appellants, by Mr. Louis F. Claiborne for the United States, as *amicus curiae*, by special leave of Court, by Mr. L. Drew Redden for the appellees and by Mr. Perry Hubbard for appellee, Judge James Dennis Herndon.

No. 109. Margaret E. Snyder, petitioner, *v.* Charles Harris and Earl Kirchoff. Argued by Mr. Charles Alan Seigel for the petitioner and by Mr. James L. Zelman for the respondents.

No. 117. The Gas Service Company, petitioner, *v.* Otto R. Coburn, etc. Argument commenced by Mr. Gerrit H. Wormhoudt for the petitioner.

Adjourned until tomorrow at 10 o'clock.

The day call for Wednesday, January 22, 1969, will be as follows: Nos. 117, 49, and 156.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Wayne T. Stratton, of Topeka, Kans., on motion of Mr. Robert J. Dole; William Emmerson Johnson, of Madison, Wis., on motion of Mr. Robert W. Kastenmeier; Rodney R. Buck, of Los Angeles, Calif., on motion of Mr. Roger Robb; John W. Castles 3d, of New York, N.Y., on motion of Mr. David C. Acheson; Jack Gage Banner, of Wichita Falls, Tex., on motion of Mr. Eugene Gressman; Dorian Bowman, of New York, N.Y., on motion of Mr. Robert Markham Mall; Robert Thompson Moore, of Dallas, Tex., on motion of Mr. Stephen John Pollak; Jeffrey Cui Taylor, of Decatur, Ill., and John Thornton Taylor, of Decatur, Ill., on motion of Mr. John S. Martin; Charles W. Kenady, of San Francisco, Calif., and R. Barry Churton, of San Francisco, Calif., on motion of Mr. Richard Hildreth; Mary Virginia Wenzel, of Chevy Chase, Md., on motion of Mr. Wilson M. Matthews; James H. Marsh, Jr., of Washington, D.C., and Kenneth E. Payne, of Washington, D.C., on motion of Mr. Albert John Santorelli; Jerome Joseph Seidenman, of Baltimore, Md., on motion of Mr. Lewis Jacobs; Dwight Marshall Simmons, of Dallas, Tex., on motion of Mr. Raymond R. Dickey; Paul Ludwig Bradshaw, of Springfield, Mo., on motion of Mr. Eugene T. Liipfert; Joseph V. Giffin, of Chicago, Ill., on motion of Mr. John T. Chadwell; Peter Richard Andre, of San Luis Obispo, Calif., on motion of Mr. E. Tillman Stirling; and Samuel C. Cantor, of New York, N.Y., on motion of Mr. John K. Mallory, Jr., were admitted to practice.

ORAL ARGUMENT

No. 117. The Gas Service Company, petitioner, *v.* Otto R. Coburn, etc. Argument continued by Mr. Gerrit H. Wormhoudt for the petitioner and concluded by Mr. Robert Martin for the respondent.

No. 49. Zenith Radio Corporation, petitioner, *v.* Hazeltine Research, Inc., et al. Three hours allowed for oral argument. Argued by Mr. Thomas C. McConnell for the petitioner and by Mr. John T. Chadwell and Mr. Victor P. Kayser for the respondents.

Adjourned until tomorrow at 10 o'clock.

The day call for Thursday, January 23, 1969, will be as follows:
Nos. **156, 306, 646,** and **343.**

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

John H. Tappan, of Mobile, Ala., on motion of Mr. William Jackson Edwards; Katheleen Koehler Haase, of Columbus, Ohio, and Waldemar Haase, of Columbus, Ohio, on motion of Mr. Chalmers P. Wylie; Francis W. Dunn, of Silver Spring, Md., on motion of Mr. Irwin E. Blum; John J. Adams, of McLean, Va., Waller H. Horsley, of Richmond, Va., and William Luke Witt, of Richmond, Va., on motion of Mr. Gregg R. Potvin; John D. O'Reilly III, of Framingham, Mass., and Lawrence T. Zimmerman, of Washington, D.C., on motion of Mr. Winthrop A. Johns; George Ward Trammell III, of Long Beach, Calif., on motion of Mr. George Ward Trammell, Jr.; Ray Taylor Marsh, of San Carlos, Calif., on motion of Mr. Wesley A. Pomeroy; Richard Leslie Horn, of Miami, Fla., on motion of Mr. Allan Milledge; Peter Christian Andresen, of Kensington, Md., on motion of Mr. William H. Matthews, Jr.; Stanford Robins, of St. Paul, Minn., on motion of Mr. Herbert S. Thatcher; Gerald M. Singer, of Minneapolis, Minn., on motion of Mr. John A. Cochrane; Howard Scott Reiter, of Stamford, Conn., on motion of Mr. Ernest Fanwick; Don K. Harness, of Detroit, Mich., on motion of Mr. John W. Malley; Roy Rocco Russo, of Springfield, Va., and Ronald A. Siegel, of Arlington, Va., on motion of Mr. Paul Dobin; Albert Fontaine Reutlinger, of Louisville, Ky., John S. Tennant, of New York, N.Y., and Leroy L. Lewis, of Pittsburgh, Pa., on motion of Mr. Macdonald Flinn; and Julian Falk, of Paramus, N.J., Robert Vincent Sloan, of Kensington, Md., Robert Edward Smith, of Cranford, N.J., and Robert Nolen Miller, of Denver, Colo., on motion of Mr. Donald E. Zinn, were admitted to practice.

ORAL ARGUMENT

No. 156. Clayton S. Kramer, petitioner, *v.* Caribbean Mills, Inc. Argued by Mr. Eugene Gressman for the petitioner and by Mr. Dennis G. Lyons for the respondent.

No. 306. Fortner Enterprises, Inc., petitioner, *v.* United States Steel Corporation et al. Argued by Mr. Kenneth L. Anderson for the petitioner and by Mr. Macdonald Flinn for the respondents.

No. 646. James F. O'Callahan, petitioner, *v.* J. J. Parker, Warden. Argued by Mr. Victor Rabinowitz for the petitioner and by Mr. James van R. Springer for the respondent.

No. 343. United States, petitioner, *v.* An Article of Drug * * * Bacto-Unidisk * * *. Argued by Mr. Lawrence G. Wallace for the petitioner and by Mr. Edward Brown Williams for the respondent.

Adjourned until Monday, January 27, 1969.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

David A. Brody, of Chevy Chase, Md., John David Carroll, of Washington, D.C., Frank S. Hills, of San Francisco, Calif., and Joseph R. Yurgine, of Chicago, Ill., on motion of Mr. Daniel M. Friedman; James L. Lamb, of Grand Forks, N. Dak., on motion of Mr. Quentin N. Burdick; Hulse Hays, Jr., of Cincinnati, Ohio, on motion of Mr. Robert Taft, Jr.; James R. Nowlin, of San Antonio, Tex., on motion of Mr. Abraham Kaze, Jr.; Richard T. Murphy, Jr., of Newton, Mass., on motion of Mr. Walter A. Slowinski; Robert Patrick Murphy, of San Francisco, Calif., on motion of Mr. Walter P. North; I. Alan Lobel, of Boston, Mass., and Martin Lobel, of Boston, Mass., on motion of Mr. Will E. Leonard, Jr.; Irving C. Sugarman, of San Francisco, Calif., on motion of Mr. Jacob Hagopian; Ruth Borsuk Rosenberg, of Rochester, N.Y., on motion of Mr. Andrew Eustace Taylor; Leonard H. Thornton, of Miami Springs, Fla., on motion of Mr. Jerome A. Levinson; Francis Marcarius Lucas, of Austin, Tex., on motion of Mr. Charles M. Johnston; Everett C. Headrick, Jr., of Nashville, Tenn., and Edward Terhune Miller, of Washington, on motion of Mr. John L. Lasky; Alexander Wentworth Sierck, of Washington, D.C., on motion of Mr. Joel Hoffman; John R. Baylor, of Lincoln, Nebr., on motion of Mr. William Donnelly, Jr.; Donald Bradley Southard, of Chicago, Ill., and Keith John Kulie, of Chicago, Ill., on motion of Mr. John D. Nies; Philip G. Jupiter, of Albany, N.Y., on motion of Mr. Leon Morris Shinberg; Warren Dale Braucher, of Denver, Colo., on motion of Mr. Charles Stephen Leonard; Vincent J. Debo, of New York, N.Y., Sanford Holo, of New York, N.Y., and Martin J. Linsky, of New York, N.Y., on motion of Mr. Matthew B. O'Donnell, Jr.

Sanford M. Litvack, of New York, N.Y., and Alfred Henry Hodinott, Jr., of New York, N.Y., on motion of Mr. James R. Withrow Jr; Edmund E. Harvey, of Fairfax, Va., on motion of Mr. Joseph F. Healy, Jr.; Howard Schwartz, of Union, N.J., on motion of Mr. Francis J. Simone; David Carl Baggett, of Houston, Tex., on motion of Mr. Robert J. Sutphin; John P. Roche, of New York, N.Y., on motion of Mr. Thomas F. Shannon; Robert E. Driscoll, III, of Rapid

City, S. Dak., Franklin J. Wallahan, of Rapid City, S. Dak., and Manfred R. Wetzol, of Phoenix, Ariz., on motion of Mr. Thomas G. Shack, Jr.; M. Shad Hanna, of Bowling Green, Ohio, on motion of Mr. George H. Bason, Jr.; and Ralph Berry, of Terre Haute, Ind., Thomas A. Berry, of Bloomington, Ind., George F. Daly, of Winchester, Ind., Charles Donald Dawson, of Carmel, Ind., Arthur Lingle Dillard, of Paoli, Ind., Eugene E. Feller, of Corydon, Ind., Carol E. Grafton, of Frankfort, Ind., Walter P. Helmke, of Fort Wayne, Ind., Wm. F. Hendren, of Bloomfield, Ind., Charles Rex Henthorn, of Crawfordsville, Ind., Murphey C. Land, of Vincennes, Ind., William F. Lawler, Jr., of Anderson, Ind., Verl G. Miller, of Terre Haute, Ind., Verne Richardson, Jr., of Washington, Ind., William Donald Richardson, of Petersburg, Ind., Robert L. Schnatter, of Jeffersonville, Ind., Jack Richard Shields, of Batesville, Ind., Richard Nelson Smith, of Connersville, Ind., Wayne L. Tash, of Richmond, Ind., James O. Wells, Jr., of Rochester, Ind., Lloyd Whitmer, of Tell City, Ind., George R. Wildman, of Logansport, Ind., and Herbert Charles Winans, of Garrett, Ind., on motion of Mr. Vance Hartke, were admitted to practice.

OPINIONS

No. 41. Securities and Exchange Commission, petitioner, *v.* National Securities, Inc., et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the United States District Court for the District of Arizona for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Marshall. Mr. Justice Black, believing that the United States Court of Appeals for the Ninth Circuit correctly analyzed the issues in this case and that its judgment is right, dissents from the Court's reversal of the judgment. Opinion by Mr. Justice Harlan with whom Mr. Justice Stewart joins concurring in part and dissenting in part.

No. 71. Presbyterian Church in the United States et al., petitioners, *v.* Mary Elizabeth Blue Hull Memorial Presbyterian Church et al. On writ of certiorari to the Supreme Court of Georgia. Judgment reversed and case remanded to the Supreme Court of Georgia for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Brennan. Concurring opinion by Mr. Justice Harlan.

No. 8. William Spinelli, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Harlan. Concurring opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice Fortas. Mr.

Justice Marshall took no part in the consideration or decision of this case.

No. 44. William Skinner et al., petitioners, *v.* Louisiana. On writ of certiorari to the Supreme Court of Louisiana. Writ dismissed as improvidently granted. Opinion *per curiam* announced by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Marshall with whom the Chief Justice and Mr. Justice Douglas join.

The Chief Justice said:

"The other orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally."

OPINIONS PER CURIAM

No. 95. Commissioner of Internal Revenue, petitioner, *v.* The Shaw-Walker Company. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *United States v. The Donruss Co.*, 393 U.S. —, decided January 13, 1969. Opinion *per curiam*.

No. 755. Interstate Investors, Inc., appellant, *v.* United States et al. Appeal from the United States District Court for the Southern District of New York. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*.

No. 790. Provision Salesmen & Distributors Union, Local 627, etc., appellant, *v.* United States et al. Appeal from the United States District Court for the Southern District of New York. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*. Mr. Justice Stewart is of the opinion that probable jurisdiction should be noted.

No. 799. The Locust Club of Rochester et al., appellants, *v.* City of Rochester et al. Appeal from the Court of Appeals of New York. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*. Mr. Justice Black and Mr. Justice White are of the opinion that probable jurisdiction should be noted.

No. 752, Misc. Lindsey Stewart, petitioner, *v.* Chicago Housing Authority. On petition for writ of certiorari to the Supreme Court of Illinois. Motion of The National Project on Urban Housing Law et al., for leave to file a brief, as *amicus curiae*, granted. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Supreme Court of Illinois for further consideration in light of *Thorpe v. Housing Authority of*

City of Durham, 393 U.S. —, decided January 13, 1969. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 138. Adam Clayton Powell, Jr., et al., petitioners, *v.* John W. McCormack et al. Further consideration of the respondents' suggestion of mootness is postponed to the hearing of the case on the merits.

No. 228. James T. Willingham and C. A. Jarvis, petitioners, *v.* Daniel Morgan. The motion of the respondent for leave to proceed further herein *in forma pauperis* and for assistance of counsel is granted. It is ordered that Joseph M. Snee, Esquire, of Washington, D.C., a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel to brief and argue this case in this Court on behalf of the respondent.

No. 488. Doris Daniel and Rosalyn Kyles, petitioners, *v.* Euell Paul, Jr., etc. James W. Gallman, Esquire, of Fayetteville, Arkansas, a member of the Bar of this Court, is invited to brief and argue this case, as *amicus curiae*, in support of the judgment below.

APPEAL—JURISDICTION NOTED

No. 705. Joseph Q. Cipriano, appellant, *v.* City of Houma et al. Appeal from the United States District Court for the Eastern District of Louisiana. In this case probable jurisdiction is noted and the case is placed on the summary calendar.

CERTIORARI GRANTED

No. 820. Julius V. Phelps, petitioner, *v.* Missouri-Kansas-Texas Railroad Company. Petition for writ of certiorari to the Supreme Court of Missouri granted and case placed on the summary calendar.

No. 211, Misc. James Conway, petitioner, *v.* California Adult Authority et al. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted. Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI DENIED

No. 461. Frieda Suffin, petitioner, *v.* The Pennsylvania Railroad Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 507. John J. Pyne, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 611. James William Moore et al., petitioners, *v. Arkansas*. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 793. Detroit, Toledo and Ironton Railroad Company, petitioner, *v. Diane Lones, etc., et al.* Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 794. Charles Givens, petitioner, *v. New York*. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 795. Lewis M. Alexander et ux., petitioners, *v. Morrison-Knudsen Company, Inc., et al.* Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 800. Sidney L. Irwin et al., petitioners, *v. Bob Clark, dba Oilfield Vacuum Service*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 801. Joanne Hirschfield et al., petitioners, *v. Edward J. Barrett, County Clerk of Cook County, Illinois*. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 802. The Black and Decker Manufacturing Company, petitioner, *v. The Porter-Cable Machine Company et al.* Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 803. First National Bank in Anoka, petitioner, *v. Edward R. Kenneally, Trustee, etc.* Petition for writ of certiorari to the United State Court of Appeals for the Eighth Circuit denied.

No. 805. Robert L. Hicks, petitioner, *v. Clifford H. Hardin, Secretary of Agriculture of the United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 806. Wayne Knitting Mills et al., petitioners, *v. Russell Hosiery Mills, Inc.* Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 807. City of West Allis et al., petitioners, *v. County of Milwaukee*. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 808. International Terminal Operating Co., Inc., petitioner, *v. Aaron Alexander et al.* Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 809. J. Howard Arnold, petitioner, *v. Frances K. Arnold*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 810. Harry Conrad Myers, etc., et al., petitioners, *v. Abel K. Harris*. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 812. Herbert Donald Hill, petitioner, *v. Oklahoma*. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 815. The Ohio Casualty Insurance Company, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 816. United States Steel Corporation, petitioner, *v. Jan Ronald Guy et al.* Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 817. William A. Brown et al., petitioners, *v. Commissioner of Internal Revenue*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 818. Louis S. Nelson, Warden, et al., petitioners, *v. Willie C. Coleman*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 819. Magnesium Casting Co., petitioner, *v. Albert J. Hoban, etc., et al.* Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 796. The Dredge Corporation, petitioner, *v. J. Russell Penny, etc., et al.* Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 804. Roger Schuler, petitioner, *v. Leonard F. Roraff, Judge*. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 811. Josephine Miskunas, petitioner, *v. Union Carbide Corporation*. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. The Chief Justice, Mr. Justice Douglas, and Justice Fortas are of the opinion that certiorari should be granted.

No. 292, *Misc.* Joyce Robinson, petitioner, *v. New York*. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 337, *Misc.* Valentine Antonio Negron, petitioner, *v. New York*. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 449, *Misc.* Frank Macias and Gene T. Webb, petitioners, *v. Illinois*. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 524, *Misc.* Bruce Wyatt Cassasa, petitioner, *v. California*. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 541, *Misc.* Alexander McAllister, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 543, *Misc.* Melvin R. Roots, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 618, *Misc.* David Tyler, petitioner, *v.* Daniel McMann, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 667, *Misc.* Thomas William Hale, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 699, *Misc.* Ernest Stuckey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 710, *Misc.* Ronnie Willock, petitioner, *v.* Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 715, *Misc.* Jessie G. Argo, petitioner, *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 793, *Misc.* Ralph H. Ingenito, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 797, *Misc.* Robert Clayton Buick, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 801, *Misc.* Roosevelt J. Corbbins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 812, *Misc.* Charles A. Harling, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 847, *Misc.* Leslie C. Bostick, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 859, *Misc.* Johnnie Clifford McDowell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 939, *Misc.* Patrick J. O'Shea, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 946, *Misc.* Rudy V. Chuning, petitioner, *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 953, *Misc.* Philip J. Langley, petitioner, *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 967, *Misc.* Dale Glennon Wilson and Joseph R. Van Bevers, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 971, *Misc.* Eugene Lynch, petitioner, *v.* David R. Landy, Deputy Commissioner, Bureau of Employees' Compensation, United States Department of Labor, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 985, *Misc.* William Wilkes, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 987, *Misc.* Harvey C. Gibson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 992, *Misc.* William Francis Kroll, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 997, *Misc.* John Ramos, petitioner, *v.* New Jersey. Petitioner for writ of certiorari to the Supreme Court of New Jersey denied.

No. 1006, *Misc.* Alonzo C. Spencer, petitioner, *v.* Arizona et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1022, *Misc.* Joseph Horton, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 1023, *Misc.* Fremont Thompson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1026, *Misc.* Charles Ray DuVall, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1030, *Misc.* Joel Beverly, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1034, *Misc.* Chester Allen Palmer, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 1052, *Misc.* Bill Ray Boyd, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1053, *Misc.* Henry Smith, Jr., petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1054, *Misc.* Victor Fonseca, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. **1060, Misc.** George W. Bostick, Jr., petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1061, Misc.** Marvin Niles Stubblefield, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1070, Misc.** Donnie S. Walker, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **1079, Misc.** Robert L. Smith, petitioner, *v.* Anthony Maresca, United States Marshal, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **571, Misc.** Earl Eugene Fitzpatrick, petitioner, *v.* Wayne K. Patterson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **781, Misc.** Sylvester Nelloms, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **829, Misc.** Louis Charles Sheptin, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. The Chief Justice and Mr. Justice Douglas are of the opinion that certiorari should be granted.

No. **1088, Misc.** Leroy Taylor, petitioner, *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied without prejudice to an application for a writ of habeas corpus in the appropriate United States District Court.

LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. **1106, Misc.** Hal Irwin, petitioner, *v.* J. L. Downie, Warden, et al. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied.

LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. **1062, Misc.** Claude W. Harris, petitioner, *v.* B. H. Rhay, Superintendent, Washington State Penitentiary. Motion for leave to file petition for writ of mandamus denied.

REHEARINGS DENIED

No. **89, Misc.** Frank Dvorsky, petitioner, *v.* United States; and
No. **723, Misc.** Terrance I. Poston, petitioner, *v.* United States et al.
Motions for leave to file petitions for rehearing denied.

Adjourned until Monday, February 24, 1969, at 10 o'clock.

The day call for Monday, February 24, 1969, will be as follows:
Nos. **76, 138, 413, and 418.**

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

John N. Mitchell, of Rye N.Y., Roy C. Cook, of Washington, D.C., James A. Strazzella, of Washington, D.C., James H. Nance, of Eau Gallie, Fla., Harold Seymour Ruttenberg, of Chicago, Ill., William D. Ruckelshaus, of Indianapolis, Ind., Arthur Stanley Cahn, of Boston, Mass., J. Mitchell Rosenberg, of Brooklyn, N.Y., Robert Ehrenbard, of New York, N.Y., Leonard Howard Dickstein, of New York, N.Y., David Meredith Irwin, of New York, N.Y., and Milton Joseph Carp, of Washington, D.C., on motion of Mr. Solicitor General Erwin N. Griswold; James Dale Dowell, of Beaumont, Tex., and John D. Rienstra, Jr., of Beaumont, Tex., on motion of Mr. Ralph W. Yarborough; Larry Bruce Sitton, of Greensboro, N.C., on motion of Mr. Samuel J. Ervin, Jr.; John W. Patterson, of Denver, Colo., and Martin David Kahn, of North Miami, Fla., on motion of Mr. Robert R. Casey; Donald W. Fyr, of Chicago, Ill., on motion of Mr. Thomas F. Railsback; Earl L. Cole, of Barbourville, Ky., on motion of Mr. Kenneth H. Tuggle; G. Bernard Fedde, of Portland, Oreg., Howard M. Feuerstein, of Portland, Oreg., Charles Lee Kobin, of Portland, Oreg., and Norman B. Kobin, of Portland, Oreg., on motion of Mr. Wendell Wyatt; Edwin Smith Preston, Jr., of Raleigh, N.C., Myron Carroll Banks, of Raleigh, N.C., and John Garland Mills III, of Raleigh, N.C., on motion of Mr. Brooks Hays;

James E. Diaz, of Lafayette, La., on motion of Mr. Daniel M. Friedman; Clifton S. Carl, of New Orleans, La., on motion of Mr. Louis Fenner Claiborne; William H. Rehnquist, of Phoenix, Ariz., on motion of Mr. Frederick Bernays Wiener; Herman M. Hollander, of Pittsburgh, Pa., and Irving M. Levine, of Washington, D.C., on motion of Mr. Harry S. Wender; James Manahan, of Indianapolis, Ind., and Dean Edward Richards, of Indianapolis, Ind., on motion of Mr. Larry A. Conrad; James E. Blazek, of New Orleans, La., on motion of Mr. Charles Pledger; Clinton H. Moyer, of Marion, Iowa, on motion of Mr. David Kammerman; Henry Augustus Collett, of Jacksonville, Fla., on motion of Mr. George A. Williams; Mark J. Fuhrman, of Pender, Neb., on motion of Mr. Alan D. McArthur; Thomas S. Lawson, Jr., of Montgomery, Ala., on motion of Mr. Oakley

Webster Melton, Jr.; Jerome W. Kelman, of Detroit, Mich., on motion of Mr. Joseph Zwerdling; Middleton P. Ray, Jr., of Little Rock, Ark., on motion of Mr. J. Winston Bryant; Abraham I. Gordon, of Bridgeport, Conn., on motion of Mr. Hubert B. Pair; Horace Lidelle Ramsey, of Rome, Ga., on motion of Mr. Richard E. Turner; Francis Xavier Dineen, of New Haven, Conn., on motion of Mr. Leonard Goodman; Gilbert P. Cohen, of Gretna, La., on motion of Mr. Nathan Greenberg; Armistead F. Clay, of Memphis, Tenn., on motion of Mr. J. Kenton Chapman; Stanford E. Lerch, of Phoenix, Ariz., and Saul Alan Wolfe, of Newark, N. J., on motion of Mr. Paul G. Rosenblatt; Allan Freidson, of Washington, D. C., and Leo J. Steffen, Jr., of Des Moines, Iowa, on motion of Mr. Reuben Goldberg; Edward Ira Lack, of Hollywood, Fla., John Chaley Stark, of Indianapolis, Ind., and Joe Gentry Roady, of Houston, Tex., on motion of Mr. James Rintoul Treese; and John R. Griffith, of Dayton, Ohio, Kennedy Legler, Jr., of Dayton, Ohio, Robert J. LeMaitre, of Dayton, Ohio, and C. Robert Swaninger, of Dayton, Ohio, on motion of Mr. Carl Harkrader, were admitted to practice.

Mr. Solicitor General Griswold presented the Honorable John N. Mitchell, Attorney General of the United States.

The Chief Justice said:

“Mr. Attorney General, the Court welcomes you to the performance of the important duties which devolve upon you as the chief law officer of the Government, and as an officer of this Court. Your Commission will be recorded with the Clerk.”

OPINIONS

No. 40. William Joe Johnson, petitioner, *v.* Harry S. Avery, Commissioner of Correction, et al. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and case remanded to the United States District Court for the Middle District of Tennessee for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Fortas. Concurring opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice White with whom Mr. Justice Black joins.

No. 21. John F. Tinker and Mary Beth Tinker, minors, etc., et al., petitioners, *v.* Des Moines Independent Community School District et al. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment reversed and case remanded to the

United States District Court for the Southern District of Iowa for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Fortas. Concurring opinion by Mr. Justice Stewart. Concurring opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Harlan.

The Chief Justice said:

"The other orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally."

OPINIONS PER CURIAM

No. 91. Serbian Orthodox Church Congregation of St. Demetrius of Akron, petitioner, *v.* Vladislav Kelemen et al. On petition for writ of certiorari to the Supreme Court of Ohio. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Supreme Court of Ohio for further consideration in light of *Presbyterian Church in the United States v. Mary Elizabeth Blue Hull Memorial Presbyterian Church*, 393 U.S. 440. Opinion *per curiam*.

No. 357. The Maryland and Virginia Eldership of the Churches of God et al., appellants, *v.* The Church of God at Sharpsburg, Inc., et al. Appeal from the Court of Appeals of Maryland. Judgment vacated and case remanded to the Court of Appeals of Maryland for further consideration in light of *Presbyterian Church in the United States v. Mary Elizabeth Blue Hull Memorial Presbyterian Church*, 393 U.S. 440. Opinion *per curiam*.

No. 431. Herman W. Becker, appellant, *v.* Virginia. Appeal from the Supreme Court of Appeals of Virginia. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 632. Vernon R. Morgan and Robert C. Young, appellants, *v.* Board of Forestry of the State of Oregon et al. Appeal from the Supreme Court of Oregon. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 859. Virginia Cordrey, appellant, *v.* Lee James Cordrey. Appeal from the Supreme Court of Florida. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 870. James Michael Foran, appellant, *v.* John Weinhoff et al. Appeal from the United States District Court for the Eastern District

of Wisconsin. The motion to dismiss is granted and the appeal is dismissed. Opinion *per curiam*. Mr. Justice Douglas is of the opinion that probable jurisdiction should be noted.

No. 878. Serta Associates, Inc., appellant, *v.* United States. Appeal from the United States District Court for the Northern District of Illinois. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*. Mr. Justice Harlan and Mr. Justice Stewart are of the opinion that probable jurisdiction should be noted and the case set for oral argument. Mr. Justice White took no part in the consideration or decision of this case.

No. 883. Baker National Bank, appellant, *v.* Frances S. Henderson, etc. Appeal from the Supreme Court of Montana. The appeal is dismissed for want of a substantial federal question. Opinion *per curiam*. Mr. Justice Douglas, Mr. Justice Harlan, and Mr. Justice White are of the opinion that probable jurisdiction should be noted and the case set for oral argument.

No. 889. Accident Index Bureau, Inc., et al., appellants, *v.* Raymond F. Male, etc., et al. Appeal from the Supreme Court of New Jersey. The appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 898. The National Industrial Traffic League et al., appellants, *v.* United States et al. Appeal from the United States District Court for the District of Columbia. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*.

No. 914. The New York Central Railroad Company et al., appellants, *v.* Louis J. Lefkowitz, as Attorney General of the State of New York, et al. Appeal from the Court of Appeals of New York. The motion to dismiss is granted and the appeal is dismissed. Opinion *per curiam*.

No. 933. Claude L. Kohler et al., appellants, *v.* A. P. Tugwell et al. Appeal from the United States District Court for the Eastern District of Louisiana. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*.

No. 57, Misc. Stewart Ray Triplett, petitioner, *v.* Floyd Circuit Court et al. On petition for writ of certiorari to the Supreme Court of Indiana. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Supreme Court of Indiana for further consideration in light of *Smith v. Hooley, Judge, Criminal District Court of Harris County, Texas*, 393 U.S. 374. Opinion *per curiam*.

No. 81, Misc. Robert Evert Meeks, petitioner, *v.* H. R. Flourney, Sheriff, et al. On petition for writ of certiorari to the Supreme Court of Texas. Motion for leave to proceed *in forma pauperis* and petition

for writ of certiorari granted. Judgment vacated and case remanded to the Supreme Court of Texas for further consideration in light of *Smith v. Hooy, Judge, Criminal District Court of Harris County, Texas*. 393 U.S. 374. Opinion *per curiam*.

No. **110, Misc.** Raymond K. Duncan, petitioner, *v. Indiana*. On petition of for writ of certiorari to the Supreme Court of Indiana. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Supreme Court of Indiana for further consideration in light of *Smith v. Hooy, Judge, Criminal Court of Harris County, Texas*, 393 U.S. 374. Opinion *per curiam*.

No. **153, Misc.** Olius McCrory, Jr., petitioner, *v. Mississippi*. On petition for writ of certiorari to the Supreme Court of Mississippi. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Supreme Court of Mississippi for further consideration in light of *Smith v. Hooy, Judge, Criminal District Court of Harris County, Texas*, 393 U.S. 374. Opinion *per curiam*.

No. **857, Misc.** James Bush, appellant, *v. United States*. Appeal from the United States District Court for the District of Oregon. The motion to dismiss is granted and the appeal is dismissed. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. —. Jose Malagon-Ramirez, petitioner, *v. United States*. Treating the papers in this case as a petition for a writ of certiorari and as a motion of counsel to be relieved from perfecting and prosecuting the petition, we take no present action on the petition and refer the motion to the Court of Appeals for the Ninth Circuit for consideration and action in the light of what petitioner's counsel refers to as paragraph 4(c) of the "provisions for the representation on appeal of defendants financially unable to obtain representation, adopted by the Judicial Council of the Ninth Circuit, pursuant to the provision of the Criminal Justice Act of 1964," which is said to require counsel appointed in the Court of Appeals to file a petition for certiorari "if requested to do so by the defendant."

No. —. Robert Fukumoto, appellant, *v. United States*. The application for bail pending appeal presented to Mr. Justice Black, and by him referred to the Court, is denied.

No. **138.** Adam Clayton Powell, Jr., et al., petitioners, *v. John W. McCormack et al.* The motion of George Meader for leave to file a brief, as *amicus curiae*, is granted.

No. **413.** North Carolina et al., petitioners, *v. Clifton A. Pearce*; and

No. 418. Curtis M. Simpson, Warden, petitioner, *v.* William S. Rice. The motion of the American Civil Liberties Union, et al., for leave to file a brief, as *amici curiae*, is granted.

No. 463. National Labor Relations Board, petitioner, *v.* Wyman-Gordon Company. The motion of the respondent to postpone oral argument is denied.

No. 580. George Samuels et al., appellants, *v.* Thomas J. Mackell, District Attorney, et al.; and

No. 813. Fred Fernandez, appellant, *v.* Thomas J. Mackell, District Attorney, et al. The motion of appellee, Mackell, to require certification of additional record is denied.

No. 622. William L. Maxwell, petitioner, *v.* O. E. Bishop, Superintendent, Arkansas State Penitentiary. The motion of the State of California to remove this case from the summary calendar is granted.

No. 663. John P. Traynor and Jerry C. Oosting, Deputy Commissioners, petitioners, *v.* William H. Johnson et al. The request of the petitioners for additional time for oral argument is granted and twenty additional minutes are allotted for that purpose. The respondents are likewise allotted twenty additional minutes for oral argument.

No. 750. Glenn Martin Harrington, petitioner, *v.* California. The motion of the petitioner for the appointment of counsel is granted, and it is ordered that Roger S. Hanson, Esquire, of Woodland Hills, California, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

No. 894. Edward H. Weitzen et al., petitioners, *v.* Charles Heit et al. The Solicitor General is invited to file a brief expressing the views of the United States.

No. 269, *Misc.* In the Matter of the Disbarment of Sol Rothbard.

It having been reported to the Court that Sol Rothbard of Washington, District of Columbia, 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 18th day of April, 1968, and this Court by order of May 20, 1968, having suspended the said Sol Rothbard from the practice of law in this Court and directing 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 Sol Rothbard 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. **993, Misc.** In the Matter of the Disbarment of Edith Fischer Lichota. Edith Fischer Lichota, of Twinsburg, Ohio, having resigned as a member of the Bar of this Court, it is ordered that her name be stricken from the roll of attorneys admitted to practice in this Court. The rule to show cause heretofore issued is discharged.

APPEALS—JURISDICTION NOTED

No. **662.** Clarence DeBacker, appellant, *v.* Homer Brainard, Sheriff of Dodge County, Nebraska. Appeal from the Supreme Court of Nebraska. In this case probable jurisdiction noted and case placed on the summary calendar.

No. **829.** A. L. Dutton, Warden, appellant, *v.* Alex S. Evans. Appeal from the United States Court of Appeals for the Fifth Circuit. In this case probable jurisdiction noted and case placed on the summary calendar.

No. **842.** Calvin Turner et al., appellants, *v.* W. W. Fouche et al. Appeal from the United States District Court for the Southern District of Georgia. In this case probable jurisdiction noted and case placed on the summary calendar.

No. **921.** Paul M. Brockington, appellant, *v.* James A. Rhodes, Governor of Ohio, et al. Appeal from the Supreme Court of Ohio. In this case probable jurisdiction noted and case placed on the summary calendar.

No. **899.** United States, appellant, *v.* Interstate Commerce Commission et al.;

No. **942.** Charles E. Brundage et al., appellants, *v.* United States et al.;

No. **999.** City of Auburn, appellant, *v.* United States et al.; and

No. **1003.** Livingston Anti-Merger Committee, appellant, *v.* Interstate Commerce Commission et al. Appeals from the United States District Court for the District of Columbia. In these cases probable jurisdiction noted. Cases consolidated and a total of four hours is allotted for oral argument for these appeals and any other appeal taken from the same judgment as to which jurisdiction may hereafter be noted. Mr. Justice Fortas took no part in the consideration or decision of this matter.

No. **828, Misc.** Gloria Cavitt, appellant, *v.* Nebraska. Appeal from the Supreme Court of Nebraska. Motion for leave to proceed *in forma pauperis* granted. In this case probable jurisdiction noted. Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI GRANTED

No. 130. Christine Sniadach, petitioner, *v.* Family Finance Corporation of Bay View et al. Petition for writ of certiorari to the Supreme Court of Wisconsin granted and case placed on the summary calendar.

No. 934. Hugh Bryson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted and case placed on the summary calendar.

No. 777. The First National Bank in Plant City, Plant City, Florida, petitioner, *v.* Fred O. Dickinson, Jr., etc., et al.; and

No. 932. William B. Camp, Comptroller of the Currency, petitioner, *v.* Fred O. Dickinson, Jr., etc., et al. Motion of The First National Bank of Cornelia, Georgia, et al., for leave to file a brief, as *amici curiae*. granted. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit granted. Cases consolidated and a total of one hour allotted for oral argument. Mr. Justice Fortas took no part in the consideration or decision of this motion and petitions.

No. 409, Misc. Willie Wade, Jr., petitioner, *v.* Lawrence E. Wilson, Warden, et al. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted. Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI DENIED

No. 77. John Holland et al., petitioners, *v.* The Lucas County Board of Elections et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 262. Joseph Naples, petitioner, *v.* E. L. Maxwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 372. California, petitioner, *v.* Gerald Sesslin. Petition for writ of certiorari to the Supreme Court of California denied.

No. 432. Julian Perez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 562. Ralph Richard Benson, petitioner, *v.* Leland C. Carter, Probation Officer of Los Angeles County, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 650. Claude W. Martin, petitioner, *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. **673.** Robert J. Brocker, petitioner, *v.* Mary Ann Brocker. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. **753.** Lynn Porter, petitioner, *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. **778.** Frank Kent, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **783.** D.C. Transit System, Inc., petitioner, *v.* Richard A. Williams et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **824.** Owen F. Lyons et al., petitioners, *v.* John F. X. Davoren, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **826.** Donald J. Mariani, petitioner, *v.* James T. Foley, United States District Judge for the Northern District of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **827.** Malcolm L. Pines, petitioner, *v.* Samuel Zemurray et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **828.** Martin Sternback, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **833.** William M. Loker, Jr., petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. **835.** D. H. Overmyer Warehouse Co., Inc., et al., petitioners, *v.* Florida Steel Corporation. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. **840.** Milton Hecht, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **843.** Lee Roy Leach, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **845.** Nadine Scott, petitioner, *v.* Alaska. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. **847.** William I. Landwer, petitioner, *v.* Village of North Barrington. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. **848.** Hal Hall et ux., petitioners, *v.* Paul J. Bleisch et ux. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **850**. Robert G. Funseth, petitioner, *v.* Great Northern Railway Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **855**. George Ullman and Joe Simon, petitioners, *v.* Kyle Z. Grainger, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **856**. Exchange National Bank of Chicago, petitioner, *v.* Homer A. Bonhiver, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **858**. John Moore, trading and doing business as Moore's Barbeque Restaurant, petitioner, *v.* E. W. Wooten et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **860**. Lewron Television, Inc., petitioner, *v.* D. H. Overmyer Leasing Co., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **863**. Albert A. Raby, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. **864**. City of Highland Park, etc., petitioner, *v.* Vito Fiore and Della Fiore. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. **865**. Edward J. Byczynski et ux., petitioners, *v.* New York Central Development Corporation et al. Petition for writ of certiorari to the Appellate Court of Illinois, Third District, denied.

No. **866**. Allen N. Brunwasser, petitioner, *v.* Albert F. Suave et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **867**. Anthony J. Scherer, Jr., petitioner, *v.* Kenneth Morrow. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **868**. John Henry Shoffeitt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **869**. F. J. Buckner Corporation dba United Engineering Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **871**. Richard Gregory aka Dick Gregory, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. **872**. Edward Davis, petitioner, *v.* United Fruit Company. Petition for writ of certiorari the United States Court of Appeals for the Second Circuit denied.

No. 873. Ethel M. Beal, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 877. Riley Leon Hughes, petitioner, *v.* J. Herman Gengler, Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 879. Leo Henzel, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied. MR. JUSTICE FORTAS TOOK NO PART

No. 881. Dayton Food Fair Stores, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 882. Thomas R. Reddy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 884. Alfred M. Shafter, etc., et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 885. Joseph Daniel Holt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 886. United Jewish Appeal of Greater New York, Inc., et al., petitioners, *v.* Leon Schaefer, etc., et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 890. J. B. King, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Eastern Division, denied.

No. 891. A. M. Cohen et ux., petitioners, *v.* R. C. Bredehoeft, Fire Marshal of City of Houston, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 903. Bailey's Bakery, Ltd., petitioner, *v.* Continental Baking Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 905. James H. Morrison, petitioner, *v.* John R. Rarick. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 907. Pioneer Motor Service, Inc., petitioner, *v.* Pioneer Transfer & Warehouse Co., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 909. Elmer Hahn, petitioner, *v.* Kentucky Alcoholic Beverage Control Board et al. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 910. Henry R. Drent et al., petitioners, *v.* William A. McKean et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 915. Willard Horace Colson, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 918. Harleysville Mutual Insurance Company, petitioner, *v.* Oscar Johnson. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia District, denied.

No. 919. Edith Boardman Cobb et al., petitioners, *v.* Frank Graham Johns, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 920. Shirley A. Thomas, etc., et al., petitioners, *v.* District of Columbia. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 923. Consumers Products of America, Inc., et al., petitioners, *v.* Federal Trade Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 926. Carl Alton Wright and William Johnson Vaughn, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 930. Guy Ellenburg, petitioner, *v.* A. L. Shepherd et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 936. Ralph J. Festa, petitioner, *v.* City of Portsmouth. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 943. Louisville and Jefferson County Air Board, petitioner, *v.* Curtiss Shipp et al. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 963. Harry Meyer Katz, petitioner, *v.* State Board of Medical Examiners. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 966. Joseph Robert Corrigan, Administrator, etc., petitioner, *v.* E. W. Bohren Transport Co. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 344. Kenneth Jordan Brown, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 587. John Paul Shelton, petitioner, *v.* Leroy N. Stynchcombe, Sheriff of Fulton County. Petition for writ of certiorari to the Supreme Court of Georgia denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 822. William Lyle Boyle, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the

Ninth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **922.** Richard Walter Burton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **931.** Chicago, Burlington & Quincy Railroad Company, petitioner, *v.* State Tax Commission of Missouri et al. Petition for writ of certiorari to the Supreme Court of Missouri. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **626.** Thomas C. Lynch et al., petitioners, *v.* Robert O. Gilmore, Jr., et al. Motion of respondents for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **744.** George J. Beto, Director, Texas Department of Corrections, petitioner, *v.* Leon Spencer. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **862.** C. C. Peyton, Superintendent of the Virginia State Penitentiary, petitioner. *v.* Paul M. Gillespie. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **651.** Peter Aaadahl Christofferson et al., petitioners, *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Marshall joins.

No. **797.** Paul E. Sloane et ux., petitioners, *v.* Robert H. Finch, Secretary of Health, Education and Welfare. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this motion and petition.

No. **832.** Western Seed Production Corporation, petitioner, *v.* J. R. Campbell, etc. Petition for writ of certiorari to the Supreme Court of Oregon denied. Mr. Justice Stewart and Mr. Justice White are of the opinion that certiorari should be granted.

No. **836.** Troy V. Post, Jr., et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Fortas took no part in the consideration or decision of this petition.

No. **888.** Pacific Far East Line, Inc., et al., petitioners, *v.* Pacific Seafarers, Inc., et al. Petition for writ of certiorari to the United

States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Fortas took no part in the consideration or decision of this petition.

No. **912**. The Imperial Tobacco Company (of Great Britain and Ireland) Limited, petitioner, *v.* Philip Morris Incorporated. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Fortas took no part in the consideration or decision of this petition.

No. **849**. Robert I. Ingalls, Jr., et ux., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **853**. Harold Lee Batsell, petitioner, *v.* United States. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **875**. Armement Deppe, S. A., et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Stewart is of the opinion that certiorari should be granted.

No. **927**. Salvatore Granello, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted. Mr. Justice Brennan and Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **941**. John A. Cross et al., petitioners, *v.* S. S. Kaimana, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Brennan and Mr. Justice Fortas are of the opinion that certiorari should be granted.

No. **284, Misc.** Charles Orr, Jr., petitioner, *v.* New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **490, Misc.** Frank Soyka, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **500, Misc.** Lawrence Metze, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. **506, Misc.** Eugene Raines, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. **507, Misc.** James Edward Tolson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 553, *Misc.* Freddie Roach, petitioner, *v.* G. T. Mauldin, Sheriff, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 625, *Misc.* Rolando Otero, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 629, *Misc.* David A. Davis, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 680, *Misc.* Reuben Velez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 721, *Misc.* Angelo Tender et al., petitioners, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 729, *Misc.* Robert Edward Huson, petitioner, *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 733, *Misc.* Chester L. Oughton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 790, *Misc.* Lawrence C. Pope, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Court denied.

No. 826, *Misc.* James William Stidham, petitioner, *v.* Harold R. Swenson, Warden. Petition for writ of certiorari to the Supreme Court of Missouri Denied.

No. 836, *Misc.* Richard Willis Hulett, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 840, *Misc.* Frank Macklin, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 865, *Misc.* W. M. Stephens, petitioner, *v.* Chairman and the U.S. Railroad Retirement Board, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 912, *Misc.* John W. Jackson, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 936, *Misc.* Lawrence Ernest Pasta, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 960, *Misc.* John T. Durring, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 968, **Misc.** James Magee, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme court of New Jersey denied.

No. 980, **Misc.** Robert Parker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 981, **Misc.** Harold Kaufman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 986, **Misc.** Herbert C. Hacker, petitioner, *v.* District Court of Sedgwick County, Wichita, Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 988, **Misc.** Mervin Carlos McKinney, petitioner, *v.* John N. Mitchell et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 991, **Misc.** Bobby Lee Moore, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 999, **Misc.** John Antonio Da Costa, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1010, **Misc.** John Louis Weems, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1019, **Misc.** Truman Adonis Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1024, **Misc.** Thomas Castillo, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 1027, **Misc.** Samuel Goldberg and Sol Teret, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1033, **Misc.** David Brown, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1038, **Misc.** James L. Crawford, Sr., petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Appeals of Alabama denied.

No. 1039, **Misc.** Edward Newfield, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1040, *Misc.* George X. Horn, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1041, *Misc.* Alvin L. Waller, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 1042, *Misc.* Frank A. Tanksley, petitioner, *v.* Don Bowman, Judge, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1043, *Misc.* James Mearl Sharp, petitioner, *v.* Kansas et al. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 1046, *Misc.* Robert Bankston, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1050, *Misc.* Steven Elbert Chastain, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 1051, *Misc.* Roger Maguire, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1056, *Misc.* Gale William Nettles, petitioner, *v.* Illinois. Petition for writ of certiorari to the Circuit Court of Iroquois County, Illinois, denied.

No. 1057, *Misc.* Harry William Theriault, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1059, *Misc.* Charles Richard Cook, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1064, *Misc.* Raymond Ward Clemmons, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1067, *Misc.* Willmore Knight, petitioner, *v.* Frank J. Pate, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1068, *Misc.* Warren Gabriel Huskey, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1073, *Misc.* Rafael Cancel-Miranda et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1074, *Misc.* James Donald Brown, petitioner, *v.* Louie L. Wainwright, Director, Florida Division of Corrections. Petition for writ

of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1075, Misc.** Peter D. Bogart and June Bogart, petitioners, *v.* California et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1076, Misc.** William L. Trest, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. **1077, Misc.** William Joseph McGurrin, petitioner, *v.* John Shovlin, Superintendent, Fairview State Hospital. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1082, Misc.** David Dennis, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. **1085, Misc.** Robert Gates, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **1087, Misc.** Clarence John Dikovics, petitioner, *v.* District Court, Jefferson County, Colorado, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1089, Misc.** Marion Wilson, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. **1090, Misc.** Ramon B. Salcido, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California Fifth Appellate District, denied.

No. **1091, Misc.** Anthony Ellsworth Dearing et al., petitioners, *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. **1093, Misc.** Calvisi DeJarnette, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1096, Misc.** Louis West, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1098, Misc.** Lawrence Erskine Taylor, petitioner, *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. **1099, Misc.** Charles Bates, petitioner, *v.* Daniel McMann, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1100, *Misc.* David Lawrence, petitioner, *v.* Louie L. Wainwright, Director, Florida Division of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1103, *Misc.* Eugene Henry Madison, petitioner, *v.* Minnesota. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 1109, *Misc.* Calvin Michael Arey and Allen Carroll Pruitt, petitioners, *v.* Otis L. Brown, Director, Virginia Department of Welfare and Institutions. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1110, *Misc.* Chester Campbell, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 1111, *Misc.* Grover C. McDaniel, petitioner, *v.* Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1113, *Misc.* Adolfo Rocha, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1114, *Misc.* George A. Berry, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 1115, *Misc.* Carl Howard Carter, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1116, *Misc.* Elmo Williams, petitioner, *v.* H. V. Field, Superintendent, California Men's Colony. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1117, *Misc.* Milton Gilbert, Jr., petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1121, *Misc.* William C. Ingram, petitioner, *v.* H. V. Field, Superintendent, California Men's Colony. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1122, *Misc.* William B. Trigg, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1123, *Misc.* Victoriano V. Lopez, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1124, *Misc.* Julius Dwaine Perry, Sr., petitioner, *v.* Henry Wade, District Attorney. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 1126, **Misc.** Donald A. Morales, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 1127, **Misc.** Harry Mercer, petitioner, *v.* Louis J. Amarando, Clerk, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1134, **Misc.** Arthur E. Martin, petitioner, *v.* J. F. Maroney, Superintendent, State Correctional Institution, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1136, **Misc.** Allan James Berube, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1137, **Misc.** Marion Gadson, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 1139, **Misc.** Louis Ludwik Furtak, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1141, **Misc.** Venson Eugene Williams, petitioner, *v.* A. L. Dutton, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1142, **Misc.** Marion Howard Stevenson, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1143, **Misc.** William G. Holland, petitioner, *v.* D. J. Sheehy, Superintendent, Lorton Reformatory, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1144, **Misc.** Bryant Pledge Long, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1145, **Misc.** Francis J. Kennett, Jr., petitioner, *v.* Municipal Court, Los Angeles Judicial District, County of Los Angeles, California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1147, **Misc.** William M. Rapp, petitioner, *v.* Ray H. Page, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1148, **Misc.** Louis Van Duynes, petitioner, *v.* Howard Yeager, Principal Keeper, etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1150, *Misc.* Roberto S. Mercuri, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1151, *Misc.* John Eugene Whitson, petitioner, *v.* H. V. Field, Superintendent of California Men's Colony. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1152, *Misc.* Furman Posey, petitioner, *v.* South Carolina. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1154, *Misc.* Richard Alan Darby, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 1155, *Misc.* Willie Claude Covin, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 1156, *Misc.* Morris Gunner, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Term of the Supreme Court of New York, First Judicial Department, denied.

No. 1160, *Misc.* William J. Newman, petitioner, *v.* Warden, Maryland Penitentiary. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 1163, *Misc.* Robert Lee Pretlow, petitioner, *v.* Virginia. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1164, *Misc.* William S. Ellis, Jr., et al., petitioners, *v.* Lyman T. Harada et al. Petition for writ of certiorari to the Supreme Court of Hawaii denied.

No. 1165, *Misc.* Jerry S. Diamond, petitioner, *v.* L. S. Nelson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1166, *Misc.* John R. Konczak, Jr., petitioner, *v.* Frank J. Pate, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1169, *Misc.* Stephen Conover, petitioner, *v.* Ross E. Herold, Director, Dannemora State Hospital. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 1176, *Misc.* Antonio Gonzales Jaimez, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 1177, **Misc.** James Kenneth Haney, petitioner, *v.* Warden, Maryland Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1178, **Misc.** Francis Monahan, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 1180, **Misc.** Almars Elksnis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1182, **Misc.** Richard Simons, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1186, **Misc.** Robert E. Thwing, petitioner, *v.* South Dakota. Petition for writ of certiorari to the Fourth Judicial Circuit Court of South Dakota denied.

No. 1189, **Misc.** Carl F. Guenther, petitioner, *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 1191, **Misc.** Andrew Lee White, petitioner, *v.* C. C. Peyton. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1194, **Misc.** Emmett J. Stebbins, petitioner, *v.* State Farm Mutual Automobile Insurance Co. et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1196, **Misc.** Sherrill Chesnut and Lindell Ray Newton, petitioners, *v.* Utah. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. 1197, **Misc.** Darryl Baines and George Correa, petitioners, *v.* George F. McGrath, Commissioner of Correction. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1199, **Misc.** Charles Mull, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1201, **Misc.** Raymond Casias et al., petitioners, *v.* Colorado. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1203, **Misc.** James Pennington, petitioner, *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 1204, **Misc.** William Stubbs, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 1205, **Misc.** Wesley Wallace, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. **1206, Misc.** Lawrence Hussar, petitioner, *v. California*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1210, Misc.** Michael Joseph Conlon, petitioner, *v. C. J. Fitzharris*, Superintendent, Correctional Training Facility. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1211, Misc.** Lee T. Porter, petitioner, *v. Kansas*. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. **1213, Misc.** Malcolm R. Schlette, petitioner, *v. California et al.* Petition for writ of certiorari to the Supreme Court of California denied.

No. **1214, Misc.** Robert Oatis, Jr., petitioner, *v. Louis S. Nelson*, Warden. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **1217, Misc.** Melvin Charles Hull, petitioner, *v. California*. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1219, Misc.** Willie George Boynton, Jr., petitioner, *v. Ohio*. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. **1220, Misc.** Marseille Quinney Stanley, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Claims denied.

No. **1222, Misc.** Walter L. Major, petitioner, *v. Massachusetts*. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. **1223, Misc.** Jerome Peter Kuk, petitioner, *v. Carl G. Hocker*, Warden. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. **1227, Misc.** Richard Allen Tanner, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **1228, Misc.** Leslie Edward Williams, petitioner, *v. Alabama*. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. **1229, Misc.** William Smith, petitioner, *v. Frank J. Pate*, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1234, Misc.** Marion Howard Stevenson, petitioner, *v. New York*. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. **1238, Misc.** Berthold Phillips, petitioner, *v. Greene County*, Tennessee. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1240, **Misc.** Thomas Durso and Michael Gargano, petitioners, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1253, **Misc.** William A. Burke, petitioner, *v.* Harold V. Langlois. Petition for writ of certiorari to the Supreme Court of Rhode Island denied.

No. 1277, **Misc.** Peter R. Mayock, petitioner, *v.* Morgan Martin, Superintendent, Norwich State Hospital. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 1298, **Misc.** Nathaniel Walter Dunson, petitioner, *v.* United States. Petition for writ of certiorari to the United States of Appeals for the Ninth Circuit denied.

No. 589, **Misc.** James Junior Sullivan, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied. Dissenting opinion by Mr. Justice White with whom Mr. Justice Brennan joins.

No. 590, **Misc.** George Stanley Ashby, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 1084, **Misc.** John D. Irby, Robert L. Jones, and Rhozier T. Brown, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 1212, **Misc.** Leon Bearden, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 883, **Misc.** Clady Auburn Bishop, petitioner, *v.* P. J. Ciccone, Warden;

No. 1001, **Misc.** Earnest Peterson, petitioner, *v.* Merle R. Schneckloth, Superintendent;

No. 1175, **Misc.** George R. Smith, petitioner, *v.* Stanley Rogers, Superintendent of the State Mental Hospital of Montana;

No. 1181, **Misc.** Chase M. Wood, petitioner, *v.* John W. Turner, Warden;

No. 1188, **Misc.** Theophilus Charles Williams, petitioner, *v.* Superintendent of the California Conservation Center;

No. 1192, *Misc.* Louis Ludwik Furtak, petitioner, *v.* Vincent R. Mancusi, Warden;

No. 1208, *Misc.* O. G. Vinson, petitioner, *v.* Frank A. Eyman, Warden, et al;

No. 1260, *Misc.* Stanley K. McMahon, petitioner, *v.* H. V. Field, Superintendent;

No. 1284, *Misc.* Bernard S. Garrett and Joseph B. Morris, petitioners, *v.* United States;

No. 1295, *Misc.* James Powell Rabon, petitioner, *v.* Frank A. Eyman, Warden, et al;

No. 1296, *Misc.* Max Jones, petitioner, *v.* John W. Turner, Warden;

No. 1312, *Misc.* Eugene Virgil Hunt, petitioner, *v.* Walter E. Craven, Warden;

No. 1322, *Misc.* Roosevelt Boone, petitioner, *v.* Preston Fitzburger, Warden;

No. 1325, *Misc.* James Pearson, petitioner, *v.* Adult Parole Authority of the State of Ohio, et al.;

No. 1332, *Misc.* William Joseph McGurrin, petitioner, *v.* John Shovlin, Superintendent, Fairview State Hospital; and

No. 1399, *Misc.* Arthur B. Smith, petitioner, *v.* L. S. Nelson, Warden, et al. Motions for leave to file petitions for writs of habeas corpus denied.

No. 1251, *Misc.* William Garner, petitioner, *v.* New York. Motion for leave to file petition for writ of habeas corpus and for other relief denied.

LEAVE TO FILE PETITIONS FOR WRIT OF MANDAMUS DENIED

No. 1094, *Misc.* Owen Louis Burkhardt, petitioner, *v.* United States Court of Appeals for the Tenth Circuit; and

No. 1157, *Misc.* John Belcher, petitioner, *v.* E. Harold Hallows, Chief Justice, et al. Motions for leave to file petitions for writs of mandamus denied.

No. 1187, *Misc.* Mervin Carlos McKinney, petitioner, *v.* United States District Court for the Northern District of California, et al. Motion for leave to file petition for writ of mandamus and for other relief denied.

REHEARINGS DENIED

No. 14. Commonwealth Coatings Corporation, petitioner, *v.* Continental Casualty Company et al.;

No. 17. United States, petitioner, *v.* The Donruss Company;

No. 451. Jeff Fort, petitioner, *v.* Illinois;

No. 490. James Boyd et al., appellants, *v.* Ramsey Clark, Attorney General of the United States, et al.;

No. 572. Ramsey Clark et al., appellants, *v.* Charles Joseph Cuney Gabriel;

No. 583. Cecil B. Sanner et ux., petitioners, *v.* The Trustees of the Sheppard and Enoch Pratt Hospital;

No. 648. Markham Advertising Company, Inc., et al., appellants, *v.* Washington et al.;

No. 671. Margaret McD. Leonard, Administratrix, etc., petitioner, *v.* James H. Wharton, Administrator, C.T.A., etc.;

No. 733. J. Harvie Williams, et al., appellants, *v.* Virginia State Board of Elections et al.;

No. 734. Alaska et al., appellants, *v.* International Union of Operating Engineers, Local 302, AFL-CIO, et al.;

No. 737. Irving Napue, petitioner, *v.* United States;

No. 745. C. L. Hilliard, appellant, *v.* City of Gainesville, Florida;

No. 752. Milton Frank Allen Publications, Inc., petitioner, *v.* Georgia Association of Petroleum Retailers, Inc.;

No. 199, *Misc.* Albert G. Levy et al., petitioners, *v.* Montgomery County, Maryland, et al.;

No. 803, *Misc.* George L. Webb, petitioner, *v.* Howard M. Comstock, Superintendent, Sierra Conservation Center;

No. 820, *Misc.* Truman Adonis Williams, petitioner, *v.* United States;

No. 833, *Misc.* Paul Bumpus, petitioner, *v.* Massachusetts;

No. 835, *Misc.* Vera E. Dooner, petitioner, *v.* Charles Buckman, Director, Kings Park State Hospital;

No. 873, *Misc.* Rudolph Lavon Watkins, petitioner, *v.* Wisconsin;

No. 889, *Misc.* Mark Paulekas, petitioner, *v.* Ramsey Clark, Attorney General, et al.;

No. 961, *Misc.* Irwin W. Anderten, petitioner, *v.* Don R. Erickson, Warden;

No. 1008, *Misc.* Joseph Schiavoni, Administrator, petitioner, *v.* Honus Wagner Company; and

No. 1047, *Misc.* William McNeill, petitioner, *v.* State Use Industries, Automobile Registration Department. Petitions for rehearing denied.

No. 740, *Misc.* John-F. Beltowski, petitioner, *v.* Minnesota. Motion for leave to file second petition for rehearing denied.

No. 798, *Misc.* Douglas Cecil Johnson, petitioner, *v.* United States; and

No. 884, *Misc.* Gerard Cachoian, petitioner, *v.* United States. Petitions for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of these petitions.

ASSIGNMENT ORDERS

An order of the Chief Justice designating and assigning Mr. Justice Reed (Retired) to perform judicial duties in the United States Court of Claims on February 4, 1969, 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.

An order of the Chief Justice designating and assigning Mr. Justice Clark (Retired) to perform judicial duties in the United States Court of Appeals for the Second Circuit beginning February 18, 1969, and ending February 20, 1969, 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.

ORAL ARGUMENT

No. 76. Philip Cardinale, Jr., petitioner, *v.* Louisiana. Argued by Mr. Nathan Greenberg for the petitioner and by Mr. Preston H. Hufft for the respondent.

No. 413. North Carolina et al., petitioners, *v.* Clifton A. Pearce. Argued by Mr. Andrew A. Vanore, Jr., for the petitioners and by Mr. Larry B. Sitton for the respondent.

No. 418. Curtis M. Simpson, Warden, petitioner, *v.* William S. Rice. Argued by Mr. Paul T. Gish, Jr., for the petitioner and by Mr. Thomas S. Lawson, Jr., for the respondent.

Adjourned until tomorrow at 10 o'clock.

The day call for Tuesday, February 25, 1969, will be as follows:
Nos. 297, 436, 453, 477, and 641.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

John Norman Harkey, of Batesville, Ark., and Allan W. Horne, of Little Rock, Ark., on motion of Mr. Wilbur Daigh Mills; Carlos C. Ashley, Jr., of Llano, Tex., and Walter Stanley Shaller, of Dallas, Tex., on motion of Mr. O. C. Fisher; Robert P. Lawton, of La Habra, Calif., on motion of Mr. Charles Edward Wiggins; Fred O. Dickinson, Jr., of Tallahassee, Fla., and Frederick C. Prior, of West Palm Beach, Fla., on motion of Mr. Paul G. Rogers; Herbert H. Hefler, of New York, N.Y., on motion of Mr. Charles J. Zinn; Alexander Ledbetter Benton, of Washington, D.C., on motion of Mr. Anival J. Grillo; A. Deutsche O'Neal, of Houma, La., on motion of Mr. Philip E. Henderson; Richard C. Baldwin, of New Orleans, La., on motion of Mr. James E. Blazek; Frank S. Wright, of Dallas, Tex., on motion of Mr. Charles W. Tessmer; Richard L. Tavrow, of Washington, D.C., on motion of Mr. Robert Jordan Wager; Henry Leaman Fisher, of Washington, D.C., on motion of Mr. Arthur J. Levine; Charles Andrew Mays, of Indian Head, Md., on motion of Mr. James R. Phelps; Paul G. Pennoyer, Jr., of New York, N.Y., and Ralph F. Mitchell, of Cincinnati, Ohio, on motion of Mr. Edmund E. Harvey; Joel Martin Aurnou, of White Plains, N.Y., and Leon Joseph Greenspan, of White Plains, N.Y., on motion of Mr. Stanford Warner Berman; and Jay S. Gottlieb, of Philadelphia, Pa., Charles A. Klein, of Philadelphia, Pa., Charles Chester Donald Lundy, of Philadelphia, Pa., Donald C. Marino, of Philadelphia, Pa., Lewis P. Mitrano, of Philadelphia, Pa., Gilbert Stein, of Philadelphia, Pa., Samuel Theodore Swansen, of Philadelphia, Pa., and Delores Wilson, of Philadelphia, Pa., on motion of Mr. Arlen Specter, were admitted to practice.

OPINION

No. 376. Dunbar-Stanley Studios, Inc., appellant, *v.* Alabama. Appeal from the Supreme Court of Alabama. Judgment affirmed. Opinion by Mr. Justice Fortas. Concurring opinion by Mr. Justice White.

ORAL ARGUMENT

No. 297. Immigration and Naturalization Service, petitioner, *v.* Veljko Stanisic. Leave granted Mr. Joseph J. Connolly to appear and present oral argument for the petitioner, *pro hac vice*, on motion of Mr. Solicitor General Griswold. Argued by Mr. Joseph J. Connolly for the petitioner, *pro hac vice*, by special leave of Court and by Mr. G. Bernard Fedde for the respondent.

No. 436. Paulette Boudreaux Rodrigue et al., petitioners, *v.* Aetna Casualty and Surety Company et al. Argued by Mr. Philip E. Henderson for the petitioners and by Mr. James E. Diaz for the respondents.

No. 453. John McMillan Gregg, petitioner, *v.* United States. Argued by Mr. Dean E. Richards for the petitioner and by Mr. Sidney M. Glazer for the respondent.

No. 477. United States, petitioner, *v.* United States Coin and Currency, etc. Leave granted Mr. Philip A. Lacovara to appear and present oral argument for the petitioner, *pro hac vice*, on motion of Mr. Louis F. Claiborne. Argument commenced by Mr. Philip A. Lacovara for the petitioner, *pro hac vice*, by special leave of Court.

Adjourned until tomorrow at 10 o'clock.

The day call for Wednesday, February 26, 1969, will be as follows:
Nos. 477, 641, 643, 644, and 645.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Lee Bowes McTurnan, of Chicago, Ill., on motion of Mr. Richard J. Flynn; Raymond J. Daniels, of Los Angeles, Calif., and Leonard W. Bucklin, of Canton, N.Y., on motion of Mr. Louis Fenner Claiborne; David Crystal II, of New Rochelle, N.Y., on motion of Mr. Ernest Allen Cohen; Thomas J. Eggleston, of Detroit, Mich., on motion of Mr. Norman C. Paulson; Calvin Kahn, of Philadelphia, Pa., on motion of Mr. Dayton M. Harrington; Alan Richard Wolen, of Los Angeles, Calif., and Charles E. Whalen, of Rockford, Ill., on motion of Mr. Alva Jerry Butler; and George Constantine Pontikes, of Chicago, Ill., on motion of Mr. Allen H. Gardner, were admitted to practice.

ORAL ARGUMENT

No. 477. United States, petitioner, *v.* United States Coin and Currency, etc. Argument continued by Mr. Philip A. Lacovara for the petitioner, *pro hac vice*, by special leave of Court and concluded by Miss Anna R. Lavin for the respondent.

No. 641. Reyes Arias Orozco, petitioner, *v.* Texas. Argued by Mr. Charles W. Tessmer for the petitioner and by Mr. Lonny F. Zwiener for the respondent.

No. 643. Martin Rene Frazier, petitioner, *v.* H. C. Cupp, Warden. Argued by Mr. Howard M. Feuerstein for the petitioner and by Mr. Arlen Specter for the respondent.

No. 644. Billy Don Franklin Boulden, petitioner, *v.* William C. Holman, Warden. Argued by Mr. William B. Moore, Jr., for the petitioner and by Mr. David W. Clark for the respondent.

No. 645. John Davis, petitioner, *v.* Mississippi. Argument commenced by Mr. Melvyn Zarr for the petitioner and continued by Mr. G. Garland Lyell, Jr., for the respondent.

Adjourned until tomorrow at 10 o'clock.

The day call for Thursday, February 27, 1969, will be as follows:
Nos. **645, 403, 814, and 492.**

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Ronald Henry Baxter, of Topeka, Kans., and John Ivan, of Shawnee, Kans., on motion of Mr. Keith G. Sebelius; Robert Greeff Fisher, of Baltimore, Md., Aaron Morris Schreiber, of Baltimore, Md., and Howard A. Weinberger, of Dallas, Tex., on motion of Mr. Francis X. Beytagh, Jr.; Marshall Fogelson, of Detroit, Mich., and Arthur Steuer, of Southfield, Mich., on motion of Mr. Wilbur D. Sparks; Dennis J. Roberts, of San Francisco, Calif., on motion of Mr. Arthur Kinoy; Walter Hendrix Wolf, of Stillwater, Okla., on motion of Mr. Harold Martin Carter; Leonard W. Dorsey, of New Britain, Conn., and Chester S. Sledzik, of New Britain, Conn., on motion of Mr. Thomas J. Meskill; Seth Mason Dabney 3rd, of Peoria, Ill., on motion of Mr. David Claudius Murchison; Peter Putnam Severson, of Palo Alto, Calif., on motion of Mr. Thomas Ball Bracken; William Franklin Bronson, of Dallas, Tex., on motion of Mr. Thomas Richard Spradlin; Robert C. Clement, of San Francisco, Calif., on motion of Mr. Irving M. Tullar; T. F. Gilroy Daly, of Fairfield, Conn., on motion of Mr. John D. Lane; and Daniel B. Brewster, of Glyndon, Md., on motion of Mr. Richard Schifter, were admitted to practice.

ORAL ARGUMENT

No. 645. John Davis, petitioner, *v.* Mississippi. Argument concluded by Mr. Melvyn Zarr for the petitioner.

No. 403. Jack Frederick McKart, petitioner, *v.* United States. Argued by Mr. George C. Pontikes for the petitioner and by Mr. Francis X. Beytagh for the respondent.

No. 814. Raymond Joseph DuVernay, petitioner, *v.* United States. Argued by Mr. Benjamin E. Smith for the petitioner and by Mr. John S. Martin for the respondent.

No. 492. Clarence Brandenburg, appellant, *v.* Ohio. Argued by Mr. Allen Brown for the appellant and by Mr. Leonard Kirschner for the appellee.

Adjourned until Monday, March 3, 1969, at 10 o'clock.

The day call for Monday, March 3, 1969, will be as follows: Nos. 463, 517, 473, 642, and 622.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Daniel C. Smith, of Phoenix, Ariz., Alonzo Clifford Shields, III, of Centerville, Va., John Charles Noonan, Jr., of Oak Park, Ill., Michael Jeremy Danbury, of Washington, D.C., Melvyn Herschel Fruit, of Buffalo, N.Y., and Richard Henry Cox, Jr., of Cleveland, Ohio, on motion of Mr. Solicitor General Erwin N. Griswold; Howard W. Campen, of San Jose, Calif., and William M. Siegel, of San Jose, Calif., on motion of Mr. Don Edwards; John Taylor Phillips, of Macon, Ga., on motion of Mr. John James Flynt, Jr.; Abraham J. Maloof, of Indianapolis, Ind., on motion of Mr. William G. Bray; William Gilmore Bruns, of Muncie, Ind., on motion of Mr. David W. Dennis; R. F. Bennett, of Prairie Village, Kans., Norman Edward Gaar, of Westwood, Kans., Don Matlack, of Clearwater, Kans., John F. Steineger, Jr., of Kansas City, Kans., J. C. Tillotson, of Norton, Kans., and Bobby Wilson Storey, of Topeka, Kans., on motion of Mr. Keith G. Sebelius; Lois P. Sheinfeld, of New York, N.Y., on motion of Mr. Anthony G. Amsterdam; James Michael Cassidy, of Washington, D.C., on motion of Mr. Arthur J. Keefe; Arlin W. Hargreaves, of San Francisco, Calif., on motion of Mr. David Carliner; James Edward Dougherty, of Orange, Calif., on motion of Mr. Martin Emilius Carlson; Charles M. Love, III, of Charleston, W. Va., on motion of Mr. Weston Harris Grimsley; Donald J. Raich, of Beverly Hills, Calif., on motion of Mr. Benjamin Forman; Jorge M. Sanchez-Devanny, of Chicago, Ill., on motion of Mr. Walter A. Slowinski; Robert Martin Mangan, of Vienna, Va., on motion of Mr. John A. Carver, Jr.; Billy Floyd Brown, of Biloxi, Miss., and William Lyman Denton, of Brooklyn, Miss., on motion of Mr. Walter L. Lewis; Thomas C. Marmon of San Antonio, Tex., Ronald Alan Blee, of Freeport, N.Y., and William Graff Imig, of Denver, Colo., on motion of Mr. Michael A. Brown; and James Edward Whelton, of Evanston, Ill., on motion of Mr. John N. Erlenborn, were admitted to practice.

OPINIONS

No. 9, Original. United States of America, plaintiff, *v.* State of Louisiana et al. On the cross motions of the United States and the State of Louisiana for a supplemental decree designating the boundary of the lands under the Gulf of Mexico owned by Louisiana, opinion issued deciding certain issues and reserving others for a Special Master to be appointed. Opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice Black with whom Mr. Justice Douglas joins. Mr. Chief Justice Warren and Mr. Justice Marshall took no part in the consideration or decision of this case.

On the cross motions of the United States and the State of Texas for a supplemental decree as to the State of Texas, opinion issued accepting the decree proposed by the United States and ordering the entry of a supplemental decree. Opinion by Mr. Justice Brennan. Dissenting opinion by Mr. Justice Black. Mr. Chief Justice Warren and Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 3. Richard Allen et al., appellants, *v.* State Board of Elections et al. Appeal from the United States District Court for the Eastern District of Virginia; and

No. 25. J. C. Fairley et al., appellants, *v.* Joe T. Patterson et al.; and

No. 26. Charles E. Bunton et al., appellants *v.* Joe T. Patterson et al.; and

No. 36. Clifton Whitley et al., appellants, *v.* John Bell Williams, Governor of Mississippi, et al. Appeals from the United States District Court for the Southern District of Mississippi. In No. 3 judgment vacated and in Nos. 25, 26 and 36 judgments reversed and cases remanded to the appropriate District Courts with instructions to issue injunctions restraining the further enforcement of the enactments until such time as the states adequately demonstrate compliance with § 5 of the Voting Rights Act of 1965. Opinion by Mr. Chief Justice Warren. Opinion by Mr. Justice Harlan concurring in part and dissenting in part. Opinion by Mr. Justice Marshall with whom Mr. Justice Douglas joins concurring in part and dissenting in part. Dissenting opinion by Mr. Justice Black.

The Chief Justice said:

“The other orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally.”

OPINIONS PER CURIAM

No. 31, Original. State of Utah, plaintiff, *v.* United States. On exceptions to the Report of the Special Master. The Report of the Special Master is ordered filed and his determination denying inter-

vention to Morton International, Inc., is approved. Opinion *per curiam*. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 892. Black Unity League of Kentucky et al., appellants *v.* Scott Miller, Jr., etc., et al. Appeal from the United States District Court for the Western District of Kentucky. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*. Mr. Justice Douglas dissents.

No. 945. Eugene Holden et al., appellants. *v.* Roger Arnebergh, City Attorney for the City of Los Angeles, et al. Appeal from the Court of Appeal of California, Second Appellate District. The motion to dismiss is granted and the appeal is dismissed, it appearing that the judgment below rests upon an adequate state ground. Opinion *per curiam*.

No. 1255, Misc. Paul B. Bokulich et al., appellants, *v.* Jury Commission of Greene County, Alabama, et al. Appeal from the United States District Court for the Northern District of Alabama. Motion of appellants for leave to proceed *in forma pauperis* granted. Judgment affirmed as to the part that denied an injunction preventing the Greene County grand jury from considering criminal charges against the appellants. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 436. Paulette Boudreaux Rodrigue et al., petitioners *v.* Aetna Casualty and Surety Company et al. The motion for leave to file petitioners' reply brief, after argument, is granted.

No. 1452, Misc. Thomas F. Fox, petitioner, *v.* Harold Brown, Secretary of the United States Air Force, et al. The application for a stay pending review on certiorari presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

APPEALS—JURISDICTION NOTED

No. 908. Willie Carter, Sr., et al., appellants, *v.* Jury Commission of Greene County, Alabama, et al. Appeal from the United States District Court for the Northern District of Alabama. In this case probable jurisdiction is noted. Case placed on the summary calendar and set for oral argument immediately following No. 842.

No. 938. Della Hadley et al., appellants, *v.* The Junior College District of Metropolitan Kansas City, Missouri, et al. Appeal from the Supreme Court of Missouri. In this case probable jurisdiction is noted and case placed on the summary calendar.

CERTIORARI GRANTED

No. 798. United States, petitioner, *v.* Montgomery County Board of Education et al.; and

No. 997. Arlam Carr, Jr., by Arlam Carr and Johnnie Carr, etc., et al., petitioners, *v.* Montgomery County Board of Education et al. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit granted. Cases consolidated and a total of two hours allotted for oral argument.

No. 900. The Detroit and Toledo Shore Line Railroad Company, petitioner, *v.* Brotherhood of Locomotive Firemen and Enginemen. Motion to substitute United Transportation Union in place of Brotherhood of Locomotive Firemen and Enginemen as the party respondent granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted and case placed on the summary calendar.

No. 925. National Labor Relations Board, petitioner, *v.* J. H. Rutter-Rex Manufacturing Company, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and case placed on the summary calendar.

No. 709, *Misc.* Bob Fred Ashe, petitioner, *v.* Harold R. Swenson, Warden. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted. Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI DENIED

No. 913. Floyd Sarisohn, petitioner, *v.* The Appellate Division of the Supreme Court, Second Department. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 948. Martin von Carstanjen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 951. Robert M. Muse, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 952. J. H. Rutter-Rex Manufacturing Company, Inc., petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 957. The Cunard Steamship Company, Ltd, petitioner, *v.* Lawrence Burns et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 960. Edward J. Kazubowski, petitioner, *v.* Betty Dolar Kazubowski. Petition for writ of certiorari to the Appellate Court of Illinois, Third District, denied.

No. 962. Claud T. Patat et al., petitioners, *v.* The Day Companies, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 964. Inter National Bank of Miami, petitioner, *v.* J. H. Brock, Trustee, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 965. Edward J. McKenzie, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 968. Joseph E. Stanek, petitioner, *v.* Civil Service Commission of the City of Pittsburgh et al. Petition for writ of certiorari to the County Court of Allegheny County, Pennsylvania, denied.

No. 1053. Frances Fairecloth et vir, petitioners, *v.* James Fletcher Hester. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 780. The Franklin Life Insurance Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Fortas took no part in the consideration or decision of this petition.

No. 851. Sidney J. Gefen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion that certiorari should be granted.

No. 896. Andrew J. Kalerak, Jr., et al., petitioners *v.* Walter J. Hickel, Secretary of the Interior, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 940. Philip J. Kenney, petitioner, *v.* American Can Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit and for other relief denied.

No. 947. Zylpha S. Buettner et al., etc., petitioners, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 949. Kaiser Industries Corporation et al., petitioners, *v.* McLouth Steel Corporation. Motion of the Government of Austria for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 688, **Misc.** Harold Hanger et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 726, **Misc.** S. C. Smith, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 753, **Misc.** Zettie Haynes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 773, **Misc.** Denny Gafford, petitioner, *v.* Alaska. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 831, **Misc.** Hubert Bullard, petitioner, *v.* D. J. Sheehy, Superintendent, Lorton Reformatory. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 978, **Misc.** Louis Guido, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1080, **Misc.** Nathaniel Robinson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1153, **Misc.** Ralph Darwin Bonicamp, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1171, **Misc.** William H. Fuller, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1195, **Misc.** Yves Glaziou and Rene L. A. Lemieux, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1225, **Misc.** Kenneth Byes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1232, **Misc.** Major Brown, Jr., petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1235, **Misc.** Jesse DeWayne White, petitioner, *v.* Arizona ex rel. Frank A. Eyman, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1236, **Misc.** George Buck Linzy, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1245, **Misc.** Lester Posner, petitioner, *v.* Reistertown Federal Savings and Loan Association. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. **1256, Misc.** Sadie L. Campbell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. **1268, Misc.** Henry Cannon, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. **1275, Misc.** Pherne N. Miller, petitioner, *v.* Katherine S. Thorn, etc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1278, Misc.** Tilmon Greer, petitioner, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. **1279, Misc.** James T. Silver, petitioner, *v.* B. J. Rhay, Superintendent, Washington State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1280, Misc.** Louis Ludwik Furtak, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. **1286, Misc.** Howard Lee Rucker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1288, Misc.** Doyle Howard Mace, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. **1289, Misc.** Vernon W. Clifton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1292, Misc.** Bobby Levon Mayberry, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. **1294, Misc.** Paul Jerome Brown, petitioner, *v.* Virginia. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1297, Misc.** Joseph E. Myrick, petitioner, *v.* C. C. Peyton, Superintendent of the Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1304, Misc.** Jesse Allen Sullivan, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. **1306, Misc.** John W. Williams, Jr., petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. **1318, Misc.** Clifford Marter, petitioner, *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 1333, **Misc.** Percy Beale, petitioner, *v.* Virginia. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1335, **Misc.** Louis Ludwik Furtak, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the County Court of Wyoming County, New York, denied.

No. 1369, **Misc.** Louis Ludwik Furtak, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 480, **Misc.** Andrew E. Wallace, petitioner, *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 994, **Misc.** Leon Brent, petitioner, *v.* Wingate White, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. The Chief Justice and Mr. Justice Douglas are of the opinion that certiorari should be granted on the basis of the dissents in *Schmerber v. California*, 384 U.S. 757.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 901, **Misc.** Wilson Jay Watson, petitioner, *v.* Merle R. Schneckloth, Superintendent, California Conservation Center, et al.;

No. 1336, **Misc.** Lionel Delagarde, petitioner, *v.* Arthur E. Krueger, Warden;

No. 1374, **Misc.** Izell Shefton, petitioner, *v.* Warden, Maryland Penitentiary;

No. 1384, **Misc.** Carl H. Carter, petitioner, *v.* John N. Mitchell, Attorney General, et al.; and

No. 1397, **Misc.** Mack Barnes, petitioner, *v.* Texas et al. Motions for leave to file petitions for writs of habeas corpus denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 1247, **Misc.** Ruchell Magee, petitioner, *v.* Edward C. Schade et al.; and

No. 1257, **Misc.** Horace Foster, petitioner, *v.* Walter J. Cummings, Circuit Judge, et al. Motions for leave to file petitions for writs of mandamus denied.

REHEARINGS DENIED

No. 13. The Baltimore and Ohio Railroad Company et al., appellants, *v.* Aberdeen and Rockfish Railroad Company et al.;

No. 667. John G. Garner et ux., petitioners, *v.* Commissioner of Internal Revenue;

No. **725**. Raymond Patriarca et al., petitioners, *v.* United States;
 No. **726**. Frank Sutton, on behalf of himself and other similarly situated, appellant, *v.* Tom Adams, as Secretary of State of Florida, et al.;

No. **758**. John Langenbacher Co., Inc., petitioner, *v.* National Labor Relations Board;

No. **763**. Bernhard Rosee, petitioner, *v.* Board of Trade of the City of Chicago et al.;

No. **773**. Joseph A. F. Valenti, appellant, *v.* Nelson A. Rockefeller, Governor of the State of New York, et al.;

No. **790**. Provision Salesmen & Distributors Union, Local 627, etc., appellant, *v.* United States et al.;

No. **745, Misc.** Jack Lesley Marson, petitioner, *v.* United States;

No. **782, Misc.** Thurston Hill, petitioner, *v.* United States;

No. **887, Misc.** Thomas Henry Robinson, Jr., petitioner, *v.* United States;

No. **998, Misc.** Gordon Jay Thompson, petitioner, *v.* Jacob J. Parker, Warden; and

No. **1062, Misc.** Claude W. Harris, petitioner, *v.* B. J. Rhay, Superintendent, Washington State Penitentiary. Petitions for rehearing denied.

No. **741**. Fred O. Dickinson, Jr., Comptroller of the State of Florida, appellant, *v.* The First National Bank of Homestead, Homestead, Florida, et al. Petition for rehearing denied. Mr. Justice Fortas took no part in the consideration or decision of this petition.

RECESS ORDER

The court will take a recess from Monday, March 10, 1969, until Monday, March 24, 1969.

ORAL ARGUMENT

No. **463**. National Labor Relations Board, petitioner, *v.* Wyman-Gordon Company. Argued by Mr. Solicitor General Griswold for the petitioner and by Mr. Quentin O. Young for the respondent.

No. **517**. The National Board of Young Men's Christian Associations et al., petitioners, *v.* United States. Argued by Mr. Ronald A. Jacks for the petitioners and by Mr. Peter L. Strauss for the respondent.

No. **473**. John H. Bingler, District Director of Internal Revenue, petitioner, *v.* Richard E. Johnson et al. Argument commenced by Mr. Harris Weinstein for the petitioner and continued by Mr. James C. Larrimer for the respondents.

Adjourned until tomorrow at 10 o'clock.

The day call for Tuesday, March 4, 1969, will be as follows: Nos. **473, 642, 622, and 748.**

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Rein J. Vander Zee, of Washington, D.C., on motion of Mr. Lee Metcalf; Burnett Merrell Frazer, Jr., of Dallas, Tex., on motion of Mr. Ralph W. Yarborough; Alfred Anthony Affinito, of Pittsburg, Calif., and Gerald Allen Belleci, of Pittsburg, Calif., on motion of Mr. Jerome Russell Waldie; Ruby Nell Burrows, of Daytona Beach, Fla., on motion of Mr. Herbert O. Reid, Sr.; Joel Chasnoff, of Silver Spring, Md., on motion of Mrs. Anastasia T. Dunau; Jay Harold Conner, of Wilmington, Del., on motion of Mr. Henry Newton Herndon, Jr.; John Earl Crandell, of Spokane, Wash., and Winn M. Thurman, of Kansas City, Mo., on motion of Mr. Matthew Joseph Wheeler, Jr.; Nelson J. Cooney, of Silver Spring, Md., and Richard A. Mehley, of Arlington, Va., on motion of Mr. Peter T. Beardsley; Steven D. Narick, of Moundsville, W. Va., on motion of Mrs. Virginia Mae Brown; Arthur G. Muegler, Jr., of St. Louis, Mo., on motion of Mr. William D. Crampton; Herbert L. Jacobson, of Princeton, N.J., on motion of Mr. Roland Augustus Linger; Ronald Blavatt, of Baltimore, Md., on motion of Mr. Ellis L. Bert; Glen R. Murphy, of Vienna, Va., on motion of Mr. Sylvester B. Billbrough; and Fredric Joel Freed, of Los Angeles, Calif., on motion of Mr. Martin Jacobs, were admitted to practice.

OPINION

No. 370. Elliott Golden, as District Attorney of the County of Kings, appellant, *v.* Sanford Zwickler. Appeal from the United States District Court for the Eastern District of New York. Judgment reversed and case remanded to the United States District Court for the Eastern District of New York with directions to enter a new judgment dismissing the complaint. Opinion by Mr. Justice Brennan.

ORAL ARGUMENT

No. 473. John H. Bingler, District Director of Internal Revenue, petitioner, *v.* Richard E. Johnson et al. Argument continued by Mr. James C. Larrimer for the respondents and concluded by Mr. Harris Weinstein for the petitioner.

No. 642. Edward Boykin, Jr., petitioner, *v.* Alabama. Argued by Mr. E. Graham Gibbons for the petitioner and by Mr. David W. Clark for the respondent.

No. 622. William L. Maxwell, petitioner, *v.* O. E. Bishop, Superintendent, Arkansas State Penitentiary. Argued by Mr. Anthony G. Amsterdam for the petitioner, by Mr. Albert W. Harris, Jr., for the State of California, as *amicus curiae*, and by Mr. Don Langston for the respondent.

Adjourned until tomorrow at 10 o'clock.

The day call for Wednesday, March 5, 1969, will be as follows: No. 748.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSION TO THE BAR

James Bennett Reed, of Aurora, Colo., on motion of Mr. Henry Newton Herndon, Jr., was admitted to practice.

ORAL ARGUMENT

No. 748. Thornton A. Jenkins, petitioner, *v.* Delaware. Argued by Mr. Henry N. Herndon, Jr., for the petitioner and by Mr. Jay H. Conner for the respondent.

Adjourned until Monday, March 10, 1969, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Edward Jarrin Snyder, of Washington, D.C., Patrick T. Caffery, of New Iberia, La., Michael F. Thompson, of Lafayette, La., Ted J. Borowski, of Houma, La., Philip J. McMahon, of Houma, La., Adrian L. Morchower, of Bethesda, Md., James Claude Hightower III, of Newark, N.J., and Jerris Leonard, of Milwaukee, Wis., on motion of Mr. Solicitor General Erwin N. Griswold; Sheldon F. Goldberg, of Denver, Colo., Lawrence P. Weisman, of Westport, Conn., and Emanuel Margolis, of Westport, Conn., on motion of Mr. Byrn G. Rogers; Augustus Reagan Barksdale, of Conyers, Ga., and James Harold Weeks, of Atlanta, Ga., on motion of Mr. Benj. Thomas Blackburn III; Philip D. Furlong, of Sioux City, Iowa, on motion of Mr. Wiley E. Mayne; John Foster Bruce, of Washington, D.C., on motion of Judge John Gregory Bruce; Bernard Glasser, of Norfolk, Va., and Stuart Davis Glasser, of Norfolk, Va., on motion of Mr. Stewart French; Marvin F. Frankel, of Oak Park, Mich., on motion of Mr. Wilbur D. Sparks; Erwin Alpern, of Oklahoma City, Okla., on motion of Mr. Philip Elman; John B. Denniston, of Washington, D.C., on motion of Mr. Frederick W. Denniston; Marshal A. Lerner, of Washington, D.C., on motion of Mr. William D. Hall; C. Thomas, of Washington, D.C., on motion of Mr. Edward J. McGowen; George P. Lamb, Jr., of Washington, D.C., on motion of Mr. George P. Lamb; William James Lehrfeld, of Washington, D.C., and Charles Stanley Warren, of New York, N.Y., on motion of Mr. Charles R. Donnenfeld; Harris J. Berman, of Louisville, Ky., on motion of Mr. Martin Jacobs; Joaquin Camacho Arriola, of Agana, Guam, on motion of Mr. Edward H. McDermott; James Earl Davis, of Akron, Ohio, on motion of Mr. Michael W. J. Shea; Theodore W. Robinson, of Great Falls, Mont., on motion of Mr. Simon Lawrence Cain; Jose Maria Monte, of Barre, Vt., and John Peter Monte, of Barre, Vt., on motion of Mr. Joseph M. Harrington; and Milton Young, of New York, N.Y., and Stephen S. Ziegler, of New York, N.Y., on motion of Mr. Mitchell Rogovin, were admitted to practice.

OPINIONS

No. 133, October Term, 1967. Willie Israel Alderman, et al., petitioners *v.* United States. On motion to modify order of remand to the United States District Court for the District of Colorado;

No. 11. Igor A. Ivanov, petitioner, *v.* United States; and

No. 197. John William Butenko, petitioner, *v.* United States. On writs of certiorari to the United States Court of Appeals for the Third Circuit. In No. 133, October Term, 1967, the *per curiam* order of January 29, 1968, is withdrawn and the order denying the petition for writ of certiorari is vacated. Petition for rehearing and petition for writ of certiorari granted. Judgment vacated and case remanded to the United States District Court for the District of Colorado for further proceedings in conformity with the opinion of this Court. In Nos. 11 and 197, judgments vacated and cases remanded to the United States District Court for the District of New Jersey for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Mr. Justice Douglas, while joining the opinion of the Court, concurs in Part II of the opinion of Mr. Justice Fortas and holds that the protection of the Fourth Amendment includes also those against whom the investigation is directed. Mr. Justice Stewart Joins Mr. Justice Harlan's dissenting opinion except insofar as it would authorize *in camera* proceedings in the *Ivanov* and *Butenko* cases. He would apply the same standards to all three cases, agreeing to that extent with the opinion of the Court. Mr. Justice Black dissents, adhering to his dissent in *Katz v. United States*, 389 U.S. 347, 364-374 (1967). Opinion by Mr. Justice Harlan concurring in part and dissenting in part. Opinion by Mr. Justice Fortas concurring in part and dissenting in part. Mr. Justice Marshall took no part in the consideration or decision of these cases.

No. 42. Fred L. Shuttlesworth, petitioner, *v.* City of Birmingham, Alabama. On writ of certiorari to the Supreme Court of Alabama. Judgment reversed and case remanded to the Supreme Court of Alabama for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Stewart. Mr. Justice Black concurs in the result. Concurring opinion by Mr. Justice Harlan. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 243. Citizen Publishing Company et al., appellants, *v.* United States. Appeal from the United States District Court for the District of Arizona. Judgment affirmed. Opinion by Mr. Justice Douglas. Opinion by Mr. Justice Harlan concurring in the result. Dissenting opinion by Mr. Justice Stewart. Mr. Justice Fortas took no part in the consideration or decision of this case.

No. 60. Dick Gregory et al., petitioners *v.* City of Chicago. On writ of certiorari to the Supreme Court of Illinois. Judgments reversed

and case remanded to the Supreme Court of Illinois for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Warren. Mr. Justice Douglas, while joining the separate opinion of Mr. Justice Black, also joins this opinion. Mr. Justice Stewart and Mr. Justice White concur in the judgment of the Court and join its opinion insofar as it holds that under the principle established by *Stromberg v. California*, 382 U.S. 359, the petitioners' convictions cannot stand. Concurring opinion by Mr. Justice Black with whom Mr. Justice Douglas joins. Opinion by Mr. Justice Harlan concurring in the result.

The Chief Justice said:

"The other orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally."

OPINIONS PER CURIAM

No. 377. Dunbar-Stanley Studios, Inc., appellant, *v.* City of Mobile. Appeal from the Supreme Court of Alabama. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 958. Local 182, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, appellant, *v.* National Labor Relations Board. Appeal from the United States Court of Appeals for the Second Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 961. Walter J. Abrams et al., appellants, *v.* John A. Wiethe et al. Appeal from the Supreme Court of Ohio. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 429, Misc. Leroy Johnson, petitioner, *v.* James Voyles, Sheriff, et al. On petition for writ of certiorari to the Supreme Court of Texas. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Supreme Court of Texas for further consideration in light of *Smith v. Hooley, Judge, Criminal District Court of Harris County, Texas*, 393 U.S. 374. Opinion *per curiam*.

No. 559, Misc. Louis Darrell Powers and Joseph Thomas Craig, petitioners, *v.* Perry Circuit Court et al. On petition for writ of certiorari to the Supreme Court of Indiana. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Supreme Court of Indiana

for further consideration in light of *Smith, v. Hooley, Judge, Criminal District Court of Harris County, Texas*, 393 U.S. 374. Opinion *per curiam*.

No. 665, **Misc.** John Shaw, petitioner, *v. Illinois*. On petition for writ of certiorari to the Appellate Court of Illinois, First District. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Appellate Court of Illinois, First District, for further consideration in light of *Smith v. Illinois*, 390 U.S. 129. Opinion *per curiam*. Mr. Justice Black and Mr. Justice White are of the opinion that certiorari should be denied.

No. 1072, **Misc.** Frederick Richard Jones, appellant, *v. California*. Appeal from the Court of Appeal of California, First Appellate District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 1167, **Misc.** John Otis Sumrall, appellant, *v. William J. Kidd et al.* Appeal from the United States District Court for the Southern District of Mississippi. Motion for leave to proceed *in forma pauperis* granted. Judgment vacated and case remanded to the United States District Court in order that the District Court may enter a fresh decree from which the appellant may, if he wishes, perfect a timely appeal to the Court of Appeals. Opinion *per curiam*.

No. 1267, **Misc.** John Allen Watts, appellant, *v. Maryland*. Appeal from the Court of Appeals of Maryland. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. —. Theodore P. Kaplysh et al., petitioners, *v. Lewis B. Hershey et al.*; and

No. 1637, **Misc.** Max Hyman Schwartz, petitioner, *v. Local Board No. 23, etc., et al.* The applications for stays of induction presented to Mr. Justice Stewart, and by him referred to the Court, are denied. Mr. Justice Douglas is of the opinion that the stays should be granted.

No. 1700, **Misc.** In the Matter of the Disbarment of Norman E. Sill. It is ordered that Norman E. Sill of Washington, District of Columbia, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 488. Doris Daniel and Rosalyn Kyles, petitioners, *v. Euell Paul, Jr., etc.* The request of the United States to participate in oral argu-

ment, as *amicus curiae*, is granted and a total of twenty minutes is allotted for that purpose. Counsel appointed to argue in support of the judgment of the lower court shall likewise be allotted an additional twenty minutes to present oral argument in this case.

No. 573. National Labor Relations Board, petitioner, *v.* Gissell Packing Company, Inc., et al.; and

No. 691. Food Store Employees Union, Local No. 347, Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO, petitioner, *v.* Gissell Packing Company, Inc. The motion of the American Federation of Labor and Congress of Industrial Organizations for leave to file a brief, as *amicus curiae*, is granted.

No. 986. Hiland Dairy, Inc., et al., petitioners, *v.* The Kroger Company. The Solicitor General is invited to file a brief expressing the views of the United States. Mr. Justice Fortas took no part in the consideration or decision of this order.

No. 899. United States, appellant, *v.* Interstate Commerce Commission et al.;

No. 942. Charles E. Brundage et al., appellants, *v.* United States et al.;

No. 999. City of Auburn, appellant, *v.* United States et al.; and

No. 1003. Livingston Anti-Merger Committee, appellant, *v.* Interstate Commerce Commission et al. The motions of certain appellees to advance and to dispense with printing the appendix are denied. Mr. Justice Fortas took no part in the consideration or decision of these motions.

CERTIORARI DENIED

No. 928. William Anderson and Harold Moffett, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 953. Vincent Mauro, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 956. Howard Weisblum, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 959. David Ray Crowley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 967. Glenn J. Sharpe, petitioner, *v.* Oklahoma ex rel. Oklahoma Bar Association. Petition for writ of certiorari to the Appellate Division of the Court on the Judiciary of Oklahoma denied.

No. 969. John A. Thomson, petitioner, *v.* New Hampshire. Petition for writ of certiorari to the Supreme Court of New Hampshire denied.

No. 972. Joseph Mustacchio, petitioner, *v.* United States; and

No. 973. Gerardo Restaino, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 975. General Electric Company, Battery Products, Capacitor Department, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 980. Akin Distributors, Inc., of Florida, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 732. James Bryson Martin, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the ~~Fifth~~^{FOURTH} Circuit denied. The Chief Justice and Mr. Justice Douglas are of the opinion that certiorari should be granted

No. 901. Allen F. Barker et al., petitioners, *v.* Wendell G. Hardway, President of Bluefield State College, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Concurring opinion by Mr. Justice Fortas. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 971. Joseph Ben Jackson, Jr., petitioner, *v.* Joseph F. Filliben, Jr. Petition for writ of certiorari to the Supreme Court of Delaware denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 987. Alameda Conservation Association, petitioner, *v.* City of Alameda et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 1011. W. H. Pat O'Bryan, petitioner, *v.* Stephen S. Chandler, Chief Judge of the United States District Court for the Western District of Oklahoma. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit 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.

No. 1030. Alfred E. Coleman et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **387, Misc.** Earl Thomas Sadler, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **605, Misc.** Leon Spinks, petitioner, *v.* Circuit Court of Callaway County, Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. **619, Misc.** Maurice Evans, petitioner, *v.* United States; and

No. **850, Misc.** John B. Philson, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **741, Misc.** James Leo Lewter, petitioner, *v.* Commonwealth's Attorney, etc. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. **755, Misc.** Alvin Robert Alexander, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. **813, Misc.** Adolph Carden, petitioner *v.* Lake F. Russell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **851, Misc.** Robert Clayton, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. **1120, Misc.** George Crutcher and Hamp Hazel, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1158, Misc.** Richard Custer Hyler, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1161, Misc.** Jerry Jackson, petitioner, *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. **1162, Misc.** Robert Wesley Davis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1183, Misc.** John Anthony Genovese and Anthony Thomas Trotta, petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1185, Misc.** Gilbert Lewis Spears, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1193, Misc.** Floyd Lennox McGee, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1198, **Misc.** Philip B. Chambers et ux., petitioners, *v.* Colonial Pipeline Company. Petition for writ of certiorari to the Supreme Court of Tennessee, Eastern Division, denied.

No. 1200, **Misc.** Frederick Clarence Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1216, **Misc.** Willie Jim Miller, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1221, **Misc.** Robert Roberts, petitioner, *v.* Roger B. Copinger, Jr., Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1224, **Misc.** Carlton Cozzette Peak, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1226, **Misc.** Thomas E. Blunt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1243, **Misc.** James Edward Lee, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1246, **Misc.** Charles R. Todd, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 1249, **Misc.** Sylvester G. Perez, petitioner, *v.* H. V. Field. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1261, **Misc.** Ronald Brooks Tippett, petitioner, *v.* Merle R. Schneckloth, Superintendent California Conservation Center. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1263, **Misc.** P. Carey, petitioner, *v.* George Washington University. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1264, **Misc.** Leewood Alford, Jr., petitioner, *v.* Virginia. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1265, **Misc.** A. Y. Brown, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1270, **Misc.** Thomas J. Ballou, Jr., petitioner *v.* Massachusetts et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 1272, **Misc.** Cleveland Lindsey, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. **1307, Misc.** Edward Davis, petitioner, *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. **1310, Misc.** Francis Haines, petitioner, *v.* Joseph J. McDonough. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1317, Misc.** Mack Corral, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1320, Misc.** Vasco Carrier, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1321, Misc.** Marcus Leon Hayes, petitioner, *v.* Warren Pinto, Superintendent, New Jersey State Prison Farm. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1330, Misc.** Bernard Martin Zide, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. **1331, Misc.** Wiley Bell, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. **1334, Misc.** Howard J. Vivian, Jr., petitioner, *v.* Saul Bookbinder, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1340, Misc.** Olga Gunzburger, petitioner, *v.* Washington Terminal Co. et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1342, Misc.** Jack Kamsler, petitioner *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. **1351, Misc.** Joseph Kagan, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate Disirict, denied.

No. **1355, Misc.** Jim Fair, petitioner, *v.* Board of Elections, City of Tampa, Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. **1391, Misc.** Lewis Junior Morgan, petitioner, *v.* C. C. Peyton, Superintendent Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1415, Misc.** Alfonso Urtado, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **656, Misc.** Ronald L. Reece, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Douglas would grant certiorari and reverse on the basis of *Johnson v. Avery*, 393 U.S. —, decided February 24, 1969.

No. **1276, Misc.** Watson Woodson Jennison, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. **1371, Misc.** Eugene Owen Mitchell, petitioner, *v.* Attorney General of the United States et al.;

No. **1423, Misc.** George Norbert Montano, petitioner, *v.* John W. Turner, Warden; and

No. **1453, Misc.** Joseph John Fournier, petitioner, *v.* Warren Pinto, Superintendent, New Jersey State Prison Farm. Motions for leave to file petitions for writs of habeas corpus denied

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. **744, Misc.** Joe L. Green and James Howard Readus, petitioners, *v.* United States District Court for the Southern District of Indiana et al.; and

No. **1413, Misc.** Sherman H. Skolnick et al., petitioners, *v.* Mayor & City Council of Chicago et al. Motions for leave to file petitions for writs of mandamus denied.

REHEARINGS DENIED

No. **44.** William Skinner, et al., petitioners, *v.* Louisiana. Petition for rehearing denied.

No. **330, Misc.** James Nelson Coleman, petitioner, *v.* E. L. Maxwell, Warden. Motion for leave to file petition for rehearing denied.

Adjourned until Monday, March 24, 1969, at 10 o'clock.

The day call for Monday, March 24, 1969, will be as follows: Nos. **201, 244, and 488.**

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Dean H. Bilton, of Chicago, Ill., Rochelle Liebling Kahan, of Chicago, Ill., Michael A. Dively, of Traverse City, Mich., Howard Michael Koff, of Arlington, Va., Daniel A. Rago, of Valley Stream, N.Y., and Howard L. Stevens, of New York, N.Y., on motion of Mr. Solicitor General Erwin N. Griswold; George Terrell Barrow, of Houston, Tex., on motion of Mr. Ralph W. Yarborough; Myron B. Katz, of Milwaukee, Wis., on motion of Mr. Gaylord Nelson; Donald S. Nishimura, of Honolulu, Hawaii, on motion of Mr. Daniel K. Inouye; William A. Letson, of Red Cloud, Nebr., on motion of Mr. Roman L. Hruska; F. Vernon Boozer, of Baltimore, Md., and Daniel Eugene Klein, Jr., of Baltimore, Md., on motion of Mr. Charles McCurdy Mathias, Jr.; George Olin Jernigan, Jr., of Little Rock, Ark., on motion of Mr. David H. Pryor; Alex W. Newton, of Birmingham, Ala., and Walter Ryland Byars, of Montgomery, Ala., on motion of Mr. Tom Bevill; Hugh L. Smith of Vienna, Ga., on motion of Mrs. Frances Y. Read; Vernon Stuart Tirola, of Westport, Conn., on motion of Mr. Bernard J. Waters; Edward M. Byrne, of Waterloo, N.Y., and Eric Francis Matthies, of Fort Lauderdale, Fla., on motion of Mr. George Atherton Williams; Paul C. Maracina, of New York, N.Y., on motion of Mr. Fred Gold; Bernard M. Dworski, of Washington, D.C., on motion of Mr. Solomon I. Hirsh; Howell H. Heard, of West Monroe, La., on motion of Mr. Clarence J. Martin; William John Kirby, of New York, N.Y., on motion of Mr. Samuel A. Stern; Gene H. Anderson, of Belleville, Kans., Thomas Flynn Burke, of Omaha, Nebr., Bernard A. Waxstein, Jr., of Yonkers, N.Y., Richard R. Lee, of Shelby, N.C., Peter D. Newhouse, of Columbus, Ohio, Bruce Irving, of Klamath Falls, Oreg., and Frank Marion Townsend III, of Harwood, Tex., on motion of Mr. Walter L. Lewis; Robert J. Kelly, of Boston, Mass., Francis X. Olivieri, of Somerville, Mass., and Joseph W. Topor, Jr., of Three Rivers, Mass., on motion of Mr. George Kaufmann; Phillip Leventhal, of Bethesda, Md., on motion of Mr. John Harvey Sacks; Daniel Wilkus Weil, of Chicago, Ill., on motion of Mr. Daniel Patrick Coman; Gerald D. Thornton, of Des Moines, Iowa, on motion of Mr. Michael H. Bader; Harold N. Roney, of

McMinnville, Tenn., on motion of Mr. Henry A. Robinson; Jules Bernstein, of Washington, D.C., on motion of Mr. Florian J. Bartosic; Ellis E. Reid, of Chicago, Ill., on motion of Mr. Ronald Butler; Walter R. Paynter, of Dearborn, Mich., on motion of Mr. Paul Zaleski; Walter Soroka, of Chicago, Ill., on motion of Mrs. Selma W. Samols; L. Keith Bulen, of Indianapolis, Ind., Charles C. Daugherty, of Indianapolis, Ind., Harold H. Kohlmeyer, Jr., of Indianapolis Ind., Edgar H. Lamb, of Indianapolis, Ind., Edward P. Madinger, of Indianapolis, Ind., Stanley B. Miller, of Indianapolis, Ind., Noble R. Percy, of Indianapolis, Ind., John M. Ryan, of Indianapolis, Ind., William N. Salin, of Fort Wayne, Ind., and Patrick D. Sullivan, of Indianapolis, Ind., on motion of Mr. William D. Ruckelshaus, were admitted to practice.

OPINIONS

No. 199. George B. Harris, Judge of United States District Court for the Northern District of California, petitioner, *v.* Louis S. Nelson, Warden. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Fortas. Dissenting opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Harlan with whom Mr. Justice White joins. Dissenting opinion by Mr. Justice Stewart.

No. 12. Samuel Desist et al., petitioners, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed. Opinion by Mr. Justice Stewart. Mr. Justice Black, while adhering to his dissent in *Linkletter v. Walker*, 381 U.S. 618, 640 (1965), concurs in the affirmance of the judgment of conviction in this case for reasons stated in his dissenting opinion in *Katz v. United States*, 389 U.S. 347, 463 (1967). Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice Fortas in this case and in No. 62, *post*. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 62. Thomas R. Kaiser, petitioner, *v.* New York. On writ of certiorari to the Court of Appeals of New York. Judgment affirmed. Opinion by Mr. Justice Stewart. Mr. Justice Black concurs in the result for the reasons stated in his dissenting opinions in *Berger v. New York*, 388 U.S. 41, 70, and *Katz v. United States*, 389 U.S. 347, 364. Mr. Justice Douglas dissents. Dissenting opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice Fortas in this case and in No. 12, *ante*.

No. 53. Harold Kaufman, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment reversed and case remanded to the United States District Court for the Eastern District of Missouri for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brennan. Dissenting opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Harlan with whom Mr. Justice Stewart joins. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 814. Raymond Joseph DuVernay, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit, Judgment affirmed by an equally divided court. Opinion *per curiam* announced by Mr. Chief Justice Warren. Mr. Justice Fortas took no part in the consideration or decision of this case.

The Chief Justice said:

“The other orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally.”

OPINIONS PER CURIAM

No. 28. Samuel Joseph Giordano, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Petition for writ of certiorari granted, judgment vacated, and case remanded to the United States District Court for the Eastern District of Michigan for further proceedings in conformity with *Alderman v. United States*, *Ivanov v. United States*, and *Butenko v. United States*, 37 U.S.L.W. 4189. Opinion *per curiam*. Concurring opinion by Mr. Justice Stewart. Mr. Justice Black dissents. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 54. Michael J. Scandfia, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the United States District Court for the Southern District of New York for further proceedings in conformity with *Alderman v. United States*, *Ivanov v. United States*, and *Butenko v. United States*, 37 U.S.L.W. 4189. Opinion *per curiam*. Concurring opinion by Mr. Justice Stewart. Mr. Justice Black dissents.

No. 84. John Franzese et al., petitioners, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Petition for certiorari as to Franzese granted and denied as to other petitioners, judgment as to Franzese vacated and

case remanded to the United States District Court for the Eastern District of New York for further proceedings in conformity with *Alderman v. United States*, *Ivanov v. United States* and *Butenko v. United States*, 37 U.S.L.W. 4189. Opinion *per curiam*. Concurring opinion by Mr. Justice Stewart. Mr. Justice Black dissents.

No. 106. Dave Evans, petitioner, *v. United States*. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the United States District Court for the Northern District of Illinois for further proceedings in conformity with *Alderman v. United States*, *Ivanov v. United States*, and *Butenko v. United States*, 37 U.S.L.W. 4189. Opinion *per curiam*. Concurring opinion by Mr. Justice Stewart. Mr. Justice Black dissents. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 124. Joseph Aiuppa, petitioner, *v. United States*. On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the United States District Court for the District of Kansas for further proceedings in conformity with *Alderman v. United States*, *Ivanov v. United States* and *Butenko v. United States*, 37 U.S.L.W. 4189. Opinion *per curiam*. Concurring opinion by Mr. Justice Stewart. Mr. Justice Black dissents.

No. 129. Joseph Amabile, petitioner, *v. United States*. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the United States District Court for the Northern District of Illinois for further proceedings in conformity with *Alderman v. United States*, *Ivanov v. United States*, and *Butenko v. United States*, 37 U.S.L.W. 4189. Opinion *per curiam*. Concurring opinion by Mr. Justice Stewart. Mr. Justice Black dissents. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 168. Salvatore Battaglia, petitioner, *v. United States*. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the United States District Court for the Northern District of Illinois for further proceedings in conformity with *Alderman v. United States*, *Ivanov v. United States*, and *Butenko v. United States*, 37 U.S.L.W. 4189. Opinion *per curiam*. Concurring opinion by Mr. Justice Stewart, Mr. Justice Black dissents. Mr. Justice Marshall took no part in the consideration or disposition of this case.

No. 271. Cassius Marsellus Clay, Jr., also known as Muhammad Ali, petitioner, *v. United States*. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Motions for leave to amend petition granted. Petition for writ of certiorari granted, judgment vacated and case remanded to the United States District Court for the Southern District of Texas for further proceedings in conformity with *Alderman v. United States*, *Ivanov v. United States*, and *Butenko v. United States*, 37 U.S.L.W. 4189. Opinion *per curiam*. Concurring opinion by Mr. Justice Stewart. Mr. Justice Black dissents. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 317. Americo Di Pietto et al., petitioners, *v. United States*. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Petition for writ of certiorari as to Mirro and McDonnell granted and denied as to other petitioners. Judgment as to Mirro and McDonnell vacated and case remanded to the United States District Court for the Northern District of Illinois for further proceedings in conformity with *Alderman v. United States*, *Ivanov v. United States*, and *Butenko v. United States*, 37 U.S.L.W. 4189. Opinion *per curiam*. Concurring opinion by Mr. Justice Stewart. Mr. Justice Black dissents.

No. 474. Pasquale A. Natarelli, also known as Pat Natarelli, petitioner *v. United States*. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the United States District Court for the Western District of New York for further proceedings in conformity with *Alderman v. United States*, *Ivanov v. United States*, and *Butenko v. United States*, 37 U.S.L.W. 4189. Opinion *per curiam*. Concurring opinion by Mr. Justice Stewart. Mr. Justice Black dissents.

No. 546. James R. Hoffa et al., petitioners, *v. United States*. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Motion to set aside judgments of conviction denied. Petition for writ of certiorari granted, judgments vacated and case remanded to the United States District Court for the Eastern District of Tennessee for further proceedings in conformity with *Alderman v. United States*, *Ivanov v. United States*, and *Butenko v. United States*, 37 U.S.L.W. 4189. Opinion *per curiam*. Concurring opinion by Mr. Justice Stewart. Mr. Justice Black dissents. Mr. Justice White and Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 668. Joseph Stassi, Sr., petitioner, *v. United States*. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Petition for writ for certiorari granted, judgment

vacated and case remanded to the United States District Court for the Southern District of Florida for further proceedings in conformity with *Alderman v. United States, Ivanov v. United States* and *Butenko v. United States*, 37 U.S.L.W. 4189. Opinion *per curiam*. Concurring opinion by Mr. Justice Stewart. Mr. Justice Black dissents.

No. 715. Frederico G. Randaccio, petitioner, *v. United States*. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the United States District Court for the Western District of New York for further proceedings in conformity with *Alderman v. United States, Ivanov v. United States*, and *Butenko v. United States*, 37 U.S.L.W. 4189. Opinion *per curiam*. Concurring opinion by Mr. Justice Stewart. Mr. Justice Black dissents.

No. 895. James R. Hoffa et al., petitioners, *v. United States*; and

No. 911. Benjamin Dranow, petitioner, *v. United States*. On petitions for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Petitions for writs of certiorari granted, judgment vacated and cases remanded to the United States District Court for the Northern District of Illinois for further proceedings in conformity with *Alderman v. United States, Ivanov v. United States*, and *Butenko v. United States*, 37 U.S.L.W. 4189. Opinion *per curiam*. Concurring opinion by Mr. Justice Stewart. Mr. Justice Black, Mr. Justice White, and Mr. Justice Marshall took no part in the consideration or decision of these cases.

No. 446. Louis J. Taglianetti, petitioner, *v. United States*. On petition for writ of certiorari to the United States Court of Appeals for the First Circuit. Petition for writ of certiorari granted, and judgment affirmed. Opinion *per curiam*. Mr. Justice Black concurs in the result. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 823. Marguerite Shakespeare and Gene Shakespeare, appellants *v. Simon Zervos*. Appeal from the Court of Appeal of California, Second Appellate District. Motions to dispense with printing jurisdictional statement and for leave to file a supplemental jurisdiction statement granted. Motion for transmittal of exhibits denied. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 904. Mayhue's Super Liquor Stores, Inc., appellant, *v. Don Meiklejohn*, as Director, Beverage Department, State of Florida, et al. Appeal from the United States District Court for the Southern District of Florida. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Opinion *per curiam*.

No. **1006**. Daladier Andrew Woods, appellant, *v.* California. Appeal from the Appellate Department of the Superior Court of California, County of Los Angeles. The appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. **1017**. The Boeing Company, appellant, *v.* Phillip Hamm, as Commissioner of Revenue of Alabama. Appeal from the Supreme Court of Alabama. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. **1033**. Linda McInnis, by Clotee McInnis, her mother and next friend, et al., appellants, *v.* Richard B. Ogilvie, Governor of Illinois, et al. Appeal from the United States District Court for the Northern District of Illinois. Motions of Urban Coalition et al.; American Federation of Labor-Congress of Industrial Organizations et al.; John E. Coons et al.; and San Francisco Neighborhood Legal Assistance Foundation et al., for leave to file briefs, as *amici curiae*, granted. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*. Mr. Justice Douglas is of the opinion that probable jurisdiction should be noted and the case set for oral argument.

No. **1035**. In the Matter of Joseph Emmet Gross, appellant. Appeal from the Supreme Court of California. The motion to dismiss is granted and the appeal is dismissed. Opinion *per curiam*. Mr. Justice Douglas is of the opinion that probable jurisdiction should be noted.

No. **1069**. Federal-Bryant Machinery Company, etc., appellant, *v.* The Department of Revenue of the State of Illinois. Appeal from the Supreme Court of Illinois. The appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. **1324, Misc.** Gordon McLean Campbell, appellant, *v.* Washington State Bar Association. Appeal from the Supreme Court of Washington. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. **163**. Evelle J. Younger, appellant, *v.* John Harris, Jr., et al. The motion of the appellee, Harris, for leave to proceed further herein *in forma pauperis* is granted.

No. **173**. Richard E. Gorman, petitioner, *v.* United States. In light of the Court's decision in *Alderman v. United States, Ivanov v. United States, Butenko v. United States*, 37 U.S.L.W. 4189, the United States is requested to file a response to the petition for rehearing in the above-entitled case specifically with respect to the petitioner's allegation that he "appeared before the District Court

where that Court summarily, without taking evidence or hearing argument, and apparently on the representation of nonmateriality by the government ruled the purported log not material to the petitioner's case."

No. 573. National Labor Relations Board, petitioner, *v.* Gissel Packing Company, Inc., et al.; and

No. 691. Food Store Employees Union, Local No. 347, Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO, petitioner, *v.* Gissel Packing Company, Inc. The motion of the Associated Builders and Contractors, Inc., for leave to file a brief, as *amicus curiae*, is granted.

No. 620. James L. Moore et al., appellants, *v.* Samuel Shapiro, etc., et al. The motion for the appellees for permission for two attorneys to participate in oral argument is granted.

No. 662. Clarence DeBacker, appellant, *v.* Homer Brainard, Sheriff of Dodge County, Nebraska. The motion of the appellant for leave to proceed further herein *in forma pauperis* is granted. The motion for the appointment of counsel is also granted and it is ordered that William G. Line, Esquire, of Fremont, Nebraska, a member of the Bar of this Court be, and he is hereby, appointed to serve as counsel for the appellant in this case. The joint motion to dispense with printing the appendix is denied.

No. 672. United States, petitioner, *v.* John P. King. The motion of the respondent to remove this case from the summary calendar is denied.

No. 717. United States et al., petitioners, *v.* Radio Television News Directors Association et al. The motion of the respondents to remove this case from the summary calendar is granted and thirty additional minutes are allotted to each side. Mr. Justice Fortas took no part in the consideration or decision of this motion.

No. 791. Ronald L. Crane, petitioner, *v.* Cedar Rapids and Iowa City Railway Company. The motion of the Railway Labor Executives' Association for leave to file a brief, as *amicus curiae*, is granted.

No. 798. United States, petitioner, *v.* Montgomery County Board of Education et al.; and

No. 997. Arlam Carr, Jr., by Arlam Carr and Johnnie Carr, etc., et al., petitioners, *v.* Montgomery County Board of Education et al. The motion of the petitioners to advance is granted.

No. 841. Tommie E. L. Williams, petitioner, *v.* City of Oklahoma City et al. The motion to require certification of additional parts of the record is granted.

CERTIORARI GRANTED

No. 992. Howard Ross and Bernard Ross, as Trustees for Lena Rosenbaum, petitioners, *v.* Robert A. Bernhard et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted and case placed on the summary calendar.

No. 1014. Anderson's-Black Rock, Inc., petitioner, *v.* Pavement Salvage Co., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted and case placed on the summary calendar.

No. 867, Misc. John Henry Coleman and Otis Stephens, petitioners, *v.* Alabama. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Court of Appeals of Alabama granted. Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI DENIED

No. 720. Charles Caci, aka Bobby Milano, petitioner, *v.* United States; and

No. 954. Stephen A. Cino, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 939. John Owen Tyler, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 955. The National Cash Register Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 978. Air Line Pilots Association, International, et al., petitioners, *v.* Robert C. Tischler. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 981. Pilot Freight Carriers, Inc., petitioner, *v.* Charles W. Walker;

No. 1000. Gaston County Dyeing Machine Company, petitioner, *v.* Marvin W. Brown; and

No. 1001. The Observer Transportation Company, petitioner, *v.* Daniel Lee et al. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 984. Cedar Rapids Steel Transportation, Inc., petitioner, *v.* Iowa State Commerce Commission et al. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 989. J. Howard Arnold, petitioner, *v.* William J. McGuiness. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 991. Terry Industries of Virginia, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 993. University of Illinois Foundation, petitioner, *v.* Winegard Company. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 994. P. R. Mallory & Co., Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 998. Trey Packing, Inc., et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1004. Margaret Cox et al., petitioners, *v.* Herman Katz, City Clerk of the City of New York, et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1005. Earl E. Howe, petitioner, *v.* General Motors Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1007. Kathleen Moglia, petitioner, *v.* James Geoghegan et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1008. Olga Ruth Daniel, petitioner, *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 1012. National Sponge Cushion Co., Inc., petitioner, *v.* Allen Industries, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1019. Chas. Pfizer & Co., Inc., petitioner, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1020. Jarka Corporation, petitioner, *v.* Mitsui Sempaku K. K. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1023. Robert E. Rath, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1025. Ricky L. Cochrane, petitioner, *v.* Harold V. Langlois, Warden. Petition for writ of certiorari to the Supreme Court of Rhode Island denied.

No. 1026. George Zimmerman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1027.** Dan Lee White, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **1038.** United Medical Laboratories, Inc., petitioner, *v.* Columbia Broadcasting System, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1046.** E. T. Barwick et al., petitioners, *v.* T. C. V'Soske et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1058.** Philip Chuff, petitioner, *v.* The Board of Education of Central School District #2 of the Towns of Frankfort and Schuyler, et al. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. **37.** Bernard G. McGarry, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **917.** W. H. Cocke et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **924.** Lewes Dairy, Inc., et al., petitioners, *v.* Clifford H. Hardin, Secretary of Agriculture. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **699.** Robert S. Daly, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Santa Clara, denied. Mr. Justice Black is of the opinion that certiorari should be granted and judgment reversed. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **792.** Saul I. Birnbaum, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Dissenting opinion by the Chief Justice with whom Mr. Justice Douglas joins. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **970.** Robert E. S. Young, petitioner, *v.* John A. Mader et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice White is of the opinion that certiorari should be granted.

No. **979.** Rodney Bernard, Jr., Trustee, petitioner, *v.* Beneficial Finance Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice White is of the opinion that certiorari should be granted.

No. 1013. Lee J. Esplin et al., petitioners, *v.* Leland (Lee) Hirschi et ux. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice White is of the opinion that certiorari should be granted.

No. 985. Cyrus S. Eaton, petitioner, *v.* Harold S. Hobson. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Fortas took no part in the consideration or decision of this petition.

No. 990. Anti-Defamation League of B'nai B'rith, Pacific Southwest Regional Office, petitioner, *v.* Federal Communications Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Fortas took no part in the consideration or decision of this petition.

No. 1018. Roosevelt Johnson and Anthony Buckner, petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Fortas took no part in the consideration or decision of this petition.

No. 1010. John Terrel Hampton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 1021. Stephen F. Schonbrun, petitioner, *v.* Commanding Officer, Armed Forces, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 1054. Harold G. Childs, petitioner, *v.* Oregon. Petition for writ of certiorari to the Supreme Court of Oregon denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 379, *Misc.* James Anthony Thomas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 485, *Misc.* Donnie Ray McCormick, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 606, *Misc.* Gilbert Lee Schoonover, petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 982, *Misc.* Ronald Allston, petitioner, *v.* Prosecuting Attorney and the State of Maryland, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1095, *Misc.* James Devanna Nelson, Jr., petitioner, *v.* United States; and

No. 1314, **Misc.** Thomas Jones, Jr., petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1112, **Misc.** Louis Sorgi, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1133, **Misc.** Miguel Pabon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1140, **Misc.** Max Tannenbaum, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1170, **Misc.** Charles M. Sanchez, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1173, **Misc.** Johnny Moore, etc., petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 1202, **Misc.** Willa G. Skelton, petitioner, *v.* United States Courts et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1230, **Misc.** Leo Rivers, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 1231, **Misc.** Betty Ramsey Kilgore, petitioner, *v.* United States; and

No. 1381, **Misc.** William Morris, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1237, **Misc.** James R. Durham, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1241, **Misc.** Johnnie G. Stone, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1252, **Misc.** Harley Paris Allston, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1258, **Misc.** Artis Jackson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1269, Misc.** Robert Holmes, petitioner, *v.* California. Petition for certiorari to the Supreme Court of California denied.

No. **1273, Misc.** William F. Fortunato, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1285, Misc.** Harvey E. Pritchett, petitioner, *v.* G. M. Lloyd, Captain of Detectives, Richmond, Virginia. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1287, Misc.** Morris E. Anglin, Jr., petitioner, *v.* Maryland. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1293, Misc.** Robert Charles Kochel, Sr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1316, Misc.** George William Boyle, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1327, Misc.** James Stanley Pipes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1328, Misc.** Robert E. Green, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1337, Misc.** Joseph Monroe McConnell, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for Fifth Circuit denied.

No. **1339, Misc.** James Picard, petitioner, *v.* J. Wayne Allgood, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1344, Misc.** Vincent Principe, petitioner, *v.* California et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1345, Misc.** Donald J. Vale, petitioner, *v.* Lake F. Russell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1346, Misc.** Vincent Hernandez, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. **1349, Misc.** John Joseph DiTommaso, petitioner, *v.* United States; and

No. **1350, Misc.** Charles Forest Waugaman, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1353, Misc.** Thomas E. Tribble, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1356, Misc.** George Crawford, petitioner, *v.* Lake F. Russell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1357, Misc.** Ralph Bravo, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1358, Misc.** Roosevelt Bynum, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1359, Misc.** Arland L. Gerberding, petitioner, *v.* Minnesota. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. **1360, Misc.** Hugh J. Hays, petitioner, *v.* Ray K. Procnier, Director, California Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1362, Misc.** James Wm. Smith, petitioner, *v.* Melvin R. Laird, U.S. Secretary of Defense. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1364, Misc.** Harry Robert Handley, petitioner, *v.* Ray H. Page, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1375, Misc.** Aston Meekins, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. **1376, Misc.** Larry D. Gaines, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. **1377, Misc.** Joseph Di Niro, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1378, Misc.** George Curtis Cole, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1379, Misc.** Pascual Venegas Amaro, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1382, **Misc.** Sylvester Lockhart, Jr., petitioner, *v.* Edward J. Hendrick. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1383, **Misc.** Vincent Cornell Iyotte, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1388, **Misc.** Luther Brookman, petitioner, *v.* Virginia. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1389, **Misc.** Lester Freeman, petitioner, *v.* Max P. Frye, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1392, **Misc.** Roy Ross, Jr., petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 1395, **Misc.** Rufus H. Tucker, Jr., petitioner, *v.* Maryland. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1396, **Misc.** Robert Walters, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1398, **Misc.** Garfield F. Gordon, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 1403, **Misc.** Sidney Jenkins, petitioner, *v.* George G. Dunn, Clerk, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1404, **Misc.** James Harley Lasiter, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1405, **Misc.** John J. Mathews, petitioner, *v.* Ruby Leontine Mathews et al. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 1406, **Misc.** John Edward Daugherty, petitioner, *v.* Walter E. Craven, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1409, **Misc.** Arturo Gomez, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1411, **Misc.** John Edward Ames, petitioner, *v.* Lake F. Russell, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1414, **Misc.** Elver L. Hickok, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1416, **Misc.** Armand F. Roy, petitioner, *v.* Manchester Gas Company. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 1417, **Misc.** Kelly Bell, petitioner, *v.* C. C. Peyton, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1418, **Misc.** William Edward Harris, petitioner, *v.* North Carolina et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1419, **Misc.** Larry G. Linebarger, petitioner, *v.* Ray H. Page, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1426, **Misc.** Thomas Mason, Jr., et ux., petitioners, *v.* Long Island Savings Bank, etc. Petition for writ of certiorari to the Supreme Court New York, Suffolk County, denied.

No. 1430, **Misc.** Lorenzo Worthy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1447, **Misc.** Joe Figueroa, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1452, **Misc.** Thomas F. Fox, petitioner, *v.* Harold Brown, Secretary of the United States Air Force, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1456, **Misc.** Robert E. Younglove, petitioner, *v.* John Hannah et al. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 1457, **Misc.** James Gilbert Glass, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1469, **Misc.** Louis Ludwik Furtak, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1498, **Misc.** Joseph A. Peel, Jr., petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 1218, **Misc.** Leslie Pyles, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the

District of Columbia Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. **1485, Misc.** Haywood Williams, Jr., petitioner, *v.* United States;

No. **1558, Misc.** Nicholas M. Waters, petitioner, *v.* Harold V. Field, Superintendent, California Men's Colony;

No. **1567, Misc.** Benjamin Smith, petitioner, *v.* California et al.; and

No. **1573, Misc.** Roscoe Joseph Harris, petitioner, *v.* Warren Pinto, Superintendent, New Jersey State Prison Farm. Motions for leave to file petitions for writs of habeas corpus denied.

No. **785, Misc.** Vernon Hailey, petitioner, *v.* Lake F. Russell, Warden, et al. Upon the suggestion of mootness by reason of the death of petitioner, motion for leave to file petition for writ of habeas corpus dismissed.

No. **1533, Misc.** Charles Eugene McCartney, petitioner, *v.* Louis S. Nelson, Warden. Motion for leave to file petition for writ of habeas corpus and for other relief denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. **1215, Misc.** Richard A. Lauchli, Jr., petitioner, *v.* Omer Poos, Chief Judge, U.S. District Court, Southern District of Illinois;

No. **1300, Misc.** Thomas A. Patton, petitioner, *v.* Veterans Administration;

No. **1329, Misc.** Ethel Stone Levy, petitioner, *v.* Securities and Exchange Commission, et al.; and

No. **1373, Misc.** Ruchell MaGee, petitioner, *v.* Charles Carr, Judge of the United States District Court, Central District of California, et al. Motions for leave to file petitions for writs of mandamus denied.

No. **1311, Misc.** Benjamin Jerrel Brown, petitioner, *v.* United States District Court for the Northern District of California. Motion for leave to file petition for writ of mandamus and/or prohibition denied.

REHEARINGS DENIED

No. **590.** Robert Jayson et al., petitioners, *v.* United States;

No. **500, Misc.** Lawrence Metze, petitioner, *v.* New York;

No. **876, Misc.** John Johnson, petitioner, *v.* New York et al.;

No. **1057, Misc.** Harry William Theriault, petitioner, *v.* United States; and

No. **1208, Misc.** O. G. Vinson, petitioner, *v.* Frank A. Eyman, Waarden, et al. Petitions for rehearing denied.

No. 11. Igor A. Ivanov, petitioner, *v.* United States. Petition for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 519. Marvin Hayutin, petitioner, *v.* United States. Motion for leave to file second petition for rehearing denied.

ORAL ARGUMENT

No. 201. John Dalmer Benton, petitioner, *v.* Maryland. Reargued by Mr. M. Michael Cramer for the petitioner, by Mr. Peter L. Strauss for the United States, as *amicus curiae*, at the invitation of the Court, and by Mr. Francis B. Burch for the respondent.

No. 244. John S. Boyle, Chief Judge of the Circuit Court of Cook County, Illinois, et al., appellants, *v.* Lawrence Landry et al. Argued by Mr. Ronald Butler for the appellants and by Mr. Ellis E. Reid for the appellees.

No. 488. Doris Daniel and Rosalyn Kyles, petitioners, *v.* Euell Paul, Jr., etc. One hour and forty minutes allowed for oral argument. Leave granted Mr. Conrad K. Harper to appear and present oral argument for the petitioners, *pro hac vice*, on motion of Mr. Jack Greenberg. Argument commenced by Mr. Conrad K. Harper for the petitioners, *pro hac vice*, by special leave of Court and continued by Mr. Jerris Leonard for the United States, as *amicus curiae*, by special leave of Court, and by Mr. James W. Gallman, as *amicus curiae*, at the invitation of the Court, in support of the judgment below.

Adjourned until tomorrow at 10 o'clock.

The day call for Tuesday, March 25, 1969, will be as follows: Nos. 488, 528 (and 663), 548, and 749.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Alvin S. Milder, of Los Angeles, Calif., Sol F. Goldwyn, of Tulsa, Okla., and Stephen Gambreleng Cowper, of Fairbanks, Alaska, on motion of Mr. Solicitor General Erwin N. Griswold; Robert W. Packwood, of Portland, Oreg., on motion of Mr. John R. Dellenback; R. Gordon Nesvig, of Minneapolis, Minn., and John M. Prins, of Minneapolis, Minn., on motion of Mr. Clark MacGregor; George Thomas Poppe, of Los Alamitos, Calif., on motion of Mr. Richard T. Hanna; Keith C. Monroe, of Santa Ana, Calif., on motion of Mr. James B. Utt; Linda Sher, of Washington, D.C., and Stanley O. Sher, of Washington, D.C., on motion of Mr. Leonard N. Bebecheck; Milan Moacanin, of Los Angeles, Calif., Carleton G. Eldridge, Jr., of New York, N.Y., and Thomas H. Ryan, of New York, N.Y., on motion of Mr. Milo G. Coerper; John David Appel, of New York, N.Y., and Robert V. Evans, of Bronxville, N.Y., on motion of Mr. Joseph DeFranco; George F. Douglas, Jr., of Carlisle, Pa., and Henry Reed Heebner, Jr., of Bryn Mawr, Pa., on motion of Mr. Henry Reed Heebner; Richard James Wilson, of Ellicott City, Md., on motion of Mr. Ralph Werner; Charles W. Shepherd, of Edmonds, Wash., on motion of Mr. Edward J. McCormick; Richard M. Glassner, of Newark, N.J., on motion of Mr. Stephen Joel Paradise; Brice I. Bishop, of Phoenix, Ariz., on motion of Mr. Richard A. Bishop; and Robert A. Levetown, of Washington, D.C., on motion of Mr. William Wood Watson, were admitted to practice.

OPINIONS

No. 69. Brotherhood of Railroad Trainmen et al., petitioners, *v.* Jacksonville Terminal Company. On writ of certiorari to the District Court of Appeal of Florida, First District. Judgment reversed and case remanded to the District Court of Appeal of Florida, First District, for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Black and Mr. Justice Stewart join. Mr. Justice Fortas and Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 641. Reyes Arias Orozco, petitioner, *v.* Texas. On writ of certiorari to the Court of Criminal Appeals of Texas. Judgment reversed and case remanded to the Court of Criminal Appeals of Texas for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Harlan. Dissenting opinion by Justice White with whom Mr. Justice Stewart joins. Memorandum of Mr. Justice Stewart. Mr. Justice Fortas took no part in the consideration or decision of this case.

No. 109. Margaret E. Snyder, petitioner, *v.* Charles Harris and Earl Kirchhoff. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit; and

No. 117. The Gas Service Company, petitioner, *v.* Otto R. Coburn, etc. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment in No. 109 affirmed. Judgment in No. 117 reversed and case remanded to the United States District Court for the District of Kansas for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Fortas with whom Mr. Justice Douglas joins.

No. 647. Sallie M. Hadnott et al., appellants, *v.* Mabel S. Amos, etc., et al. Appeal from the United States District Court for the Middle District of Alabama. Judgment reversed and case remanded to the United States District Court for the Middle District of Alabama for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Opinion by Mr. Justice White with whom Mr. Justice Stewart joins dissenting in part.

Mr. Justice Black took no part in the consideration or decision of this case.

No. —. In the Matter of James D. Herndon. The decision on the motion for an order to show cause why Judge Herndon should not be held in contempt is postponed to await timely initiation and completion of appropriate proceedings in the United States District Court for the Middle District of Alabama. Opinion *per curiam* announced by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Harlan joins. Mr. Justice Black took no part in the consideration or decision of this case.

ORAL ARGUMENT

No. 488. Doris Daniel and Rosalyn Kyles, petitioners, *v.* Euell Paul, Jr., etc. Argument continued by Mr. James W. Gallman, as *amicus curiae*, at the invitation of the Court, in support of the judgment below, by Mr. Conrad K. Harper for the petitioners, *pro hac vice*, by special leave of Court and concluded by Mr. Jerris Leonard for the United States, as *amicus curiae*, by special leave of Court.

No. **528**. Nacirema Operating Co., Inc., et al., petitioners, *v.* William H. Johnson, et al.; and

No. **663**. John P. Traynor and Jerry C. Oosting, Deputy Commissioners, petitioners, *v.* William H. Johnson et al. One hour and forty minutes allowed for oral argument. Argued by Mr. Randall C. Coleman for petitioners Nacirema Operating Company, Inc., et al., by Mr. Solicitor General Griswold for petitioners John P. Traynor and Jerry C. Oosting, by Mr. John J. O'Connor, Jr., for respondents William H. Johnson and Julia T. Klosek and by Ralph Rabinowitz for respondent Albert Avery.

No. **548**. Roderick Jenkins, appellant, *v.* John Julien McKeithen et al. Argued by Mr. J. Minos Simon for the appellant and by Mr. Ashton L. Stewart for the appellees.

Adjourned until tomorrow at 10 o'clock.

The day call for Wednesday, March 26, 1969, will be as follows:
Nos. **749**, **573** (and **691**), **585**, and **770**.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Watson Caufield Arnold, of Austin, Tex., and Samuel Downing McDaniel, of Austin, Tex., on motion of Mr. Ralph W. Yarborough; Norman R. Carpenter, of Minneapolis, Minn., on motion of Mr. Clark MacGregor; Francis J. Gallagher, of Toledo, Ohio, on motion of Mr. Thomas L. Ashley; Rufus C. Coulter, Jr., of Phoenix, Ariz., on motion of Mr. John J. Rhodes; Allen G. Norris, of Fremont, Calif., on motion of Mr. Paul N. McCloskey, Jr.; Robert C. Oberbillig, of Des Moines, Iowa, on motion of Mr. John C. Culver; Ronald Marc George, of Los Angeles, Calif., and Guy J. Wells, of Providence, R.I., on motion of Mr. Lawrence Gerald Wallace; Charles C. Lovell, of Great Falls, Mont., and Robert L. Woodahl, of Helena, Mont., on motion of Mr. Bernard J. Waters; Frederick Earl Watson, of San Francisco, Calif., on motion of Mr. E. Barrett Prettyman; Frederick F. Holroyd II, of Charleston, W. Va., on motion of Mr. John Earl Jenkins, Jr.; Harry Nelson Starbranch, of York, Me., and Hugh James Douds, of Washington, D.C., on motion of Mr. Rimmel H. Dudley; John F. Atkinson, of Chicago, Ill., on motion of Mr. William J. Butler, Jr.; James B. Ventantonio, of Clifton, N.J., on motion of Mr. Wm. David Newbern; Peter Ames Eveleth, of Washington, D.C., on motion of Mr. Allison W. Brown, Jr.; Edward J. Simerka, of Cleveland, Ohio, on motion of Mr. Harry E. Smoyer; and Dillard W. Baker, of Houston, Tex., and Hugh Lamar Stone, Jr., of Houston, Tex., on motion of Mr. John D. Knodell, Jr., were admitted to practice.

ORDER IN PENDING CASE

No. 770. Ted Steven Chimel, petitioner, *v.* California. The motion of the petitioner for the appointment of counsel is granted and it is ordered that Keith C. Monroe, Esquire, of Santa Ana, California, a member of the Bar of this Court be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

ORAL ARGUMENT

No. 749. Adolpho Rodriquez, petitioner, *v.* United States. Argued by Mr. William R. Wallace for the petitioner and by Miss Beatrice Rosenberg for the respondent.

No. 573. National Labor Relations Board, petitioner, *v.* Gissel Packing Company, Inc., et al.; and

No. 691. Food Store Employees Union, Local No. 347, Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO, petitioner *v.* Gissel Packing Company, Inc. Argued by Mr. Dominick L. Manoli for the petitioner in No. 573, by Mr. Albert Gore for the petitioner in No. 691, by Mr. John E. Jenkins, Jr., for respondent Gissel Packing Company, Inc., by Mr. Lewis P. Hamlin, Jr., for respondents General Steel Products, Inc., et al., and by Mr. Frederick F. Holroyd for respondent Hecks, Inc.

No. 585. The Sinclair Company, petitioner, *v.* National Labor Relations Board. Argument commenced by Mr. Edward J. Simerka for the petitioner and continued by Mr. Lawrence G. Wallace for the respondent.

Adjourned until tomorrow at 10 o'clock.

The day call for Thursday, March 27, 1969, will be as follows: Nos. 585, 770, and 620.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Edward S. Cogen, of Washington, D.C., and Benjamin Barry Turner, of Silver Spring, Md., on motion of Mr. Joseph Davies Tydings; Ruben Raul Cardenas, of McAllen, Tex., and J. Robert Geiman, of Chicago, Ill., on motion of Mr. Eligio de la Garza, II; George J. Gould, of Toledo, Ohio, and Richard F. Ellenberger, of Toledo, Ohio, on motion of Mr. Thomas L. Ashley; Garth F. Steltenpohl, of Salem, Oreg., on motion of Mr. Wendell Wyatt; Charles David Kipple, of Houston, Tex., on motion of Mr. Robert R. Casey; J. Robert O'Brien, of Battle Creek, Mich., on motion of Mr. Garry E. Brown; Jon Franklin Gray, of Oklahoma City, Okla., on motion of Mr. Tenth T. Marye; Barbara Crutchfield George, of Long Beach, Calif., Mary Katherine Schwartz, of Coral Gables, Fla., and Martin S. Schwartz, of Coral Gables, Fla., on motion of Mr. Lawrence Gerald Wallace; John R. Vaughan, of New York, N.Y., on motion of Mr. Donald J. Mulvihill; Stuart Evan Seigel, of Washington, D.C., on motion of Mr. Sheldon S. Cohen; William John Platzer, of Washington, D.C., and Gary John Hjort, of Minneapolis, Minn., on motion of Mr. Alan J. Gould; James Roy Weathersby, of Birmingham, Ala., on motion of Mr. William P. Cassidy; Anthony Bartholomew Askew, of Atlanta, Ga., on motion of Mr. John Franklin Beasley; Gary Owen O'Dowd, of Santa Fe, N. Mex., on motion of Mr. Myles E. Flint; Eugene Andrew Amelio, of Providence, R.I., on motion of Mr. Charles J. Ribar; E. Eugene Davis, of Des Moines, Iowa, on motion of Mr. Francis James O'Hara, Jr.; Francis T. Crowe, of St. Charles, Ill., on motion of Mr. Richard E. Friedman; Edward Steven Raskin, of Babylon, N.Y., on motion of Mr. Philip J. Yazbeck; Ira Aaron Kipnis, of Chicago, Ill., Richard L. Mandel, of Chicago, Ill., and David N. Rosner, of Chicago, Ill., on motion of Mr. Richard F. Watt; Harry W. Lerch, of Potomac, Md., and Sanford E. Wool, of Potomac, Md., on motion of Mr. Henry J. Lerch; James A. Robinson, of Tulsa, Okla., and David P. Holland, of Tulsa, Okla., on motion of Mr. Robert M. Scott; Alan J. Bloom, of Baltimore, Md., and Harvey A. Blum, of Baltimore, Md., on motion of Mr. Paul H. Weinstein; Jack W. Beddow, of Washington, D.C., Thomas W. Harvey, of Huntington, W. Va., and Edward P. McCon-

ville, of Washington, D.C., on motion of Mr. Emanuel Fein; Burck Bailey, of Oklahoma City, Okla., and Thomas Joseph Leittem, of Kansas City, Mo., on motion of Mr. James Davison Fellers; Sidney Wright, of Houston, Tex., and William T. Conlan, of Boston, Mass., on motion of Mr. Philip R. Collins; and Marion O. Gordon, of Atlanta, Ga., on motion of Mr. Mathew Robins, were admitted to practice.

ORAL ARGUMENT

No. **585**. The Sinclair Company, petitioner, *v.* National Labor Relations Board. Argument concluded by Mr. Lawrence G. Wallace for the respondent.

No. **770**. Ted Steven Chimel, petitioner, *v.* California. Argued by Mr. Keith C. Monroe for the petitioner and by Mr. Ronald M. George for the respondent.

No. **620**. James L. Moore et al., appellants, *v.* Samuel Shapiro, etc., et al. Argued by Mr. Richard F. Watt for the appellants and by Mr. John J. O'Toole and Mr. Richard E. Friedman for the appellees.

Adjourned until Monday, March 31, 1969, at 10 o'clock.

The day call for Monday, March 31, 1969, will be as follows: Nos. **580** (and **813**), **163**, **841**, and **610**.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

The Chief Justice said:

“The Court meets this morning for the sole purpose of paying tribute to the memory of Dwight D. Eisenhower, the thirty-fourth President of the United States.

“The passing of General Dwight D. Eisenhower closes an illustrious chapter of world history. His accomplishments in war and peace distinguish him as one of the great men of this century.

“As Supreme Military Commander of the Forces of the Free World during the greatest crisis in world history, he made possible one more opportunity for honorable and lasting universal peace.

“As a civilian statesman, his dedication was to that cause, and as President of the United States that became his preoccupation. He was a civilian at heart and espoused the simple virtues of American life. He was generous in spirit and action and endowed with a cheerful and understanding nature that endeared him to people everywhere without regard to politics or divisive issues.

“General Eisenhower’s passing will be mourned by people of good will throughout the world.

“Out of respect to his memory, the Court will stand adjourned until ten o’clock tomorrow morning.”

Adjourned until tomorrow at 10 o’clock.

The day call for Tuesday, April 1, 1969, will be as follows: Nos. **580** (and **813**), **163**, **841**, and **610**.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Michael Ira Saltzman, of Washington, D.C., Hugh L. Brown, of Little Rock, Ark., Merwin McGehee Brandon, Jr., of Bastrop, La., Endicott Peabody, of Boston, Mass., Barry S. Greenberger, of New Brunswick, N.J., Michael Kiey, Jr., of New York, N.Y., Thomas J. Griffin, of McLean, Va., Herbert D. Schwartzman, of New York, N.Y., and David J. Young, of Cincinnati, Ohio, on motion of Mr. Solicitor General Erwin N. Griswold; Edgar W. Bayliff, of Kokomo, Ind., George C. Barnett, of Evansville, Ind., and Edward W. Gass, of Washington, D.C., on motion of Mr. Vance Hartke; Morris Atlas, of McAllen, Tex., and Gary Reagan Gurwitz, of McAllen, Tex., on motion of Mr. Eligio de la Garza II; Joe E. Kelly, of Victoria, Tex., on motion of Mr. John Young; Milton H. Wyner, of Cleveland, Ohio, and Russell Zachery Baron, of Cleveland, Ohio, on motion of Mr. Charles A. Vanik; Harry Dow Hubbard, of Lansing, Mich., and Eugene F. Townsend, Jr., of Lansing, Mich., on motion of Mr. Charles E. Chamberlain; Robert Louis Davis, of Wichita, Kans., on motion of Mr. Garner E. Shriver; Adrian E. Herbst, of Bloomington, Minn., on motion of Mr. Clark MacGregor; Marvin Warlick Carr, of Lubbock, Tex., on motion of Mr. George Mahon; William S. Smeed, of San Jose, Calif., and C. Grant Spaeth, of Palo Alto, Calif., on motion of Mr. Paul N. McCloskey, Jr.; John O. Young, of Orange, Tex., on motion of Mr. John Dowdy; James W. Lang, Jr., of Manchester, Ohio, on motion of Mr. William H. Harsha; Ira L. Levinson, of New York, N.Y., on motion of Mr. Benjamin S. Rosenthal; Ronald B. Saffren, of St. Louis, Mo., on motion of Mr. William Leonard Hungate; Frank W. McCulloch, of Washington, D.C., on motion of Mr. Dominick Manoli; Frederick M. Kal, of Denver, Colo., on motion of Mr. Lawrence Speiser.

Heartsill Ragon, of Fort Smith, Ark., on motion of Mr. Floyd Lee Williams; Hillel Joseph Hoffman, of New York, N.Y., on motion of Mrs. Maria L. Marcus; Herbert D. Morrison, of Urbana, Md., on motion of Mr. Julian Mitchell Brown; Leon A. Beerman, of New York, N.Y., on motion of Mr. Victor Rabinowitz; Robert F. Rossiter, of Fort Wayne, Ind., on motion of Mr. Phillip J. Scaletta; Thomas G. Devine, of Minneapolis, Minn., and Kevin E. Joyce, of Washington, D.C., on

motion of Mr. James Lawrence Dooley; Robert M. Parker, of Longview, Tex., and J. Carroll Callahan, of Helena, Mont., on motion of Mr. Dumond Peck Hill; James R. Harper, of Atlanta, Ga., on motion of Mr. Thomas W. Sommer; John R. Grace, of Austin, Tex., on motion of Mr. Kerns Taylor; Herbert D. Liebman, of Frankfort, Ky., on motion of Mr. Delmer Ison; John A. Cook, of Chicago, Ill., on motion of Mr. Peter G. Kuh; Cecil Hicks, of Santa Ana, Calif., on motion of Mr. Albert W. Harris, Jr.; Thomas F. Tobin, of Chicago, Ill., on motion of Mr. Michael Waris; Conrad J. Marshall, of McLean, Va., on motion of Mr. Wilber S. Schantz, Jr.; George A. Finch, Jr., of Washington, D.C., on motion of Mr. Thomas B. Lawrence; Daniel Ray Coffman, Jr., of Jacksonville, Fla., on motion of Mr. Joseph J. Lyman; Roberts H. Brown, of Opelika, Ala., and Knox M. McMillan, of Auburn, Ala., on motion of Mr. Wendell Mitchell; Russell G. Miller, of Chicago, Ill., on motion of Mr. Lewis Stanton Garner, Jr.; Charles A. Magner, of Lanham, Md., on motion of Mr. Solomon Isenstein; and Thomas A. Demakos, of Jackson Heights, N.Y., and Peter H. Nesdale, of New York, N.Y., on motion of Mr. Frederick J. Ludwig, were admitted to practice.

OPINIONS

No. 47. Walter B. Foster, petitioner, *v.* California. On writ of certiorari to the Court of Appeal of California, Fifth Appellate District. Judgment reversed and case remanded to the Court of Appeal of California, Fifth Appellate District, for further proceedings not inconsistent with the opinion of this court. Opinion by Mr. Justice Fortas. Mr. Justice White, with whom Mr. Justice Harlan and Mr. Justice Stewart concur, being unwilling to disagree with the jury on the weight of the evidence, would affirm the judgment. Dissenting opinion by Mr. Justice Black.

No. 273. Russell Scofield et al., petitioners, *v.* National Labor Relations Board et al. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment affirmed. Opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Black. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 76. Philip Cardinale, Jr., petitioner, *v.* Louisiana. On writ of certiorari to the Supreme Court of Louisiana. Writ of certiorari dismissed for want of jurisdiction. Opinion by Mr. Justice White. Mr. Justice Black, Mr. Justice Douglas and Mr. Justice Fortas concur in the dismissal of the writ believing it to have been improvidently granted.

No. 291. Federal Marine Terminals, Inc., petitioner, *v.* Burnside Shipping Company, Limited. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed

and case remanded to the United States District Court for the Northern District of Illinois for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart.

The Chief Justice said:

"The other orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally."

OPINIONS PER CURIAM

No. 880. Emmanual Blaz Mrkonjic-Ruzic, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the United States District Court for the Eastern District of California for further consideration in light of *Alderman v. United States*. 394 U.S. —, decided March 10, 1969. Opinion *per curiam*. Mr. Justice Black dissents.

No. 988. Hotel and Restaurant Employees Union Local No. 556 et al., appellants, *v.* Daniel Emery and Mileda Emery dba The Main Diner. Appeal from the Supreme Court of Minnesota. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*. Mr. Justice Douglas is of the opinion that probable jurisdiction should be noted and case set for oral argument.

No. 1029. John J. DeLury, etc., et al. appellants *v.* City of New York. Appeal from the Court of Appeals of New York. The motion to dismiss is granted and the appeal is dismissed for want of a properly presented federal question. Opinion *per curiam*.

No. 1041. Samuel A. Kaufer, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Petition for writ of certiorari granted and judgment affirmed. Opinion *per curiam*. Mr. Justice Douglas and Mr. Justice Fortas dissent from the affirmance of the judgment. Mr. Justice Harlan and Mr. Justice White would deny the petition for writ of certiorari.

No. 1044. Clinton H. Mitchell et al., appellants, *v.* R. A. Riddell, District Director of Internal Revenue, et al. Appeal from the United States Court of Appeals for the Ninth Circuit. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 1052. Stanley Nickolich, appellant, *v.* Ohio. Appeal from the Supreme Court of Ohio. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers

whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. **1274, Misc.** John Fannon, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Motion to supplement the record granted. Motion for leave to proceed in forma pauperis and petition for writ of certiorari granted. Judgment vacated and case remanded to the United States District Court for the Northern District of Illinois for further consideration in light of *Alderman v. United States*, 394 U.S. —, decided March 10, 1969. Opinion *per curiam*. Mr. Justice Black dissents.

No. **1460, Misc.** Herbert E. Rose, appellant, *v.* Ohio. Appeal from the Supreme Court of Ohio. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. **1483, Misc.** Laurence MacQuarrie, appellant, *v.* Richard E. McLaughlin, individually and as Registrar of Motor Vehicles of the Commonwealth of Massachusetts. Appeal from the United States District Court for the District of Massachusetts. The judgment is affirmed. Opinion *per curiam*. Mr. Justice Douglas is of the opinion that probable jurisdiction should be noted and case set for oral argument.

ORDERS IN PENDING CASES

No. —. Robert Marcucilli, petitioner, *v.* United States. The application for a stay presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. —. Bradish G. Morse, petitioner, *v.* Melvin R. Laird, Secretary of Defense, et al. The application for return of the petitioner to the United States presented to Mr. Justice Douglas, and by him referred to the Court, is denied. Mr. Justice Douglas and Mr. Justice Fortas would grant the application.

No. **463.** National Labor Relations Board, petitioner, *v.* Wyman-Gordon Company. The motion of the respondent for leave to file a supplemental brief, after argument, is granted.

No. **610.** John L. Sullivan, Tax Commissioner of the State of Connecticut, et al., appellants, *v.* United States et al. The motion of Stanley Fissel for leave to file a brief, as *amicus curiae*, is granted.

No. **974.** James Conway, petitioner, *v.* California Adult Authority et al. The motion of the petitioner for the appointment of counsel is granted, and it is ordered that Charles S. Ralston, Esquire, of San Francisco, California, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

No. 1084. Willie Wade, Jr., petitioner, *v.* Lawrence E. Wilson, Warden, et al. The motion of the petitioner for the appointment of counsel is granted, and it is ordered that Marshall L. Small, Esquire, of San Francisco, California, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

No. 1099. Bob Fred Ashe, petitioner, *v.* Harold R. Swenson, Warden. The motion of the petitioner for the appointment of counsel is granted, and it is ordered that Clark M. Clifford, Esquire, of Washington, District of Columbia, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

CERTIORARI GRANTED

No. 929. Paul E. Sullivan et al., petitioners, *v.* Little Hunting Park, Inc., et al. Motion to use record in No. 1188, October Term, 1967, granted. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia granted and case placed on the summary calendar.

CERTIORARI DENIED

No. 1002. Heinrich C. Horn, petitioner, *v.* Cia de Navegacion Fruco, S. A., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1016. L. M. Thomas, Jr., petitioner, *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 1028. Davis Vick and Robert Okey, petitioners, *v.* Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 1031. Marvin J. Morse, petitioner, *v.* D. A. Hindman et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied; and

No. 1081. Marvin J. Morse, petitioner, *v.* D. A. Hindman et al. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 1042. Jasper C. Gould et ux., petitioner, *v.* American Water Works Service Co., Inc., et al. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 1043. Jerry M. Cohen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1051. Clifton Forrest, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 1073. Pearl Kozak, petitioner, *v.* Morris Kozak. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. **1080**. The Fluor Corporation, Limited, et al., petitioners, *v.* Kenneth H. Cunyngnam. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1102**. Western Tree Farms, Inc., et al., petitioners, *v.* Hood River County. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. **1034**. Harper & Row Publishers, Inc., et al., petitioners, *v.* Bernard M. Decker, United States District Judge. Motion for leave to supplement record granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1056**. Hoke Booth et al., petitioners, *v.* United States. Motion to dispense with printing petition granted. Petition for writ of certiorari to United States Court of Appeals for the Fifth Circuit denied.

No. **1057**. Louis E. Wolfson and Elkin B. Gerbert, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Fortas took no part in the consideration or decision of this petition.

No. **1074**. American Home Assurance Company, petitioner, *v.* Helen N. Spicer et al. Motion to dispense with printing respondents' brief denied. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **762, Misc.** Jaime Pagan-Cruz, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. **804, Misc.** Chester Arthur Schutz, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1004, Misc.** Raul Aceves, petitioner, *v.* California et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1209, Misc.** Donald Joseph Cecchini, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1262, Misc.** Robert Merton Mutter, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1281, Misc.** Kenneth Monroe Jones, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1283, Misc.** Anthony Fernandez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1291, Misc.** Anthony Palumbo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1299, Misc.** Sanford Rudolph Murdock, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **1305, Misc.** Andres Colon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1308, Misc.** Richard L. Fearing, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1341, Misc.** William Francis Maloney et al., petitioners. *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **1365, Misc.** Thomas M. Maloney, petitioner, *v.* West Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. **1385, Misc.** Robert Hayes, Jr., petitioner, *v.* Director, Patuxent Institution. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. **1394, Misc.** William Hugh Gray, petitioner, *v.* Lake F. Russell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1400, Misc.** Samuel Veney, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. **1401, Misc.** Earl Veney, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. **1431, Misc.** Michael Williams, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. **1433, Misc.** Theophilus Charles Williams, petitioner, *v.* Ray Procunier. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1434, Misc.** James Patrick Clarke, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **1435, Misc.** Alfonso Martinez Valenzuela, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **1436, Misc.** Henry D. Harris, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. **1437, Misc.** Joseph C. Adams, petitioner, *v.* Dale C. Cameron, Chief of Service, Saint Elizabeths Hospital. Petition for writ of

certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1439, Misc. Jerry Baker, petitioner, *v. Nebraska*. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 1444, Misc. Roy James Metz, petitioner, *v. James F. Maroney, Superintendent, State Correctional Institution*. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1446, Misc. Theodore Austin Swanson, petitioner, *v. Pennsylvania*. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 1448, Misc. Raymond Trink Barefield, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1451, Misc. Arthur Garrett, petitioner, *v. Texas*. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 1455, Misc. John Garnett, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1463, Misc. Ben Lewis Ehrlich, petitioner, *v. Illinois et al.* Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1465, Misc. Charles Lee Mason, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1466, Misc. Edward Dickerson, petitioner, *v. A. Frank Lee*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1471, Misc. Warren Joe Conrad, petitioner, *v. California*. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 1472, Misc. Manuel Chavez, petitioner, *v. J. E. Baker, Warden*. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1473, Misc. J. L. Lott, petitioner, *v. J. E. Baker, Warden*. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1478, Misc. John R. Koneczak, Jr., petitioner, *v. James Meehan et al.* Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1479, Misc. Odus Douglas, petitioner, *v. E. P. Perini, Superintendent, Marion Correctional Institution*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1480, *Misc.* Ray Wayne Pierce, petitioner, *v.* John W. Turner, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1484, *Misc.* Kenneth Cantrell, petitioner, *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 1487, *Misc.* Andrew Garcia Holquin, Jr., petitioner, *v.* Arizona et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1488, *Misc.* Tony M. Cota, petitioner, *v.* Harold V. Field. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1489, *Misc.* Donald Lee Hancock, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Middle Division, denied.

No. 1494, *Misc.* Gerald Allen Carter, petitioner, *v.* Superior Court, County of San Bernardino. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 1495, *Misc.* Jose Rios-Ramirez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1497, *Misc.* Ralph McFalls, petitioner, *v.* C. C. Peyton, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1505, *Misc.* William C. Harshaw, Jr., petitioner, *v.* Harold V. Field, Superintendent, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1506, *Misc.* Booker T. Hillery, Jr., petitioner, *v.* California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1507, *Misc.* William Johnson, petitioner, *v.* Virginia. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1508, *Misc.* D. C. Cortman, petitioner, *v.* Oregon. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 1514, *Misc.* Kelly Bell, petitioner, *v.* C. C. Peyton, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1516, *Misc.* Joseph Milton Andrews, petitioner, *v.* C. C. Peyton, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1519, **Misc.** Frank Becton, petitioner, *v.* J. T. Willingham, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1524, **Misc.** Orlando Estrada, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1525, **Misc.** Ben Elder, petitioner, *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 1530, **Misc.** Charles James Holmes, petitioner, *v.* C. C. Peyton, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1534, **Misc.** Archie Blyther, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1542, **Misc.** Leo Noltmier, Jr., petitioner, *v.* Madalaine Noltmier. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 1551, **Misc.** Bobby Williams, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 1552, **Misc.** Columbus Robinson, petitioner, *v.* Courtland C. Peyton, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1553, **Misc.** Samuel Jordan, petitioner, *v.* Virginia. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1563, **Misc.** John Paul Masters, Jr., petitioner, *v.* Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 508, **Misc.** Samuel B. Johnson and Ellis Lahmen, Jr., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Dissenting opinion by Mr. Justice Marshall with whom Mr. Chief Justice Warren joins.

No. 757, **Misc.** Marvin M. Heath, petitioner, *v.* Wayne K. Patterson, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Douglas, Mr. Justice Fortas, and Mr. Justice Marshall are of the opinion that certiorari should be granted.

No. 1372, **Misc.** Charles T. Kopetka, petitioner, *v.* Jack G. Young, Warden. Petition for writ of certiorari to the Supreme Court of Minnesota and for other relief denied.

No. 1412, **Misc.** George Albert Mills, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 1475, **Misc.** Leroy Barnett, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 1547, **Misc.** William L. Trest, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 1490, **Misc.** Maximiliano de la Cruz-Martinez, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Fortas is of the opinion that certiorari should be granted.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 1502, **Misc.** Darwin J. Urry, petitioner, *v.* Arizona et al.;

No. 1515, **Misc.** Fred Hanible, petitioner, *v.* George A. Kropp, Warden, et al.; and

No. 1572, **Misc.** James Mueller, petitioner, *v.* Walter E. Craven, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

No. 738, **Misc.** Earl L. Coulter, petitioner, *v.* Louis S. Nelson, Warden, et al. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari is denied. Mr. Justice Fortas is of the opinion that in treating the papers as a petition for writ of certiorari, certiorari should be granted.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 770, **Misc.** James R. Haning, petitioner, *v.* Joseph P. Kinneary, Judge, U.S. District Court, Southern District of Ohio;

No. 1503, **Misc.** Richard A. Lauchli, Jr., petitioner, *v.* James E. Nolan, United States District Judge; and

No. 1532, **Misc.** Charles Eugene McCartney, petitioner, *v.* Harold H. Haberkorn, Judge, etc., et al. Motions for leave to file petitions for writs of mandamus denied.

No. 1309, **Misc.** David W. Wion, petitioner, *v.* Alfred A. Arraj, Chief Judge, etc., et al. Motion for leave to file petition for writ of mandamus and for other relief denied.

REHEARINGS DENIED

No. **735**. Vincent P. Brady, petitioner, *v.* Trans World Airlines, Inc., et al.;

No. **742, Misc.** Robert E. Johnson, petitioner, *v.* California;

No. **1280, Misc.** Louis Ludwik Furtak, petitioner, *v.* New York,

No. **1335, Misc.** Louis Ludwik Furtak, petitioner, *v.* Vincent R. Mancusi, Warden, and

No. **1369, Misc.** Louis Ludwik Furtak, petitioner, *v.* Vincent R. Mancusi, Warden; and

No. **1340, Misc.** Olga Gunzburger, petitioner, *v.* Washington Terminal Co., et al. Petitions for rehearing denied.

No. **735, Misc.** Henry Hopkins, Jr., petitioner, *v.* United States; and

No. **791, Misc.** Gerard Peabody, petitioner, *v.* United States. Motions for leave to file petitions for rehearing denied.

RECESS ORDER

The Court will take a recess from Monday, April 7, 1969, until Monday, April 21, 1969.

ORAL ARGUMENT

No. **580**. George Samuels et al., appellants, *v.* Thomas J. Mackell, District Attorney, et al.; and

No. **813**. Fred Fernandez, appellant, *v.* Thomas J. Mackell, District Attorney, et al. One and one half hours allowed for oral argument. Argued by Mr. Victor Rabinowitz and Mrs. Eleanor Jackson Piel for the appellants and by Mr. Frederick J. Ludwig and Mrs. Maria L. Marcus for the appellees.

No. **163**. Evelle J. Younger, appellant, *v.* John Harris, Jr., et al. Argued by Mr. Albert W. Harris, Jr., for the appellant and by Mr. Sam Rosenwein for the appellees.

No. **841**. Tommie E. L. Williams, petitioner, *v.* City of Oklahoma City et al. Argument commenced by Mr. Jon F. Gray for the petitioner and continued by Mr. Giles K. Ratcliffe for the respondents.

Adjourned until tomorrow at 10 o'clock.

The day call for Wednesday, April 2, 1969, will be as follows: Nos. **841, 610, 672, 2, and 717.**

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Hugh G. Hart, Jr., of Dallas, Tex., on motion of Mr. Justice Tom C. Clark; Morris M. Sherr, of Fresno, Calif., on motion of Mr. Solicitor General Erwin N. Griswold; Charles F. Horn, of Kettering, Ohio, on motion of Mr. Robert Taft, Jr.; Thomas G. Fisher, of Remington, Ind., on motion of Mr. William D. Ruckelshaus; William M. Kidd, of Sutton, W. Va., on motion of Mr. Perry Wilson Woofter; Joseph Laurent Schraff, of Washington, D.C., and William Theodore Pierson, Jr., of Washington, D.C., on motion of Mr. W. Theodore Pierson; Howard F. Heffron, of Oklahoma City, Okla., on motion of Mr. Max N. Berry; Cedric Hustace, of St. Louis, Mo., on motion of Mr. John Benjamin Howerton; John J. Stirk, of West Union, Iowa, on motion of Mr. Peter David Ehrenhaft; and Robert J. McDonnell, of Drexel Hill, Pa., on motion of Mr. Douglas B. Henderson, were admitted to practice.

OPINIONS

No. 453. John McMillan Gregg, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment affirmed. Opinion by Mr. Justice White.

No. 644. Billy Don Franklin Boulden, petitioner, *v.* William C. Holman, Warden. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment vacated and case remanded to the United States District Court for the Middle District of Alabama for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart. Mr. Justice Black, while still adhering to his dissent in *Witherspoon v. Illinois*, 391 U.S. 510, 532, acquiesces in the Court's judgment and opinion. Opinion by Mr. Justice Harlan with whom Mr. Chief Justice Warren and Mr. Justice Marshall join concurring in part and dissenting in part. Mr. Justice Fortas took no part in the consideration or decision of this case.

No. 43. William J. McCarthy, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the United States District Court for the Northern District of Illinois for further pro-

ceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Warren. Concurring opinion by Mr. Justice Black.

ORDER IN PENDING CASE

No. 436. Paulette Boudreaux Rodrigue et al., petitioners, *v.* Aetna Casualty and Surety Company et al. The parties and the Solicitor General, as *amicus curiae*, are invited to file further briefs within thirty days addressing the following question: "In light of the cases in this Court relating to the limits of admiralty jurisdiction, such as *Phoenix Construction Co. v. The Steamer Poughkeepsie*, 212 U.S. 558, affirming 162 F. 494 (1908 D.C. S.D. N.Y.), and in light of the language and legislative history of the Outer Continental Shelf Lands Act, does the Death on the High Seas Act apply to these accidents?" See *Pure Oil Co. v. Snipes*, 293 F. 2d 60 (C.A. 5th Cir. 1961).

ORAL ARGUMENT

No. 841. Tommie E. L. Williams, petitioner, *v.* City of Oklahoma City et al. Argument concluded by Mr. Giles K. Ratcliffe for the respondents.

No. 610. John L. Sullivan, Tax Commissioner of the State of Connecticut, et al., appellants, *v.* United States et al. Argued by Mr. F. Michael Ahern for the appellants and by Mr. Harris Weinstein for the appellees.

No. 672. United States, petitioner, *v.* John P. King. Argued by Mr. William D. Ruckelshaus for the petitioner and by Mr. Neil B. Kabat-chnick for the respondent.

No. 2. Red Lion Broadcasting Co., Inc., etc., et al., petitioners, *v.* Federal Communications Commission et al. Argument commenced by Roger Robb for the petitioners and continued by Mr. Solicitor General Griswold for the respondents.

Adjourned until tomorrow at 10 o'clock.

The day call for Thursday, April 3, 1969, will be as follows: Nos. 2 and 717.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Richard L. King, of Grand Forks, N. Dak., and John Langdon Breckenridge, of Warren, Ohio, on motion of Mr. Solicitor General Erwin N. Griswold; Edward David Friedman, of Washington, D.C., on motion of Mr. Wayne Lyman Morse; Peter Stephen Crane, of Washington, D.C., on motion of Mr. James W. Quiggle; E. Robert Wallach, of San Francisco, Calif., on motion of Mr. Charles Alvin Miller; John G. S. Flym, of Boston, Mass., on motion of Mr. Lawrence Speiser; Pierce J. Powers, of Los Angeles, Calif., on motion of Mr. Chester Charles Shore; Jerome Ian Chapman, of Washington, D.C., and Michael Schneiderman, of Washington, D.C., on motion of Mr. Abe Krash; James Robertson, of Washington, D.C., on motion of Mr. Ezekiel G. Stoddard; Karl P. Seuthe, of Los Angeles, Calif., on motion of Mr. Mark Stephen Rothman; George E. Ashley, of New York, N.Y., on motion of Mr. Ronald J. Foulis; and Joseph P. Dyer, Jr., of Arlington, Va., on motion of Mr. Anthony Siciliano, were admitted to practice.

ORAL ARGUMENT

No. 2. Red Lion Broadcasting Co., Inc., etc., et al., petitioners *v.* Federal Communications Commission et al. Argument continued by Mr. Solicitor General Griswold for the respondents and concluded by Mr. Roger Robb for the petitioners.

No. 717. United States et al., petitioners, *v.* Radio Television News Directors Association et al. Argued by Mr. Solicitor General Griswold for the petitioners and by Mr. Archibald Cox for the respondents.

Adjourned until Monday, April 7, 1969, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Frank Fishkin, of Sun Valley, Calif., Barnee C. Baxter, Jr., of Augusta, Ga., John Jackson Blackburn, of Ft. Mitchell, Ky., C. Eugene Schmidt, of Baltimore, Md., Robert A. Barrett, of Detroit, Mich., James John Kros, of Omaha, Nebr., Lawrence J. Bracken, of Setauket, N.Y., William H. Thornburgh, of Troy, N.Y., Patrick W. Johnson, of Houston, Tex., Russell A. Eisenberg, of Milwaukee, Wisc., and S. A. Schapiro, of Milwaukee, Wisc., on motion of Mr. Solicitor General Erwin N. Griswold; Ruth Loyd Miller, of Jennings, La., and Minos D. Miller, Jr., of Jennings, La., on motion of Mr. Edwin W. Edwards; Richard D. Rixner, of Shawnee-Mission, Kans., on motion of Mr. Garner E. Shriver; George Fechtig Baughman, of Sarasota, Fla., on motion of Mr. Wilbur N. Baughman; Harold Wildman Osborn, of Glen Ellyn, Ill., on motion of Mr. William Pitt Shattuck; Prentice P. Pruitt, of Tallahassee, Fla., on motion of Mr. Bryce Rea, Jr., Howard Kaplan, of New York, N.Y., on motion of Mr. Mitchell Rogovin; Harold D. Putman, of San Antonio, Tex., on motion of Mr. Charles M. Johnston; Ned L. Mann, of Cleveland, Ohio, on motion of Mr. A. Alvis Layne; Harvey D. Myerson, of New York, N.Y., on motion of Mr. Richard A. Merrill; Charles H. Miller, of New York, N.Y., on motion of Mr. Lewis Bernstein; William Bellew Byrd, of Paducah, Ky., on motion of Mr. Ralph M. King, Jr.; Garrett N. Wyss, of Fort Wayne, Ind., on motion of Mr. John J. Casey; Stuart A. White, of New York, N.Y., on motion of Mr. Thomas Hayward Brown; Phillip F. Arrien, of New York, N.Y., on motion of Mr. John Andrew Kennedy, Jr.;

Townsend Mikell Belser, Jr., of Columbia, S.C., on motion of Mr. E. Russell Lutz; John T. Ronan, III, of New York, N.Y., on motion of Mr. Dale E. Murphy; Lloyd Rosenfeld, of New York, N.Y., on motion of Mr. Stephen B. Clarkson; Steve Hood Finch, of Owensboro, Ky., on motion of Mr. George J. Meiburger; Barry D. Berman, of Baltimore, Md., David R. Cohan, of Baltimore, Md., George Cochran Doub, Jr., of Baltimore, Md., Howard M. Friedel, of Baltimore, Md., Richard Jay Himelfarb, of Baltimore, Md., William Hoyt Holden, Jr., of Baltimore, Md., L. Hollingsworth Pittman, of Baltimore, Md., and Milton S. Schiller, of Baltimore, Md., on motion of

Mr. George Cochran Doub; John Joseph Gregory, of Washington, D.C., and Walter J. Landen, of Denver, Colo., on motion of Mr. Werner Windus; William C. Shead, of Houston, Tex., and J. Albert Pruett, Jr., of Alvin, Tex., on motion of Mr. Eugene Francis Peters; Robert M. Newell, of Los Angeles, Calif., on motion of Mr. Robert Paul Stranahan, Jr.; Lee W. Landrum, of Los Angeles, Calif., on motion of Mr. Raymond R. Dickey; John Alfred Wade, of Nashville, Tenn., on motion of Mr. James Thomas Martin; Richard P. Nelson, of Lincoln, Nebr., on motion of Mr. Robert A. Nelson; Richard I. Marblestone, of Elgin, Ill., on motion of Mr. David L. Rose; Arthur Francis Carter, of Guilford, Conn., and Cecil W. Williams, of Emporia, Kans., on motion of Mr. Peter Stockett; Louis M. Kohn, of Olivette, Mo., and Irving M. Malnik, of St. Louis, Mo., on motion of Mr. Donald Allen Kaul; C. Wallace Arcand, of Washington, D.C., and William Patrick Morris, of Washington, D.C., on motion of Mr. Robert Earl Shoun; Karl J. Uebel, of San Francisco, Calif., and Daniel R. Vaughen, of Deland, Fla., on motion of Mr. Dennis Rex Hunt;

Ralph P. Loveless, of Mobile, Ala., Darryl Alonzo Adams, of Phoenix, Ariz., Robert Hjalmar Anderson, of Los Angeles, Calif., Lawrence Everett Beckwith, of Washington, D.C., John S. Irving, of Washington, D.C., Donald T. Kane, of Washington, D.C., John R. McCaw, Jr., of Washington, D.C., Robert S. Perkins, of Washington, D.C., Herbert O. Roberts, Jr., of Washington, D.C., Robert M. B. Ujevich, of Washington, D.C., Myron B. Berman, of Miami, Fla., Richard Nathan Friedman, of Miami, Fla., Waverly B. Clanton, Jr., of Chicago, Ill., Charles G. Martin, of Chicago, Ill., Edward M. Quinn, of Chicago, Ill., Lloyd W. Sides, of LaPorte City, Iowa, Irving Leonard Becker, of Baltimore, Md., Kenneth J. Dyer, of Baltimore, Md., George Edwin Farrell, of Bethesda, Md., Robert Nathaniel Gordon, of Baltimore, Md., Irving J. Jacobs, of Baltimore, Md., William David Laudeman, of Baltimore, Md., John L. Renner, of Randallstown, Md., Walter D. Rubinstein, of Baltimore, Md., Harvey J. Siegel, of Baltimore, Md., John Slachta Slaton, of Baltimore, Md., Frank James Vanatta, of Baltimore, Md., Robert V. Johnson, of Minneapolis, Minn., John H. Grosvenor, Jr., of Aurora, Nebr., Stephen E. Geller, of New York, N.Y.;

Morris F. Klein, of New York, N.Y., Daniel Hill Zafern, of New York, N.Y., Arthur W. Wiener, of Greensboro, N.C., John F. Downie, of Cleveland, Ohio, Armor H. Hank, of Columbus, Ohio, Ralph H. Heller, of Columbus, Ohio, Robert Lowell Hill, of Columbus, Ohio, David Surasky Jr., of Youngstown, Ohio, Lowell G. Wise, of Cleveland, Ohio, Charles Lewis Hunnicutt, of Oklahoma City, Okla., Omer S. Luellen, of Hinton, Okla., Federico A. Cordero, of San Juan, P.R., Hal F. Doig, of Philadelphia, Pa., Merna B. Marshall, of Philadelphia,

Pa., John R. McCaw, of Pittsburgh, Pa., Jerome Robert Richter, of Philadelphia, Pa., Jerry Scott, of Waynesboro, Tenn., Edward Eugene Wislon, of Knoxville, Tenn., James A. Martin, III, of Dallas, Tex., Albert J. Roberts, of Lubbock, Tex., Herman P. Eberharter, Jr., of Annandale, Va., Richard H. Jones, of Manassas, Va., William W. Kin-Kead, of Alexandria, Va., Harry S. Mandel, of Falls Church, Va., Thomas A. Mason, Jr., of Portsmouth, Va., John F. O'Neill of Arlington Va., Peter Puidak, of Alexandria, Va., and Stanley M. Stirman, of Springfield, Va., on motion of Mr. Richard G. Kleindienst; and Charles Sterling Babcock, of Sheffield, Ala., R. R. Boller, of Elmhurst, Ill., John Thomas Burch, Jr., of Richmond, Va.;

Robert E. Cohen, of New York, N.Y., Robert H. Cooley, III, of Petersburg, Va., Joseph P. Creekmore, of Whiteville, N.C., Richard E. Cumming, of Ocala, Fla., Richard K. Dahlinger, of San Francisco, Calif., David Coit Davies, of Portland, Oreg., Ronald W. Davis, of Wilmington, N.C., Ned E. Felder, of Charleston, S.C., Edwin A. Gajeski, of Detroit, Mich., Stanley J. Glod, of Washington, D.C., Stratton R. Heath, Jr., of Forest Grove, Oreg., Charles Gohmert Hoff, Jr., of Cotulla, Tex., John Frederick Lymburner, of Bar Harbor, Me., Joseph C. Malinoski, Jr., of New Smyrna Beach, Fla., Peter John McGovern, of New York, N.Y., Joseph Albert Moreland, Jr., of Morgantown, W. Va., Charles Robert Murray, of Miami, Fla., Albert S. Rakas, of Chicago, Ill., Gordon F. Rohn, of Fond Du Lac, Wis., Lewis J. Rose, of Corinth, N.Y., Richard P. Runke, Jr., of Cedar Rapids, Iowa, and Curtis L. Tracy, of Salt Lake City, Utah, on motion of Mr. Kenneth J. Hodson, were admitted to practice.

OPINIONS

No. 293. Robert Eli Stanley, appellant, *v.* Georgia. Appeal from the Supreme Court of Georgia. Judgment reversed and case remanded to the Supreme Court of Georgia for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Marshall. Concurring opinion by Mr. Justice Black. Opinion by Mr. Justice Stewart with whom Mr. Justice Brennan and Mr. Justice White join concurring in the result.

No. 30. James C. Kirkpatrick, Secretary of State of Missouri, et al., appellants, *v.* Paul W. Preisler et al.; and

No. 31. F. V. Heinkel et al., appellants, *v.* Paul W. Preisler et al. Appeals from the United States District Court for the Western District of Missouri. Judgment affirmed. Opinion by Mr. Justice Brennan. Concurring opinion by Mr. Justice Fortas. Dissenting opinion by Mr. Justice Harlan with whom Mr. Justice Stewart joins in these cases and in No. 238, *post*. Dissenting opinion by Mr. Justice White in these cases and in No. 238, *post*.

No. 238. David I. Wells, appellant, *v.* Nelson A. Rockefeller, as Governor of the State of New York, et al. Appeal from the United States District Court for the Southern District of New York. Judgment reversed insofar as it approved the plan for use in the 1970 election and case remanded to the United States District Court for the Southern District of New York for the entry of a new judgment in conformity with the opinion of this Court. Opinion by Mr. Justice Brennan. Concurring opinion by Mr. Justice Fortas. Dissenting opinion by Mr. Justice Harlan with whom Mr. Justice Stewart joins in this case and in Nos. 30 and 31, *ante*. Dissenting opinion by Mr. Justice White in this case and in Nos. 30 and 31, *ante*.

No. 306. Fortner Enterprises, Inc., petitioner, *v.* United States Steel Corporation et al. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and case remanded to the United States District Court for the Western District of Kentucky with directions to let the suit proceed to trial. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice White with whom Mr. Justice Harlan joins. Dissenting opinion by Mr. Justice Fortas with whom Mr. Justice Stewart joins.

The Chief Justice said:

"The other orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally."

OPINIONS PER CURIAM

No. 844. Paul G. Stephan et ux., appellants, *v.* State Tax Commissioner of Delaware. Appeal from the Supreme Court of Delaware. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion per curiam.

No. 857. Wayne L. Soszka appellant, *v.* Joseph Nick Manganaro et al. Appeal from the Supreme Court of Hawaii. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 984, *Misc.* John Paul Anderson, appellant, *v.* South Carolina. Appeal from the Supreme Court of South Carolina and for other relief. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Request for other relief denied. Opinion *per curiam*.

No. 1146, Misc. Fred D. Davis, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the United States District Court for the Southern District of California for a further hearing on such evidence as the petitioner may present on the question of his right to appeal. Opinion *per curiam*.

No. 1425, Misc. Roosevelt Rollerson, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the United States District Court for the District of Columbia for further consideration in light of *Kaufman v. United States*, 394 U.S. —, decided March 24, 1969. Opinion *per curiam*. Mr. Justice Fortas concurs in the disposition but notes that the Court's action does not imply any view as to the merits of any of the petitioner's claims including his assertions as to double jeopardy. Mr. Justice Black, Mr. Justice Harlan, and Mr. Justice Stewart dissent.

ORDERS IN PENDING CASES

No. —. William A. Young, petitioner, *v.* Richard A. McGee. The application for bail is denied.

No. 1675, Misc. Rudolph Saavedra, petitioner, *v.* Connecticut. The application for stay and for admission to bail presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

APPEALS—JURISDICTION NOTED OR POSTPONED

No. 876. Daulton Mann, appellant, *v.* Vermont Educational Buildings Financing Agency. Appeal from the Supreme Court of Vermont. Motion of the College of Saint Joseph the Provider for leave to file a brief, as *amicus curiae*, granted. Further consideration of the question of jurisdiction in this case is postponed to the hearing of the case on the merits, and case placed on the summary calendar. The parties are directed to express their views as to whether there is presented a genuine case or controversy.

No. 1064. North Carolina, appellant, *v.* Henry C. Alford. Appeal from the United States Court of Appeals for the Fourth Circuit. Motion of appellee for leave to proceed *in forma pauperis* granted. In this case probable jurisdiction noted and case placed on the summary calendar.

No. 909, Misc. Rector Simmons, Jr., et ux., appellants, *v.* West Haven Housing Authority. Appeal from the Appellate Division of the

Circuit Court of Connecticut. Motion for leave to proceed *in forma pauperis* granted. In this case probable jurisdiction noted. Case transferred to the appellated docket and placed on the summary calendar.

CERTIORARI GRANTED

No. **861**. Frederick T. Zuber et al., petitioners, *v.* Russell Allen et al.; and

No. **1076**. Clifford M. Hardin, Secretary of Agriculture, petitioner, *v.* Russell Allen et al. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted. Cases consolidated and a total of two hours allotted for oral argument.

Mr. Justice Marshall took no part in the consideration or decision of these petitions.

No. **1024**. United States, petitioner, *v.* James A. White. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted and case placed on the summary calendar.

No. **1079**. Sara Baird, petitioner, *v.* State Bar of Arizona. Petition for writ of certiorari to the Supreme Court of Arizona granted and case placed on the summary calendar.

No. **691, Misc.** Lee Arthur Hester, petitioned *v.* Illinois. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Illinois granted. Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI DENIED

No. **944**. John Raymond Finchum, Sr., petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. **1015**. Ambry D. Allen, Jr., petitioner, *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. **1049**. Weatherford Oil Tool Company, Inc., et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1062**. Joseph A. Riso, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1065**. Theoplis Crockett et al., petitioners, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. **1066**. Irving Rosen and Sidney A. Kanter, petitioners, *v.* Eastern Airlines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1068.** Phoenix Newspapers, Inc., et al., petitioners, *v.* Wade Church. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. **1072.** William Nicholas Karcher, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1077.** Richard D. Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1082.** Ohio Citizens Trust Company, Trustee, et al., petitioners *v.* Lear Jet Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1086.** MICR-Shield Company et al., petitioners, *v.* The First National Bank of Miami. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1087.** Holbrook Thayer Ashton, II, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **1088.** The Offshore Company, petitioner, *v.* G & H Offshore Towing Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1097.** Gene Hickman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1182.** Howard Yeager, Warden, petitioner, *v.* Mortimer L. Schultz. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **358.** Jack Douglas et al., petitioners, *v.* Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **784.** Arnold George Sandbank, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **893.** Arthur B. Kons, petitioner, *v.* Ralph H. Tahash, Warden. Petition for writ of certiorari to the Supreme Court of Minnesota denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **977.** Sidney R. Wright, petitioner, *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **1039.** M. Elizabeth Gair, petitioner, *v.* Robert L. Gill et al. Motion to dispense with printing petition granted. Petition for writ

of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. **52, Misc.** Daniel Allen Roberts, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **534, Misc.** Jack Johnson, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. **562, Misc.** Jesse Rodriquez, petitioner, *v.* Louis S. Nelson, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **776, Misc.** Everett Edmond Rhodes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **929, Misc.** Ulysses Walker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1018, Misc.** Armando Garza-Fuentes and Thomas Elizalde-Guereca, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1315, Misc.** Edward Cardenas Sanchez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1366, Misc.** Robert G. Pearson, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. **1380, Misc.** O. C. Brown, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1386, Misc.** William J. Miller, petitioner, *v.* United States; and

No. **1402, Misc.** Lloyd Vallee, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1393, Misc.** Arthur Mares, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1407, Misc.** Raymond Smith, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1458, Misc.** Nathan Malbrue, petitioner, *v.* California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1464, Misc.** Clifford Noel Peek, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1474, Misc.** Robert Ronald Barrett, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **1476, Misc.** Joe Elder, petitioner, *v.* Otto C. Boles, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1511, Misc.** William Randolph Cinnamon, petitioner, *v.* Joe Eaton, Sheriff, Jefferson County, Kentucky. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1512, Misc.** Mike R. Parga, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1520, Misc.** Jess Lafayette Bronson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **1523, Misc.** James Arthur Jackson, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1526, Misc.** William Joseph Schweitzer, petitioner, *v.* George A. Kropp, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1527, Misc.** Sebastian Ortega-Lira, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1529, Misc.** John Richard (Dick) Anderson, petitioner, *v.* Ray H. Page, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1535, Misc.** Thomas Franklin, petitioner, *v.* New Mexico. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. **1538, Misc.** Malcus T. Clemons, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1544, Misc.** Sam Tassone, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. **1555, Misc.** Rudolph James Anderson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1564, Misc. Paul E. Rhodes, petitioner, *v.* Lumbermans Mutual Casualty Co. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1571, Misc. Fred Propp, Jr., petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1593, Misc. Joseph C. Adams, petitioner, *v.* Edward J. Brenner, Commissioner of Patents. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1608, Misc. Robert Montague, petitioner, *v.* B. J. Rhay, Superintendent, Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 1609, Misc. Frank Hale Bennett, petitioner, *v.* California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1610, Misc. Charles Delgado, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1613, Misc. Richard Anderson, petitioner, *v.* Warren Pinto, Superintendent, New Jersey State Prison Farm, et al. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 640, Misc. Jesse Luna, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 1138, Misc. Kenneth Wayne Cleaver, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 1266, Misc. Theodosios Theodores Tzantarmas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. 1655, Misc. Ex parte Kenneth W. Adams, petitioner. Motion for leave to file petition for writ of habeas corpus denied.

LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 1620, Misc. Lynward James Daye, Jr., petitioner, *v.* John D. Larkins, Jr. Motion for leave to file petition for writ of mandamus denied.

REHEARINGS DENIED

- No. **262**. Joseph Naples, petitioner, *v.* E. L. Maxwell, Warden;
 No. **587**. John Paul Shelton, petitioner, *v.* Leroy N. Stynchcombe,
 Sheriff of Fulton County;
 No. **851**. Sidney J. Gefen, petitioner, *v.* United States;
 No. **879**. Leo Henzel, petitioner, *v.* Florida; MR. JUSTICE FORTAS TOOK
 No. **882**. Thomas R. Reddy, petitioner, *v.* United States; NO PART IN THE
 No. **885**. Joseph Daniel Holt, petitioner, *v.* United States; CONSIDERATION
 No. **903**. Bailey's Bakery, Ltd., petitioner, *v.* Continental Baking PETITION
 Company et al.;
 No. **909**. Elmer Hahn, petitioner, *v.* Kentucky Alcoholic Beverage
 Control Board et al.;
 No. **1185, Misc.** Gilbert Lewis Spears, petitioner, *v.* United States;
 No. **1198, Misc.** Philip B. Chambers et ux., petitioners, *v.* Colonial
 Pipeline Company;
 No. **1330, Misc.** Bernard Martin Zide, petitioner, *v.* Florida; and
 No. **1342, Misc.** Jack Kamsler, petitioner, *v.* Illinois. Petitions for
 rehearing denied.
 No. **878**. Serta Associates, Inc., appellant, *v.* United States, Petition
 for rehearing denied. Mr. Justice White took no part in the considera-
 tion or decision of this petition.

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 Customs and Patent Appeals on April 9, 1969, 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.

Adjourned until Monday, April 21, 1969, at 10 o'clock.

The day call for Monday, April 21, 1969, will be as follows: Nos. **138, 130, 228, and 574.**

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Michael James Sullivan, of San Francisco, Calif., Roger Sandberg Hanson, of Woodland Hills, Calif., William T. Brooks, of Bethesda, Md., Jerome E. Rosen, of Boston, Mass., Robert Eugene Glass, of Washington, D.C., and Harry H. Almond, Jr., of Washington, D.C., on motion of Mr. Solicitor General Erwin N. Griswold; Joseph E. Michael, Jr., of Rochester, N.H., on motion of Mr. Norris Cotton; Richard Von Dean Bennett, of Indianapolis, Ind., James B. Droege, of Indianapolis, Ind., William D. Powell, of Evansville, Ind., and William G. Grief, of Evansville, Ind., on motion of Mr. Vance Hartke; Floyd V. Smith, of Seattle, Wash., on motion of Mr. Brockman Adams; James Brownie Pilcher, of Atlanta, Ga., on motion of Mr. Benj. B. Blackburn, III; Frederic S. Crump, of Lakeport, Calif., on motion of Mr. Robert L. Leggett; Gordon August Olsson, of Modesta, Calif., on motion of Mr. John J. McFall; Sheldon D. Frank, of Milwaukee, Wisc., on motion of Mr. Henry R. Reuss; Theodore Lorraine Sendak, of Indianapolis, Ind., on motion of Mr. William D. Ruckelshaus; Ted J. Davis, of Oklahoma City, Okla., and Thomas Blue McGee, of Oklahoma City, Okla., on motion of Mr. Brice Wilson Rhyne; Russel X. Thompson, of Memphis, Tenn., on motion of Mr. Clifford Davis; Morris M. Hatchett, of St. Louis, Mo., Norman Niles Aerenson, of Wilmington, Del., Sidney Balick, of Wilmington, Del., and Thomas P. Clarke, of St. Louis, Mo., on motion of Mr. Belford V. Lawson; Michael N. Sohn, of Washington, D.C., on motion of Mr. Norton J. Come; Lee Davis Thames, of Vicksburg, Miss., on motion of Mr. Wm. Ephraim Cresswell; William T. Lifland, of New York, N.Y., on motion of Mr. Donald J. Mulvihill; Albin E. Danell, of Los Altos, Calif., on motion of Mr. William Pitt Shattuck.

Ronald S. Goldfarb, of New York, N.Y., and Arthur R. Greenberg, of New York, N.Y., on motion of Mr. Frank E. G. Weil; Patrick Joseph Basial, of Pittsburgh, Pa., Louis L. Manderino, of Monessen, Pa., and John J. Sciullo, of Pittsburgh, Pa., on motion of Mr. Herman Wolkinson; Phillip Bordages, of Beaumont, Tex., and Robert Paul Walker, of Port Arthur, Tex., on motion of Mr. John Philip Carlson; Rupert J. Brady, of Bethesda, Md., and Alan W. Borst, of Mamaro-

neck, N.Y., on motion of Mr. Arthur Lee Quinn; Richard P. Mahoney, of Minneapolis, Minn. on motion of Mr. Eloi Bauers; Burton W. Gerrig, of Revere, Mass., Chester Shatz, of Washington, D.C., and Marvin Harold Seigel of Boston, Mass., on motion of Mr. Justinus Gould; Walter Arnold Baker, of Glasgow, Ky., and David Lindsay Proffitt, of Louisville, Ky., on motion of Mr. Lew D. Brundage; Stelvio W. Zanolli, of McLean, Va., and John A. McGuinn, of Washington, D.C., on motion of Mr. Guy Farmer; Thomas M. Jacobson of Milwaukee, Wis., on motion of Mr. Jack Greenberg; George H. Ferrell, of Corning, N.Y., Burton R. Turner, of Corning, N.Y., Richard N. Wardell, of Big Flats, N.Y., Clinton Searl Janes, Jr., of Corning, N.Y., and Gerhard K. Adam, of Corning, N.Y., on motion of Mr. Walter S. Zehrowski; Isadore E. Binstock, of Pittsburgh, Pa., on motion of Mr. Harry M. Plotkin; William M. Cohen, of Washington, D.C., on motion of Mr. Lester Bridgeman; William Edwin Cumberland, of Washington, D.C., on motion of Mr. Donald Cefaratti, Jr., Roy R. Bartlett, of Topeka, Kans., on motion of Mr. Daniel O. Omer; Donald Ellsworth La Mora, of Colorado Springs, Colo., and William A. Russell, of Washington, D.C., on motion of Mr. Joseph Bradley Blake; Keith Fogus Sparks, of Roseville, Calif., on motion of Mr. Jeremiah C. Waterman; C. Owen Dooley, of Boston, Mass., on motion of Mr. A. Owsley Stanley, Jr.; Hubert Thurschwell, of Ardmore, Pa., on motion of Mr. Robert M. Lichtman; Ruth S. Barbee, of Kensington, Md., on motion of Mr. Norman C. Paulson; Barry Jay Kesselman, of Rochester, N.Y., on motion of Mr. Seymour E. Siegel.

John Stewart Elliott, of Beatrice, Nebr., on motion of Mr. Joe L. Johnson; Harold J. Sullivan, of Winter Park, Fla., on motion of Mr. Felix Eugene Sklagen; John Dale Sibley, of Okolona, Miss., and James Edwin Upshaw, of Hernando, Miss., on motion of Mr. William G. Allen; Frances C. Kissell, of Boston, Mass., and John F. Shea, of Weymouth, Mass., on motion of Mr. Milton P. Shore; Alvin L. Stern, of New York, N.Y., on motion of Mr. Melvin J. Tublin; Donald L. Morgan, of Washington, D.C., on motion of Mr. Robert C. Barnard; Raymer F. Maguire, Jr., of Orlando, Fla., and Maxwell W. Wells, Jr., of Orlando, Fla., on motion of Mr. Maxwell W. Wells, Sr.; Michael Porter Bentzen, of Washington, D.C., and Richard W. Madsen, of Washington, D.C., on motion of Mr. Norman J. Laboe; and Burton Louis Schafer, of Boston, Mass., and Lewis P. Aronson, of Boston, Mass., on motion of Mr. George Kaufmann, were admitted to practice.

OPINIONS

No. 280. United States, petitioner, *v.* Skelly Oil Company. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment reversed and case remanded to the United States

District Court for the Northern District of Oklahoma for re-entry of the original judgment. Opinion by Mr. Justice Marshall. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Stewart with whom Mr. Justice Douglas and Mr. Justice Harlan join.

No. 9. Bernard Shapiro, Commissioner of Welfare of the State of Connecticut, appellant, *v.* Vivian Thompson. Appeal from the United States District Court for the District of Connecticut;

No. 33. Walter E. Washington et al., appellants, *v.* Clay Mae Le-grant et al. Appeal from the United States District Court for the District of Columbia; and

No. 34. Roger A. Reynolds et al., appellants, *v.* Juanita Smith et al. Appeal from the United States District Court for the Eastern District of Pennsylvania. Judgments affirmed. Opinion by Mr. Justice Brennan. Concurring opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Chief Justice Warren with whom Mr. Justice Black joins. Dissenting opinion by Mr. Justice Harlan.

No. 5. Sidney Street, appellant, *v.* New York. Appeal from the Court of Appeals of New York. Judgment reversed and case remanded to the Court of Appeals of New York for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Fortas.

The Chief Justice said:

“We will pause a moment to record orally the passing of a notable event in the history of the Court.

“Since our last session, Mr. Justice Douglas passed an important milestone in his judicial career. On April 17th, he completed thirty years of distinguished service on this Court. Only ten others in the long history of the Court have achieved that distinction—John Marshall, Roger Brooke Taney, Bushrod Washington, Joseph Storey, William Johnson, John McLean, James M. Wayne, Stephen J. Field, John Harlan, and Hugo L. Black. Of these eleven, only Justice Douglas and Justice Black were appointed in this century.

“When Justice Douglas came to the Court, Volume 306 of the United States Reports was being written. We are now working on Volume 393, which indicated his work is to be found in almost one-fourth of all the Volumes of our Reports.

“He has written on almost every conceivable issue, and in this dynamic era he has contributed greatly to the jurisprudence of the Court. We wish him years of continued success and happiness in his service to the Court.

The Chief Justice said:

"The other orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally."

OPINIONS PER CURIAM

No. **582**. Continental Casualty Company et al., appellants, *v.* The Robertson Lumber Company. Appeal from the Supreme Court of North Dakota. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. **834**. Catherine T. Pendergraft, appellant, *v.* Mississippi. Appeal from the Supreme Court of Mississippi. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*. Mr. Justice Douglas is of the opinion that probable jurisdiction should be noted.

No. **1040**. Norfolk Monument Company, Inc., petitioner, *v.* Woodlawn Memorial Gardens, Incorporated, et al. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Petition for writ of certiorari granted, judgment reversed, and case remanded to the United States District Court for the Eastern District of Virginia for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*. Mr. Justice Harlan, Mr. Justice Fortas, and Mr. Justice Marshall are of the opinion that certiorari should be denied.

No. **1045**. Peter Ottley, as President, and Peter Byrne, as Secretary-Treasurer of Local 144, Hotel & Allied Service Employees Union, etc., appellants, *v.* The Long Island College Hospital. Appeal from the Court of Appeals of New York. The motion to dismiss is granted and the appeal is dismissed for want of a properly presented federal question. Opinion *per curiam*.

No. **1047**. City of Chicago et al., appellants, *v.* United States et al.; and

No. **1048**. Illinois Central Railroad Company et al., appellants, *v.* City of Chicago et al. Appeals from the United States District Court for the Northern District of Illinois. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*.

No. **1092**. Samuel Emanuel, etc., et al., appellants, *v.* Harold Chaple, Testamentary Executor of the Succession of Joe Wilson. Appeal from the Court of Appeal of Louisiana, Second Circuit. The motion to dismiss is granted and the appeal is dismissed for want of jurisdic-

tion. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. **1121**. Estes Express Lines et al., appellants, *v.* United States et al. Appeal from the United States District Court for the Eastern District of Virginia. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*.

No. **1125**. Samuel Emanuel, etc., et al., appellants, *v.* Harold Chapple, Testamentary Executor of the Succession of Joe Wilson. Appeal from the Supreme Court of Louisiana. The motion to dismiss is granted and the appeal is dismissed from want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. **1128**. Consolidated Copperstate Lines, appellant, *v.* United States et al.; and

No. **1141**. Strickland Transportation Company, Inc., appellant, *v.* United States et al. Appeals from the United States District Court for the Central District of California. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*. Mr. Justice Fortas took no part in the consideration or decision of these cases.

No. **807, Misc.** Willie T. Jones, petitioner, *v.* Florida. On petition for writ of certiorari to the District Court of Appeal of Florida, Third District. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the District Court of Appeal of Florida, Third District, for further consideration in light of *Bruton v. United States*, 391 U.S. 123, and *Roberts v. Russell*, 392 U.S. 293. Opinion *per curiam*.

No. **1107, Misc.** Robert Watts, petitioner, *v.* United States. On petition for writ of certiorari to the U.S. Court of Appeals for the District of Columbia Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment reversed and case remanded to the United States District Court for the District of Columbia for the entry of a judgment of acquittal. Opinion *per curiam*. Mr. Justice Stewart would deny the petition for certiorari. Concurring opinion by Mr. Justice Douglas. Mr. Justice White dissents. Dissenting opinion by Mr. Justice Fortas with whom Mr. Justice Harlan joins.

ORDERS IN PENDING CASES

No. —. Louis A. Negre, petitioner, *v.* Stanley R. Larsen, Commanding General, Sixth United States Army, et al. The application for stay and alternative writ of mandate presented to Mr. Justice Douglas, and by him referred to the Court, is denied. Dissenting opinion by Mr. Justice Douglas.

No. 776. Utah Public Service Commission, appellant, *v.* El Paso Natural Gas Company et al. The motion of appellant to dismiss the appeal under Rule 60 and the motion of William M. Bennett for a hearing are set for oral argument on April 29, 1969. The Solicitor General is invited to file a brief and present oral argument if he so desires, Mr. Justice Harlan and Mr. Justice Stewart dissent, believing that the action taken by the Court abuses its own processes. See Rule 60. Mr. Justice White, Mr. Justice Fortas and Mr. Justice Marshall took no part in the consideration or decision of this matter.

No. 1113. The Telephone Users Association, Inc., petitioner, *v.* The Public Service Commission of the District of Columbia et al. The motion to dispense with printing the petition is denied and the Clerk is directed to proceed under Rule 39(4) of the Rules of this Court.

No. 1115. C. Murray Henderson, Warden, petitioner *v.* George Monroe Pryor. The motion to dispense with printing the petition is denied and the Clerk is directed to proceed under Rule 39(4) of the Rules of this Court. Mr. Justice Black dissents.

APPEALS—JURISDICTION NOTED

No. 634. Mae Wheeler et al., appellants, *v.* John Montgomery, etc., et al. Appeal from the United States District Court for the Northern District of California. In this case probable jurisdiction noted and case placed on summary calendar. The Solicitor General is invited to file a brief expressing the views of the United States.

No. 675. United States, appellant, *v.* James D. Knox. Appeal from the United States District Court for the Western District of Texas. In this case probable jurisdiction noted and case placed on the summary calendar. Case set for oral argument immediately following No. 934.

No. 1120. Jack R. Goldberg, Commissioner of Social Services of the City of New York, appellant, *v.* John Kelly et al. Appeal from the United States District Court for the Southern District of New York. In this case probable jurisdiction noted and case placed on the summary calendar. Case set for oral argument immediately following No. 634. The Solicitor General is invited to file a brief expressing the views of the United States.

CERTIORARI GRANTED

No. 976. The Choctaw Nation and The Chickasaw Nation, petitioners, *v.* Oklahoma et al.; and

No. 1104. The Cherokee Nation or Tribe of Indians in Oklahoma, petitioner, *v.* Oklahoma et al. Petitions for writs of certiorari to the

United States Court of Appeals for the Tenth Circuit granted. Cases consolidated and a total of two hours allotted for oral argument.

No. **1133**. Elmer E. Mills and Louis Susman, petitioners, *v.* The Electric Autolite Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted and case placed on the summary calendar. The Solicitor General is invited to file a brief expressing the views of the United States.

No. **668, Misc.** Melvin Morales, petitioner, *v.* New York. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Court of Appeals of New York granted. Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI DENIED

No. **902**. Sherman T. Irwin, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. **996**. Arthur F. Burhoe, petitioner, *v.* Anthony Julian, Judge, United States District Court for the District of Massachusetts, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **1032**. Continental Illinois National Bank and Trust Company of Chicago, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. **1037**. Elmer D. Russell, petitioner, *v.* Mutual of Omaha Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1085**. Morris Zudick, etc., et al., petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court Appeals for the Third Circuit denied.

No. **1090**. Paul Joseph McMenama, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1094**. William L. Borchert, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1098**. Potomac Cooperators, Inc., and Alexander Hassan, petitioners, *v.* American Security & Trust Co., Trustee in Reorganization. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1100**. International Woodworkers of America, AFL-CIO, et al., petitioners, *v.* Masonite Corporation. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. **1105**. Irving A. Berk dba Berk Trade School, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 1107. Robert Woodrow Wilson, petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 1108. Jack O. Chertkof, petitioner, *v.* Harry C. Weiskittel Co., Inc. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 1117. E. Arthur Barrows et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1119. United States for the use and benefit of The Trane Co., petitioner, *v.* Benjamin Gelman dba Gelco Builders et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1122. The Fund of Funds, Ltd., petitioner, *v.* Ethel Roth. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1136. Glens Falls Insurance Co., petitioner, *v.* Nationwide Mutual Insurance Co. et al. Petition for writ of certiorari to the Supreme Court of Montana denied.

No. 1137. Sam Haber, petitioner, *v.* Samuel Greason. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 1139. Gulf Stevedore Corporation et al., petitioners, *v.* Bertram A. Watson et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1151. Broadview Chemical Corporation, petitioner, *v.* Loctite Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 887. 3259 M Street, Inc., petitioner, *v.* The Citizens Association of Georgetown. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Fortas took no part in the consideration or decision of this petition.

No. 897. Francis G. Coates, petitioner, *v.* Securities and Exchange Commission; and

No. 937. Harold B. Kline, petitioner, *v.* Securities and Exchange Commission. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied. Dissenting opinion by Mr. Justice White in No. 937.

No. 1009. Johnnie Mae Jones Daniels, petitioner, *v.* Michigan. Petition for writ of certiorari to the Court of Appeals of Michigan denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **1061.** Walter D. Teague III, et al., petitioners, *v.* Regional Commissioner of Customs, Region II, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Dissenting opinion by Mr. Justice Black with whom Mr. Justice Douglas joins.

No. **1070.** Frank Peter Balistreri, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Dissenting opinion by Mr. Justice Fortas with whom Mr. Justice Douglas joins. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **1093.** Best Medium Publishing Co., Inc., petitioner, *v.* Melvin Varnish. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Black is of the opinion that certiorari should be granted.

No. **1095.** Jerry J. Acuña^{FF} et al., petitioners, *v.* United Papermakers and Paperworkers, AFL-CIO, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Black is of the opinion that certiorari should be granted.

No. **1112.** William Leighton, etc., petitioner, *v.* The One William Street Fund, Inc., et al. Motion of petitioner to require certification of additional portions of appendix granted. Petition for writ of certiorari to United States Court of Appeals for Second Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this motion and petition.

No. **1116.** William E. Bufalino, petitioner, *v.* The Michigan Bell Telephone Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **1129.** Motorists Mutual Insurance Company, petitioner, *v.* Teresa Simpson, Administratrix, etc. Motion to dispense with printing respondent's brief granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Fortas is of the opinion that certiorari should be granted.

No. **1135.** Francis J. Kaufman, petitioner, *v.* The New York Central Railroad Company. Motion to change title of respondent from the New York Central Railroad Company to the New York Central Railroad Company, now known as Penn Central Company, granted. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. **627, Misc.** Robert G. LeMaster, petitioner, *v.* Texas et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. **943, Misc.** Thomas Odell Hayes, petitioner, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 964, *Misc.* Ben Junior Edwards, petitioner, *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 973, *Misc.* James Wideman, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 1119, *Misc.* Bernita Moore Lawhon, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 1179, *Misc.* David Eugene Maestas, petitioner, *v.* Utah. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. 1302, *Misc.* Ronald H. Ramer, petitioner, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 1352, *Misc.* Richard Anthony Capaldo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1361, *Misc.* John C. Meyer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1427, *Misc.* Jack Silver, petitioner, *v.* Fred R. Dickson et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1438, *Misc.* Grady Welton Black, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1442, *Misc.* Dennis Patrick Mower, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1449, *Misc.* Raymond L. Reese, petitioner, *v.* R. W. Meier, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1450, *Misc.* Norman Horton, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 1461, *Misc.* Melvin Camak, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 1462, *Misc.* Elmer Joseph Crachy, petitioner, *v.* George A. Kropp, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1477, *Misc.* Charles Dillard Carter, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 1482, **Misc.** William Harrison, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1492, **Misc.** Willie Lee Williams, petitioner, *v.* C. C. Peyton, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1500, **Misc.** William Amos Jones, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1501, **Misc.** Joie Silva, petitioner, *v.* Harold V. Field, Superintendent, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1531, **Misc.** James Leo DeLorme and Douglas Loft Whitsitt, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1539, **Misc.** Antonio Herrera Rodriguez, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 1541, **Misc.** Augustus Geeter, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1545, **Misc.** Mervin C. McKinney, petitioner, *v.* Joseph Boyle et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1550, **Misc.** Joseph Dowling, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1556, **Misc.** Brendon John Scott, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1566, **Misc.** Leroy Elisha Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1581, **Misc.** L. T. Fields, Jr., petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1583, **Misc.** Harry L. Hansen, petitioner, *v.* Utah. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. 1592, **Misc.** Jerry Sumlin, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1598, **Misc.** J. T. Carr, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1601, **Misc.** Acklee Harrell, petitioner, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 1602, **Misc.** Clarence Edward Broussard, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1629, **Misc.** Bernard Jones, Jr., petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 1640, **Misc.** Alice Olenin, petitioner, *v.* Curtin & Johnson, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1641, **Misc.** Bernard Brown, petitioner, *v.* Courtland C. Peyton, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1649, **Misc.** James D. Brotze, petitioner, *v.* Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 732, **Misc.** Frank M. Rich, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. The Chief Justice is of the opinion that certiorari should be granted. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 751, **Misc.** Alfred McKnight, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Mr. Justice Douglas, Mr. Justice Brennan and Mr. Justice White are of the opinion that certiorari should be granted and judgment reversed.

No. 1570, **Misc.** Jose Rubio, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 1574, **Misc.** Rocco Salvatore Lupino, petitioner, *v.* Jack Young, Warden;

No. 1669, **Misc.** Myles L. Madison, petitioner, *v.* Washington et al.; and

No. 1723, **Misc.** William J. Stone, petitioner, *v.* Mose Trujillo, Sheriff of the City and County of Denver, et al. Motions for leave to file petitions for writ of habeas corpus denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 1184, **Misc.** James Tyler and Sylvia Tyler, petitioners, *v.* Joe McDONALD INGRAHAM, Judge, etc., et al.;

AND

No. 1504, **Misc.** Arthur F. Burhoe, petitioner, *v.* Anthony Julian, Judge, United States District Court for the District of Massachusetts; and

No. 1585, **Misc.** Henry Smith, Jr., petitioner, *v.* Supreme Court of Illinois. Motions for leave to file petitions for writs of mandamus denied.

RHEARING DENIED

No. 9, **Original.** United States of America, plaintiff, *v.* State of Louisiana et al. Petition for rehearing denied. The Chief Justice and Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 964. Inter National Bank of Miami, petitioner, *v.* J. H. Brock, Trustee, et al.; and

No. 987. Alameda Conservation Association, petitioner, *v.* City of Alameda et al. Petitions for rehearing denied.

No. 317. Americo Di Pietto et al., petitioners, *v.* United States. Petition for rehearing filed on behalf of Di Pietto, Infelice and Santucci denied.

No. 562. Ralph Richard Benson, petitioner, *v.* Leland C. Carter, Probation Officer of Los Angeles County, et al.; and

No. 595. Earl R. Hinger, petitioner, *v.* City of Piqua. Motions for leave to file petitions for rehearings denied.

No. 752. Milton Frank Allen Publications Inc., petitioner, *v.* Georgia Association of Petroleum Retailers Inc. Motion for leave to file second petition for rehearing denied.

No. 792. Saul I. Birnbaum, petitioner, *v.* United States. Petition for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 1011. W. H. Pat O'Bryan, petitioner, *v.* Stephen S. Chandler, Chief Judge of the United States District Court for the Western District of Oklahoma. Motion to dispense with printing petition granted. Petition for writ of rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of this motion and petition.

No. 656, **Misc.** Ronald L. Reece, petitioner, *v.* United States et al.;

No. 901, **Misc.** Wilson Jay Watson, petitioner, *v.* Merle R. Schnecko, Superintendent, California Conservation Center, et al.;

No. 1276, **Misc.** Watson Woodson Jennison, Jr., petitioner, *v.* United States;

No. 1332, **Misc.** William Joseph McGurrin, petitioner, *v.* John Shovlin, Superintendent, Fairview State Hospital;

No. 1362, **Misc.** James Wm. Smith, petitioner, *v.* Melvin R. Laird, U.S. Secretary of Defense; and

No. **1469, Misc.** Louis Ludwik Furtak, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for rehearing denied.

No. **971, Misc.** Eugene Lynch, petitioner, *v.* David R. Landy, Deputy Commissioner, Bureau of Employees' Compensation, United States Department of Labor, et al. Petition for rehearing and for other relief denied.

ORAL ARGUMENT

No. **138.** Adam Clayton Powell, Jr., et al., petitioners, *v.* John W. McCormack et al. Argued by Mr. Arthur Kinoy and Mr. Herbert O. Reid for the petitioners and by Mr. Bruce Bromley for the respondents.

No. **130.** Christine Sniadach, petitioner, *v.* Family Finance Corporation of Bay View et al. Argued by Mr. Jack Greenberg for the petitioner and by Mr. Sheldon D. Frank for the respondents.

Adjourned until tomorrow at 10 o'clock.

The day call for Tuesday, April 22, 1969, will be as follows: Nos. **228, 574, 624, and 670.**

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Morton Richard Kimmel, of Wilmington, Del., L. Vincent Ramunno, of Wilmington, Del., Edward Z. Sobocinski, of Wilmington, Del., and Melvyn A. Woloshin, of Wilmington, Del., on motion of Mr. James Caleb Boggs; Ronald Gilbert Birch, of Juneau, Alaska, on motion of Mr. Theodore Fulton Stevens; Theodore S. Holtz, of Cleveland, Ohio, and A. Albert Perelman, of Cleveland, Ohio, on motion of Mr. Louis Stokes; Cleveland J. Marcel, Sr., of Houma, La., Joseph Louis Watkins, Jr., of Houma, La., and Daniel Charles Wiemann, of New Orleans, La., on motion of Mr. Patrick T. Caffery; David C. McClung, of Honolulu, Hawaii, on motion of Mr. Spark M. Matsunaga; James L. Alfveby, of Minneapolis, Minn. and John B. Halloran, of Minneapolis, Minn., on motion of Mr. E. Barrett Prettman, Jr.; Renée Rubin, of San Francisco, Calif., on motion of Mr. Donald S. Dawson; Charles O. Campbell, of Washington, D.C., and Marion Robert Neely, of Iowa City, Iowa, on motion of Mr. David Kammerman; Howard C. Nolan, Jr., of Albany, N.Y., on motion of Mr. Charles R. LaRouche; James Peter Mercurio, of University City, Mo., on motion of Mr. Earl W. Kintner; Charles K. Higle, of Detroit, Mich., on motion of Mr. Harold Alfred Cranefield; Amy H. Juviler, of New York, N.Y., and James H. Kline, of Los Angeles, Calif., on motion of Mr. William Ellis James; Louise H. Renne, of San Francisco, Calif., on motion of Mr. Edward Patrick O'Brien; H. Alan Young, of Washington, D.C., and Stuart B. Young, of Wilmington, Del., on motion of Mr. H. Albert Young; Clifford N. Carlsen, Jr., of Portland, Oreg., on motion of Mr. Berl I. Bernhard; Paul M. Coble, of Los Angeles, Calif., on motion of Mr. Eugene Isaak Lambert; William Walker Scott, of Washington, D.C., on motion of Mr. James F. Rill; William P. Quinn, of Jenkintown, Pa., on motion of Mr. Martin J. Flynn; and Gaillard Thomas Hunt, of New York, N.Y., on motion of Mr. Wallace Edward Brand, were admitted to practice.

OPINIONS

No. 643. Martin Rene Frazier, petitioner, *v.* H. C. Cupp, Warden. On writ of certiorari to the United States Court of Appeals for the

Ninth Circuit. Judgment affirmed. Opinion by Mr. Justice Marshall. Mr. Chief Justice Warren and Mr. Justice Douglas concur in the result. Mr. Justice Fortas took no part in the consideration or decision of this case.

No. 645. John Davis, petitioner, *v.* Mississippi. On writ of certiorari to the Supreme Court of Mississippi. Judgment reversed and case remanded to the Supreme Court of Mississippi for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Brennan. Concurring opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Stewart.

ORAL ARGUMENT

No. 228. John T. Willingham and C. A. Jarvis, petitioners, *v.* Daniel Morgan. Argued by Mr. Francis X. Beytagh, Jr., for the petitioners and by Mr. Joseph M. Snee for the respondent.

No. 574. United States, petitioner, *v.* Estate of Joseph P. Grace, Deceased, et al. Argued by Mr. Solicitor General Griswold for the petitioner and by Mr. William S. Downard for the respondents.

No. 624. Clyde A. Perkins, petitioner, *v.* Standard Oil Company of California. Argument commenced by Mr. Earl W. Kintner for the petitioner and continued by Mr. George R. Kucik for the petitioner and by Mr. Richard J. MacLaury for the respondent.

Adjourned until tomorrow at 10 o'clock.

The day call for Wednesday, April 23, 1969, will be as follows: Nos. 624, 670, 750, 701, and 705.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Richard L. Kuhlman, of Fremont, Nebr., on motion of Mr. Roman L. Hruska; John R. Faust, Jr., of Portland, Oreg., and David J. Krieger, of Portland, Oreg., on motion of Mr. Robert W. Packwood; Harvey H. Starkoff, of Cleveland, Ohio, and John Milton Widder, of Cleveland, Ohio, on motion of Mr. Charles A. Vanik; Irving Lee Faught, of Oklahoma City, Okla., on motion of Mr. Brice Wilson Rhyne; Donald David Weinstein, of Kansas City, Mo., on motion of Mr. John S. Martin, Jr.; Lawrence A. Passarella, of Melrose Park, Ill., on motion of Mr. Vincent Paul Russo; Kenneth Richard Edsall, of Los Angeles, Calif., on motion of Mr. John Ormasa; Calvin Kolle Ashland, of Hyattsville, Md., on motion of Mr. S. David Rubenstein; Warren N. Williams, of Kansas City, Mo., on motion of Mr. Allen Kirkpatrick III; John S. Stephan, of Arlington, Va., on motion of Mr. Albert E. Stephan; Harold Todd Tredway, of Downey, Calif., on motion of Mr. Russell Chapin; Carroll A. Morley, of Deal, N.J., on motion of Mr. James S. Cramer; John D. Clements, of Birmingham, Ala., on motion of Mr. Robert M. Nutt; and William Edward Skinner, of Selma, Ala., on motion of Mr. Walter L. Lewis, were admitted to practice.

OPINIONS

No. 463. National Labor Relations Board, petitioner, *v.* Wyman-Gordon Company. On writ of certiorari to the United States Court of Appeals for the First Circuit. Judgment reversed and case remanded to the United States District Court for the District of Massachusetts with directions to reinstate its judgment. Mr. Justice Fortas announced the judgment of the Court and delivered an opinion in which Mr. Chief Justice Warren, Mr. Justice Stewart and Mr. Justice White join. Opinion by Mr. Justice Black with whom Mr. Justice Brennan and Mr. Justice Marshall join concurring in the result. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Harlan.

No. 473. John H. Bingler, District Director of Internal Revenue, petitioner, *v.* Richard E. Johnson et al. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment re-

versed and case remanded to the United States District Court for the Western District of Pennsylvania to reinstate its judgment. Opinion by Mr. Justice Stewart. Mr. Justice Douglas would affirm the judgment for reasons stated by the Court of Appeals in 396 F. 2d 258.

ORAL ARGUMENT

No. **624**. Clyde A. Perkins, petitioner, *v.* Standard Oil Company of California. Argument continued by Mr. Richard J. MacLaury for the respondent and concluded by Mr. Earl W. Kintner for the petitioner.

No. **670**. Fred Banks, petitioner, *v.* California. Argued by Mr. Thomas J. Klitgaard for the petitioner and by Mr. Edward P. O'Brien for the respondent.

No. **750**. Glenn Martin Harrington, petitioner, *v.* California. Argued by Mr. Roger S. Hanson for the petitioner and by Mr. James H. Kline for the respondent.

No. **701**. Gaston County, North Carolina, appellant, *v.* United States. Argument commenced by Mr. Grady B. Stott for the appellant and continued by Mr. Louis F. Claiborne for the appellee.

Adjourned until tomorrow at 10 o'clock.

The day call for Thursday, April 24, 1969, will be as follows: Nos. **701, 705, 791, and 830.**

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSION TO THE BAR

George Edward Wilson, of Willingboro, N.J., on motion of Mr. Joseph E. Donahue; Gordon F. DeHart, of Aurora, Ill., on motion of Mr. Bernard J. Waters; John D. Crawford, of Dallas, Tex., on motion of Mr. Earl R. Stanley; Soma F. Baldwin, of Santa Maria, Calif., and Ted Bushman, of Santa Maria, Calif., on motion of Mr. Larry A. Conrad; John Knox Keyes, of Collins, Miss., on motion of Mr. Wm. Ephraim Cresswell; John Marshall Sink, of Santa Barbara, Calif., on motion of Miss Priscilla Holmes; Jerry J. Williams, of San Diego, Calif., on motion of Mr. Florian Bartosic; Frank Will Lane, Jr., of Talladega, Ala., on motion of Mr. Harold Franklin McCart, Jr.; Michael J. McMorrow, of Buffalo, N.Y., and Michael J. McMorrow, of Buffalo, N.Y., on motion of Mr. Walter Franklin Norris; Gerald Jay Rachelson, of Atlanta, Ga., on motion of Mr. Allen G. Siegel; Leonard H. Cohen of New York, N.Y., on motion of Mr. William R. Lichtenberg; Donald Clough Christ, of Port Washington, N.Y., Michael Anthony Cooper, of New York, N.Y., and Michael Mason Maney, of New York, N.Y., on motion of Mr. Arthur H. Dean; and Ecton R. Manning, Jr., of New York, N.Y., and Michael N. Pollett of New York, N.Y., on motion of Mr. Marvin M. Karpatkin, were admitted to practice.

ORAL ARGUMENT

No. 701. Gaston County, North Carolina, appellant, *v.* United States. Argument concluded by Mr. Louis F. Claiborne for the appellee.

No. 705. Joseph Q. Cipriano, appellant, *v.* City of Houma et al. Argued by Mr. Kenneth Watkins for the appellant and by Mr. Eugene E. Huppenbauer, Jr., for the appellees.

No. 791. Ronald L. Crane, petitioner, *v.* Cedar Rapids and Iowa City Railway Company. Argued by Mr. E. Barrett Prettyman, Jr., for the petitioner and by Mr. William M. Dallas for the respondent.

No. 830. Dale E. Noyd, petitioner, *v.* Charles R. Bond, Jr., etc., et al. Argued by Mr. Marvin M. Karpatkin for the petitioner and by Mr. James van R. Springer for the respondents.

Adjourned until Monday, April 28, 1969, at 10 o'clock.

The day call Monday, April 28, 1969, will be as follows: Nos. **798**
(and **997**).

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Lois Arnold Bergmans, of Berkeley, Calif., Samuel D. Phillips, Jr., of West Palm Beach, Fla., Edward Francis O'Malley, of Belleville, Ill., Charles W. Bone, of Ypsilanti, Mich., Vincent P. Milaccio, Jr., of New York, N.Y., Aubrey M. Kerr, Jr., of Oklahoma City, Okla., Michael Lehman Temin, of Philadelphia, Pa., Carolyn Engel Temin, of Philadelphia, Pa., Russell E. Vorpapel, of Loomis, Calif., and Zelotes S. Rice, of Sparta, Wisc., on motion of Mr. Solicitor General Erwin N. Griswold; Robert C. Mardian, of Pasadena, Calif., on motion of Mr. Richard G. Kleindienst; George Raymond Speckman, of Plattsburg, Mo., on motion of Mr. Thomas F. Eagleton; Rawls H. Frazier, of Oxford, N.C., on motion of Mr. Samuel J. Ervin, Jr.; Donald Gene Cohan, of Seattle, Wash., on motion of Mr. Brockman Adams; Clarence Borns, of Gary, Ind., on motion of Mr. Ray J. Madden; Richard Hartley Mays, of El Dorado, Ark., on motion of Mr. David H. Pryor.

William Harvard Daily, of Port Byron, Ill., and David E. Murray, of Sterling, Ill., on motion of Mr. Thomas F. Railsback; Thomas Loren Combs, of Kalamazoo, Mich., on motion of Mr. Garry E. Brown; William K. Byrum, of Indianapolis, Ind., and James L. Tuohy, of Indianapolis, Ind., on motion of Mr. William D. Ruckelshaus; Mary Sheila Burke, of Washington, D.C., on motion of Mr. Paul E. Treusch; Gerald E. Gilbert, of Washington, D.C., and Dan O. Callaghan, of Richwood, W. Va., on motion of Judge William C. Pryor; Laurel J. McKee, of New York, N.Y., and Robert E. McKee, of New York, N.Y., on motion of Mr. Andrew J. Kilcarr; Louis K. Freiberg, of Rapid City, S. Dak., on motion of Mr. Harold O. Lovre; Willard S. Van Horne, Jr., of East Chicago, Ill., on motion of Mr. Winslow Van Horne; Grant Mather Van Horne, of Auburn, Ind., on motion of Mr. Willard B. Van Horne; Elizabeth Bartholet DuBois, of New York, N.Y., and Franklin Elgin White, of New York, N.Y., on motion of Mr. Jack Greenberg; Robert Frank Johnson, of North St. Paul, Minn., on motion of Mr. Loren Dale MacIver; Albert Tomlinson Chandler, of Berkeley, Calif., on motion of Mr. C. Emerson Duncan; Guy C. Quinlan, of New York, N.Y., on motion of Mr. Anthony F. Essaye.

C. Russell King, of Santa Paula, Calif., on motion of Mr. Francis X. McLaughlin; Edward E. Wall, of Springfield, Va., on motion of Mr. Peter Ames Eveleth; John A. Busterud, of San Francisco, Calif., on motion of Mr. Ben C. Fisher; Augustus Albert Simpson, Jr., of Gulfport, Miss., on motion of Mr. George F. Lynch; Robert G. Esdale, of Birmingham, Ala., on motion of Mr. Crampton Harris; Robert Ray Heider, of Elm Grove, Wisc., on motion of Mr. Byron C. Ostby; George C. Coughlin, of Binghamton, N.Y., on motion of Mr. Walter J. Myskowski; Francis Atwood Gilligan, of Dansville, N.Y., and Warren William Kaufman, of Los Angeles, Calif., on motion of Mr. Karl J. Uebel; Nicholas A. Spinella, of Richmond, Va., on motion of Mr. Alan E. J. Branigan; Edward Kendall Stock, of Leesburg, Va., on motion of Mr. Conrad J. Marshall; Robert E. Friedrich, of Philadelphia, Pa., on motion of Mr. Arthur B. Hanson; Ronald B. Sherer, of Macungie, Pa., on motion of Mr. Paul T. O'Neil; John Robert Alexander, of Twin Falls, Idaho, on motion of Mr. John E. Benoit; and Robert G. Marotz, of Brookfield, Wisc., and Richard P. Rouse, of South Milwaukee, Wisc., on motion of Mr. Cornelius T. Young, were admitted to practice.

OPINIONS

No. 343. United States, petitioner, *v.* An Article of Drug * * * Bacto-Unidisk * * *. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and case remanded to the United States District Court for the Eastern District of Michigan for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Warren. Mr. Justice Douglas, being of the view that an antibiotic sensitivity disc used by physicians to aid them in determining what antibiotic drug, if any, to give to a patient, is a "device" as defined in § 201(b) of the Federal Food, Drug, and Cosmetic Act not a "drug" as defined in § 201(g), would affirm the judgment.

No. 68. Sam L. McDonald et al., appellants, *v.* Board of Election Commissioners of Chicago et al. Appeal from the United States District Court for the Northern District of Illinois. Judgment affirmed. Opinion by Mr. Chief Justice Warren. Mr. Justice Harlan and Mr. Justice Stewart concur in the result.

The Chief Justice said:

"The other orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally."

OPINIONS PER CURIAM

No. 1158. L. Arthur Burton et al., appellants, *v.* Arthur J. Sills, Attorney General of New Jersey, et al. Appeal from the Supreme

Court of New Jersey. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*. Mr. Justice Brennan took no part in the consideration or decision of this case.

No. 1168. Frank A. Lombardy et al., appellants, *v.* Peter Kiewit Sons' Co., et al. Appeal from the Court of Appeal of California, Second Appellate District. The motions to dismiss are granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*. Mr. Justice Douglas is of the opinion that probable jurisdiction should be noted.

No. 1170. Thomas W. Sullivan, appellant, *v.* Alabama State Bar et al. Appeal from the United States District Court for the Middle District of Alabama. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. —. United Telephone Company of Florida, appellant, *v.* William T. Mayo, Chairman et al., etc. The motion of the appellant to dismiss the appeal under Rule 14(1) is granted.

No. —. Leroy George Mendez, petitioner, *v.* Walter E. Craven Warden, et al. The motion for leave to file a petition for a writ of habeas corpus presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. 2000, Misc. In the Matter of the Disbarment of Thomas W. Sullivan. It is ordered that Thomas W. Sullivan of Montgomery, Alabama, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from practice of law in this Court.

No. 777. The first National Bank in Plant City, Plant City, Florida, petitioner, *v.* Fred O. Dickinson, Jr., etc., et al.; and

No. 932. William B. Camp, Comptroller of the Currency, petitioner, *v.* Fred O. Dickinson, Jr., etc., et al. The motion to enlarge time for oral argument is granted and a total of one hour and forty minutes is allotted for oral argument. Mr. Justice Fortas took no part in the consideration or decision of this motion.

APPEAL—JURISDICTION NOTED

No. 1146. Anghel Goldstein aka Andrei Pietrararu, et al., appellants, *v.* Joseph A. Cox et al. Motion of Wolf, Popper, Ross, Wolf and Jones for leave to file a brief, as *amicus curiae*, granted. Appeal from the United States District Court for the Southern District of New York. In this case probable jurisdiction noted and case placed on the summary calendar.

CERTIORARI GRANTED

No. 1124. United States, petitioner, *v.* W. M. Webb et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and case placed on the summary calendar.

No. 1144. Timothy J. Breen, petitioner, *v.* Selective Service Local Board No. 16, Bridgeport, Connecticut, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted and case placed on the summary calendar.

No. 1176. David Earl Gutknecht, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted. Case placed on the summary calendar and set for oral argument immediately following No. 1144.

CERTIORARI DENIED

No. 1103. James A. Gainey and J. L. Young, etc., petitioners, *v.* The Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1118. Archibald E. Roberts, petitioner, *v.* Stanley R. Resor, Secretary of the Army, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1127. Technitrol, Inc., petitioner, *v.* Edward J. McManus, United States District Judge, etc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1134. George T. Williams et ux., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1138. The Bossert Machine Company et al., petitioners, *v.* City of Cincinnati. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 1142. Abex Corp., et al., petitioners, *v.* Trustees of the Property of the New York, New Haven and Hartford Railroad Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1145. Thomas F. Gordon, petitioner, *v.* The Brooklyn Bar Association. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 1150. David H. Durham et al., petitioners, *v.* The Mason and Dixon Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1153. Paul Ciaffoni et al., petitioners, *v.* Brunswick Corporation et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 1154. Jackie Longfellow, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1156. Checker Motors Corporation, petitioner, *v.* Chrysler Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1167. Athalie Irvine Smith, petitioner, *v.* The James Irvine Foundation et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1203. Borg-Warner Corporation, petitioner, *v.* Republic Gear Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 839. Frank J. Pate, Warden, petitioner, *v.* Jesse Pugh. Motion of respondent for leave to proceed herein *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Stewart is of the opinion that certiorari should be granted.

No. 1078. Celanese Corporation, petitioner, *v.* Edward J. Brenner, Commissioner of Patents. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. The Chief Justice is of the opinion that certiorari should be granted.

No. 1126. Sam Nick Farinella and William Joseph Dara, petitioners *v.* United States. Motion to defer consideration of petition for certiorari denied. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1155. Anthony Tartaglio et al., petitioners *v.* Department of Institutions and Agencies, Division of Public Welfare. Motion to defer consideration of petition for certiorari denied. Petition for writ of certiorari to Supreme Court of New Jersey denied.

No. 1147. Sam Polur, petitioner *v.* Bernard Botein, etc., et al. Motion to dispense with printing petition denied. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1149. Louis H. Mooneyhan, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 1174. United Steelworkers of America, AFL-CIO, petitioner, *v.* Hamilton Steel Products, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. The Chief Justice and Mr. Justice Fortas are of the opinion that certiorari should be granted.

No. 7, **Misc.** Robert Newton Gardner, Jr., petitioner, *v.* California. Petition for writ of certiorari to the Superior Court of California, County of San Luis Obispo, denied.

No. 10, **Misc.** Robert Newton Gardner, Jr., petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 545, **Misc.** Joe Willie Childs, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 724, **Misc.** Paul Brown Clark, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 875, **Misc.** Benjamin M. Hamilton, Jr., petitioner, *v.* L. N. Patterson, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1207, **Misc.** Joseph A. Miller, petitioner, *v.* J. E. Baker, Warden. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 1233, **Misc.** Herbert E. Juelich, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1250, **Misc.** Henry Foggy, petitioner, *v.* Frank A. Eyman, Warden, et al. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 1290, **Misc.** William Ralph, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 1301, **Misc.** Thomas Pagano, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1408, **Misc.** William Clyde Burton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 1445, **Misc.** Cohoda William Wade, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1459, **Misc.** Dolores R. Bonton, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of Superior Court of California, County of Sacramento, denied.

No. 1467, **Misc.** Samuel Dean Devine, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1509, **Misc.** William Wilson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1521, Misc.** Benjamin Grays, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. **1522, Misc.** George H. Winkle, petitioner, *v.* George A. Kropp, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1536, Misc.** Donald R. Johnson, petitioner, *v.* Insurance Department of Pennsylvania et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Middle District, denied.

No. **1546, Misc.** Delbert Clay Curl, petitioner, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. **1557, Misc.** Richard Hamilton, petitioner, *v.* Milo Faulkner. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. **1565, Misc.** Jack D. McConnell, petitioner, *v.* Washington et al. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. **1568, Misc.** William K. Parker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1577, Misc.** William Hally Frazier, petitioner *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. **1582, Misc.** Ernest Ball, petitioner, *v.* Maryland. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1584, Misc.** Homer B. Ford, petitioner, *v.* Howard M. Comstock, Superintendent, Sierra Conservation Center. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1588, Misc.** Jerry A. Daubin, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1589, Misc.** Robert Garrett Caldwell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1591, Misc.** Ronald Hudson, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. **1594, Misc.** George E. Riordan, petitioner, *v.* Division of Motor Vehicles, Department of Law and Public Safety. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. **1595, Misc.** Rosalio B. Montez, petitioner, *v.* Frank A. Eyman, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1599, **Misc.** Clarence Nam Sing Shak, petitioner, *v.* Hawaii. Petition for writ of certiorari to the Supreme Court of Hawaii denied.

No. 1603, **Misc.** Milton Parness, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1611, **Misc.** Eugene Wright, petitioner, *v.* Michigan. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 1615, **Misc.** Fred J. Odell, petitioner, *v.* Wilbur J. Schmidt et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1616, **Misc.** Kenneth Francis Christian, petitioner, *v.* Jackson County, Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 1618, **Misc.** Milton Denham, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1619, **Misc.** Robbie Olan Craig, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 1622, **Misc.** Israel Moore, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1624, **Misc.** Sandy Taplin, Jr., petitioner, *v.* B. J. Rhay, Superintendent of Washington State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1626, **Misc.** Joseph Henderson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1627, **Misc.** Patrick R. Sweet, petitioner, *v.* B. J. Rhay, Superintendent, Washington State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1638, **Misc.** Hubert John Griffin, petitioner *v.* Thomas C. Martin, Commissioner of Correction, Onondaga County. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 1647, **Misc.** Edward McCray, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1648, **Misc.** Robert Lee Hopson, petitioner, *v.* C. C. Peyton, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1651, Misc.** Tyrone R. Young, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1652, Misc.** Rodell Kelly, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. **1653, Misc.** Calvin Frizer, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. **1654, Misc.** Daniel Martin Berry, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. **1659, Misc.** Paul E. Mangini, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **1660, Misc.** Charles Baxley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1663, Misc.** James L. Gorum, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1671, Misc.** Kenneth O. Pollard, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1672, Misc.** Nicholas Cappetta, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. **1673, Misc.** George L. McCargo, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. **1677, Misc.** Martin T. Tabor, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. **1679, Misc.** John Wesley Riley, petitioner, *v.* William H. Parker et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1682, Misc.** Arthur G. Ritter, petitioner, *v.* Daniel McMann, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1687, Misc.** Anthony Ellsworth Dearing, petitioner, *v.* B. J. Rhay, Superintendent, Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 1694, **Misc.** Larry Tinsley, petitioner, *v.* Daniel McMann, Warden. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 1699, **Misc.** David Farnsworth, petitioner, *v.* Second District Court. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. 1701, **Misc.** Raymond J. Casey, petitioner, *v.* Thomas D. Lambros, Judge, etc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1703, **Misc.** Louis Y. Wilson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1707, **Misc.** William Evans, petitioner, *v.* C. C. Peyton, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1724, **Misc.** Willy H. Willis, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1105, **Misc.** Donald Lee Hancock, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Middle Division, denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 1548, **Misc.** Manoutchehr Aadal, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 1718, **Misc.** Michael J. Riley, petitioner, *v.* B. J. Rhay, Superintendent, Washington State Penitentiary, et al.;

No. 1720, **Misc.** William Ralph Spaniel, petitioner, *v.* Louis S. Nelson, Warden, et al.;

No. 1725, **Misc.** Louis Jones, petitioner, *v.* Lake F. Russell, Warden;

No. 1746, **Misc.** Adrian R. Akers, petitioner, *v.* R. E. Cassin, Superior Court Judge, etc.; and

No. 1771, **Misc.** Porter D. White, petitioner, *v.* H. V. Field, Superintendent. Motions for leave to file petitions for writs of habeas corpus denied.

REHEARINGS DENIED

No. 699. Robert S. Daly, petitioner, *v.* California; and

No. 1506, **Misc.** Booker T. Hillery, Jr., petitioner, *v.* California. Petitions for rehearing denied.

No. 927. Salvatore Granello, petitioner, *v.* United States. Petition for rehearing denied. Mr. Justice Brennan and Mr. Justice Marshall took no part in the consideration or decision of this petition.

ORDER

It is ordered that the call of the calendar, except for special assignments, be suspended for the term upon the conclusion of the arguments in the cases listed for hearing this week.

RECESS ORDER

The Court will take a recess from Monday, May 5, 1969, until Monday, May 19, 1969.

ORAL ARGUMENT

No. 798. United States, petitioner, *v.* Montgomery County Board of Education et al.; and

No. 997. Arlam Carr, Jr., by Arlam Carr and Johnnie Carr, etc., et al., petitioners, *v.* Montgomery County Board of Education et al. Argued by Mr. Solicitor General Griswold and Mr. Jack Greenberg for the petitioners and by Mr. Joseph D. Phelps for the respondents.

Adjourned until tomorrow at 10 o'clock.

The day call for Tuesday, April 29, 1969, will be as follows:
No. 776.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Fortas, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Lester H. Berkson, of Zephyr Cove, Nev., on motion of Mr. Alan Bible; William H. Tinney, Jr., of Tucson, Ariz., on motion of Mr. Morris K. Udall; Richard William Breithaupt, of Denver, Colo., and Thomas Bennett Wilkins, of Denver, Colo., on motion of Mr. Donald G. Brotzman; Robert L. Hartzog, of Baldwin, Mo., Paul Gordon Latt, of Kirkwood, Mo., John Malcolm Lawrence, Jr., of Clayton, Mo., Claude W. McElwee, Jr., of St. Louis, Mo., and Donald L. Wolff, of St. Louis, Mo., on motion of Mr. Richard H. Ichord; Vernon Bradford Romney, of Salt Lake City, Utah, on motion of Mr. L. Ralph Mecham; Robert Graham Beverly, of Manhattan Beach, Calif., and Daniel J. Creedon, of San Mateo, Calif., on motion of Mr. John T. Knox; George Nicholas Zenovich, of Fresno, Calif., and Michael Walter Leigh Samuels of Los Angeles, Calif., on motion of Mr. Phillip Burton; Wendell Wayne Mew, of Washington, D.C., on motion of Mr. Jerry C. Straus; and Conrad Kenneth Harper, of New York, N.Y., on motion of Mr. Norman C. Amaker, were admitted to practice.

ORAL ARGUMENT

No. 776. Utah Public Service Commission, appellant, *v.* El Paso Natural Gas Company et al. Argued by Mr. Vernon B. Romney for the appellant, by Mr. Leon Payne for appellee, El Paso Natural Gas Company, by Mr. Richard B. Hooper for appellees, Cascade Natural Gas Corporation, et al., by Mr. John F. Sonnett for appellee, Colorado Interstate Corporation, by Mr. Iver E. Skjeie for appellee, State of California, by Mr. Solicitor General Griswold for appellee. The United States, at the invitation of the Court, and by Mr. William M. Bennett, consumer spokesman.

Adjourned until Monday, May 5, 1969, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, and Mr. Justice Fortas.

ADMISSIONS TO THE BAR

Clarice Felder Hens, of Washington, D.C., Carthon E. Aldhizer, of McLean, Va., Elliott Arnold Lifset, of Washington, D.C., J. Robert Kotchick, of Arcadia, Calif., Frank Reese Pound, Jr., of Cocoa, Fla., Clarence Traylor Johnson, Jr., of Rockledge, Fla., Lealand L. Loving, of Rockledge, Fla., Warren Akin III, of Cartersville, Ga., Warren C. de Brueys, of New Orleans, La., Raymond L. Rhine, of Bowie, Md., Paul D. Faherty, of Boston, Mass., Robert B. Cohen, of Detroit, Mich., William D. Neumann, of Scotia, N.Y., Joseph A. Marion, Jr., of Buffalo, N.Y., Pedro R. Vazquez, of San Juan, P.R., Allan Edward Abrams, of Washington, D.C., and Joseph J. Connolly, of Philadelphia, Pa., on motion of Mr. Solicitor General Erwin N. Griswold; Fred E. Eastman, of Akron, Ohio, Charles D. Parke, of Akron, Ohio, and Theodore Schneiderman, of Akron, Ohio, on motion of Mr. Wm. Saxbe; Joe Don Brown Floyd, of High Point, N.C., on motion of Mr. Sam J. Ervin, Jr.; Dirk Drukker Snel, of Reston, Va., on motion of Mr. Robert W. Packwood; Albioun F. Summer, of Jackson, Miss., and Guy Northcross Rogers, of Jackson, Miss., on motion of Mr. John Cornelius Stennis; Theodore G. Welch, of Chicago, Ill., and Ferdinand J. Zeni, Jr., of Chicago, Ill., on motion of Mr. Robert McClory; Anita Lugo Castellanos, of Los Angeles, Calif., and Francis Joseph O'Neill, of Los Angeles, Calif., on motion of Mr. John J. McFall; William D. Baker, of Phoenix, Ariz., on motion of Mr. John J. Rhodes.

Greever P. Allan of Tonganoxie, Kans., on motion of Mr. Keith Sebellius; Edwin C. Anderson, Jr., of Santa Rosa, Calif., on motion of Mr. Paul N. McCloskey, Jr.; Weldon Benbow Mallette, of Victoria, Tex., on motion of Mr. John Young; Thomas R. Burnside, Jr., of Augusta, Ga., and Robert D. Hoagland, of Atlanta, Ga., on motion of Mr. Robert Grier Stephens; Robert A. Lucas, of Portland, Oreg., and George I. Hansen, of Portland, Oreg., on motion of Mr. Wendell Wyatt; Gerald R. Walsh, of Minneapolis, Minn., Joseph Daniel O'Brien, of Minneapolis, Minn., and Donald E. Poyner, of Sigourney, Iowa, on motion of Mr. Brice Wilson Rhyne; Wallace D. Dorman, of San Diego, Calif., on motion of Mr. Marion T. Bennett; Martin B. Lowery, of Winfield, Ill., on motion of Mr. John N. Erlenborn.

Myron P. Curzan, of Washington, D.C., on motion of Mr. K. Norman Diamond; Stephen Allen Grant, of New York, N.Y., on motion of Mr. Michael Boudin; William J. Klicka, of Chicago, Ill., and Edward Julian Bieg, of Arlington Heights, Ill., on motion of Mr. Bernard Joseph Waters; Hollis D. Garmon, of Greenville, Tex., on motion of Mr. Charles M. Johnston; Raymond John Kempe, of West St. Paul, Minn., on motion of Mr. Dale MacIver; William W. Huss, Jr., of Los Angeles, Calif., on motion of Mr. Homer A. Walkup; Dorothy Heyeck Moore, of Washington, D.C., on motion of Mr. George J. Argeris; Allan D. Shafter, of New York, N.Y., on motion of Mr. Henry West Leeds; Murray K. Hatch, of San Francisco, Calif., on motion of Mr. William Britton Moore; John J. Mitchell, Jr., of Santa Barbara, Calif., on motion of Mr. Douglas G. Mode; Anthony Joseph Bucci, of Providence, R.I., on motion of Mr. Karl M. Kunz; Martin William Halbfinger, of New York, N.Y., on motion of Mrs. Elaine S. Kahn.

John David Schmidlein, of Alexandria, Va., on motion of Mr. Thomas Moncure; Rex L. Davis, of Des Moines, Iowa, Alfred Sarowitz, of Philadelphia, Pa., Howard Graham Swafford, of South Pittsburg, Tenn., and John C. Duncan III, of Annandale, Va., on motion of Mr. John Joseph Pyne; Charles Moore Bardwell, of Austin, Tex., on motion of Mr. Kenneth G. Heisler; Marvin Lloyd Martin, of Grosse Pointe, Mich., on motion of Mr. A. Bryce Schriber; Walter Bland Williamson, Jr., of Washington, D.C., on motion of Mr. Robert Earl Shoun; Thomas Philip Campbell, Jr., of White Plains, N.Y., on motion of Mr. William W. Scott; Mordechai Feigenbaum, of Cleveland, Ohio, on motion of Mr. Myer Feldman; Howard S. Cooper, of Washington, D.C., on motion of Mr. Robert P. Jaye; David Jerry King, of Salem, Oreg., on motion of Mr. Bernard G. Lonctot; James Donald Kenny, of San Francisco, Calif., and Joseph Charles Smith, of Yorktown Heights, N.Y., on motion of Mr. George F. Galland; Ben Franklin Dixon, of Washington, D.C., on motion of Mr. William Stratton; Richard D. Harburg, of Philadelphia, Pa., on motion of Mr. John Mourer Bixler; Frank Russell Kendall, of Houston, Tex., on motion of Mr. Freeman W. Sharp; Russell Taylor Weil, of Washington, D.C., on motion of Mr. Robert E. Kline, Jr.; Edward N. Gadsby, of Boston, Mass., on motion of Mr. James S. Hostetler.

John Widman Appleford, of Birmingham, Mich., George W. Burnard, of Royal Oak, Mich., Richard A. Campbell, of Waterford, Mich., Robert E. Cunningham, of Pontiac, Mich., Alan G. Greenberg, of Pontiac, Mich., Parvin C. Lee, Jr., of Birmingham, Mich., William D. McMachan, of Ferndale, Mich., Eugene K. Pool, of Union Lake Mich., June Emmert Rein, of Detroit, Mich., James Renfrew, of Royal Oak, Mich., Anthony Renne, of Bloomfield Hills, Mich., Richard A. Rossman, of Royal Oak, Mich., Lawrence R. Ternan, of Rochester,

Mich., and Robert G. Waddell, of Pontiac, Mich., on motion of Mr. Philip A. Hart; Robert E. Ashman, of Baltimore, Md., Willard A. Barnes, of Atkinson, Nebr., Clement S. Bertolino, of Belton, Mo., William Vincent Bierek, of Portland, Oreg., Harold Frederick Boardman, Jr., of Rosemont, Pa., John Kevin Donovan, of Stoneham, Mass., Ralph R. Fries, of Columbia, Mo., Henry J. Gerken, of New York, N.Y., Carl D. Gum, Jr., of Belton, Mo., Michael Edward Murphy, of Columbus, Ind., David Orser, of Battle Creek, Mich., Robert G. Ringo, of Corvallis, Oreg., Allan C. Smith, of San Francisco, Calif., David Francis Sullivan, Jr., of New York, N.Y., Charles E. Wade, Jr., of Lawton, Okla., J. Bryan Williams III, of New York, N.Y., and William T. Willis, of Knoxville, Tenn., on motion of Mr. Walter L. Lewis.

Carlotta M. Beall, of St. Louis, Mo., Raymond A. Bruntrager, Sr., of St. Louis, Mo., James S. Collins II, of St. Louis, Mo., Charles E. Ehrhart, of St. Louis, Mo., William R. Gartenberg, of St. Louis, Mo., Ellis Gregory, Jr., of St. Louis, Mo., Melroy B. Hutnick, of St. Louis, Mo., George F. Kosta, of St. Louis, Mo., Arthur Litz, of St. Louis, Mo., Joseph A. Murphy, of St. Louis, Mo., George E. Murray, Jr., of St. Louis, Mo., Hugh C. Roberts, Jr., of St. Louis, Mo., W. Munro Roberts, Jr., of St. Louis, Mo., Fred Roth, of St. Louis, Mo., Charles Sarkisian, of St. Louis, Mo., Donald L. Schmidt, of St. Louis, Mo., Ralph T. Stenger, of Belleville, Ill., Donald J. Stohr, of St. Louis, Mo., H. Meade Summers, Jr., of Clayton, Mo., Val Terschluse, of St. Louis, Mo., and Frederick M. Woodruff, of St. Louis, Mo., on motion of Mr. William Leonard Hungate; Harry V. Lerner, of Brookdale, Md., Joseph E. Kastanek, of Bethesda, Md., Paul V. McCormack, of Bethesda, Md., Richard S. McKernon, of Bethesda, Md., Richard C. Ridgway, of Bethesda, Md., Joseph E. Byrne, of Rockville, Md., Charles G. Dalrymple, of Rockville, Md., D. Warren Donohue, of Rockville, Md., Barry H. Helfand, of Rockville, Md., Jeb Howard, of Rockville, Md., Arthur V. King, of Rockville, Md., William B. McDanald, of Rockville, Md., Paul A. McGuckian, of Rockville, Md., James Henry Murdock, of Rockville, Md., Beverly S. Pearson, of Rockville, Md., William J. Rowan, III, of Rockville, Md., Andrew L. Sonner, of Rockville, Md., John Michael Talbot, of Rockville, Md., James T. Wharton, of Rockville, Md., Francis E. Yeatman, of Rockville, Md., Louise Anderson Terzian, of Kensington, Md., Earl Clifton Hill, Jr., of Kensington, Md., Jerome E. Korpeck, of Silver Spring, Md., Stanley J. Nadonley, of Silver Spring, Md., J. Lloyd Niles, of Silver Spring, Md., Charles L. Richards, of Silver Spring, Md., Francis A. Shaffer, of Silver Spring, Md., John C. Tracey, of Silver Spring, Md., William B. Wheeler, of Silver Spring, Md., and Page J. Digman, of Wheaton, Md., on motion of Mr. Joseph Davies Tydings.

Saul S. Lipman, of Carnegie, Pa., Tom E. Macurdy, of Natrona Heights, Pa., Robert F. McCabe, Jr., of Pitcarin, Pa., Joseph P. Moschetta, of Washington, Pa., Harold D. Retting, of White Oak, Pa., Ben E. Sherman, of Carnegie Pa., Marcus Aaron II, of Pittsburgh, Pa., Mark B. Aronson, of Pittsburgh, Pa., Louis H. Artuso, of Pittsburgh, Pa., Kenneth W. Behrend of Pittsburgh, Pa., James A. Berneburg, of Pittsburgh, Pa., Joseph J. Bernstein, of Pittsburgh, Pa., James F. Clarke, of Pittsburgh, Pa., Dale Cleland, of Pittsburgh, Pa., John H. Clough, of Pittsburgh, Pa., Michael F. Dalfonso, Jr., of Pittsburgh, Pa., Anthony V. DeCello, of Pittsburgh, Pa., James M. Doherty, Jr., of Pittsburgh, Pa., Carl Andrew Eck, of Pittsburgh, Pa., Cyril A. Fox, Jr., of Pittsburgh, Pa., Thomas V. Fritz, of Pittsburgh, Pa., A. Morris Ginsburg, of Pittsburgh, Pa., Stanley W. Greenfield, of Pittsburgh, Pa., Mary Ann H. Guernsey, of Pittsburgh, Pa., James M. Guffey, of Pittsburgh, Pa., William Wharton Guthrie, of Pittsburgh, Pa., Thomas A. Harper, of Pittsburgh, Pa., James Q. Harty, of Pittsburgh, Pa., Wm. S. Hays, of Pittsburgh, Pa., Michael W. Huron, of Pittsburgh, Pa., Ira Hurwick, of Pittsburgh, Pa., Justin Morris Johnson, of Pittsburgh, Pa., Livingstone Morris Johnson, of Pittsburgh, Pa., Oliver L. Johnson, of Pittsburgh, Pa., Sam R. Keller, of Pittsburgh, Pa., Thomas M. Kerr, of Pittsburgh, Pa., Edward Charles Lecky, of Pittsburgh, Pa., Alan Z. Lefkowitz, of Pittsburgh, Pa., Louis Z. Marohnic, of Pittsburgh, Pa., Leonard A. Mazer, of Pittsburgh, Pa., Bruce Alexander McGullivray, of Pittsburgh, Pa., Timothy Patrick O'Reilly, of Pittsburgh, Pa., Emil R. Pecori, of Pittsburgh, Pa., John F. Ploeger, of Pittsburgh, Pa., Lawrence A. Rizzo, of Pittsburgh, Pa., Jack J. Rosenberg, of Pittsburgh, Pa., Anthony J. Santantonio, of Pittsburgh, Pa., Seymour J. Schafer, of Pittsburgh, Pa., Robert W. Semenow, of Pittsburgh, Pa., Louis M. Tarasi, Jr., of Pittsburgh, Pa., Paul J. Titus, of Pittsburgh, Pa., Cyril H. Wecht, of Pittsburgh, Pa., and Thomas S. White, of Pittsburgh, Pa., on motion of Mr. William S. Moorhead, were admitted to practice.

OPINIONS

No. 156. Clayton S. Kramer, petitioner, *v.* Caribbean Mills, Inc. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed. Opinion by Mr. Justice Harlan. Mr. Justice Fortas took no part in the consideration or decision of this case.

No. 620. James L. Moore et al., appellants, *v.* Richard B. Ogilvie, etc., et al. Appeal from the United States District Court for the Northern District of Illinois. Judgment reversed and case remanded to the United States District Court for the Northern District of Illinois for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Stewart with whom Mr. Justice Harlan joins.

The Chief Justice said:

"The other orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally."

OPINION PER CURIAM

No. 9, Original. United States of America, plaintiff, *v.* State of Louisiana et al. Supplemental decree entered. Mr. Chief Justice Warren and Mr. Justice Marshall took no part in the consideration or formulation of this supplemental decree.

No. 67. William H. Robinson et al., appellants, *v.* Gwendolyn Johnson et al. Appeal from the United States District Court for the Northern District of Illinois. Judgment affirmed. Opinion *per curiam*. Mr. Justice Black dissents for the reasons given in the dissenting opinion of the Chief Justice in *Shapiro v. Thompson*, 394 U.S. —, decided April 21, 1969. Mr. Justice Harlan dissents for the reasons given in his dissenting opinion in *Shapiro v. Thompson*, 394 U.S. —.

No. 438. John Montgomery et al., appellants, *v.* Fannie Mae Burns et al. Appeal from the United States District Court for the Northern District of California. The motion of appellees for leave to proceed *in forma pauperis* granted. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*. Mr. Justice Black dissents for the reasons given in the dissenting opinion of the Chief Justice in *Shapiro v. Thompson*, 394 U.S. —, decided April 21, 1969. Mr. Justice Harlan dissents for the reasons given in his dissenting opinion in *Shapiro v. Thompson*, 394 U.S. —.

No. 1050. Southern Pacific Company, appellant, *v.* The Public Utilities Commission of the State of California. Appeal from the Supreme Court of California. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*. Mr. Justice Black and Mr. Justice Douglas are of the opinion that probable jurisdiction should be noted.

No. 1152. Southern Pacific Company, appellant, *v.* Public Utilities Commission of the State of California et al. Appeal from the United States District Court for the Northern District of California. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*. Mr. Justice Black and Mr. Justice Douglas are of the opinion that probable jurisdiction should be noted.

No. 1169. National Trailer Convoy, Inc., et al., appellants, *v.* United States et al. Appeal from the United States District Court for the Northern District of Oklahoma. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*.

No. 144, *Misc.* Leila Waggoner, etc., et al., appellants, *v.* Max Rosenn, Secretary of Public Welfare of Pennsylvania. Appeal from the United States District Court for the Middle District of Pennsylvania. Motion of appellants for leave to proceed *in forma pauperis* granted. Judgment vacated and case remanded to the United States District Court for the Middle District of Pennsylvania for further consideration in light of *Shapiro v. Thompson*, 394 U.S. —, decided April 21, 1969. Opinion *per curiam*.

No. 642, *Misc.* Russell T. Halliday, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the First Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment affirmed. Opinion *per curiam*. Opinion by Mr. Justice Harlan concurring in the result. Dissenting opinion by Mr. Justice Black with whom Mr. Justice Douglas joins.

No. 877, *Misc.* Douglas L. Rhodes, petitioner, *v.* Kansas. On petition for writ of certiorari to the District Court of Sedgwick County, Kansas. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the District Court of Sedgwick County, Kansas, for further consideration in light of *Smith v. Hoey, Judge*, 393 U.S. 374. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 622. William L. Maxwell, petitioner, *v.* O. E. Bishop, Superintendent, Arkansas State Penitentiary. The motion of Robert Page Anderson et al., for leave to file a brief, as *amici curiae*, after argument, is granted.

No. 705. Joseph Q. Cipriano, appellant, *v.* City of Houma et al. The motion of Louisiana Municipal Association for leave to join in the *amicus curiae* brief of the State of Louisiana is granted.

No. 776. Utah Public Service Commission, appellant, *v.* El Paso Natural Gas Company et al. The motion of the Colonial Group for leave to file a brief, as *amicus curiae*, is granted. Mr. Justice White, Mr. Justice Fortas and Mr. Justice Marshall took no part in the consideration or decision of this motion.

No. 1064. North Carolina, appellant, *v.* Henry C. Alford. The motion of the appellee for the appointment of counsel is granted, and it is ordered that Doris R. Bray, of Greensboro, North Carolina, be, and she is hereby, appointed to serve as counsel for the appellee in this case.

No. 1192. John Henry Coleman and Otis Stephens, petitioners, *v.* Alabama. The motions of the petitioners for the appointment of

counsel are granted, and it is ordered that Charles Tarter, Esquire, of Birmingham, Alabama, be, and he is hereby, appointed to serve as counsel for the petitioners in this case.

No. 1242, Misc. Webster Bivens, petitioner, *v.* United States. The application for bail presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. 1700, Misc. In the Matter of the Disbarment of Norman E. Sill. It having been reported to the Court that Norman E. Sill of Washington, District of Columbia, 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 eighteenth day of February, 1968, and this Court by order of March 10, 1969, having suspended the said Norman E. Sill from the practice of law in this Court and directing 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 Norman E. Sill 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.

APPEAL—JURISDICTION NOTED

No. 950. Richard Hall et ux., appellants, *v.* Harriet Beals, Clerk and Recorder of El Paso County et al. Appeal from the United States District Court for the District of Colorado. In this case probable jurisdiction noted and case placed on the summary calendar.

CERTIORARI GRANTED

No. 1106. E. S. Evans et al., petitioners, *v.* Guyton G. Abney et al. Petition for writ of certiorari to the Supreme Court of Georgia granted and case placed on the summary calendar. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 1223. Sandra Adickes, petitioner, *v.* S. H. Kress and Company. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted and case placed on the summary calendar.

CERTIORARI DENIED

No. 946. Beech-Nut Life Savers, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **982**. Teledyne, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1071**. Groendyke Transport, Inc., petitioner, *v.* Elmer Davis, Regional Director, 16th Region, National Labor Relations Board, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1111**. Calvin Farrell Hadley, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. **1157**. Missouri Pacific Railroad Company, petitioner, *v.* Southern Pacific Company. Petition for writ of certiorari to the Court of Civil Appeals of Texas, 14th Supreme Judicial District denied.

No. **1159**. Milton W. Lewis and Lee Roy Sohn, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1161**. Leo Carlino, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1164**. Irving A. Kanarek, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. **1166**. Ronald Gerhard (as claimant of 440 U.S. Gold Coins and one 1961 Chevrolet Automobile), petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1171**. Vilaketi Bloomfield, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1172**. The Denver Union Stockyard Co., et al, petitioners, *v.* The Denver Live Stock Commission Co. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1177**. The Fluor Corporation, Ltd., et al., petitioners, *v.* United States ex rel. Mosher Steel Company;

No. **1178**. Ward Industries Corporation, petitioner, *v.* United States ex rel. Mosher Steel Company; and

No. **1179**. Union Tank Car Company, petitioner, *v.* United States ex rel. Mosher Steel Company et al. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1180**. Wayne Hunter Carlton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **1183.** Electronic Systems Investment Corporation, petitioner, *v.* Small Business Administration. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1184.** First National Industries, Inc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1188.** Norma C. Diric, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1193.** William Thomas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1196.** Carl Odell Echard, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. **1202.** Speyer, Inc., et al., petitioners, *v.* Humble Oil & Refining Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1251.** United Forest Products Co., Inc., petitioner, *v.* Earl R. Baxter et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **983.** Kenneth Herbert Hanna, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Dissenting opinion by Mr. Justice Fortas with whom Mr. Justice Douglas joins.

No. **1109.** Edna Weed, petitioner, *v.* Owen Bilbrey, Sr., et al. Petition for writ of certiorari to the Supreme Court of Florida denied. Mr. Justice Black, Mr. Justice Douglas and Mr. Justice Brennan are of the opinion that certiorari should be granted.

No. **1131.** Bankers Commercial Life Insurance Company et al., petitioners, *v.* American Hospital Association et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Fortas took no part in the consideration or decision of this petition.

No. **1197.** Edward P. Bentley, petitioner, *v.* New Hampshire. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **921, Misc.** James Edward Kennedy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1003, Misc.** Richard Dennis Sullivan, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. **1031, Misc.** Jerry Mack Dorrough, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1108, Misc.** Hubert Bullard, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1420, Misc.** Bobby Joe Spivey, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. **1576, Misc.** Ellis Eaton, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **1621, Misc.** Bruce David Dancis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1644, Misc.** James E. Shock, petitioner, *v.* M. L. Tester et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **1664, Misc.** John Allen, Jr., petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **1665, Misc.** Robert Anderson, petitioner, *v.* Lawrence E. Wilson, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1675, Misc.** Rudolph Saavedra, petitioner, *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. **1680, Misc.** James Cames Chester, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1685, Misc.** Herbert Charles Horton, petitioner, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. **1688, Misc.** Raymond M. Houghtaling, Jr., petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. **1689, Misc.** Rochester Harris, petitioner, *v.* Michigan et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1702, **Misc.** Nathaniel A. Denman et al., petitioners, *v.* County of Barnstable et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 1704, **Misc.** Arthur Gilchrist, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1708, **Misc.** Richard L. Hunt, petitioner, *v.* Frank A. Eyman, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1710, **Misc.** Willie Bradford, petitioner, *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 1713, **Misc.** Solomissey Jessy, petitioner, *v.* Superior Court of California and Los Angeles County. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1722, **Misc.** Harry William Theriault, petitioner, *v.* T. L. Peek et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1728, **Misc.** Jerry C. Rush, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for Third Circuit denied.

No. 1729, **Misc.** John Meadows, petitioner, *v.* Warden, Brooklyn House of Detention for Men. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1741, **Misc.** Kelley Whitehead, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 1744, **Misc.** Sylvester Lockhart, Jr., petitioner, *v.* Edward J. Hendrick, Superintendent, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1753, **Misc.** Alphear L. Purnell, petitioner *v.* C. C. Peyton, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1055, **Misc.** Nathaniel Reed, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 1481, **Misc.** Lionel Bradford, petitioner, *v.* Michigan. Motion for leave to supplement petition granted. Petitions for writ of certiorari to the Court of Appeals of Michigan denied. Dissenting opinion by Mr. Chief Justice Warren with whom Mr. Justice Douglas and Mr. Justice Marshall join.

No. **1634, Misc.** Norbert Derengowski, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. **1785, Misc.** Gregory G. Kinderman, petitioner, *v.* Jack C. Young, Warden; and

No. **1820, Misc.** Charles Duckworth, petitioner, *v.* Walter E. Craven, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

REHEARINGS DENIED

No. **62.** Thomas R. Kaiser, petitioner, *v.* New York;

No. **109.** Margaret E. Snyder, petitioner, *v.* Charles Harris and Earl Kirchhoff;

No. **199.** George B. Harris, Judge of United States District Court for the Northern District of California, *v.* Louis S. Nelson, Warden;

No. **940.** Philip J. Kenney, petitioner, *v.* American Can Company;

No. **1005.** Earl E. Howe, petitioner, *v.* General Motors Corporation;

No. **1012.** National Sponge Cushion Co., Inc., petitioner, *v.* Allen Industries, Inc., et al.;

No. **1042.** Jasper C. Gould et ux., petitioners, *v.* American Water Works Service Co., Inc. et al.;

No. **1087.** Holbrook Thayer Ashton II, petitioner, *v.* United States;

No. **524, Misc.** Bruce Wyatt Cassasa, petitioner, *v.* California;

No. **857, Misc.** James Bush, appellant, *v.* United States; and

No. **1457, Misc.** James Gilbert Glass, petitioner, *v.* United States. Petitions for rehearing denied.

No. **69.** Brotherhood of Railroad Trainmen et al., petitioners, *v.* Jacksonville Terminal Company. Petition for rehearing denied. Mr. Justice Fortas and Mr. Justice Marshall took no part in the consideration or decision of this petition.

Adjourned until Monday, May 19, 1969, at 10 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White and Mr. Justice Marshall.

Mr. Justice Fortas tendered his resignation to President Nixon to take effect on May 14, 1969. The President has accepted it as of that date.

Mr. William S. Burton, a member of the Bar of this Court, stated: "Mr. Chief Justice, may it please the Court:

"On behalf of the Burton family—and—particularly on behalf of Mrs. Harold H. Burton, leave is respectfully requested to present to the library of the Supreme Court of the United States, and to each member of the Court, the first copies of a publication entitled 'The Occasional Papers of Mr. Justice Burton.'

"Generous participation by the Bowdoin Press of Bowdoin College, Brunswick, Maine, has helped make this publication possible.

"The publication is presented as one man's footnote to four simple and explicit words—EQUAL JUSTICE UNDER LAW."

The Chief Justice said:

"It is generous of your dear mother, the Burton family, and President Coles of Bowdoin College to present to the Court this collection of vignettes of history of the Supreme Court.

"This Court has never had an official historian, but your father, Mr. Justice Burton, was the historian in fact during the thirteen years he served with us. He could recall every member who has ever sat on the Court and could recall with whom that member was sitting at any given date. In order to give emphasis to the fact that this is a continuing body and that there has only been one Court, he pointed out graphically that if anyone came to the Court in the 180 years of its existence he would have seen one of seven men sitting there—Cushing, Marshall, Wayne, Field, White, McReynolds or Hugh Black.

"Each year he wrote for his Circuit Judicial Conference on some historic event in the life of the Court. Some of these are recaptured in this little volume entitled 'The Occasional Papers of Mr. Justice Burton.' We are very happy to have them for ready reference, and I am sure the book will find a cherished place in the library of each of us.

"Although it is eleven years since he retired, the majority of the Court now sitting served with him—Justice Black and Justice Doug-

las throughout his tenure; Justice Harlan for approximately four years; Justice Brennan for three years, and myself for five years.

"We always valued the words of Mr. Justice Burton, whether they were recorded in his opinions in the United States Reports, in his speeches or in words spoken in our Conferences. We knew that they were always forthright, sincere and directed to some purposeful end. I am sure I can say without any danger of contradiction that no man in the long history of the Court was held in higher esteem by his colleagues than was Justice Harold H. Burton, and this book will be another means for us to perpetuate that nostalgic memory.

"We are happy that his widow, Selma, for whom we have the same affection we had for him, is here today to witness this little ceremony, and we express our thanks to her and all of the Burton family for presenting this reminder of the affection that her husband had for this Court which he served so nobly."

ADMISSIONS TO THE BAR

John Code Mowbray, of Las Vegas, Nev., on motion of Mr. Justice Tom C. Clark; Obert C. Teigen, of Bismarck, N. Dak., on motion of Mr. Philip J. Teigen; Frank Bennett Friedman, of Reston, Va., Gerald H. Genard, of Los Angeles, Calif., Dorothy Louise Schechter, of Ventura, Calif., Thomas Lisle Schechter, of Ventura, Calif., C. Willia Ritter, of Baltimore, Md., Roger P. Bernique, of Washington, D.C., Theodore Souris, of Grosse Pointe Park, Mich., Patrick J. Crowley, of Grosse Pointe Farms, Mich., Otis M. Smith, of Detroit, Mich., Kenneth Anthony Webb, of Troy, Mich., William D. Webb, of Prairie Village, Kans., Jacob H. Gilbert, of New York, N.Y., John M. Foley, of New York, N.Y., Eugene Victor Lipkowitz, of Washington, D.C., Robert Eliot Easton, of Washington, D.C., Matthew Saul Watson, of Washington, D.C., Ira M. Langer, of Silver Springs, Md., Joe A. Cannon, of Alexandria, Va., Everette G. Allen, Jr., of Richmond, Va., James Parker Jones, of Abingdon, Va., and Daniel Gilligan Grove, of Washington, D.C., on motion of Mr. Solicitor General Erwin N. Griswold; Joseph E. Reber, of Helena, Mont., and Robert Lee Kelleher, of Billings, Mont., on motion of Mr. Lee Metcalf; Arleigh Maddox Woods, of Los Angeles, Calif., William T. Woods, of Los Angeles, Calif., Richard S. Buckley, of Los Angeles, Calif., and George Heriot Lowerre III, of Manhattan Beach, Calif., on motion of Mr. James C. Corman; Sheldon Portman, of San Jose, Calif., on motion of Mr. Don Edwards.

Archie W. Service, of Pocatello, Idaho, on motion of Mr. Orval Howard Hansen; James Joseph Hippard, Sr., of Houston, Tex., on motion of Mr. Robert Christian Eckhardt; B. J. George, Jr., of Montclair, N.J., on motion of Mr. Ernest C. Friesen, Jr.; Joseph Max Burton, of Silver Spring, Md., on motion of Judge Harold H. Greene;

Ruth E. Hankins, of Washington, D.C., on motion of Judge Harry Toussaint Alexander; Geoffrey Gaulkin, of Newark, N.J., on motion of Judge Edward Gaulkin; Randle Burt Carpenter, Jr., of New York, N.Y., Thomas E. Chilcott, of Chicago, Ill., Kenneth D. Randall, of Craigmont, Idaho, Russell Douglas Thompson, of Jackson, Miss., and W. Leigh Ansell, of Virginia Beach, Va., on motion of Mr. Walter L. Lewis; Barry M. Scotch, of South Orange, N.J., and John Jack Yarbrough, of University Park, Tex., on motion of Mr. Harry D. Ambrose, Jr.; Leslie A. Bradshaw, of Rochester, N.Y., and James Ambrose McCaffrey, of Oklahoma City, Okla., on motion of Mr. Larry Conrad; Eleanor Waters Walsh, of Chicago, Ill., and Carl Maurice Walsh, of Chicago, Ill., on motion of Mr. Maurice J. Walsh; Charles T. Wells, of Washington, D.C., on motion of Mr. J. R. Wells.

John Frederick Moring, of Washington, D.C., on motion of Mr. J. David Mann, Jr.; Carl Stephen Rauh, of Washington, D.C., on motion of Mr. Joseph L. Rauh, Jr.; John Edmiston Stanfiled, of Laramie, Wyo., on motion of Mr. Dudley Miles; Betty R. Klein, of Kenmore, N.Y., on motion of Mr. Frank Cummings; David Ernest Aaronson, of Washington, D.C., on motion of Mr. Edward A. Aaronson; William J. Navin, of Port Washington, N.Y., on motion of Mr. Sidney J. Gunderson; Peter L. Koff, of Washington, D.C., on motion of Mr. James P. Riley; Leonard L. Sells, of North, Va., and Henry M. Chick, of Washington, D.C., on motion of Mr. Frank R. Hunter, Jr.; Richard S. Rodin, of Washington, D.C., on motion of Mr. Sidney S. Sachs; A. R. Early, of Los Angeles, Calif., on motion of Mr. John Geyer Tausig; Owen Rice, Jr., of Tampa, Fla., on motion of Mr. William Amory Underhill; Betty Ingebritson Crofoot, of Portland, Ore., on motion of Mr. Emery J. Crofoot; Richard Martin Meyer, of New York, N.Y., on motion of Mr. Leonard Bebechick; David Rader Cooper, of Alexandria, Va., on motion of Mr. John Witsil; Jerome Zamos, of Palos Verdes Peninsula, Calif., on motion of Mr. William R. Granik; Jeffrey Bryon Schwartz, of Washington, D.C., on motion of Mr. Jacob H. Stillman; Sheldon Engelhard, of New York, N.Y., on motion of Mr. Louis Lenard Ruben; Geoffrey A. Hampton, of Utica, N.Y., on motion of Mr. John Kirby Meagher; Samuel D. Smoleff, of New York, N.Y., on motion of Mr. Richard A. Solomon; Howard V. Campbell, of Springfield, Mo., and Robert G. Rue, of Arlington, Va., on motion of Mr. Howard B. Pickard; Harry Goldman, Jr., of Baltimore, Md., and Earl Layton Carey, Jr., of Baltimore, Md., on motion of Mr. Henry Conway.

Klaus H. Jander, of New York, N.Y., on motion of Mr. Robert M. Peers; Juan Silva, of Ardmore, Pa., on motion of Mr. Karl L. Spivak; John D. O'Connell, of Salt Lake City, Utah, on motion of

Mr. John M. Bradley; John R. Pate, of Arlington, Va., on motion of Mr. Roy C. Cook; Sarah Eleanor Brown, of Washington, D.C., on motion of Mr. Ralph J. Temple; Robert P. Borsody, of New York, N.Y., on motion of Mrs. Florence Wagman Roisman; Richard Touby, of Miami, Fla., on motion of Mr. George J. Solomon; Ellis W. Manning, Jr., of Washington, D.C., on motion of Mr. Ellis Manning; Frances Dianne Biegelmeier, of Washington, D.C., on motion of Mr. John G. Adams; Edward Elisha Bedwell, of Fort Smith, Ark., on motion of Mr. J. Winston Bryant; David R. Hyde, of New York, N.Y., on motion of Mr. Donald Mulvihill; Beatrice M. Mattison, of St. Helena, Calif., on motion of Mr. Walter P. North; Benj. T. DeBerry, of Columbia, S.C., on motion of Mr. Frank J. Martin, Jr; Domingo Carrasquillo-Diaz, of Bayamon, Puerto Rico, on motion of Mr. Bruce A. Butcher.

John Joseph Babka, of St. Clairsville, Ohio, Floyd Alan Banker, of Bellaire, Ohio, John Jacob Basnett, Jr., of St. Clairsville, Ohio, William H. Best, of Bellaire, Ohio, William Henry Blackford, of Martins Ferry, Ohio, Emilio Memo Bonfini, of Bellaire, Ohio, Marguerite Brown, of St. Clairsville, Ohio, Steven Edward Cichon, of St. Clairsville, Ohio, David Byron Cooper, of Bellaire, Ohio, J. C. Heinlein, Jr., of Bridgeport, Ohio, C. Kenneth Henry, of St. Clairsville, Ohio, Thomas Fury Joseph, of St. Clairsville, Ohio, Bernard G. Lancione, of Bellaire, Ohio, Charles A. Linch, of Bellaire, Ohio, Joseph C. McGraw, of Bellaire, Ohio, Esther F. Pinsky, of Bellaire, Ohio, Harold B. Thomas, of Bridgeport, Ohio, and Michael R. Thomas, of Bridgeport, Ohio, on motion of Mr. Wm. Saxbe; Robert J. Alexander, of New York, N.Y., John R. Bailey, of New York, N.Y., Russel Harrison Beatie, Jr., of New York, N.Y., Michael A. Butterworth, of New York, N.Y., Richard Francis Coyne, of New York, N.Y., Hugh Nevin Fryer, of New York, N.Y., John W. Galiardo, of New York, N.Y., Frank M. Headley, Jr., of New York, N.Y., Kenneth Howard Holmes, of New York, N.Y., Francis Raymond Jones, of New York, N.Y., Richard Joseph Kane, of New York, N.Y., Marc J. Luxemburg, of New York, N.Y., Eugene P. McGreal, of New York, N.Y., Stephen Glos Nordquist, of New York, N.Y., Robert J. Paulus, of New York, N.Y., Evan J. Spelfogel, of New York, N.Y., Burton Robert Sueskind, of New York, N.Y., Charles Daniel Ward, of New York, N.Y., John Harvey Whitworth, Jr., of New York, N.Y., and Joe W. Williams, of New York, N.Y., on motion of Mr. John E. F. Wood.

Alvin S. Ackerman, of Upper Darby, Pa., Robert Phillip Anderman, of Media, Pa., Carmen P. Belefonte, of Chester, Pa., Bernard Mayer Berman, of Media, Pa., Dale Anthony Betty, of Chester, Pa., Samuel S. Blank, of Media, Pa., Harry J. Bradley, of Media, Pa., John S. J. Brooks, of Media, Pa., Edward F. Cantlin, of Bryn Mawr, Pa.,

Robert E. J. Curran, of Chester, Pa., Alexander A. DiSanti, of Upper Darby, Pa., Robert J. Donohue, of Drexel Hill, Pa., Francis A. Ferrara, of Chester, Pa., Andrew James Forbes, of Media, Pa., Max W. Gibbs, of Haverford, Pa., Henry J. Hagan, of Springfield, Pa., Thomas P. Hamilton, Jr., of Upper Darby, Pa., Edmund L. Harvey, of Chester, Pa., Robert James Jackson, of Chester, Pa., A. David Kestner, of Springfield, Pa., Howard Stanton Klein, of Wayne, Pa., Stanley R. Kotzen, of Chester, Pa., Arthur Levy, of Chester, Pa., Samuel Lichtenfeld, of Broomall, Pa., William D. March, of Media, Pa., Howard Saul Marcu, of Springfield, Pa., James Anthony McGoldrick, of Haverford, Pa., Joseph L. Monte, Jr., of Chester, Pa., Rodger L. Mutzel, of Chester, Pa., David J. Natale, of Media, Pa., Donald J. Orlowsky, of Media, Pa., Earle J. Patterson, of Media, Pa., Robert L. Pinto, of Media, Pa., Thomas J. Reilly, of Upper Darby, Pa., Robert J. Scallan, of Media, Pa., John Churchman Smith, of Wallingford, Pa., Richard Barclay Surrick, of Media, Pa., Nicholas D. Vadino, Jr., of Parkside, Pa., and C. Norwood Wherry, of Media, Pa., on motion of Mr. Hugh D. Scott, Jr.

Charles S. Adams, of Boston, Mass., Joseph John Alekshun, Jr., of Cambridge, Mass., Nicholas P. Arenella, of Newton, Mass., John David Arenstam, of Chelmsford, Mass., Joseph C. Barry, of Boston, Mass., John Francis Berrigan, of Nashua, N.H., Alfred E. Bollengier, of Warwick, R.I., Robert M. Broderick, Sr., of Norwell, Mass., John J. Brosnahan, of Falls Church, Va., Thomas F. Burke, of Dartmouth, Mass., William H. Carey, of Fairhaven, Mass., George D. Constantine, of New Bedford, Mass., Alfred L. Crowley, of North Scituate, Mass., Francis X. Cuddy, of Boston, Mass., Walter W. Curcio, of Belmont, Mass., John J. Desmond III, of Boston, Mass., Theodore E. Dimauro, of Springfield, Mass., Dennis L. Ditelberg, of Boston, Mass., Edmund F. Dowd, of Methuen, Mass., Mary K. Egan, of Springfield, Mass., Donald J. Fleming, of Mattapoisett, Mass., Sheldon H. Ganz, of Boston, Mass., Barry H. Gerstein, of Boston, Mass., Francis Wade Holman, Jr., of Dobbs Ferry, N.Y., Robert J. Horn, Jr., of Concord, Mass., John J. Hurley, of Lowell, Mass., Jack Kasten, of Newton, Mass., Jerrold C. Katz, of Boston, Mass., Patrick J. Kelly, of Boston, Mass., Francis B. Kenney, of Norwell, Mass., Philip George Kiely, of Boston, Mass., Philip E. La Bonte, of Milton, Mass., Edward Michael Lee, of Westfield, Mass., Owen B. Lynch, of Lynnfield, Mass., Richard D. Mahoney, of Framingham, Mass., Collette Manoil, of Cambridge, Mass., Joseph E. Marino, of Somerville, Mass., Vincent B. Meade, of Boston, Mass., Cornelius J. McAuliffe, of Providence, R.I., Robert F. McGrath, of Boston, Mass., Kenneth Francis McLaughlin, of Nashua, N.H., Thomas L. McLaughlin, of Athol, Mass., Bernard F. McSally, of Warwick, R.I., William

E. Moore, of Ware, Mass., Antonio Mosca, of Watertown, Mass., James F. Murphy, of Coventry, R.I., Thomas D. Murphy, of Chicopee, Mass., Edward F. Myers, of Needham, Mass., Veto A. Neviackas, of Greenlawn, N.Y., Irving L. Newman, of Andover, Mass., Walter A. Nicewicz, of Clinton, Mass., Francis M. O'Boy, of Taunton, Mass., Adam Palaza, of Boston, Mass., Frank E. Pollard, of Westfield, Mass., Francis D. Privitera, of Somerville, Mass., Thomas F. Quinn, of Plymouth, Mass., Theodore C. Regnante, of Lynnfield, Mass., Peter D. Rigerio, of Worcester, Mass., Alfred H. Rosen, of Newton, Mass., George R. Shea, Jr., of Boston, Mass., Murray George Shocket, of Newton, Mass., L. Richard Shuckra, of Boston, Mass., James Warren Smith, of Framingham, Mass., Robert M. Spector, of Framingham, Mass., John Michael Sullivan, of Springfield, Mass., Robert L. Surprenant, of New Bedford, Mass., Maria L. Sveikauskas, of Boston, Mass., Morton J. Sweeney, of Springfield, Mass., Raymond A. Terfera, of Springfield, Mass., Albert G. Tierney, Jr., of Marblehead, Mass., George B. Waldron, of Peabody, Mass., James G. Walsh, Jr., of Boston, Mass., John P. White, Jr., of Boston, Mass., Robert Paul Whitten, of Boston, Mass., and John F. Zamparelli, of Medford, Mass., on motion of Mr. Robert F. Drinan.

Alfred A. Kiltz, of Evansville, Ind., and Elmer L. Hoehn, of Washington, D.C., on motion of Mr. Vance Hartke, were admitted to practice.

OPINIONS

No. 200. Ben H. Frank, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment affirmed. Opinion by Mr. Justice Marshall. Mr. Justice Harlan and Mr. Justice Stewart, adhering to the views expressed in the dissenting opinion of Mr. Justice Harlan in *Bloom v. Illinois*, 391 U.S. 194, 215, and in Part I of Mr. Justice Harlan's separate opinion in *Cheff v. Schnackenberg*, 384 U.S. 373, 380, but considering themselves bound by the decisions of the Court in those cases, join in the opinion of the Court on these premises. Dissenting opinion by Mr. Chief Justice Warren with whom Mr. Justice Douglas joins. Dissenting opinion by Mr. Justice Black with whom Mr. Justice Douglas joins.

No. 49. Zenith Radio Corporation, petitioner, *v.* Hazeltine Research, Inc., et al. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment affirmed in part and reversed in part and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Opinion by Mr. Justice Harlan concurring in part in dissenting in part.

No. 517. The National Board of Young Men's Christian Associations, et al., petitioners, *v.* United States. On writ of certiorari to the United States Court of Claims. Judgment affirmed. Opinion by Mr. Justice Brennan. Concurring opinion by Mr. Justice Stewart. Opinion by Mr. Justice Harlan concurring in the result. Dissenting opinion by Mr. Justice Black with whom Mr. Justice Douglas joins.

No. 65. Timothy F. Leary, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Harlan. Mr. Chief Justice Warren joins in Part II of the opinion of the Court, and considering himself bound by the decisions in *Marchetti v. U.S.*, 390 U.S. 39 (1968), *Grosso v. U.S.*, 390 U.S. 62 (1968), and *Haynes v. U.S.*, 390 U.S. 85 (1968), concurs in the result as to Part I. Concurring opinion by Mr. Justice Stewart. Opinion by Mr. Justice Black concurring in the result.

No. 366. United States, appellant, *v.* Henry Preston Covington. Appeal from the United States District Court for the Southern District of Ohio. Judgment affirmed. Opinion by Mr. Justice Harlan. Mr. Chief Justice Warren, considering himself bound by the decisions in *Marchetti v. U.S.*, 390 U.S. 39 (1968), *Grosso v. U.S.*, 390 U.S. 62 (1968), and *Haynes v. U.S.*, 390 U.S. 85 (1968), concurs in the judgment of the Court Mr. Justice Stewart joins the opinion and judgment of the Court upon the premise stated in his concurring opinion in *Leary v. U.S.*, *ante*.

No. 297. Immigration and Naturalization Service, petitioner, *v.* Veljko Stanisic. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice Black with whom Mr. Justice Douglas and Mr. Justice Marshall join.

No. 672. United States, petitioner, *v.* John P. King. On writ of certiorari to the United States Court of Claims. Judgment reversed and case remanded to the United States Court of Claims for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black.

The Chief Justice said:

"The other orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally."

OPINIONS PER CURIAM

No. 1173. Harley D. Jones, appellant, *v.* State of Illinois by its Electoral Board. Appeal from the Supreme Court of Illinois. Judgment vacated and case remanded to the Supreme Court of Illinois for further consideration not inconsistent with the opinion of this Court. Opinion *per curiam*. Mr. Justice Harlan and Mr. Justice Stewart would affirm the judgment.

No. 1209. Charles E. and Robert E. Buckley, dba Buckley's Auto Wrecking, appellants, *v.* Ohio by James V. Barbuto. Appeal from the Supreme Court of Ohio. The motions to dismiss are granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 1230. T. Eugene Thompson, appellant, *v.* Travelers Insurance Company et al. Appeal from the Supreme Court of Minnesota. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 730, Misc. Gary Wendell Fryar, petitioner, *v.* Oklahoma et al. On petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Criminal Appeals of Oklahoma for further consideration in light of *Smith v. Hooy*, Judge, 393 U.S. 374. Opinion *per curiam*.

ORDER

It is ordered that the rules, to be known as the Federal Rules of Procedure for United States Magistrates, be and they hereby, are prescribed pursuant to Section 3401 of Title 18, United States Code. These rules shall take effect as of the date of this order. Mr. Justice Black casts no vote as to these rules.

ORDERS IN PENDING CASES

No. 9, Original. United States of America, plaintiff, *v.* State of Louisiana et al. Pursuant to the opinion of this Court of March 3, 1969, 394 U.S. 11, it is ordered that Walter P. Armstrong, Jr., Esquire, of Memphis, Tennessee, be, and he is hereby, appointed as Special Master in this cause to make a preliminary determination consistent with the opinion of this Court. The Special Master shall have authority to fix the time and conditions of hearings which he may order and is authorized to summon witnesses, issue subpoenas, and take such evidence as may be introduced and such as he may deem

it necessary to call for. The Master is directed to submit such reports as he may deem appropriate.

The Master shall be allowed his actual expenses and a reasonable compensation for his services to be approved hereafter by the Court. The allowances to him, the compensation paid to his technical, stenographic, and clerical assistants, and the cost of printing his report or reports shall be charged against and be borne by the parties in such proportion as the Court may hereafter approve. The Chief Justice and Mr. Justice Marshall took no part in the consideration or decision of this matter.

No. 598, Misc. October Term, 1964. Robert M. Williamson et al., petitioners, *v.* Annie Gilmer et al. The second motion to recall and amend the order of January 18, 1965, and the amended petition for a writ of mandamus are denied. Mr. Justice Marshall took no part in the consideration or decision of these matters.

No. —. Robert Marcucilli, petitioner, *v.* United States. The application for stay presented to Mr. Justice Douglas, and by him referred to the Court, is denied. Mr. Justice Douglas is of the opinion that the stay should be granted.

No. 528. Nacirema Operating Co., Inc., et al., petitioners, *v.* William H. Johnson et al.; and

No. 663. John P. Traynor and Jerry C. Oosting, Deputy Commissioners, petitioners, *v.* William H. Johnson et al. These cases are restored to the calendar for reargument.

No. 642. Edward Boykin, Jr., petitioner, *v.* Alabama. The motion of Gerald H. Gottlieb et al., for leave to file a brief, as *amici curiae*, after argument, is granted to the extent of filing the brief already submitted.

No. 1163. Frank Smith, petitioner, *v.* United States; and

No. 1216. Charles Adjmi, petitioner, *v.* Florida. The motions to defer consideration of the petitions for certiorari are granted.

CERTIORARI GRANTED

No. 712, Misc. William Monks, petitioner, *v.* New Jersey. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of New Jersey granted. Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI DENIED

No. 704. City of Philadelphia, petitioner, *v.* Atlantic Refining Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 772. Martha M. Fritzingler, etc., petitioner, *v.* Jeffrey R. Weist et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 894. Edward H. Weitzen et al., petitioners, *v.* Charles Heit et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1055. Davie Franklin Wilson, petitioner, *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 1110. Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO, et al., petitioners, *v.* The Kroger Co., et al.;

No. 1123. The Kroger Co., petitioner, *v.* National Labor Relations Board; and

No. 1130. National Labor Relations Board, petitioner, *v.* The Kroger Co., et al. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1114. General Electric Company, petitioner, *v.* International Union of Electrical, Radio & Machine Workers, AFL-CIO; and

No. 1208. International Union of Electrical, Radio and Machine Workers, AFL-CIO, petitioner, *v.* General Electric Company. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1143. Ronald Paul Norris, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 1190. Milton Berger et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1194. Jerome Feld, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 1199. Frank Aureli, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 1200. Humble Oil & Refining Company et al., petitioners, *v.* American Oil Co., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1204. Ralph Richard Benson, petitioner, *v.* Kenneth E. Kirkpatrick, Probation Officer of Los Angeles County, et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1206. Edward P. Strang, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1211. Sam L. MacCorkle, petitioner, *v.* United States. Petition

for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1212.** Board of Trustees of Galveston Wharves et al., petitioners, *v.* United Industrial Workers of the Seafarers International Union of North America etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1215.** Harold W. Manley et al., petitioners, *v.* David H. Schoenbaum. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1217.** Edward Louis Henderson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1221.** John C. Barnett and Lee Fred McInturff, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1222.** S. H. Lynch & Co., Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1224.** J. H. Brock, as Trustee for the Wingreen Company, Inc., petitioner, *v.* Massachusetts Mutual Life Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1225.** Salt Lake City Fire Fighters Local 1645, AFL-CIO, et al., petitioners, *v.* Salt Lake City. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. **1226.** Greenwood Municipal Separate School District et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1228.** Leonard Simmons Fentress, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1229.** Daniel Thomas Fallon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1231.** Manuel O. DeLaCruz, petitioner, *v.* The Atchison, Topeka and Santa Fe Railway Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1234.** Kwai Chiu Yuen et al., petitioners, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1235.** Reese Hubbard et al., petitioners, *v.* Donna M. Kiefel. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1236.** Maxwell A. Sturtz, etc., petitioner, *v.* New York World's Fair 1964-1965 Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1241.** Junior Lee Gambill, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1248.** Junius Guillory, petitioner, *v.* Levingston Shipbuilding Company. Petition for writ of certiorari to the Court of Civil Appeals of Texas, 9th Supreme Judicial District, denied.

No. **1249.** John K. Rains, petitioner, *v.* Niaqua, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1252.** Mrs. John DeRaismes Storey et al., petitioners, *v.* William T. Mayo, Chairman, et al. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. **1262.** Lemuel Thomas Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1269.** Richard L. Dugger, petitioner, *v.* Missouri Pacific Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1275.** United States, petitioner, *v.* Billy Preston Keatts et ux. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1277.** Louie L. Wainwright, Director, Division of Corrections, petitioner, *v.* Frederick Keith Calloway. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1318.** Sanford D. Sanes, petitioner, *v.* Faith Adams. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. **1346.** Giulio Natta et al., petitioners, *v.* Alex Zletz et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1361.** Truckee-Carson Irrigation District, petitioner, *v.* Cecil Wyatt, Jr. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. **1091.** Local 342, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW), et al., petitioners, *v.* T.R.W., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **1113.** The Telephone Users Association, Inc., petitioner, *v.* The Public Service Commission of the District of Columbia et al. Motion to

remand and petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1132**. California et al., petitioners, *v.* Albert J. Giannini and Kelley Iser. Petition for writ of certiorari to the Supreme Court of California denied. Mr. Justice Harlan is of the opinion that certiorari should be granted.

No. **1187**. Carmine Persico et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **1191**. Steverson Tillie Morgan, petitioner, *v.* J. L. Nelson et al. Motion to dispense with printing petition denied. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. **1205**. Ernest R. Olsen et al., petitioners, *v.* Allan E. Swartz et al. Motion to dispense with printing petition denied. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1367, Misc.** Warren Ketchmore, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. **1370, Misc.** Richard C. Ruip, petitioner, *v.* Kentucky. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1517, Misc.** Lafayette Wood, petitioner, *v.* United States; and No. **1697, Misc.** Pete Johnson, Jr., petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1540, Misc.** DeWayne Massey, petitioner, *v.* Lamont Smith, Warden. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. **1561, Misc.** Willie Powell, petitioner, *v.* Louie L. Wainwright, Director, Division of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1575, Misc.** John L. Burroughs, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1625, Misc.** Harold L. Gardner et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1628, Misc.** George Washington Longmire, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1631, Misc.** James Epps, petitioner, *v.* United States. Petition

for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1650, Misc.** Cohoda William Wade, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **1666, Misc.** Willie Robinson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **1667, Misc.** Malcolm R. Schlette, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1668, Misc.** Earle Ray Esgate, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. **1670, Misc.** Bradley T. Moye, petitioner, *v.* Sioux City & New Orleans Barge Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1676, Misc.** Harry LaRue McClelland, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. **1681, Misc.** Lloyd Manley, petitioner, *v.* Alfred T. Rundle, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1683, Misc.** Frank Culver, petitioner, *v.* Harold V. Field, Superintendent, California Men's Colony. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1684, Misc.** Jack Silver, petitioner, *v.* Walter Dunbar et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1686, Misc.** Philip Arcuri and Alfred John Cimei, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1705, Misc.** Osborn Olden, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1706, Misc.** Will Stokley, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied:

No. **1712, Misc.** Russell Charles Currier, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1717, Misc.** George Forst, petitioner, *v.* Delaware. Petition for writ of certiorari to the Supreme Court of Delaware denied.

No. 1719, **Misc.** Antonio Rodriguez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1726, **Misc.** Dallas O. Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1727, **Misc.** John F. Hanrahan, petitioner, *v.* Howard B. Johnson et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1732, **Misc.** John Bullis, petitioner, *v.* Carl Hocker, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1736, **Misc.** Nathan Burgess, petitioner, *v.* Merle R. Schneckloth, Superintendent, California Conservation Center. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1738, **Misc.** Robert Jewell Landman, Sr., petitioner, *v.* C. C. Peyton, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1739, **Misc.** James P. Stuart and Yvonne M. Stuart, petitioners, *v.* Commissioner of Internal Revenue et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1743, **Misc.** Samuel R. Belton, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 1745, **Misc.** James Fox, petitioner, *v.* A. L. Dutton, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1748, **Misc.** Johnnie D. McElrath, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1749, **Misc.** Calvin C. Campbell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1751, **Misc.** Ernest S. Borum, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1752, **Misc.** William Henry Dumas, petitioner, *v.* California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1756, **Misc.** Harley Nelson, petitioner, *v.* Illinois. Petition for

writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. **1775, Misc.** Lawrence Justice, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1797, Misc.** James Gant, Jr., petitioner, *v.* George A. Kropp, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1562, Misc.** Frank Serrano, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **1639, Misc.** Thomas Welton, petitioner, *v.* United States. Motion for leave to amend petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1801, Misc.** Richard Thomas Hart, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

REHEARINGS DENIED

No. **30.** James C. Kirkpatrick, Secretary of State of Missouri, et al., appellants, *v.* Paul W. Preisler et al.;

No. **86.** AMP Incorporated, petitioner, *v.* Wilbur J. Cohen, Secretary of Health, Education and Welfare, et al.;

No. **173.** Richard E. Gorman, petitioner, *v.* United States;

No. **453.** John McMillan Gregg, petitioner, *v.* United States;

No. **814.** Raymond Joseph DuVernay, petitioner, *v.* United States;

No. **844.** Paul G. Stephan et ux., appellants, *v.* State Tax Commissioner of Delaware;

No. **1041.** Samuel A. Kaufer, petitioner, *v.* United States;

No. **1066.** Irving Rosen and Sidney A. Kanter, petitioners, *v.* Eastern Airlines, Inc.;

No. **662, Misc.** James Millard Jones, petitioner, *v.* United States;

No. **804, Misc.** Chester Arthur Schutz, petitioner, *v.* United States;

No. **1262, Misc.** Robert Merton Mutter, petitioner, *v.* United States;

No. **1275, Misc.** Pherne N. Miller, petitioner, *v.* Katherine S. Thorn, etc.; and

No. **1593, Misc.** Joseph C. Adams, petitioner, *v.* Edward J. Brenner, Commissioner of Patents. Petitions for rehearing denied.

No. **1031.** Marvin J. Morse, petitioner, *v.* D. A. Hindman et al.; and

No. 1081. Marvin J. Morse, petitioner, *v.* D. A. Hindman et al.;
No. 1437, Misc. Joseph C. Adams, petitioner, *v.* Dale C. Cameron,
Chief of Service, Saint Elizabeths Hospital; and
No. 1466, Misc. Edward Dickerson, petitioner, *v.* A. Frank Lee.
Motions for leave to file petitions for rehearing denied.

RECESS ORDER

The Court will take a recess from today until Monday, May 26, 1969.

Adjourned until Monday, May 26, 1969, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Edmund Frederic Benchoff, of Nacogdoches, Tex., John A. Bleveans, of Bethesda, Md., Robert Pierre Brisson, of Pleasantville N.Y., David Bromberg, of New York, N.Y., Theodore Dachenhausen, Jr., of Katonah, N.Y., Carl F. Del Prette, of Katonah, N.Y., Andrew J. Fiore, of Ossining, N.Y., Mary B. Goodhue, of Mount Kisco, N.Y., Thomas M. Henderson, of Houston, Tex., Robert Whitney Knight, of Tampa, Fla., Daniel Joseph Kremer, of Sacramento, Calif., Henry W. Laber, of Yorktown Heights, N.Y., Hollis K. Leathers, of Muskogee, Okla., Albert F. Mally, of Somers, N.Y., John G. Moore, of Armonk, N.Y., David Paget, of New York, N.Y., Daniel Riesel, of New York, N.Y., George Hunter Roberts, of Katonah, N.Y., William E. Russell 3rd, of Chappaqua, N.Y., Michael A. Russo, of White Plains, N.Y., Michael Howard Singer, of Silver Spring, Md., Norman Frederick Stultz, Jr., of Washington, D.C., Joseph J. Tafe, of Philadelphia, Pa., and John Williams Whittlesey, of Chappaqua, N.Y., on motion of Mr. Daniel M. Friedman; Robert O. Tiernan, of Warwick, R.I., L. Harvey Poe, Jr., of Washington, D.C., Harry Lee Riddle, Jr., of Morganton, N.C., J. Brendan Sullivan, of Wakefield, Mass., and William Joseph McDonald, of Beverly, Mass., on motion of Mr. Edward M. Kennedy; Jerry Bradford Grimes, of Lexington, N.C., on motion of Mr. Samuel J. Ervin, Jr.

Henry McMillan Aldridge, of Mobile, Ala., on motion of Mr. Jackson Edwards; Eileen M. Donnelly, of Cleveland, Ohio, and John U. Donnelly, of Cleveland, Ohio, on motion of Mr. Charles A. Vanik; Lewis Kapner, of Palm Beach, Fla., on motion of Mr. Paul G. Rogers; William Leonard Berlat, of Tucson, Ariz., on motion of Mr. Morris K. Udall; Alfred J. Lindh, of Wilmington, Del., on motion of Mr. William V. Roth, Jr.; Terry Lavelle Crapo, of Idaho Falls, Idaho, on motion of Mr. Orval Hansen; John T. Niccollai, of Wayne, N.J., and Royal B. Giffen, of Wayne, N.J., on motion of Mr. Charles S. Joelson; Sara Moore Robinson, of Washington, D.C., on motion of Mr. Henry S. Reuss; John O. Crouse, of Hillsboro, Ohio, on motion of Mr. William H. Harsha; Jimmy Gray Cutshaw, of Greenville, Tenn., Richard

H. Whitson, of Daytona Beach, Fla., and John Spencer Robinson, of Daytona Beach, Fla., on motion of Mr. William V. Chappell, Jr.; J. Bruce Kitchen, of Cleveland, Ohio, on motion of Mr. William E. Minshall; Robert S. Gardner, of Sedalia, Mo., on motion of Mr. Brice Wilson Rhyne; Jesse H. Choper, of Berkeley, Calif., on motion of Mr. Murray Bring; Stephen Edward Moss, of Washington, D.C., on motion of Mr. Alan Y. Cole; Robert Stanley Lowe, of Rawlins, Wyo., on motion of Judge Thurman Arnold; L. W. Setz, of Ozark, Ark., on motion of Mr. Floyd Lee Williams; Edward Draugelis, of Plymouth, Mich., on motion of Mr. Wilbur Sparks; R. Edward Burton, of San Francisco, Calif., on motion of Mr. Julian P. Freret.

Phillip Howard Mayer, of Chicago, Ill., on motion of Mr. Rufus W. Peckham, Jr.; Patrick L. Wynne, of Bronx, N.Y., Michael P. Capriano, of New York, N.Y., Walter P. Clark, of New York, N.Y., and Joseph D. Sparacio, of Malverne, N.Y., on motion of Mr. John Patrick Acer; William J. McKinley, Jr., of Philadelphia, Pa., on motion of Mr. Edwin McDermott; Jonathan Silverstone, of Washington, D.C., on motion of Mr. Herbert Morris; Harold O. Miller, of Bailey's Crossroads, Va., on motion of Mr. Martin Hoffman; Charles Everett Kern II, of Washington, D.C., on motion of Mr. Arthur G. Lambert; James Murdoch Kefauver, of Greenbelt, Md., on motion of Mr. Hershel Shanks; Robert M. Guttman, of Washington, D.C., on motion of Mr. James E. Jones, Jr.; Jerry D. Voight, of Washington, D.C., on motion of Mr. Donald C. Simpson; William McHenry Hoiles, of McLean, Va., and Shelby V. Hutchins, of Columbus, Ohio, on motion of Mr. Charles S. Lopeman; Harry Marfut, of Falls Church, Va., on motion of Mr. Haines S. Lippincott; Leo R. Reynolds, of West Concord, Mass., on motion of Mr. Harvey Kaye; David M. Madway, of New York, N.Y., on motion of Mr. Frank Cummings; Robert L. Halbrook, Jr., of Wilmington, Del., on motion of Mr. James Corle; Frances T. Freeman Jalet, of Houston, Tex., on motion of Mr. Joseph Prendergast; Kenneth Nelson Hart, of New York, N.Y., and Richard Y. Holcomb, of New York, N.Y., on motion of Mr. Andrew J. Kilcarr; J. Henry Lovelace, of Waco, Tex., on motion of Mr. John F. O'Neal; John A. Diaz, of New York, N.Y., on motion of Mr. Eugene Sobol; Clyde Archer Wootton, of Mooresville, N.C., on motion of Mr. Hugh A. Alexander; Ronald A. Hecker, of Los Angeles, Calif., on motion of Mr. Arnold Levy.

John M. Evans, of New York, N.Y., on motion of Mr. Jack Werner; Leonard A. Baldwin, of Savannah, Ga., on motion of Mr. Harry P. Anestos; Phillip S. Brown, of Kansas City, Mo., on motion of Mr. J. Raymond Clark; George A. Tetreault, Jr., of Palmer, Mass., on motion of Mr. George Kaufmann; Joe Bill Carter, of Clayton, Mo., and A. Morris Hayes, of Winchester, Tenn., on motion of Mr. Francis

Raymond Hammill, Jr.; Thomas L. Fike, of Berkeley, Calif., and James K. White, of New Haven, Conn., on motion of Mr. Julian Bernard Carrick, Jr.; Abe Mutchnik, of Los Angeles, Calif., on motion of Mr. Robert S. Perkins; Ronald G. Schmidt, of Pierre, S. Dak., on motion of Mr. Harold O. Lovre; James Castle Gaither, of San Francisco, Calif., on motion of Mr. John Woolman Douglas; Patrick V. Martin, of New York, N.Y., on motion of Mr. Stanley O. Sher; Fred S. Whisenhunt, Jr., of Bethesda, Md., on motion of Mr. William T. Bullinger; George Ward Beaudry, of Fort Worth, Tex., on motion of Mr. Matthew J. Wheeler; L. Ray Bishop, of Ann Arbor, Mich., Loren W. Campbell, of Ann Arbor, Mich., John B. Collins, of Ypsilanti, Mich., John W. Conlin, Jr., of Ann Arbor, Mich., William F. Delhey, of Saline, Mich., John Lester Etter, of Ann Arbor, Mich., Jerome D. Farmer II, of Ann Arbor, Mich., Sedgwick S. Field, of Ann Arbor, Mich., Robert V. Fink, of Ypsilanti, Mich., Peter Winchell Forsythe, of Ann Arbor, Mich., Jack J. Garris, of Ann Arbor, Mich., Harold A. Jones, of Chelsea, Mich., Casper H. Kast, of Ann Arbor, Mich., Dwaine V. Lighthammer, of Ann Arbor, Mich., Gerald A. Lipnik, of Ann Arbor, Mich., John D. McCormick, of Ann Arbor, Mich., William F. Richardson, of Ann Arbor, Mich., Stanton Gates Roesch, of Manchester, Mich., Richard W. Ryan, of Ann Arbor, Mich., and Edward L. Vandenberg, Jr., of Ann Arbor, Mich., on motion of Mr. Lewis George Meader.

John W. Allen, of Coventry, Conn., Salvatore F. Arena, of Portland, Conn., Stanley Phelps Atwood, of Westport, Conn., John Der Bagdasarian, of New Britain, Conn., Patrick C. Baker II, of Ridgefield, Conn., Jonathan M. Bennett, of Stamford, Conn., Robert L. Berchem, of Milford, Conn., Peter R. Blum, of Hartford, Conn., David M. Borden, of W. Hartford, Conn., Gerald Howard Braffman, of New Haven, Conn., Frank J. Brown, of Hartford, Conn., Robert A. Buckles, of Stamford, Conn., Herbert J. Bundock, of Bridgeport, Conn., Clifford S. Burdge, Jr., of Hartford, Conn., Peter J. Carolan, of Waterbury, Conn., Salvatore John Cartelli, of Middletown, Conn., Michael Anthony Catalano, of Stamford, Conn., Martin A. Clayman, of W. Hartford, Conn., Thomas W. Collins, of Wethersfield, Conn., James W. Cooper, of New Haven, Conn., Thomas B. Coughlin, of Stratford, Conn., Herbert William Cramer, of Bridgeport, Conn., Milton L. Cramer, of Torrington, Conn., David M. Curry, of Hartford, Conn., Daniel Webster Dedrick, of West Hartford, Conn., Anthony V. DeMayo, of New Haven, Conn., Lawrence P. Dennin, Jr., of Norwalk, Conn., Francis M. Dooley, of Sharon, Conn., Thomas H. Dooley, of Vernon, Conn., Michael J. Dorney, of New Haven, Conn., Hugh Bruce Dougherty, of Greenwich, Conn., Edward Terry Durant, of Trumbull, Conn., Hyman G. Etkind, of Easton, Conn., John E. Fay, of New Hartford, Conn., Samuel J. Fiore, of Pawcatuck,

Conn., Charles P. Flynn, of Wilton, Conn., William F. Gallagher, of New Haven, Conn., Joseph J. Gallicchio, of Torrington, Conn., Harold J. Geragosian, of New Britain, Conn., Sanford Glassman, of New London, Conn., Richard Goodman, of Bloomfield, Conn., Irwin Jerome Gordon, of Bridgeport, Conn., Nancy Howes Gormley, of New York N.Y.

Raymond B. Green, of Canton, Conn., Robert F. Grele, of Greenwich, Conn., Anthony M. Guerrero, of Stratford, Conn., Thomas J. Hagarty, of Hartford, Conn., J. Robert Haskell, of Manchester, Conn., James T. Haviland II, of Hartford, Conn., James E. Hayes, of Bristol, Conn., George E. Hill, of Storrs, Conn., Edward R. Hyde, of Wilton, Conn., William R. Judy, of Hartford, Conn., James W. Kambas, of Stamford, Conn., Reubin Kaminsky, of Hartford, Conn., Ralph M. Kilburn, of Canton, Conn., Edward Krasnow, of Fairfield, Conn., Jules Lang, of Norwalk, Conn., Richard B. Laschever, of East Hartford, Conn., George J. Lepofsky, of Norwalk, Conn., Warren A. Luedecker, of Trumbull, Conn., Joseph G. Lynch, of Portland, Conn., Robert M. McAnerney, of Darien, Conn., George E. McGoldrick, of New Haven, Conn., Joseph F. McKeon, Jr., of Westport, Conn., Paul E. Mersereau, of W. Hartford, Conn., Samuel D. B. Millar, Jr., of Darien, Conn., Peter J. Mutino, of Greenwich, Conn., Alan Neigher, of Bridgeport, Conn., Kai Nordlund, of Old Saybrook, Conn., Alfred J. Onorato, of New Haven, Conn., John C. Parker, of Wilton, Conn., Joseph J. Parrilla of Westerly, R.I., William R. Pascucci, of Norwalk, Conn., Raymond J. Payne, of W. Hartford, Conn., Bernard A. Pellegrino, of New Haven, Conn., Joseph H. Pellegrino, of New Haven, Conn., Jack A. Perry, of Fairfield, Conn., Edward G. Pizzella, of Newington, Conn., Robert J. Pizzella, of W. Hartford, Conn., Elliott B. Pollack, of Hartford, Conn., Don C. Polley, of Hartford, Conn., Alvin Pudlin, of New Britain, Conn., David C. Rappe, of Coventry, Conn., Milford F. Rhines, of Hartford, Conn.

John H. Riege, of Hartford, Conn., Stephen M. Riley, of West Hartford, Conn., Sidney L. Rosenblatt, of Newington, Conn., Mark A. Rosenthal, of Hartford, Conn., Peter McClean Ryan, of Stamford, Conn., John A. Sabanosh, of Bridgeport, Conn., Robert M. Schor, of Hartford, Conn., Peter C. Schwartz, of Glastonbury, Conn., Arnold M. Schwolsky, of W. Hartford, Conn., Melvin J. Silverman, of Norwalk, Conn., Peter K. Sivaslian, of Torrington, Conn., Thomas P. Skidd, Jr., of Wilston, Conn., Jess H. Smith, of Litchfield, Conn., Marcia Blank Smith, of Litchfield, Conn., Lester B. Snyder, of W. Hartford, Conn., Earl E. Spear, of Bridgeport, Conn., Robert L. Trowbridge, of Glastonbury, Conn., Joseph T. Turo, of Pawcatuck, Conn., Philip S. Walker, of W. Hartford, Conn., Frederick J. Whelan, Jr., of Greenwich, Conn., and John V. Zisk, of New Britain, Conn., on

motion of Mr. Thomas J. Meskill; and Neil J. Abelson, of Smithtown, N.Y., Catherine M. Andriacche, of Baldwin, N.Y., Thomas Dell Aquila, of N. Massapequa, N.Y., John M. Armentano, of Mineola, N.Y., Vincent James Beck, of Glen Cove, N.Y., Dennis A. Bengels, of Hempstead, N.Y., Bernard Birnbaum, of Rockville Centre, N.Y., Donald J. Boland, of Merrick, N.Y., Theodore Buchwalter, of Syosset, N.Y., Herbert Carr, of Woodmere, N.Y., Gerald J. Carson, Jr., of Westbury, N.Y., John Chamberlain, of Locust Valley, N.Y., Mark S. Charwat, of Merrick, N.Y., Sydney J. Chase, of Mineola, N.Y., Bernard Chetkof, of Plainview, N.Y., Michael Chetkof, of Commack, N.Y., Joseph Colby, of Massapequa Park, N.Y., Raymond F. Condon, of Massapequa, N.Y., Richard W. Croughan, of Massapequa, N.Y., Eugene T. Cullen, of Great Neck, N.Y., Theodore Daniels, of Ocean-side, N.Y., Willard H. DeSilva, of Great Neck, N.Y.

George K. Decker, of Garden City, N.Y., Francis W. Deegan, of Sea Cliff, N.Y., Louis L. Dickman, of Rockville Centre, N.Y., Anthony R. Di Gennaro, of Massapequa, N.Y., John C. Dillon, of E. Rockaway, N.Y., Peter L. Doran, of Glen Cove, N.Y., C. Malcolm Dowsey, of Manhasset, N.Y., Paul E. FitzMorris, of Kings Park, N.Y., Matthew J. Flood, of Manhasset, N.Y., A. Harold Fox, of Woodmere, N.Y., Francis B. Froehlich, of Brookville, N.Y., Jeffrey Andrew Galant, of Forest Hills, N.Y., Howard W. Goldson, of Mineola, N.Y., Philip Kenneth Greene, of Mineola, N.Y., Sidney Grossman, of New Hyde Park, N.Y., William P. Harding, of Amityville, N.Y., Herbert J. Harte, of Wantagh, N.Y., Richard Hartman, of Mineola, N.Y., Edward N. Herman, of Forest Hills, N.Y., Stuart M. Herz, of N. Woodmere, N.Y., Thomas J. Higgins, of E. Williston, N.Y., Julius Hirschfeld, of Hempstead, N.Y., Alexander Jacobson, of W. Hempstead, N.Y., Seymour Kagan, of New York, N.Y., Lawrence Kenneth Katz, of Brooklyn, N.Y., Steven L. Keats, of Mineola, N.Y., Gerald S. Kirschbaum, of Plainview, N.Y., Edward Klein, of Franklin Square, N.Y., Irving Koondel, of Mineola, N.Y., Jay M. Landa, of Great Neck, N.Y., Edward L. Leipziger, of Franklin Square, N.Y., Daniel S. Lerner, of Elmont, N.Y., Joseph G. Lilli, of W. Hempstead, N.Y., Richard D. Longworth, of Great Neck, N.Y., Charles F. Lynch, of Hicksville, N.Y., Attilio Marangione, of Mineola, N.Y., Robert B. Marcus, of Laurel Hollow, N.Y., Abraham I. Marglin, of W. Hempstead, N.Y., Jerome Seymour Medowar, of Merrick, N.Y., Robert R. Morrell, of Floral Park N.Y., Matthew Muraskin, of Wantagh, N.Y., Richard M. Naness, of Plainview, N.Y., Edward F. Nasierowski, of Lynbrook, N.Y., Jules Edward Orenstein, of Great Neck, N.Y., Michael L. Orenstein, of Great Neck, N.Y., Donald J. Payton, of Sea Cliff, N.Y.

Robert C. Petrie, of Garden City, N.Y., David B. Pressman, of Rockville Centre, N.Y., Murray Pudalov, of Massapequa Park, N.Y.,

George Rockman, of Mineola, N.Y., Jerome G. Rose, of New York, N.Y., Robert M. Rosen, of Nesconset, N.Y., Gerald P. Rosenberg, of Mineola, N.Y., Morton G. Rosenberg, of New York, N.Y., Philip Rosenstock, of Rockville Centre, N.Y., Robert J. Rountry, of Malverne, N.Y., Melvyn B. Ruskin, of Mineola, N.Y., Matthew M. Russo, of New York, N.Y., John L. Ryan, of New York, N.Y., Martin Sachs, of Bellmore, N.Y., Keith W. Saks, of Woodmere, N.Y., Alan R. Salamon, of Searingtown, N.Y., Robert G. Sale, of Great Neck, N.Y., Michael J. Salomone, of Port Washington, N.Y., Jon N. Santemma, of Hempstead, N.Y., Irwin Scherago, of Port Washington, N.Y., Louis Schiff, of Hempstead, N.Y., Charles Michael Schutzman, of Wantagh, N.Y., John F. G. Schneider, of Baldwin, N.Y., Harry L. Seaton, of New Hyde Park, N.Y., Harold Hans Seikel, of Seaford, N.Y., Leonard Siegel, of Freeport, N.Y., John W. Sinon, of Williston Park, N.Y., Harvey M. Sklaver, of Sands Point, N.Y., Robert I. Skoy, of Garden City, N.Y., Ira P. Sloane, of Great Neck, N.Y., Jack B. Solerwitz, of Mineola, N.Y., Herbert W. Solomon, of Plainview, N.Y., Harold F. Strohson, of Roosevelt, N.Y., Eli Wager, of Woodmere, N.Y., and Sheldon Irwin Walker, of Brooklyn, N.Y., on motion of Mr. David Holman were admitted to practice.

OPINIONS

No. 403. Jack Frederick McKart, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and case remanded to the United States District Court for the Southern District of Ohio for the entry of a judgment of acquittal. Opinion by Mr. Justice Marshall. Concurring opinion by Mr. Justice Douglas. Opinion by Mr. Justice White concurring in the result.

No. 610. John L. Sullivan, Tax Commissioner of the State of Connecticut, et al., appellants, *v.* United States et al. Appeal from the United States Court of Appeals for the Second Circuit. Judgment reversed and case remanded to the United States District Court for the District of Connecticut for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart.

No. 791. Ronald L. Crane, petitioner, *v.* Cedar Rapids and Iowa City Railway Company. On writ of certiorari to the Supreme Court of Iowa. Judgment affirmed. Opinion by Mr. Justice Brennan. Dissenting opinion by Mr. Justice Black with whom Mr. Chief Justice Warren and Mr. Justice Douglas join.

No. 39. Enrique Perez, petitioner, *v.* California. On writ of certiorari to the Supreme Court of California. Writ dismissed as improvidently granted. Opinion *per curiam* announced by Mr. Chief

Justice Warren. Mr. Justice Douglas dissents from the dismissal of the writ.

No. 150. Frances Mattiello, appellant, *v.* Connecticut. Appeal from the Appellate Division of the Circuit Court of Connecticut. Appeal dismissed for want of a properly presented federal question. Opinion *per curiam* announced by Mr. Chief Justice Warren.

No. 158. Brotherhood of Railroad Trainmen et al., petitioners, *v.* John P. O'Connell, etc., et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit; and

No. 172. Elmer L. Dirks, individually and as General Chairman of the Brotherhood of Railroad Trainmen, et al., petitioners, *v.* W. L. Birkholz et al. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgments vacated and cases remanded to the respective district courts with instructions to dismiss the cases as moot. Opinion *per curiam* announced by Mr. Chief Justice Warren.

The Chief Justice said:

"The other orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally."

OPINIONS PER CURIAM

No. 1245. Guilford Dinsmuir Shaw, appellant, *v.* California. Appeal from the Court of Appeal of California, Second Appellate District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 1257. Helen Lopo, etc., appellant, *v.* Saks Fifth Avenue. Appeal from the Court of Appeal of California, Second Appellate District. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 1284. William Everhardt et al., appellants, *v.* City of New Orleans et al. Appeal from the Supreme Court of Louisiana. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. ——. Edgar Leonard Robinson, petitioner, *v.* California. The application for a stay of execution presented to Mr. Justice Douglas, and by him referred to the Court, is granted pending the timely filing

and disposition of a petition for a writ of certiorari. Should the petition for writ of certiorari be denied, this stay is to terminate automatically. In the event the petition for writ of certiorari is granted, this stay is to continue pending the issuance of the mandate of this Court.

No. 477. United States, petitioner, *v.* United States Coin and Currency, etc. This case is restored to the calendar for reargument.

No. 622. William L. Maxwell, petitioner, *v.* O. E. Bishop, Superintendent, Arkansas State Penitentiary. This case is restored to the calendar and set for reargument on October 13, 1969.

No. 1070. Frank Peter Balistrieri, petitioner, *v.* United States. The Solicitor General is requested to file a response to the petition for rehearing. Mr. Justice Marshall took no part in the consideration or decision of this order.

No. 1127. Technitrol, Inc., petitioner, *v.* Edward J. McManus, United States District Judge, etc. The motion of the respondent for damages under Rule 56 is denied.

No. 1276. William H. Roberts, petitioner, *v.* William J. McDonald et al. The motion of the petitioner pursuant to Section 455, 28 U.S.C. suggesting disqualification of Mr. Justice Brennan is denied.

No. 1421. Christopher Jackman et al., petitioners, *v.* John M. Bodine et al. The application for a stay of the primary election of June 3, 1969, and for other relief, is denied. Mr. Justice Brennan took no part in the consideration or decision of this application.

CERTIORARI DENIED

No. 1185. Frederick J. Pagnani, petitioner, *v.* Securities and Exchange Commission;

No. 1186. Jerome Matusow, petitioner, *v.* Securities and Exchange Commission; and

No. 1195. Great American Industries, Inc., et al., petitioners, *v.* Securities and Exchange Commission. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1207. Jimmie Dane Burke, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals of the Fifth Circuit denied.

No. 1237. Charles Ross and Josephine Pawlak, petitioners, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1239. Young & Company et al., petitioners, *v.* R. J. Shea, Deputy Commisisoner of Labor, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1242. Harold Nebenzal, petitioner, *v.* Edward D. Re et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1247. International Brotherhood of Electrical Workers, AFL-CIO, et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1250. Hariclia C. Ballas et al., petitioners, *v.* Mary Cladis et al. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 1254. Strachan Shipping Company et al., petitioners, *v.* R. J. Shea, Deputy Commissioner of Labor, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1255. Edward H. Cook et al., petitioners, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 1259. Joseph Sica, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1260. Pepperell Manufacturing Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari of the United States Court of Appeals for the Fifth Circuit denied.

No. 1261. Construction Aggregates Corporation, petitioner, *v.* Hewitt-Robins, Incorporated. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1263. Japan Line, Ltd., et al., petitioners, *v.* Sabre Shipping Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1265. Alpha-Continental, etc., et al., petitioners, *v.* United States for the use of F. E. Robinson Co. of N. C., Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1287. Irving Rich, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1288. Michael J. McLaney, petitioner, *v.* Time, Inc., dba "Life". Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1374. Semet-Solvay Division, Allied Chemical Corporation, petitioner, *v.* James A. Miller, Sr. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1181. Edward Lee Hochenedel, III, petitioner, *v.* Louisiana. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 1189. Howard Yeager, Warden, petitioner, *v.* Michael O'Connor. Motion of respondent for leave to proceed herein *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1253. Bernard Wilson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 1267. Newspaper Drivers & Handlers Local Union No. 372, etc., petitioner, *v.* Detroit Newspapers Publishers Association et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 564, Misc. In the Matter of the Application of Ralph Woody, petitioner. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1244, Misc. Robert William Muller, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1248, Misc. Carmine DiPaolo, Jr., petitioner, *v.* Howard Yeager, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1319, Misc. Myrl Horton, petitioner, *v.* Merle R. Schneckloth, Superintendent, California Conservation Center. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1354, Misc. Samuel G. Townes, petitioner, *v.* C. C. Peyton, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1424, Misc. Robert L. Barbee, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 1441, Misc. In the Matter of the Application of James P. Rudisill, Jr., petitioner. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 1454, Misc. Mack Jones, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 1470, *Misc.* William Simmons, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 1630, *Misc.* Robert Newton Gardner, Jr., petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1691, *Misc.* Calvin F. Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1716, *Misc.* Gloria Eva Oliva, petitioner, *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 1731, *Misc.* Richard D. Yates, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 1733, *Misc.* Peter J. Donohue, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1735, *Misc.* William Scott, Jr., petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 1747, *Misc.* Edward Stanley Miller and Joseph T. Quinones, petitioners, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 1757, *Misc.* William Huggins, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 1760, *Misc.* Willie E. Pendergrast, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1761, *Misc.* Joseph L. Hollick, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1764, *Misc.* Burnell Robinson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1765, *Misc.* Joseph L. DeLevey, petitioner, *v.* Edwin L. Reynolds, etc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1766, *Misc.* Alfred Schnitzler, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1767, *Misc.* Robert Williams, petitioner, *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 1769, *Misc.* Mayo M. Goff, petitioner, *v.* Veterans Administration. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1770, *Misc.* Jack Silver, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1774, *Misc.* Jack C. Ping, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1776, *Misc.* Lawrence Hammer, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 1777, *Misc.* James Watson, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 1778, *Misc.* Morris E. Anglin, Jr., petitioner, *v.* Maryland. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1782, *Misc.* Franklyn Weaver, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1783, *Misc.* Claude A. Williams, petitioner, *v.* Walter Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1784, *Misc.* Bobby Russell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1787, *Misc.* Leo W. Charland, petitioner, *v.* Norge Division, Borg-Warner Corporation, et al., Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1791, *Misc.* Jake M. LaCaze, petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 1793, *Misc.* Bobby Bright, petitioner, *v.* Frank Pate, Warden. Petition for writ of certiorari to the Circuit Court of Cook County, Illinois, denied.

No. 1794, *Misc.* Huey R. Lee, petitioner, *v.* Alabama. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1795, *Misc.* Samuel Bernstein, petitioner, *v.* Martin P. Catherwood, as Industrial Commissioner of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. **1798, Misc.** Wesley Larue Gaylord et al., petitioners, *v.* Christ T. Seraphim, County Court Judge, et al. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. **1803, Misc.** William Purvis, petitioner, *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. **1804, Misc.** Robert Edward Givens, petitioner, *v.* Oregon. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. **1805, Misc.** Douglas E. Willis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1806, Misc.** Jake Charles Scott, Jr., petitioner, *v.* Ray Procnier, Director, California Department of Corrections. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1807, Misc.** Vicente Gatica Startti, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1808, Misc.** James Smiley, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. **1810, Misc.** Mana Pina Holguin, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1811, Misc.** Thomas Russel, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1812, Misc.** Simon A. Rivera, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. **1814, Misc.** Nicholas Noor, petitioner, *v.* John T. Deegan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1815, Misc.** Albert Haykel, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. **1834, Misc.** Wylie Ray Vanderburg, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1840, Misc.** David E. Howington, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1841, *Misc.* Nealy J. Buchanon, petitioner, *v.* Michigan. Petition for writ of certiorari to the Circuit Court for County of Ingham, Michigan, denied.

No. 1882, *Misc.* Lester R. Dimond, Jr., petitioner, *v.* Suffolk County Bar Association. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 1915, *Misc.* Israel G. Hernandez, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 487, *Misc.* Richard S. Knight, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion that certiorari should be granted.

No. 663, *Misc.* Chester L. Hoapili, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 1893, *Misc.* Elmer A. Merrill, petitioner, *v.* Robert I. Moseley, Warden;

No. 1924, *Misc.* Johnnie Clifford McDowell, petitioner, *v.* Robert I. Moseley, Warden;

No. 1928, *Misc.* Hartful Webster, petitioner, *v.* James F. Howard, Superintendent, Kentucky State Reformatory;

No. 1930, *Misc.* Richard Emmett Smiley, petitioner, *v.* California et al.; and

No. 1976, *Misc.* Benny R. Allen, petitioner, *v.* Louis S. Nelson, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 1779, *Misc.* Harry A. Young, petitioner, *v.* Raymond K. Procnier et al. Motion for leave to file petition for writ of mandamus and for other relief denied.

REHEARINGS DENIED

No. 954. Stephen A. Cino, petitioner, *v.* United States;

No. 1061. Walter D. Teague III et al., petitioners, *v.* Regional Commissioner of Customs, Region II, et al.; and

No. 1093. Best Medium Publishing Co., Inc., petitioner, *v.* Melvin Varnish. Petitions for rehearing denied.

No. 12. Samuel Desist et al., petitioners, *v.* United States. Petition for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 964, Misc. Ben Junior Edwards, petitioner, *v.* Kansas;

No. 1581, Misc. L. T. Fields, Jr., petitioner, *v.* Vincent R. Mancusi, Warden; and

No. 1746, Misc. Adrian R. Akers, petitioner, *v.* R. E. Cassin, Superior Court Judge, etc. Petitions for rehearing denied.

No. 732, Misc. Frank M. Rich, petitioner, *v.* United States. Petition for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

ORDER

Pursuant to the provisions of Title 28 U.S.C., Section 42, It is ordered that Mr. Justice Brennan be, and he is hereby, temporarily assigned to the First Circuit as Circuit Justice.

RECESS ORDER

The Court will take a recess from today until Monday, June 2, 1969.

Adjourned until Monday, June 2, 1969, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Lawrence Edward Shinnick, of Washington, D.C., Mary Murphy Schroeder, of Washington, D.C., Louis J. Lombardo, of Washington, D.C., Robert Stephen Bennett, of Washington, D.C., Gerald T. Korengold, of Los Angeles, Calif., Haskell H. Grodberg, of Los Angeles, Calif., Philip Roy Michael, of Washington, D.C., Robert Donald Mastry, of St. Petersburg, Fla., Richard Ivan Bass, of Chicago, Ill., Thomas H. Boerschinger, of Chicago, Ill., David Martin Barrett, of South Bend, Ind., Neil Patrick Crooks, of Green Bay, Wis., Ralph Morton Bernstein, of Chicago, Ill., Harry Mock, Jr., of Los Angeles, Calif., J. Gerard Hogan, of New York, N.Y., John M. Romanchik, Jr., of Cleveland, Ohio, Remo Michael Croce, of Pennsauken, N.J., Clinton E. Cronin, of Bay Head, N.J., Walter R. Davis, Jr., of Lebanon, N.J., John Gero, of Wayne, N.J., Arthur Abba Goldberg, of Jersey City, N.J., Stuart Kahn, of West New York, N.J., Fred Kieser, Jr., of North Brunswick, N.J., Charles Harry Landesman, of Kearny, N.J., E. Robert Levy, of Livingston, N.J., Joseph James Maiorino, of Trenton, N.J., Lawrence G. Moncher, of Englishtown, N.J., Theodore A. Schwartz, of Livingston, N.J., Stephen Skillman, of Trenton, N.J., Andrew A. Valeriani, Jr., of Trenton, N.J., Irving Roy Venokur, of West Orange, N.J., William J. Walsh, of Trenton, N.J., and Theodore A. Winard, of Newark, N.J., on motion of Mr. Solicitor General Erwin N. Griswold.

John D. Ehrlichman, of Seattle, Wash., John P. Sears, of New York, N.Y., and Harry S. Dent, of Columbia S.C., on motion of Mr. Richard G. Kleindienst; William Carter Bowles, Jr., of Potomac, Md., on motion of Mr. Charles McCurdy Mathias, Jr.; Robert G. Davis, of Medford, Oreg., and Frank J. VanDyke, of Medford, Oreg., on motion of Mr. John R. Dellenback; Leonard B. Berger, of San Francisco, Calif., and Dennis Hession, of San Mateo, Calif., on motion of Mr. Paul N. McCloskey, Jr.; John Myron Compton, of San Jose, Calif., on motion of Mr. Don Edwards; William Messing, of Tucson, Ariz., on motion of Mr. Morris K. Udall; Larry T. Hester, of Houston, Tex., on motion of Mr. O. C. Fisher; Harold A. Cannold, of Brooklyn, N.Y., on motion of Mr. Charles J. Zinn; Daniel Nisson Pevos, of Oak Park,

Mich., on motion of Mr. Wilbur Sparks; Leslie V. Dix, of Washington, D.C., on motion of Mr. Frederick Bernays Wiener; Joseph M. Allen, Jr., of Mobile, Ala., David Stanley Cooper, of Berkeley, Calif., William Walter Kramer, of Washington, D.C., and Richard M. Schnal, of Seaside, Calif., on motion of Mr. Warren Kaufman; Gerald L. Reade, of Yankton, S. Dak., on motion of Miss Frances D. Biegelmeier; Douglas B. Baily, of Anchorage, Alaska, on motion of Mr. Ronald G. Birch; Thomas Joseph Carley, of Rockville Centre, N.Y., and Norman R. Thorpe, of Carlinville, Ill., on motion of Mr. Peter Ehrenhaft; Charles W. Peckinpugh, Jr., of Toledo, Ohio, on motion of Mr. John F. Mahoney, Jr.; Leslie Scherr, of Washington, D.C., on motion of Mr. Robert H. Turtle; Warren F. B. Lindsley, of Oklahoma City, Okla., on motion of Mr. Frank L. Neuhauser, Jorge Luis Suarez-Montes, of San Juan, P.R., Genovevo Melendez-Carrucini, of San Juan, P.R., and Edmundo Vazquez-Otero, of San Juan, P.R., on motion of Mr. Philip F. Herrick.

Robert J. McGarry, of Providence, R.I., Eustace T. Pliakas, of Warwick, R.I., Edward J. Regan, of East Greenwich, R.I., and Alfred B. Stapleton, of Little Compton, R.I., on motion of Mr. Benjamin Feld; Edward Minor Prince, of Chevy Chase, Md., on motion of Mr. Gregory S. Prince; Luis A. Feliciano-Carreras, of San Juan, P.R., Charles E. Figueroa-Alvarez, of San Juan, P.R., Andres Garcia-Arache, of San Juan, P.R., and Alcides Oquendo, of San Juan, P.R., on motion of Mr. Courtney A. Evans; Jay Roy Jones, of Clarkston, Wash., on motion of Mr. Edward J. McCormick; H. Jack Klingensmith, of Miami, Fla., on motion of Mr. Donald A. Williams; Robert G. Mebus, of Dallas, Tex., on motion of Mr. Will R. Wilson, Jr.; Richard Leo Sippel, of Washington, D.C., on motion of Mr. Alexander J. Brown, Jr.; Ronald H. Reynier, of Pottstown, Pa., on motion of Mr. Henry T. Crocker; Michael Stuart Hacker, of Miami, Fla., on motion of Mr. Philip Allan Hacker; Arnold E. Bruno, of New York, N.Y., on motion of Mr. Wilberforce Sully, Jr., Donald Joseph May, of Baltimore, Md., and A. Gus Mastracci, of Baltimore, Md., on motion of Mr. James Frederick Bell; William Robert Spensley, of Los Angeles, Calif., on motion of Mr. Jay M. Cantor; Dennis L. Patterson, of Dayton, Ohio, on motion of Mr. Donald Reister Moore; Bernd W. Sandt, of Washington, D.C., and M. Jerome Rudy, of Midland, Mich., on motion of Mr. Edward B. Evans; Robert B. Schwartz, of Washington, D.C., on motion of Mr. Raymond M. Zimmet; Samuel Herbert Nelson, of Wilkes-Barre, Pa., on motion of Mr. Matthew S. Watson; Asa R. Ambrister, Jr., of Nashville, Tenn., on motion of Mr. Jerry Broadwell Stone; James Stuart Bowie, of St. Louis, Mo., on motion of Mr. Warren K. Morgens; Lowell L. Garrett, of Cleveland, Ohio, on motion of Mr. Vincent Ambrose.

John R. Thomas, Jr., of Birmingham, Ala., on motion of Mr. Rogen Norris Boyd; Katherine M. Greene, of Washington, D.C., on motion of Mrs. Rotraud Mezger Perry; Marion J. Foster, of Raleigh, N.C., and Edward Earl Hollowell, of Raleigh, N.C., on motion of Mr. Irving E. Kaminsky; Wm. Louis White, of Tyler, Tex., on motion of Mr. Charles M. Johnston; David G. Stevenson, of Washington, D.C., on motion of Mr. James Reist Stoner; Donald L. Hobson, of Detroit, Mich., and George Alfred Ross, of Washington, D.C., on motion of Mr. Erias S. Hyman; John C. Alldredge, of Anderson, Ind., Harold J. Anderson, of Anderson, Ind., William G. Anderson, of Anderson, Ind., Nelson Bohannan, of Anderson, Ind., Craig B. Campbell, of Anderson, Ind., William R. Clifford, of Anderson, Ind., Daniel Stevens Davisson, of Anderson, Ind., Walter C. Dietzen, of Anderson, Ind., Ronald K. Fowler, of Anderson, Ind., Joan Bashaw Gregg, of Anderson, Ind., Anna Cotton Hailey, of Elwood, Ind., Paul W. Kelley, of Anderson, Ind., Vincent Kelley, of Anderson, Ind., Donald E. La Pierre, of Anderson, Ind., Claude Burton McClintock, of Anderson, Ind., G. Douglass Owens, of Pendleton, Ind., Don W. Peck, of Anderson, Ind., William L. Peck, of Anderson, Ind., Donald R. Phillippe, of Anderson, Ind., Daniel D. Quickel, of Anderson, Ind., Lawrence H. Robbins, of Anderson, Ind., Robert Russell Robbins, of Anderson, Ind., Henry P. Schrenker, of Anderson, Ind., Daryl E. Scott, of Anderson, Ind., John T. Scott, of Anderson, Ind., Carl T. Smith, of Anderson, Ind., Harry B. Thornburg, of Anderson, Ind., Joseph C. Urban, of Alexandria, Ind., John R. Walsh, of Anderson, Ind., and Alphaeus S. Woolbert, of Anderson, Ind., on motion of Mr. David W. Dennis.

Harry Berlin, of Bayside, N.Y., Lee Harold Bostic, of Jamaica, N.Y., Thomas J. Dillon, of Flushing, N.Y., Terry S. Eleftheriades, of New York, N.Y., Albert I. Gilman, of No. Woodmere, N.Y., Patricia F. Gilmartin, of Howard Beach, N.Y., Ira M. Hariton, of Bay Shore, N.Y., Kenneth R. Hendra, of Flushing, N.Y., Eli Katz, of Great Neck, N.Y., John W. Kenny, of Brooklyn, N.Y., Robert Philip Leighton, of Jamaica Estates, N.Y., Arthur W. Lonschein, of Jamaica, N.Y., Robert I. Mandel, of Syosset, N.Y., James J. McDonald, of Flushing, N.Y., Harold B. McLaughlin, of Flushing, N.Y., Raymond F. O'Brien, of Jamaica, N.Y., Marjorie O'Connell, of Jamaica, N.Y., Andrew J. Orensky, of Rockaway Beach, N.Y., Joan E. Osterndorf, of Queens Village, N.Y., John F. Osterndorf, of Poughkeepsie, N.Y., Joseph J. Regan, Jr., of Sunnyside, N.Y., Milard King Roper, of Floral Park, N.Y., Lawrence R. Schneider, of New York, N.Y., Ronald Joseph Schwartz, of Bellerose, N.Y., Joscelyn E. Smith, of Jamaica, N.Y., Francis J. Valentino, of Holliswood, N.Y., Donald Warren, of Bellmore, N.Y., Jerome Martin Weinberg, of Rego Park, N.Y., and Fritz Weinschenk, of New York, N.Y., on motion of Mr.

Benjamin S. Rosenthal; Peter B. Bass, of Ocean Township, N.J., Eugene B. Beck, of Montclair, N.J., Lawrence P. Brady, Jr., of Kearny, N.J., Malcolm A. Colton, of Newark, N.J., Richard F. Connors, of Jersey City, N.J., Alice Ashley Costello, of Trenton, N.J., John J. Crawley, Jr., of Parsippany-Troy Hills, N.J., Charles De Fazio III, of Hoboken, N.J., Joseph S. DiMaria, of River Edge, N.J., Vincent T. Frank, of Jersey City, N.J., Eugene Sullivan Garrett, of Rutherford, N.J., Philip R. Glucksman, of Morristown, N.J., Burton Jay Ironson, of Springfield, N.J., J. George Ivler, of Fair Lawn, N.J., Roger A. Hauser, of Englewood, N.J., Patrick J. Hanifin, of Bloomfield, N.J., Henry A. Kaplan, of Neptune, N.J.

Thomas A. Kerwin, of Dunellen, N.J., Frederick W. Kuechenmeister, of Carlstadt, N.J., Herman W. Kurtz, of Irvington, N.J., Norman A. Kurtz, of Livingston, N.J., Thomas G. Loman, of Cresskill, N.J., Patrick S. Mason, of Rumson, N.J., Robert McKeever, of Metuchen, N.J., Fredric M. Milstein, of Interlaken, N.J., Phillip J. Paul, of Lyndhurst, N.J., Ronald Reichstein, of Montclair, N.J., David N. Samson, of Maplewood, N.J., Frederick C. Schneider III, of New Brunswick, N.J., Thomas W. Sharlow, of Metuchen, N.J., Leonard J. Tafro, of Newark, N.J., Roland Watson, of Jamaica, N.Y., Donald M. Weitzman, of Morristown, N.J., and E. Bruce Wetzal, Jr., of Brielle, N.J., on motion of Mr. Aristo Dallavalle; and James H. Allen, of Memphis, Tenn., Gerald I. Arnson, of Dayton, Ohio, Edward S. Baran, of Washington, D.C., Hugh Y. Bernard, of Washington, D.C., Wallace Bock, of New York, N.Y., Patrick H. Bowen, of New York, N.Y., Richard L. Brand, of San Fernando, Calif., John G. Brosky, of Pittsburgh, Pa., Ralph I. Callen, of Anaheim, Calif., Calvin W. Chesson, of Charlotte, N.C., Jerome E. Cihak, of Chicago, Ill., Henry W. Collins, of Cleveland, Ohio, Louis J. DiTrani, of Oxin Hill, Md., Harry L. DuBrin, Jr., of Albany, N.Y., Charles E. Echols, of Charlottesville, Va., W. David Etchason, of Ontario, Calif., Clarke Leroy Fauver, of Silver Spring, Md., Edward T. Feierstein, of Philadelphia, Pa., Kenneth Paul Franklin, of Houston, Tex., John M. Garjian, of Los Angeles, Calif., Stephen M. Goldfarb, of Minneapolis, Minn., Roy E. Hamrick, of San Leandro, Calif., Hugh Scott Hester, of Williamsburg, Va., Donald W. Higbee, of Silverado, Calif.

W. F. Hyer, of Houston, Tex., Laurence G. Kessler, of Richmond, Va., Charles Stirling King, of Lake Charles, La., Lehman D. Krause, of East St. Louis, Ill., Charles L. Langer, of Minneapolis, Minn., Matthew P. Lynch, of Northridge, Calif., Robert J. Maloof, of Hasbrouck Heights, N.J., John B. Markham, of Parson, Kans., Watson M. Marshall, of Richmond, Va., Harold C. Meier, of Columbus, Ohio, John Justin McCarthy, of La Jolla, Calif., Harold F. McLeran, of Mt. Pleasant, Iowa, Joseph L. Osajda, of Chicago, Ill., Howard E.

Petersen, of LaGrange, Ind., Lester M. Ricks, Jr., of Houston, Tex., Lawrence L. Robertson, of Dallas, Tex., Paul Edward Rosenberg, of Hyattsville, Md., Robert P. Schifferman, of Los Angeles, Calif., Jerrold E. Shaffner, of Ft. Lauderdale, Fla., Frank A. Shiers, of Bremerton, Wash., Harold D. Stivers, of Louisville, Ky., Dan N. Taylor, of McLean, Va., H. Franklin Taylor, III, of Richmond, Va., Lynn Charles Thompson, of Arlington, Va., Kent M. Weeks, of Wooster, Ohio, Seymour B. Zaban, of Benton Harbor, Mich., and Harold E. Zimmer, of Lakewood, Colo., on motion of Mr. Robert E. Redding, were admitted to practice.

OPINIONS

No. 574. United States, petitioner, *v.* Estate of Joseph P. Grace, deceased, et al. On writ of certiorari to the United States Court of Claims. Judgment reversed and case remanded to the United States Court of Claims for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Marshall. Dissenting opinion by Mr. Justice Douglas. Mr. Justice Stewart took no part in the consideration or decision of this case.

No. 749. Adolpho Rodriquez, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit Judgment reversed and case remanded to the United States District Court for the ~~Eastern~~^{Northern} District of California where petitioner should be resentenced so that he may perfect an appeal in the manner prescribed by the applicable rules. Opinion by Mr. Justice Marshall. Opinion by Mr. Justice Harlan concurring in part and dissenting in part.

No. 488. Doris Daniel and Rosalyn Kyles, petitioners, *v.* Euell Paul, Jr., etc. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment reversed and case remanded to the United States District Court for the Eastern District of Arkansas for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brennan. Concurring opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Black.

No. 701. Gaston County, North Carolina, appellant, *v.* United States. Appeal from the United States District Court for the District of Columbia. Judgment affirmed. Opinion by Mr. Justice Harlan. Mr. Justice Black dissents for substantially the same reasons he stated in § (b) of his dissenting opinion in *South Carolina v. Katzenbach*, 383 U.S. 301, 355, 358.

No. 642. Edward Boykin, Jr., petitioner, *v.* Alabama. On writ of certiorari to the Supreme Court of Alabama. Judgment reversed and case remanded to the Supreme Court of Alabama for further proceedings not inconsistent with the opinion of this Court. Opinion by

Mr. Justice Douglas. Dissenting opinion by Mr. Justice Harlan with whom Mr. Justice Black joins.

No. 750. Glenn Martin Harrington, petitioner, *v.* California. On Writ of certiorari to the Court of Appeal of California, Second Appellate District. Judgment affirmed. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Brennan with whom Chief Justice Warren and Mr. Justice Marshall join.

No. 646. James F. O'Callahan, petitioner, *v.* J. J. Parker, Warden. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment reversed and case remanded to the United States District Court for the Middle District of Pennsylvania for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Harlan with whom Mr. Justice Stewart and Mr. Justice White join.

No. 798. United States, petitioner, *v.* Montgomery County Board of Education et al.; and

No. 997. Arlam Carr, Jr., by Arlam Carr and Johnnie Carr, etc., et al., petitioners, *v.* Montgomery County Board of Education et al. On writs of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and cases remanded to the United States Court of Appeals with directions to affirm the judgment of the United States District Court for the Middle District of Alabama. Opinion by Mr. Justice Black.

No. 748. Thornton A. Jenkins, petitioner *v.* Delaware. On writ of certiorari to the Supreme Court of Delaware. Judgment affirmed. Opinion by Mr. Chief Justice Warren. Mr. Justice Black with whom Mr. Justice Douglas joins dissents for the reasons stated in his dissenting opinions in *Linkletter v. Walker*, 381 U.S. 618, 640, and *Johnson v. New Jersey*, 384 U.S. 719, 736. Dissenting opinion by Mr. Justice Harlan.

The Chief Justice said:

"The other orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally."

OPINIONS PER CURIAM

No. 1268. Maurice H. Kowan, appellant, *v.* California. Appeal from the Appellate Department of the Superior Court of California, County of Los Angeles. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. **1335**. Nick M. Egleson, appellant, *v.* Massachusetts. Appeal from the Supreme Judicial Court of Massachusetts. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

ORDER IN PENDING CASE

No. **1101**. Brotherhood of Locomotive Firemen and Enginemen, petitioner, *v.* Elgin, Joliet & Eastern Railway Company. The joint motion to defer consideration of the petition for writ of certiorari is granted.

APPEAL—JURISDICTION NOTED

No. **1875, Misc.** Robert Baldwin, appellant, *v.* New York. Appeal from the Court of Appeals of New York. Motion for leave to proceed *in forma pauperis* granted. In this case probable jurisdiction noted and case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI GRANTED

No. **1291**. United States, petitioner, *v.* Lelord Kordel and Alfred Feldten. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted and case placed on the summary calendar.

No. **766, Misc.** James Minor, petitioner, *v.* United States. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to United States Court of Appeals for the Second Circuit granted. Case transferred to the appellate docket and placed on the summary calendar.

No. **1387, Misc.** James Turner, petitioner, *v.* United States. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted. Case transferred to the appellate docket, placed on the summary calendar and set for oral argument immediately following No. 766, Misc.

CERTIORARI DENIED

No. **1063**. Charles Wright et al., petitioners, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. **1075**. Sidney C. Knight, petitioner, *v.* Louisiana State Board of Medical Examiners. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. **1162**. Danica Enterprises, Inc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1201.** Fred G. Hayden, dba Houston International Airport Limousine Service, petitioner, *v.* A. G. Bowen et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1233.** A. J. Batterton, Executor of the Will of Mary Todd Batterton, deceased, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1256.** Eddie Lee Hill, petitioner, *v.* Flota Mercante Gran-colombiana, S. A. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1264.** Glenn C. Wolfe, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. **1270.** Melvin McCown, petitioner, *v.* Humble Oil and Refining Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1272.** Raymond Sheaffer et al., petitioners, *v.* Warehouse Employees Union, Local 730, etc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1274.** W. T. Smith, petitioner, *v.* A. P. Stoutomire. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. **1278.** Charles R. Armstrong, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. **1280.** Mark Fein, petitioner, *v.* John T. Deegan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1285.** Detroit Vital Foods, Inc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1289.** Daniel Morin et ux., petitioners, *v.* Victor S. Garra et al. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. **1296.** American Smelting and Refining Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1300.** Bond Transportation, Inc., petitioner *v.* Edward A. Cox et al. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. **1301.** Arthur I. Snyder, petitioner, *v.* Journal Publishing Company et al. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 1308. Edward Don & Company et al., petitioners, *v.* Pearl Don Ufland et al. Petition for writ of certiorari to the Appellate Court of Illinois, First Judicial District, denied.

No. 660. In the matter of John Elwood Dennett, petitioner. Motion for leave to file reprinted petition with amendments granted. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1266. Walter Dlutzy, petitioner, *v.* Federal Trade Commission. Motion to dispense with printing and petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1279. United States, petitioner, *v.* Ideal Basic Industries, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Black and Mr. Justice Harlan are of the opinion that certiorari should be granted. Mr. Justice White and Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 1295. Alleghany Corporation et al., petitioners, *v.* Missouri Pacific Railroad Company et al.;

No. 1328. Betty Levin et al., petitioners, *v.* Missouri Pacific Railroad Company; and

No. 1333. Rose Slayton et al., petitioners, *v.* Missouri Pacific Railroad Company. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 959, *Misc.* Luis Rivera, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 1015, *Misc.* Rogelio Nieves Negron, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 1069, *Misc.* Thomas Geter, petitioner, *v.* Louis S. Nelson. Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1172, *Misc.* Thomas Ruppert, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 1348, *Misc.* Samuel D. Collins, petitioner, *v.* Harold V. Field. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1513, *Misc.* Carl Edward Grindstaff, petitioner, *v.* Iowa. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1587, *Misc.* Gerald D. Peterson and Louis A. Derringer, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1597, *Misc.* Fleming Woodard, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 1658, *Misc.* Emanuel Johnson, Jr., petitioner, *v.* Alfred T. Rundle, Superintendent, State Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1693, *Misc.* Jerry Richard Lowry, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1696, *Misc.* Earl Staples, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 1714, *Misc.* L. G. Ruderer, petitioner, *v.* Howard F. Schiltz et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1715, *Misc.* L. G. Ruderer, petitioner, *v.* U. S. Department of Justice et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1740, *Misc.* Anthony Esperti, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1759, *Misc.* William A. Smith, Jr., petitioner, *v.* United States District Court for the Southern District of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1802, *Misc.* James B. Yager, petitioner, *v.* Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 1818, *Misc.* Robert E. Fingar, petitioner, *v.* United States Railroad Retirement Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1819, *Misc.* Homer A. Tillman, petitioner, *v.* Maryland. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1823, *Misc.* Benny Shaffner, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1826, *Misc.* Martin Eugene Tezak et al., petitioners, *v.* Christ T. Seraphim, County Court Judge, et al. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 1827, **Misc.** Mary M. Brown et al., petitioners, *v.* Bethania Hospital et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1830, **Misc.** Francis Haines, petitioner, *v.* William J. Lynch et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1836, **Misc.** Donald Richard Massen, petitioner, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 1837, **Misc.** Philip A. Albanese, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1844, **Misc.** Herbert Blyden, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1847, **Misc.** Norman Bork, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 1848, **Misc.** Donald Wayne Searles, petitioner, *v.* Minnesota. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 1851, **Misc.** Frank Lisciandrello, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1854, **Misc.** Vincent R. Lowrie, petitioner, *v.* Maurice Sigler. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1856, **Misc.** Ralph Davis, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1861, **Misc.** Charles Hughes, petitioner, *v.* Arizona. Petition for writ of certiorari to the Court of Appeals of Arizona denied.

No. 1862, **Misc.** Richard Francis Downie, petitioner, *v.* John C. Burke, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1864, **Misc.** Contee Harris, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1878, **Misc.** Theora L. Forestel, etc., petitioner, *v.* Penn Navigation Co. et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1891, Misc. Herbert F. Steigler, petitioner, *v.* Delaware. Petition for writ of certiorari to the Superior Court of Delaware, New Castle County, denied.

LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. 1809, Misc. Charles H. Bagby, petitioner, *v.* California Department of Corrections. Motion for leave to file petition for writ of habeas corpus denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 1843, Misc. Joseph E. Lifschutz, petitioner, *v.* John Arabian et al. Motions of California State Psychological Association; and American Psychiatric Association for leave to file briefs, as *amicus curiae*, granted. Motion for leave to file petition for writ of mandamus and/or certiorari denied.

No. 1852, Misc. Donald J. O'Meara, petitioner, *v.* United States Court of Appeals for the Tenth Circuit. Motion for leave to file petition for writ of mandamus denied.

REHEARINGS DENIED

No. 578, October Term, 1963. Joseph D'Ercole, petitioner, *v.* United States. Motion for leave to proceed *in forma pauperis* granted. Motion for leave to file petition for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of these motions.

No. 1369, October Term, 1967. Arthur Sonderegger, petitioner, *v.* Olive Heiss. Motion for leave to file second petition for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of this motion.

No. 1283, Misc., October Term, 1967. Tomislav Kordic and Venka Kordic, petitioners, *v.* P. A. Esperdy, District Director, Immigration and Naturalization Service;

No. 280. United States, petitioner, *v.* Skelly Oil Company;

No. 834. Catherine T. Pendergraft, appellant, *v.* Mississippi;

No. 1122. The Fund of Funds, Ltd., petitioner, *v.* Ethel Roth;

No. 1511, Misc. William Randolph Cinnamon, petitioner, *v.* Joe Eaton, Sheriff, Jefferson County, Kentucky;

No. 1522, Misc. George H. Winkle, petitioner, *v.* George A. Kropp, Warden;

No. 1531, Misc. James Leo DeLorme and Douglas Loft Whitsitt, petitioners, *v.* United States;

No. 1545, Misc. Mervin C. McKinney, petitioner, *v.* Joseph Boyle et al.;

No. **1565, Misc.** Jack D. McConnell, petitioner, *v.* Washington et al.; and

No. **1568, Misc.** William K. Parker, petitioner, *v.* United States. Petitions for rehearing denied.

No. **1112.** William Leighton, etc., petitioner, *v.* The One William Street Fund, Inc., et al. Petition for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **1644, Misc.** James E. Shock, petitioner, *v.* M. L. Tester et al. Petition for rehearing and motion for stay denied.

RECESS ORDER

The Court will take a recess from today until Monday, June 9, 1969. Adjourned until Monday, June 9, 1969, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

John W. Poole, Jr., of Washington, D. C., Eugene C. Payne, of San Francisco, Calif., Paul D. Hunter, of Springfield, Mass., Arthur Douglas Wolf, of Alexandria, Va., Paul S. Fenton, of Harrison, N. Y., Lawrence Jack Moore, of Houston, Tex., Douglas Meek Moore, of Salt Lake City, Utah, and Bernard Dobranski, of Washington, D. C., on motion of Mr. Erwin N. Griswold; Florence Riman McMaster, of Indianapolis, Ind., on motion of Mr. William G. Ruckelshaus; Vena Wilson Mohr, of Indianapolis, Ind., Mary Louis Wolfard, of Indianapolis, Ind., and Jeanette S. Bush, of Indianapolis, Ind., on motion of Mr. Birch Bayh; Robert Smith Briggs, of Beaumont, Tex., on motion of Mr. Ralph W. Yarborough; Wm. Coleman Branton, of Kansas City, Mo., James J. Murphy, of St. Louis, Mo., and Richard Southern, of Monroe City, Mo., on motion of Mr. Thomas F. Eagleton; William B. Nabors, of Lincoln, Neb., on motion of Mr. Theodore Fulton Stevens; James Newton Castelberry, Jr., of San Antonio, Tex., on motion of Mr. John Sparkman; James A. McSwigan, Jr., of Ashtabula, Ohio, on motion of Mr. Jackson E. Betts; Malcolm Anderson, of Boca Raton, Fla., and Reed A. Bryan, of Ft. Lauderdale, Fla., on motion of Mr. Paul G. Rogers; Daniel K. Trevino, Jr., of Houston, Tex., on motion of Mr. Robert Christian Eckhardt; Melvin Pearson Williams, of Andover, Conn., on motion of Mr. Isaac N. Groner.

Claud Reid George, of Danville, Ark., on motion of Mr. Floyd Lee Williams; Kent Scott Wilson, of Alexandria, Va., on motion of Mr. Walter L. Lewis; Francis Gillen Knipe, of Cleveland, Ohio, on motion of Mr. George Atherton Williams; D. Robert Owen, of Albany, Tex., on motion of Mr. Stephen J. Pollak; Jack F. Bonanno, of San Francisco, Calif., on motion of Mr. Michael Arthur Brown; Urban A. Lester, of Washington, D.C., and Michael S. Yaroschuk, of Washington, D.C., on motion of Mr. Peyton Ford; Frederick S. Hird, Jr., of Washington, D.C., on motion of Mr. John Chisman Hanes; Harry N. Stein, of Takoma Park, Md., and Herbert S. Nusbaum, of Beverly Hills, Calif., on motion of Mr. Lester S. Jayson; Pierce Barnard Hasler, of Portland, Me., on motion of Mr. Henry Berliner; Gabriel T.

Pap, of New York, N.Y., on motion of Mr. Morris J. Levin; H. Van Kirk Reeves, of New York, N.Y., on motion of Mr. Wm. Harvey Reeves; Robert Leon Farmer, of Raleigh, N.C., and Theodore Reaves Reynolds, of Raleigh, N.C., on motion of Mr. Hugh Q. Alexander; Vincent E. Ferretti, of Staten Island, N.Y., and Vincent Eugene Ferretti, Jr., of Rockville, Md., on motion of Judge Joseph Michael Francis Ryan, Jr.; C. Wayne Smith, of Troy, Pa., on motion of Mr. John Silard; Richard Kevin McHugh, of Selma, Ala., on motion of Mr. James T. Stovall, III; David Robert Babb, of Belvidere, Ill., on motion of Mr. John Philip Carlson; Robert Partridge Smith, Jr., of Jacksonville, Fla., on motion of Mr. Duncan B. Phillips; Roy N. Vance, of Paducah, Ky., on motion of Mr. John Henry Sandor; Gerald E. Asher, of Helena, Ark., on motion of Mr. Charles Roscoff; Stanley W. Schroeder, of Bethesda, Md., on motion of Mr. Lawrence P. Sherfy.

Robert Alvin Adler, of New York, N.Y., on motion of Mr. Michael Howard Singer; Marcelino Scala, of San Juan, P.R., on motion of Mr. Raymond Dickey; A. Garland Williams of Berryville, Va., on motion of Mr. Robert Goodloe Harper; Norman Alan Wulf, of Los Nation, Iowa, on motion of Mr. Frank A. Nelson; Joseph B. Helm, of Louisville, Ky., and Stephen Chalmer Taylor, of Los Angeles, Calif., on motion of Mr. Ralph Werner; Barbara A. Bowman, of Washington, D.C., on motion of Mr. Henry A. Babcock; David Phillip Tennant, of Washington, D.C., on motion of Mr. William Alan Fawcett; Harry Stein, of Akron, Ohio, on motion of Mr. Harold L. Talisman; Robert V. Brawley, of Winston-Salem, N.C., on motion of Mr. Edmund D. Campbell; Richard Woodward Hulbert, of New York, N.Y., on motion of Mr. Robert C. Barnard; James Clay Long, of Tulsa, Okla., on motion of Mr. Joe A. Cannon; Thomas Edwin Woodhouse, of New York, N.Y., on motion of Mr. Conrad Kenneth Harper; Harold Johnson, of Arroyo Grande, Calif., on motion of Mr. Alfred Joseph Tighe, Jr.; Eli H. Subin, of Orlando, Fla., on motion of Mr. Marvin Elliot Lewis; Gordon Selleck Judd, of Los Angeles, Calif., on motion of Mr. Jerrold Scoutt, Jr.; Frederick Thomas Smith, of Portland, Oreg., on motion of Mr. Adrian Sanford Fisher; Manuel Peter Scarmoutsos, of Memphis, Tenn., on motion of Mr. George D. Vournas; David Glynne Owen, of Memphis, Tenn., on motion of Mr. George Cabell Buscik; Ronald Ashton Fonseca, of Metairie, La., on motion of Mr. Milton Paul Shore.

Hugo Alexander, of Steubenville, Ohio, Dominic J. Bianco, of Steubenville, Ohio, Joseph J. Bruzzese, of Steubenville, Ohio, Joseph Simon Carpino, of Steubenville, Ohio, Myron Willard Coleman, of Irondale, Ohio, John Oliver England, of Steubenville, Ohio, Joseph Freedman, of Steubenville, Ohio, John J. Griesinger, of Steubenville,

Ohio, Milton Arthur Hayman, of Steubenville, Ohio, Samuel Wagner Kerr, of Steubenville, Ohio, George Mazaris, of Steubenville, Ohio, Peter Samuel Olivito, of Steubenville, Ohio, Dominic Joseph Potts, of Steubenville, Ohio, Richard Laland Powell, of Steubenville, Ohio, and Adam Edward Scurti, of Steubenville, Ohio, on motion of Mr. William McHenry Hoiles, were admitted to practice.

OPINIONS

No. 228. John T. Willingham and C. A. Jarvis, petitioners, *v.* Daniel Morgan. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment vacated and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Marshall. Concurring opinion by Mr. Justice Black.

No. 548. Roderick Jenkins, appellant, *v.* John Julien McKeithen et al. Appeal from the United States District Court for the Eastern District of Louisiana. Judgment reversed and case remanded to the United States District Court for the Eastern District of Louisiana for further proceedings in conformity with the opinion of this Court. Mr. Justice Marshall announced the judgment of the Court and delivered an opinion in which Mr. Chief Justice Warren and Mr. Justice Brennan join. Mr. Justice Douglas concurs in the result for the reasons stated in his dissenting opinion in *Hannah v. Larche*, 363 U.S. 420, 493-508 (1960). Concurring opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Harlan with whom Mr. Justice Stewart and Mr. Justice White join.

No. 436. Paulette Boudeaux Rodrique et al., petitioners, *v.* Aetna Casualty and Surety Company et al. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgments reversed and case remanded to the appropriate United States District Courts for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White.

No. 2. Red Lion Broadcasting Co., Inc., etc., et al., petitioners, *v.* Federal Communications Commission et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit; and

No. 717. United States et al., petitioners, *v.* Radio Television News Directors Association et al. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment in No. 2 affirmed. Judgment in No. 717 reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Not having heard oral argument, Mr. Justice Douglas took no part in the Court's decision.

No. 130. Christine Sniadach, petitioner, *v.* Family Finance Corporation of Bay View et al. On writ of certiorari to the Supreme Court of Wisconsin. Judgment reversed and case remanded to the Supreme Court of Wisconsin for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Douglas. Concurring opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice Black.

No. 492. Clarence Brandenburg, appellant, *v.* Ohio. Appeal from the Supreme Court of Ohio. Judgment reversed and case remanded to the Supreme Court of Ohio for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam* announced by Mr. Chief Justice Warren. Concurring opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Douglas.

No. 841. Tommie E. L. Williams, petitioner, *v.* City of Oklahoma City et al. On writ of certiorari to the Court of Criminal Appeals of Oklahoma. Judgment reversed and case remanded to the Court of Criminal Appeals of Oklahoma for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam* announced by Mr. Chief Justice Warren. Mr. Justice Black concurs in the result.

The Chief Justice said:

“The other orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally.”

OPINIONS PER CURIAM

No. 838. Daniel Soranno, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Petition for writ of certiorari granted, judgment vacated, and case remanded to the United States District Court for the Eastern District of California for further consideration in light of *McKart v. United States*, 395 U.S. —, decided May 26, 1969. Opinion *per curiam*.

No. 1293. Charles A. Meeker, appellant, *v.* Roy T. Walker et ux. Appeal from the United States Court of Appeals for the Tenth Circuit. Motion to dispense with printing jurisdictional statement granted. Judgment affirmed. Opinion *per curiam*.

No. 1294. Norman Ramm, appellant, *v.* Arnold Ramm. Appeal from the Court of Appeals of New York. The appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 966, Misc. Jesse Louis Jones, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Motion for leave to proceed *in forma pauperis*

and petition for writ of certiorari granted. Judgment vacated and case remanded to the United States District Court for the Southern District of California for further consideration in light of *Alderman v. United States*, 394 U.S. 165. Opinion *per curiam*.

No. 1048, Misc. Carl McNeil, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the United States District Court for the Eastern District of Virginia for further consideration in light of *McKart v. United States*, 395 U.S. —, decided May 26, 1969. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 1275, October Term, 1967. Walter Butterman et ux., petitioners, *v.* Walston & Co., Inc., et al. The petition to reopen this cause and for other relief is denied.

No. —. In the Matter of the petition of Sherman H. Skolnick; and

No. —. In the Matter of the petition of E. J. Albright. The petitions to conduct investigation and for other relief are denied.

No. —. Willard F. Manuel, petitioner, *v.* Illinois. The application for bail presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. 1406. William Monks, petitioner, *v.* New Jersey. The motion of the petitioner for the appointment of counsel is granted and it is ordered that Anthony G. Amsterdam, Esquire, of Philadelphia, Pennsylvania, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

CERTIORARI DENIED

No. 1140. Thomas F. Kenney, petitioner, *v.* Charles H. Haugh, Warden. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 1244. Radio Corporation of America, petitioner, *v.* SCM Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1258. Edward A. Dosek, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1271. Kenneth H. Dolleris, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1281. Mississippi Valley Portland Cement Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1282. William Ronald Welch, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 1292. Richard Arthur Davis, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1298. John J. McMullen Associates, Inc., petitioner, *v.* State Board of Higher Education et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1299. August Hoerdt, as Trustee, et al., petitioners, *v.* City of Evanston. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 1302. Union Pacific Railroad Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 1304. Geauga Plastics Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1305. Jarvis E. Gooch, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1312. Grant M. Acton et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1313. C. Emily Freccia aka Mrs. Clyde Banks, et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1315. John S. Griffith et al., petitioners, *v.* County of Los Angeles et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1316. Ted Bushman, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Santa Barbara, denied.

No. 1317. Pomona Valley Center, Inc., et al., petitioners, *v.* County of Los Angeles et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1321. Pomona Valley Center, Inc., et al., petitioners, *v.* County of Los Angeles et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1324. Chester DeWitt Menk, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1326**. St. James Temple of the A.O.H. Church of God, Inc., et al., petitioners, *v.* Board of Appeals of the City of Chicago et al. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. **1330**. Raymond Clark, Administrator, etc., petitioner, *v.* Kenneth B. Ater et al. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. **1334**. Golten Marine Company, Inc., petitioner, *v.* Trelleborgs Angfartygs A/B et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1343**. Thomas Wilkinson, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. **1347**. Stanley-Artex Windows, Division of the Stanley Works, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1352**. Francis T. Norman et ux., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1297**. John M. Riley, petitioner, *v.* Delaware. Petition for writ of certiorari to the Supreme Court of Delaware denied. Mr. Justice White is of the opinion that certiorari should be granted.

No. **1310**. Benjamin F. Marlowe, petitioner, *v.* J. Frank Coakley et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. The Chief Justice took no part in the consideration or decision of this motion and petition.

No. **1446**. Thomas J. Dodd, petitioner, *v.* Drew Pearson and Jack Anderson. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. The Chief Justice took no part in the consideration or decision of this petition.

No. **224, Misc.** Frank Sturm, petitioner, *v.* California Adult Authority et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1773, Misc.** Richard Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1817, Misc.** Milton Alred, petitioner, *v.* C. Murray Henderson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1825, Misc.** Calvin C. Campbell, petitioner, *v.* Louie L. Wainwright, Director, Department of Corrections. Petition for writ of cer-

tiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1850, Misc. Charles Nelis Ploss, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 1860, Misc. Gary Montgomery and Marion L. Montgomery, petitioners, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 1863, Misc. Leslie F. Mike, petitioner, *v.* New York and Eleonora Zimmerman. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1866, Misc. Brady Howard, petitioner, *v.* New York; and

No. 1901, Misc. Leroy Miles, petitioner, *v.* New York. Petitions for writs of certiorari to the Court of Appeals of New York denied.

No. 1886, Misc. John Palmer, Jr., petitioner, *v.* Raymond Procunier, Director of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1894, Misc. Roberto Colon Morales, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1905, Misc. Marion Stevenson, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1906, Misc. Jerry Spencer Diamond, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1908, Misc. Richard Baker and Marvin Carter, petitioners, *v.* James F. Maroney, Superintendent, State Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1912, Misc. Thomas Joseph Fleming, petitioner, *v.* Harold V. Field. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1913, Misc. Elmo Ballard, Jr., petitioner, *v.* Gus Harrison, Director, Michigan's Corrections and Prisons, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1914, Misc. Harry Reed, Jr., petitioner, *v.* John Doyle, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1919, *Misc.* James Milton Harding, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 1923, *Misc.* Harry Koch, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 1938, *Misc.* Raymond T. Davis, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1942, *Misc.* Robert Bye, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1957, *Misc.* Marion Stevenson, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1958, *Misc.* Leonard C. Hutchinson, petitioner, *v.* L. S. Nelson, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1961, *Misc.* Thomas A. Davis, petitioner, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 979, *Misc.* Cleveland L. Sellers, Jr., petitioner, *v.* Melvin R. Laird, Secretary of Defense, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Dissenting opinion by Mr. Justice Douglas with the Chief Justice and Mr. Justice Marshall join.

LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. 2096, *Misc.* Robert S. Strauss, petitioner, *v.* Preston G. Smith, Warden. Motion for leave to file petition for writ of habeas corpus denied.

LEAVE TO FILE PETITION FOR WRIT OF INJUNCTION DENIED

No. 2013, *Misc.* John Wesley McLean, petitioner, *v.* P. J. Ciccone. Motion for leave to file petition for writ of injunction denied.

REHEARINGS DENIED

No. 343. United States, petitioner, *v.* An Article of Drug . . . Bacto-Unidisk . . . ;

No. 1126. Sam Nick Farin^Ella and William Joseph Dara, petitioners, *v.* United States;

No. 1713, Misc. Solomissey Jessy, petitioner, *v.* Superior Court of California and Los Angeles County; and

No. 1732, Misc. John Bullis, petitioner, *v.* Carl Hocker, Warden. Petitions for rehearing denied.

No. 1256, Misc. Sadie L. Campbell, petitioner, *v.* United States. Motion for leave to file petition for rehearing denied.

No. 1290, Misc. William Ralph, petitioner, *v.* Maryland. Petition for rehearing and stay of execution denied.

RECESS ORDER

The Court will take a recess from today until Monday, June 16, 1969.

Adjourned until Monday, June 16, 1969, at 10 o'clock.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Lawrence Jules Ross, of Chicago, Ill., George H. Mitchell, Jr., of Washington, D.C., Curtis Arthur Jennings, of Scottsdale, Ariz., Daren Thomas Johnson, of Los Angeles, Calif., Charles Henry Damsel, Jr., of West Palm Beach, Fla., John R. Beranek, of West Palm Beach, Fla., Theodore Babbitt, of West Palm Beach, Fla., Jerald Vickers Smith, of Lewiston, Idaho, David L. Tennent, of Detroit, Mich., Jay Murray Fidell, of New York, N.Y., Bruce H. Harlton, Jr., of Tulsa, Okla., and Kier T. Boyd, of Pittsburgh, Pa., on motion of Mr. Solicitor General Edwin N. Griswold; Gertrude A. Score, of Denver, Colo., and Donald P. Smith, Jr., of Littleton, Colo., on motion of Mr. Donald G. Brotzman; Gary W. Flakne, of Minneapolis, Minn., and Leonard David Brod, of Minneapolis, Minn., on motion of Mr. Clark MacGregor; Maurice J. Serpas, of Galliano, La., on motion of Mr. Patrick T. Caffery; Hubert Joseph Merrick, of Seattle, Wash., on motion of Mr. Floyd V. Hicks; Edward L. Morgan, of Phoenix, Ariz., and Henry C. Cashen II, of Detroit, Mich., on motion of Mr. John D. Erlichman; William L. Dill, Jr., of Montclair, N.J., and John C. Lifland, of Summit, N.J., on motion of Mr. Paul Porter; Rickard T. O'Neil, of Milwaukee, Wisc., on motion of Mr. Murray Bring; Clark Shanahan, of Owosso, Mich., on motion of Mr. Wilbur D. Sparks; James C. Noonan, of St. Paul, Minn., on motion of Mr. Loren Dale MacIver; James Paul Lowery, of Montgomery, Ala., on motion of Mr. Wendell Wilkie Mitchell; William O'Connor Harnisch, of Washington, D.C., on motion of Mr. Donald J. Mulvihill; James C. Wood, Jr., of Little Rock, Ark., on motion of Mr. G. Robert Blakey; Lloyd D. Young, Annadale, Va., on motion of Mr. Jerome A. Tintle; John T. Dolan, of North Caldwell, N.J., and Michael R. Griffinger, of Newark, N.J., on motion of Mr. Daniel M. Friedman; Paul N. Sternbach, of New York, N.Y., on motion of Mr. Joseph DeFranco; Jerry S. Berk, of Los Angeles, Calif., on motion of Mr. Solomon Alpher; Thomas R. Ferguson, of Oxnard, Calif., on motion of Mr. Joseph Edward Casey; Richard L. Bacon, of Washington, D.C., on motion of Mr. Walter James Rockler; Perry M. Berke, of Chicago, Ill., on motion of Mr. William Harvard Dailey; Malcolm W. Houston, of Washington, D.C., on motion of Mr. Richard H. Love; John A. O'Keefe, Jr., of

Alexandria, Va., on motion of Mr. James T. Burkardt; Albert Ohralik, of Huntsburg, Ohio, and Karl A. Ohralik, of Huntsburg, Ohio, on motion of Mr. Thomas J. Greer, Jr.; Alan Donald Lewis, of Denver, Colo., and William Cooper Sabin, of Rockville, Md., on motion of Mr. Stuart E. Seigel; Harold W. Gavin, of Sanford, N.C., on motion of Mr. H. Dudley Payne; William Wayne Shinn, of Kansas City, Mo., on motion of Mr. Jerome Ian Chapman; and David Hittner, of Houston, Tex., on motion of Mr. Milton Dunn, were admitted to practice.

OPINIONS

No. 56. Lear, Incorporated, petitioner, *v.* John S. Adkins. On writ of certiorari to the Supreme Court of California. Judgment vacated and case remanded to the Supreme Court of California for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Harlan. Opinion by Mr. Justice Black with whom Mr. Chief Justice Warren and Mr. Justice Douglas join concurring in part and dissenting in part. Opinion by Mr. Justice White concurring in part.

No. 830. Dale E. Noyd, petitioner, *v.* Charles R. Bond, Jr., etc., et al. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment affirmed. Opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice White.

No. 624. Clyde A. Perkins, petitioner, *v.* Standard Oil Company of California. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the United States District Court of the District of Oregon with directions to reinstate its judgment. Opinion by Mr. Justice Black. Opinion by Mr. Justice Marshall with whom Mr. Justice Stewart joins concurring in part and dissenting in part. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 776. Utah Public Service Commission, appellant, *v.* El Paso Natural Gas Company et al. Appeal from the United States District Court for the District of Utah. Judgment vacated and case remanded to the United States District Court for the District of Utah for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Harlan with whom Mr. Justice Stewart joins. Mr. Justice White and Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 138. Adam Clayton Powell, Jr., et al., petitioners, *v.* John W. McCormack et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed as to respondents McCormack, Albert, Ford, Celler and Moore. Judgment reversed as to respondents Jennings, Johnson and Miller and

case remanded to the United States District Court for the District of Columbia with instructions to enter a declaratory judgment and for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Warren. Concurring opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Stewart.

No. **573**. National Labor Relations Board, petitioner, *v.* Gissel Packing Company, Inc., et al.; and

No. **691**. Food Store Employees Union, Local No. 347, Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO, petitioner, *v.* Gissel Packing Company, Inc. On writs of certiorari to the United States Court of Appeals for the Fourth Circuit; and

No. **585**. The Sinclair Company, petitioner, *v.* National Labor Relations Board. On writ of certiorari to the United States Court of Appeals for the First Circuit. Judgment in No. **585** affirmed. Judgments in Nos. **573** and **691** reversed insofar as they decline enforcement of the order of the National Labor Relations Board to bargain and cases remanded to the Court of Appeals with instructions to remand cases to the Board for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Warren.

No. **258**. Morris H. Kramer, appellant, *v.* Union Free School District No. 15 et al. Appeal from the United States District Court for the Eastern District of New York. Judgment reversed and case remanded to the United States District Court for the Eastern District of New York for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Warren. Dissenting opinion by Mr. Justice Stewart with whom Mr. Justice Black and Mr. Justice Harlan join.

No. **705**. Joseph Q. Cipriano, appellant, *v.* City of Houma et al. Appeal from the United States District Court for the Eastern District of Louisiana. Judgment reversed and case remanded to the United States District Court for the Eastern District of Louisiana for further proceedings in conformity with the opinion of this Court. Opinion *per curiam* announced by Mr. Chief Justice Warren. Mr. Justice Black and Mr. Justice Stewart concur in the judgment of the Court. Mr. Justice Harlan, while adhering to his views expressed in dissent in *Reynolds v. Sims*, 377 U.S. 533, 589 (1964); *Harper v. Virginia Board of Elections*, 383 U.S. 663, 680 (1966); and *Avery v. Midland County*, 390 U.S. 474, 486 (1968), but considering himself bound by the Court's decision in those cases, concurs in the result.

No. **670**. Fred Banks, petitioner, *v.* California. On writ of certiorari to the Court of Appeal of California, First Appellate District. Writ dismissed for want of jurisdiction. Opinion *per curiam* announced by Mr. Chief Justice Warren.

The Chief Justice said :

“The other orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally.”

OPINIONS PER CURIAM

No. **1070**. Frank Peter Balistrieri, Petitioner, *v.* United States. On petition for rehearing. Petition for rehearing granted and petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit vacated. Petition for writ of certiorari granted, judgment vacated and case remanded to the United States District Court for the Southern District of Illinois for further proceedings in light of *Alderman v. United States*, 394 U.S. 165, and *Giordano v. United States*, 394 U.S. 310. Opinion *per curiam*. Mr. Justice Black dissents. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. **1357**. James Bisenius, appellant, *v.* James Karns, Commissioner of Motor Vehicles. Appeal from the Supreme Court of Wisconsin. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. **203, Misc.** William Stanbridge, petitioner, *v.* New York. On petition for writ of certiorari to the Court of Appeals of New York. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals of New York for further consideration in light of *Bruton v. United States*, 391 U.S. 123. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. ——. Anne Friedman, petitioner, *v.* United States. The application for bail presented to the Chief Justice, and by him referred to the Court, is denied.

No. **35, Original**. United States, plaintiff, *v.* State of Maine et al. The motion for leave to file the bill of complaint is granted and the defendant States are allowed sixty days to answer.

No. **2, Misc.** Stephen S. Chandler, United States District Judge for the Western District of Oklahoma, petitioner, *v.* Judicial Council of the Tenth Circuit of the United States. The motion of Carl L. Shipley for leave to file a brief, as *amicus curiae*, is granted. The motion to advance is denied. The case is set for oral argument on October 20, 1969, on the motion for leave to file the petition for writ of prohibition and/or mandamus. Additional briefs may be filed by the parties and the petitioner's brief, if any, is due within sixty days and that of the respondent within sixty days thereafter. Mr. Justice Marshall took no part in the consideration or decision of these matters.

No. **163**. Evelle J. Younger, appellant, *v.* John Harris, Jr., et al.;
 No. **244**. John S. Boyle, Chief Judge of the Circuit Court of Cook County, Illinois, et al., appellants, *v.* Lawrence Landry et al.;

No. **269**. Lester Gunn et al., appellants, *v.* University Committee to End the War in Viet Nam et al.; and

No. **580**. George Samuels et al., appellants, *v.* Thomas J. Mackell, District Attorney, et al.; and

No. **813**. Fred Fernandez, appellant, *v.* Thomas J. Mackell, District Attorney, et al. These cases are restored to the calendar for reargument. No. **163** is set for oral argument immediately following Nos. **580** and **813**.

APPEALS—JURISDICTION NOTED

No. **1363**. City of Chicago et al., appellants, *v.* United States et al.; and

No. **1364**. City of Chicago et al., appellants, *v.* United States et al. Appeals from the United States District Court for the Northern District of Illinois. In those cases probable jurisdiction noted. Cases consolidated and a total of one hour allotted for oral argument.

No. **1415**. Frederick Walz, appellant, *v.* Tax Commission of the City of New York. Appeal from the Court of Appeals of New York. In this case probable jurisdiction noted and case placed on the summary calendar.

CERTIORARI GRANTED

No. **1271, Misc.** Clemon Barlow et al., petitioners, *v.* B. L. Collins, etc., et al. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted. Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI DENIED

No. **995**. Ross Howard, petitioner, *v.* United States; and

No. **1089**. Benjamin Levinson and Franklin Mortgage Corporation, petitioners *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1216**. Charles Adjmi, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. **1286**. Robert P. Nees, petitioner *v.* R. E. Culbertson. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1290**. Charles A. A'Hearn, petitioner, *v.* Committee on Unlawful Practice of the Law of the New York County Lawyers' Associa-

tion. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. **1306.** Dossie Walls, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1319.** Stanley V. Tucker, petitioner, *v.* United States District Court for the Central District of California et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1320.** Cunningham Brothers, Inc., petitioner, *v.* Harry Bail et al. Petition for writ of certiorari to the United States Court of Appeals for the Seven Circuit denied.

No. **1322.** Tennie Weaver, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. **1327.** Southern Pacific Company, petitioner, *v.* Mike Sabella. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1336.** Octavia Foster et al., petitioners, *v.* Willard M. Hamblin, Trustee in Bankruptcy. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1337.** Acacia Mutual Life Insurance Company et al., petitioners, *v.* Albert J. Jordan, Superintendent of Insurance for the District of Columbia. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1340.** Anthony Acarino, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1344.** William Paul Plumley, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. **1351.** Harry S. Stonehill and Robert P. Brooks, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1354.** Charles F. Krause, Administrator, etc., petitioner, *v.* Lucien Andre Chartier et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **1355.** Blumcraft-of Pittsburgh, etc., petitioner, *v.* Citizens and Southern National Bank of South Carolina et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1356.** Harry Sugarman, petitioner, *v.* Jack B. Forbragd et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1365**. Douglas Neall Pine, petitioner, *v. Arizona*. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. **1367**. Charles Quinn Blackwell, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1369**. Morise Thal, petitioner, *v. Commonwealth Financial Corporation et al.* Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1377**. Marra Brothers, Inc., petitioner, *v. Jack Longo*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **986**. Hiland Dairy, Inc., et al., petitioners, *v. The Kroger Company*. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **1309**. Frank Guido, petitioner, *v. City of Schenectady et al.* Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **1329**. New Hampshire, petitioner, *v. Atomic Energy Commission et al.* Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **1338**. Cheng Ho Mui and Pun Yi Pan, petitioners, *v. Dominick Rinaldi, etc.* Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **1342**. John Leo, petitioner, *v. New York*. Petition for writ of certiorari to the Court of Appeals of New York denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **1368**. Henry Beck, Superintendent of the Pulaski County Penal Farm, et al., petitioners, *v. Robert Winters*. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **1424**. The Eimco Corporation, petitioner, *v. Peterson Filters and Engineering Company et al.* Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **1276**. William H. Roberts, petitioner, *v. William J. McDonald et al.* Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Brennan took no part in the consideration or decision of this petition.

No. 1419. H. K. Porter Company, Inc., petitioner, *v.* United Saw, File and Steel Products Workers of America, etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice White took no part in the consideration or decision of this petition.

No. 13, Misc. Ernest E. Crume, Jr., petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 143, Misc. Fred S. Adams, petitioner, *v.* California et al. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 956, Misc. Milton Rivera, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1174, Misc. Wade C. Smith, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1313, Misc. Clayton Dial, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 1347, Misc. Edward H. Milne, petitioner, *v.* Shell Oil Company. Petition for writ of certiorari to the Supreme Court of Vermont denied.

No. 1368, Misc. James McArthur Armstrong, petitioner, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 1421, Misc. John Crawford Poole, petitioner, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 1491, Misc. Gary Wendell Fryar, petitioner, *v.* United States; and

No. 1636, Misc. Kerma Sue Walters Fryar, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1537, Misc. Allen Golson and William Perkins, petitioners, *v.* Frank J. Pate, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1554, Misc. Harry William Theriault, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1661, Misc. Lyle M. Kelley, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1662, **Misc.** Edward H. Milne, petitioner, *v.* Marcel LaFlamme. Petition for writ of certiorari to the Supreme Court of Vermont denied.

No. 1711, **Misc.** Armando Camarillo, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1721, **Misc.** Saul Kozuck et ux., petitioners, *v.* Peoples Trust Company of Bergen County. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 1758, **Misc.** Joseph R. Castruita, petitioner, *v.* United States District Court for the Northern District of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1780, **Misc.** Elizabeth Williams, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 1796, **Misc.** Doris Brunette, petitioner, *v.* Kesley Edmo et al. Petition for writ of certiorari to the Supreme Court of Idaho denied.

No. 1799, **Misc.** Robert D. Daily, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1828, **Misc.** William Clinton Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1831, **Misc.** Charles Lee Powell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1835, **Misc.** Wrightson Samuel Tongue, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1845, **Misc.** William R. Fowler, Jr., petitioner, *v.* C. C. Peyton, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1846, **Misc.** Learley Reed Goodwin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1865, **Misc.** Donald Eugene Anderson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1869, **Misc.** Manoutcher Aadal, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1872, **Misc.** Richard Marz, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 1881, **Misc.** Thomas Roessler, petitioner, *v.* New Mexico. Petition for writ of certiorari to the Court of Appeals of New Mexico denied.

No. 1884, **Misc.** Paulus E. Churchwell, petitioner, *v.* Hobert Beckham. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1885, **Misc.** Samir I. Tantash, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1887, **Misc.** James H. Grissom, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1889, **Misc.** Phil Anthony Pinelli, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1897, **Misc.** Lorenzo Peinado, petitioner, *v.* Adult Authority of the Department of Corrections et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1903, **Misc.** Gilbert Lee Durham, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1904, **Misc.** Raymond Huarneck, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1907, **Misc.** Robert Lee Quigley, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1910, **Misc.** Clinton Martin Fleishour, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1911, **Misc.** Clarence Patrick Gallagher, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1921, **Misc.** I. J. Dallas, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals for New York denied.

No. 1922, **Misc.** William Ray Chase, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 1926, **Misc.** Thomas Munoz Martinez, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1927, *Misc.* Donald Shields, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 1932, *Misc.* James Burks, petitioner, *v.* Frank J. Pate, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1935, *Misc.* Leo Desroches, petitioner, *v.* Arthur A. Carrelas, etc. Petition for writ of certiorari to the Supreme Court of Rhode Island denied.

No. 1937, *Misc.* Jack Kamsler, petitioner, *v.* Frank J. Pate, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1946, *Misc.* Ward Noah McElroy, petitioner, *v.* Director of Patuxent Institution et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1947, *Misc.* Willie Arthur Davis, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1950, *Misc.* Charles Edward LeMay, petitioner, *v.* C. Murray Henderson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1952, *Misc.* Edward A. Timmons, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1953, *Misc.* Harold Edward Johnson, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California, denied.

No. 1954, *Misc.* Jerry McChesney, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York Third Judicial Department, denied.

No. 1956, *Misc.* Louis Ludwik Furtak, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York, denied.

No. 1962, *Misc.* Sherman Hooper, petitioner, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi, denied.

No. 1968, *Misc.* John J. Pepitone, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1990, *Misc.* Richard Eugene Mauch, petitioner, *v.* Raymond J. Buchkoe, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1997, *Misc.* William K. Kam, Executor, etc., petitioner, *v.* City and County of Honolulu, etc. Petition for writ of certiorari to the Supreme Court of Hawaii denied.

No. **2015, Misc.** Jasper Lowery, petitioner, *v.* Warren Pinto, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **2042, Misc.** Ellis E. Jones, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. **952, Misc.** Bruce B. Sayers and Ronald G. Trevail, petitioners, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **1135, Misc.** William Winegar, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. **1323, Misc.** Frank B. W. Davidson, petitioner, *v.* California et al;

No. **2062, Misc.** Louis M. Ursini, Jr., petitioner, *v.* United States;

No. **2065, Misc.** Robert Greene, petitioner, *v.* New York et al.;

No. **2075, Misc.** Richard Hoyt Tivis, petitioner, *v.* United States et al.;

No. **2103, Misc.** Bennie Lee Scott, petitioner, *v.* George A. Kropp, Warden; and

No. **2168, Misc.** Robert Corbin, petitioner, *v.* Alfred T. Rundle, Superintendent, State Correctional Institution. Motions for leave to file petitions for writs of habeas corpus denied.

REHEARINGS DENIED

No. **1050.** Southern Pacific Company, appellant, *v.* The Public Utilities Commission of the State of California; and

No. **1152.** Southern Pacific Company, appellant, *v.* Public Utilities Commission of the State of California et al.;

No. **1109.** Edna Weed, petitioner, *v.* Owen Bilbrey, Sr., et al.;

No. **642, Misc.** Russell T. Halliday, petitioner, *v.* United States;

No. **688, Misc.** Harold Hanger et al., petitioners, *v.* United States;

No. **1263, Misc.** P. Carey, petitioner, *v.* George Washington University; and

No. **1741, Misc.** Kelley Whitehead, petitioner, *v.* Michigan. Petitions for rehearing denied.

RECESS ORDER

The Court will take a recess from today until Monday, June 23, 1969, upon which day it will adjourn for the term unless otherwise ordered.

Adjourned until Monday, June 23, 1969, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Warren, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, and Mr. Justice Marshall.

OPINIONS

No. **201**. John Dalmer Benton, petitioner, *v.* Maryland. On writ of certiorari to the Court of Special Appeals of Maryland. Judgment vacated and case remanded to the Court of Special Appeals of Maryland for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Marshall. Concurring opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Harlan with whom Mr. Justice Stewart joins.

No. **413**. North Carolina et al., petitioners, *v.* Clifton A. Pearce. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit; and

No. **418**. Curtis M. Simpson, Warden, petitioner, *v.* William S. Rice. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgments affirmed. Opinion by Mr. Justice Stewart. Concurring opinion by Mr. Justice Douglas with whom Mr. Justice Marshall joins. Opinion by Mr. Justice Black concurring in part and dissenting in part. Opinion by Mr. Justice Harlan concurring in part and dissenting in part. Opinion by Mr. Justice White concurring in part.

No. **770**. Ted Steven Chimel, petitioner, *v.* California. On writ of certiorari to the Supreme Court of California. Judgment reversed and case remanded to the Supreme Court of California for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Stewart. Concurring opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice White with whom Mr. Justice Black joins.

The Chief Justice said:

“The other orders of the Court have been certified by the Chief Justice and filed with the Clerk and will not be announced orally.”

OPINIONS PER CURIAM

No. **598**. Atlas Engine Works, Inc., petitioner, *v.* National Labor Relations Board. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Petition for writ of

certiorari granted, judgment vacated, and case remanded to the Court of Appeals with instructions to remand the case to the Board for further consideration in light of *NLRB v. Gissel Packing Co., Inc.*, 395 U.S. —, decided June 16, 1969. Opinion *per curiam*.

No. 906. Thrift Drug Company of Pennsylvania, petitioner, *v.* National Labor Relations Board. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Court of Appeals with instructions to remand the case to the Board for further consideration in light of *NLRB v. Gissel Packing Co., Inc.*, 395 U.S. —, decided June 16, 1969. Opinion *per curiam*.

No. 1213. Lou DeYoung's Market Basket, Inc., petitioner, *v.* National Labor Relations Board. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Court of Appeals with instructions to remand the case to the Board for further consideration in light of *NLRB v. Gissel Packing Co., Inc.*, 395 U.S. —, decided June 16, 1969. Opinion *per curiam*.

No. 1273. National Labor Relations Board, petitioner, *v.* The Pembek Oil Corporation. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Court of Appeals with instructions to remand to the Board for further consideration in light of *NLRB v. Gissel Packing Co., Inc.*, 395 U.S. —, decided June 16, 1969. Opinion *per curiam*.

No. 837. Monique Von Cleef et al., petitioners, *v.* New Jersey. On petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, Petition for writ of certiorari granted, judgment reversed, and case remanded to the Superior Court of New Jersey, Appellate Division, for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam*. Opinion by Mr. Justice Harlan concurring in the result. Mr. Justice Black and Mr. Justice White concur in granting certiorari but dissent from reversal and remand of the judgment without a hearing.

No. 1022. William Proner, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Court of Appeals for further consideration in light of *Benton v. Maryland*, 395 U.S. —, decided this date. Opinion *per curiam*.

No. 1370. Alexander H. Lindsay, appellant, *v.* Joseph J. Kelley, Jr., Secretary of the Commonwealth of Pennsylvania. Appeal from the Supreme Court of Pennsylvania, Middle District. The motion of the Pennsylvania Bar Association for leave to file a brief, as *amicus*

curiae, is granted. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 1414. J. W. Anderson et al., appellant, *v.* The Urban Renewal and Community Development Agency of the City of Paducah, Kentucky. Appeal from the Court of Appeals of Kentucky. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 1539. Julia Rosado et al., petitioners, *v.* George K. Wyman, etc., et al. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit; and

No. 1540. Julia Rosado et al., appellants, *v.* George K. Wyman, etc. Appeal from the United States District Court for the Eastern District of New York et al.

The motions of Joseph Barbaro et al.; and American Civil Liberties Union et al., for leave to file briefs, as *amici curiae*, are granted. The motion to expedite review is denied. The application to vacate the stays granted by the Court of Appeals on June 11, 1969, and June 19, 1969, of the injunctions of the District Court presented to Mr. Justice Brennan, and by him referred to the Court, is denied. Petition for writ of certiorari before judgment in No. 1539 is denied. The appeal in No. 1540 is dismissed for want of jurisdiction. Opinion *per curiam*. Mr. Justice Douglas and Mr. Justice Harlan took no part in the consideration or decision of these cases.

No. 540, Misc. Bruce Warnie Shipley, petitioner, *v.* California. On petition for writ of certiorari to the Court of Appeal of California, Second Appellate District. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment reversed and case remanded to the Court of Appeal of California, Second Appellate District, for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam*. Mr. Justice Black concurs in granting certiorari but dissents from the reversal and remand of the judgment without a hearing. Dissenting opinion by Mr. Justice White.

No. 652, Misc. Richard Lee Byers, petitioner, *v.* City of Oklahoma City et al. On petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Criminal Appeals of Oklahoma for further consideration in light of *Williams v. City of Oklahoma City*, 395 U.S. —, decided June 9, 1969.

No. 996, Misc. Manuel Moya and Ernestine Moya, appellants, *v.* Dan Debaca, etc., et al. Appeal from the United States District Court

for the District of New Mexico. Motion for leave to proceed *in forma pauperis* granted. The motion to dismiss is granted and the appeal is dismissed. Opinion *per curiam*. Mr. Justice Harlan and Mr. Justice Brennan would vacate judgment and remand case for further consideration in light of *Sniadach v. Family Finance Corp. of Bay View*, 395 U.S. —, decided June 9, 1969.

No. **1259, Misc.** Harold Frank White, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Benton v. Maryland*, 395 U.S. —, decided this date. Opinion *per curiam*.

No. **1642, Misc.** Carroll M. House, appellant, *v.* United States et al. Appeal from the United States Court of Appeals for the Fourth Circuit. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. **1879, Misc.** John P. Tillman et al., petitioners, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari as to Fox granted, and as to all other petitioners petition for writ of certiorari denied. Judgment vacated and case remanded to the United States District Court for the Northern District of Georgia for further consideration in light of *Alderman v. United States*, 394 U.S. 165. Opinion *per curiam*. Mr. Justice Black dissents.

No. **1939, Misc.** James L. Dillard, appellant, *v.* Family Court, Queens County, et al. Appeal from the United States District Court for the Eastern District of New York. The appeal is dismissed for want of jurisdiction. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. —. Cleveland Board of Education, petitioner, *v.* Pearl E. Masheter. The application for stay presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. —. Geoffrey W. Sloan, petitioner, *v.* Local Board No. 1, Bernalillo County, New Mexico, et al. The application for stay presented to Mr. Justice White, and by him referred to the Court, is denied.

No. **216.** Patrick G. Martone, appellant, *v.* Cecil Morgan et al. The respondents are requested to file a response to the petition for rehearing within thirty days.

No. 1036. The Tobacco Institute, Inc., et al., petitioners, *v.* Federal Communications Commission et al.;

No. 1059. National Association of Broadcasters et al., petitioners, *v.* Federal Communications Commission et al.;

No. 1060. American Broadcasting Companies, Inc., petitioner, *v.* Federal Communications Commission et al.; and

No. 1067. National Broadcasting Company, Inc., petitioners, *v.* Federal Communications Commission et al. The Solicitor General is invited to file a memorandum expressing the views of the respondents with respect to the applicability to these cases of the opinion in *Red Lion Broadcasting Co., etc., et al. v. Federal Communications Commission et al.*, 395 U.S. — (decided June 9, 1969).

No. 1474. James Turner, petitioner, *v.* United States. The motion for the appointment of counsel is granted, and it is ordered that Josiah E. DuBois, Jr., Esquire, of Camden, New Jersey, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

No. 2085, *Misc.* Safeguard Mutual Insurance Company, petitioner, *v.* Abraham L. Freedman, Judge of the U.S. Court of Appeals for the Third Circuit, et al.;

No. 2164, *Misc.* Richard E. Jones, petitioner, *v.* Pratt & Whitney, Inc., et al.; and

No. 2199, *Misc.* Marvin Puryear, appellant, *v.* Frank S. Hogan, District Attorney, etc., et al. The motions to expedite are denied.

APPEALS—JURISDICTION NOTED

No. 1131, *Misc.* Gladys Boddie et al., appellants, *v.* Connecticut et al. Appeal from the United States District Court for the District of Connecticut. Motion for leave to proceed *in forma pauperis* granted. In this case probable jurisdiction noted. Case transferred to the appellate docket and placed on the summary calendar.

No. 1977, *Misc.* Lelia Mae Sanks et al., appellants, *v.* Georgia et al. Appeal from the Supreme Court of Georgia. Motion for leave to proceed *in forma pauperis* granted. In this case probable jurisdiction noted and case transferred to the appellate docket, placed on the summary calendar and set for oral argument immediately following No. 1232.

CERTIORARI GRANTED

No. 846. Joseph Waller, Jr., petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, granted. Case placed on the summary calendar and set for oral argument immediately following No. 1099.

No. 1246. Association of Data Processing Service Organizations, Inc., et al., petitioners, *v.* William B. Camp, Comptroller of the Currency of the United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted and case placed on the summary calendar.

No. 515, *Misc.* Dennis Mullene Moon, petitioner, *v.* Maryland. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Court of Appeals of Maryland granted. Case transferred to the appellate docket, placed on the summary calendar and set for oral argument immediately following No. 477. In addition to the questions presented by the petition counsel are requested to brief and argue the question of retroactivity of *North Carolina v. Pearce*, 395 U.S.—, and *Simpson v. Rice*, 395 U.S. — (both decided this date).

No. 995, *Misc.* Charles Lee Parker, petitioner, *v.* North Carolina. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Court of Appeals of North Carolina granted. Case transferred to the appellate docket, placed on the summary calendar, and set for oral argument immediately following No. 1064.

No. 1925, *Misc.* Robert M. Brady, petitioner, *v.* United States. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted. Case transferred to the appellate docket, placed on the summary calendar, and set for oral argument immediately following No. 1064.

No. 1254, *Misc.* Earl Price, petitioner, *v.* Georgia. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Georgia granted. Case transferred to the appellate docket, placed on the summary calendar, and set for oral argument immediately following No. 515 *Misc.* In addition to the questions presented by the petition, counsel are requested to brief and argue the question of retroactivity of *Benton v. Maryland*, 395 U.S. — (decided this date) and whether that decision is applicable to this case.

No. 2083, *Misc.* Michael Buie, petitioner, *v.* United States. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted. Case transferred to the appellate docket, placed on the summary calendar, and set for oral argument immediately following No. 1473.

CERTIORARI DENIED

No. 916. Theodore Varitimos, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **1163**. Frank Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1307**. Edward M. Heligman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **1323**. James B. Polson, petitioner, *v.* Idaho. Petition for writ of certiorari to Supreme Court of Idaho denied.

No. **1325**. Clyde H. Hale, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1345**. Michael Zaffarano, petitioner, *v.* Walter W. Fitzpatrick, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1358**. Pacific Oil Company, petitioner, *v.* Walter J. Hickel, Secretary of the Interior of the United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1371**. Sigmund Goldblatt, petitioner, *v.* United States;

No. **1372**. Robert C. Cotten, Jr., petitioner, *v.* United States; and

No. **1373**. Nathan Wechsler, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1375**. Wolf Corporation et al., petitioners, *v.* Leon Green; and

No. **1376**. Troster, Singer & Co., petitioner, *v.* Leon Green. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1378**. William H. Lutsko and Harold S. Lutsko, petitioners, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. **1379**. Walter Humphrey et al., petitioners, *v.* Dealers Transport Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1383**. Jack L. Roach, petitioner, *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. **1384**. Howard H. Baldwin and Clair C. Wagner, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1476**. Norfolk and Western Railway Company, petitioner, *v.* James Odell Smith. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1500**. Pikes Peak Broadcasting Company et al., petitioners, *v.* Federal Communications Commission et al. Petition for writ of cer-

tiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 500. Arnold Grover Schmeier, petitioner, *v.* John R. Gagnon, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice White is of the opinion that certiorari should be granted.

No. 1314. Garwin Corporation et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 1381. Joseph N. Tooni et al., petitioners, *v.* Eugene Zuckert, Secretary of the Air Force. Motion of District Lodge 23, International Association of Machinists and Aerospace Workers for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 271, Misc. John Edward Daugherty, petitioner, *v.* Walter E. Craven, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 734, Misc. John Marshall Hartley, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 1045, Misc. Anthony G. Saville, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 1086, Misc. William I. Davis, petitioner, *v.* John E. Bennett, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1282, Misc. Donald A. Cavanaugh, petitioner *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1422, Misc. Francis Rhodes Vickers, petitioner *v.* West Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 1428, Misc. William R. Liss, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1518, Misc. Tony Scolari, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1543, Misc. Gabriel Rangel, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 1559, *Misc.* Michael Joseph Gurleski, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1737, *Misc.* David Brian Stoppelman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 1833, *Misc.* Michael Pasterchik, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1855, *Misc.* Thomas C. Warnock, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 1858, *Misc.* John Marshall Stocker, Jr., petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 1859, *Misc.* Chin Kee, petitioner, *v.* Massachusetts. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 1880, *Misc.* Mike Waldo Simmons, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1883, *Misc.* Thomas Brewer Turner, petitioner, *v.* Carlton Wilkes et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1896, *Misc.* John Marvin White, petitioner, *v.* Walter Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1899, *Misc.* Aaron Roosevelt Green, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1900, *Misc.* Salvatore Rispo, Jr., petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania denied.

No. 1909, *Misc.* Robert Martinez, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1916, *Misc.* Percy Rutherford, petitioner, *v.* John T. Deegan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1920, *Misc.* Isaac Bud Wilson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1929, **Misc.** Henry Squire, petitioner, *v.* John Rush, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1931, **Misc.** Jesse Ross Safley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1933, **Misc.** Norina Lelii, petitioner, *v.* Dolente Construction Company et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 1940, **Misc.** Luis Morales, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1948, **Misc.** Albert Harris, Jr., petitioner, *v.* Louie L. Wainwright. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1951, **Misc.** William Kenneth Parrish, petitioner, *v.* C. C. Peyton, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1955, **Misc.** Charles William Caton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1963, **Misc.** Garnette Sutherland, petitioner, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Eighth Judicial District, denied.

No. 1964, **Misc.** George McCreary, petitioner, *v.* Maurice Sigler, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1966, **Misc.** Dale George Henderson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 1970, **Misc.** Clarence Hill, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 2077, **Misc.** A. Clairborne Leigh, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 395, **Misc.** Anthony Lloyd Chrisman, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied. Mr. Justice Harlan and Mr. Justice White are of the opinion that certiorari should be granted.

No. 550, **Misc.** Ralph Cooper Jamison, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals

for the Second Circuit denied. Mr. Justice Harlan and Mr. Justice White are of the opinion that certiorari should be granted.

No. 1037, Misc. Edward F. Mahoney, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Mr. Justice Douglas and Mr. Justice White are of the opinion that certiorari should be granted.

No. 1097, Misc. Robert Harris, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied. Mr. Justice White is of the opinion that certiorari should be granted.

No. 1104, Misc. George R. Jacques, petitioner *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied. Mr. Justice Douglas is of the opinion that certiorari should be granted. Mr. Justice Harlan dissents for the reasons stated in his separate opinion in *North Carolina v. Pearce*, 395 U.S. — (decided this date).

No. 1440, Misc. Stanley Nick Gonsior, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied. The Chief Justice and Mr. Justice Marshall are of the opinion that certiorari should be granted.

No. 1824, Misc. Jerome Byrnes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 1868, Misc. Mae Frances Neal et al., petitioners, *v.* Saga Shipping Co., S. A., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion that certiorari should be granted.

No. 1941, Misc. Joseph Linwood Richards, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. The Chief Justice, Mr. Justice Brennan and Mr. Justice Stewart are of the opinion that certiorari should be granted.

No. 1945, Misc. Joe Ramirez Hernandez, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. The Chief Justice and Mr. Justice Marshall are of the opinion that certiorari should be granted.

LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. 1888, Misc. Charles L. Everett, petitioner, *v.* Warden, United States Penitentiary. 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.

REHEARINGS DENIED

No. 297. Immigration and Naturalization Service, petitioner, *v.* Veljko Stanisic;

No. 1113. The Telephone Users Association, Inc., petitioner, *v.* The Public Service Commission of the District of Columbia et al.;

No. 1191. Steverson Tillie Morgan, petitioner, *v.* J. L. Nelson et al.;

No. 1235. Reese Hubbard et al., petitioners, *v.* Donna M. Kiefel;

No. 1257. Helen Lopo etc., appellant, *v.* Saks Fifth Avenue;

No. 1769, Misc. Mayo M. Goff, petitioner, *v.* Veterans Administration;

No. 1795, Misc. Samuel Bernstein, petitioner, *v.* Martin P. Catherwood, as Industrial Commissioner of New York; and

No. 1930, Misc. Richard Emmett Smiley, petitioner, *v.* California et al. Petitions for rehearing denied.

No. 1670, Misc. Bradley T. Moye, petitioner, *v.* Sioux City & New Orleans Barge Lines, Inc. Motion of American Trial Lawyers Association, Admiralty Section, for leave to file a brief, as *amicus curiae*, denied. Petition for rehearing denied.

The Chief Justice said:

"We are honored today to have the presence of the President of the United States as a Member of this Bar.

"Mr. President, may I recognize you at this time."

President Nixon said:

"Mr. Chief Justice, may it please the Court:

"I am honored to appear today, not as President of the United States but as a Member of the Bar admitted to practice before this Court.

"At this historic moment I am reminded of the fact that while this is the last matter that will be heard by the Chief Justice of the United States, the first matter to be heard by this Court when he became Chief Justice was the occasion when, as Vice President of the United States on October 5, 1953, I moved the admission of Warren Olney, III, and Judge Stanley Barnes to be members of this Court.

"I have also had another experience at this Court. In 1966, as a Member of the Bar, I appeared on two occasions before the Supreme Court of the United States. Looking back on those two occasions, I can say, Mr. Chief Justice, that there is only one ordeal which is more challenging than a Presidential press conference and that is to appear before the Supreme Court of the United States.

"On this occasion, it is my privilege to represent the Bar in speaking of the work of the Chief Justice and in extending the best wishes of the Bar and the Nation to him for the time ahead.

"In speaking of that work, I naturally think somewhat in personal terms of the fact that not only is the Chief Justice concluding almost 16 years in his present position, but that today he concludes 52 years of public service to local, State and National Government:

"As District Attorney in Alameda County, as Attorney General of the State of California, as Governor of the State of California, the only three-term Governor in the history of that State.

"The Nation is grateful for that service.

"I am also reminded of the fact that the Chief Justice has established a record here in this Court which will be characterized in many ways. In view of the historical allusion that was made in the opinions just read, may I be permitted an historical allusion?

"Will Rogers, in commenting upon one of the predecessors of the Chief Justice, Chief Justice William Howard Taft, said that "It is great to be great. It is greater to be human."

"I think that comment could well apply to the Chief Justice as we look at his 52 years of service. One who has held high office in this Nation, but one who, in holding that office, always had the humanity which was all-encompassing, the dedication to his family, his personal family, to the great American family, to the family of man.

"The Nation is grateful for that example of humanity which the Chief Justice has given to us and to the world.

"But as we consider this moment, we also think of the transition which will shortly take place. We think of what it means to America, what it means to our institutions.

"Sixteen years have passed since the Chief Justice assumed his present position. These 16 years, without doubt, will be described by historians as years of greater change in America than any in our history.

"And that brings us to think of the mystery of Government in this country, and for that matter in the world, the secret of how Government can survive for free men. And we think of the terms "change" and "continuity." Change without continuity can be anarchy. Change with continuity can mean progress. And continuity without change can mean no progress.

"As we look over the history of this Nation, we find that what has brought us where we are has been continuity with change. No institution of the three great institutions of our Government has been more responsible for that continuity with change than the Supreme Court of the United States.

"Over the last 16 years there have been great debates in this country. There have been some disagreements even within this Court. But

standing above those debates has been the symbol of the Court as represented by the Chief Justice of the United States: fairness, integrity, dignity. These great and simple attributes are, without question, more important than all of the controversy and the necessary debate that goes on when there is change, change within the continuity which is so important for the progress which we have just described.

"To the Chief Justice of the United States, all of us are grateful today that his example, the example of dignity, the example of integrity, the example of fairness, as the chief law official of this country, has helped to keep America on the path of continuity and change, which is so essential for our progress.

"When the historians write of this period and the period that follows, some with a superficial view will describe the last sixteen years as the 'Warren Court' and will describe the Court that follows it as the 'Burger Court.'

"I believe, however, that every Member of this Court would agree with me when I say that because of the example of the Chief Justice, a selfless example, a nonselfish example, that this period will be described, not only his but that of his successor, not as the Warren Court, not as the Burger Court, not in personal terms, but in this hallowed moment in this great Chamber, the Supreme Court. It was always that way; may it always be that way. And to the extent that it is, this Nation owes a debt of gratitude to the Chief Justice of the United States for his example."

The Chief Justice said:

"Mr. President, your words are most generous and are greatly appreciated, I assure you. I accept your personal, kind words, but in doing so I must confess that I sense in your presence here and in the words you have spoken your great appreciation of the value of this Court in the life of our Nation and the fact that it is one of the three coordinate Branches of the Government and that it is a continuing body.

"I might point out to you, because you might not have looked into the matter, that it is a continuing body to the extent that if any American at any time in the history of the Court—180 years—had come to this Court he would have found one of seven men on the Court, the last of whom, of course, is our Senior Justice, Mr. Justice Black. Because at any time an American might come here he would find one of seven men on the Bench in itself shows how continuing this body is and how it is that the Court develops consistently the eternal principles of our Constitution in solving the problems of the day.

"We, of course, venerate the past, but our focus is on the problems of the day and of the future as far as we can foresee it.

"I cannot escape the feeling that in one sense, at least, this Court is similar to your own great office and that is that so many times it speaks the last word in great governmental affairs. The responsibility

of speaking the last word for not only 200 million people, but for those to follow us is a very awesome responsibility.

"It is a responsibility that is made more difficult in this Court because we have no constituency. We serve no majority. We serve no minority. We serve only the public interest as we see it, guided only by the Constitution and our own consciences. And conscience sometimes is a very severe taskmaster.

"But the Court through all the years has pursued a more or less steady course, and in my opinion has progressed and has applied the principles set forth in those 5000 general words of the Constitution in a manner that is consistent with the public interest and consistent with our future so far as it can be discerned.

"We do not always agree. I hope the Court will never agree on all things. If it ever agrees on all things, I am sure that its virility will have been sapped because it is composed of nine independent men who have no one to be responsible to except their own consciences.

"It is not likely ever, with human nature as it is, for nine men to agree always on the most important and controversial things of life. If it ever comes to such a pass, I would say that the Court will have lost its strength and will no longer be a real force in the affairs of our country. But so long as it is manned by men like those who have preceded us and by others like those who sit today, I have no fear of that ever happening.

"I am happy today to leave the service of my country with a feeling of deep friendship for all these men whom I have served with for 16 years, in spite of the fact that we have disagreed on many occasions. In the last analysis, the fact we have often disagreed is not of great importance. The important thing is that every man will have given his best thought and consideration to the great problems that have confronted us.

"So I leave in a happy vein, Mr. President, and I wish my successor all the happiness and success in his years on the Court, which I hope will be many. You having issued a commission to him, it becomes my very happy duty and pleasure to administer the oath to him.

"But before doing so, I want to say :

"All cases submitted and all business before the Court at this term in readiness for disposition having been disposed of,

"It is ordered by this Court that all cases on the docket be, and they are hereby, continued to the next term.

"The Clerk will now read the Commission of the Chief Justice designate."

The Clerk then read the commission as follows:

“Richard Nixon,
“President of the United States of America,

“To All Who shall See These Presents, Greeting:

“Know Ye; That reposing special trust and confidence in the Wisdom, Uprightness, and Learning of Warren E. Burger of Virginia, I have nominated and, by and with the advice and consent of the Senate, do appoint him Chief Justice of the United States, and do authorize and empower him to execute and fulfill the duties of that Office according to the Constitution and Laws of the said United States, and to have and to hold the said office, with all the powers, privileges and emoluments to the same of right appertaining, unto Him, the said Warren E. Burger, during his good behavior.

“In testimony whereof, I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

“Done at the City of Washington, this twenty-third day of June, in the year of our Lord one thousand nine hundred and sixty-nine, and of the Independence of the United States of America the one hundred and ninety-third.

“By the President:

“RICHARD NIXON.

“John N. Mitchell,

[SEAL] “*Attorney General.*”

Judge Burger was then escorted by the Marshal to the center of the bench where the oath of office was then administered by the Chief Justice in the following words:

“I, Warren Earl Burger, do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as Chief Justice of the United States, according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well

and faithfully discharge the duties of the office on which I am about to enter.

"So help me God.

"Warren E. Burger.

"Subscribed and sworn to before me this twenty-third day of June, 1969.

"Earl Warren,
"Chief Justice."

The Chief Justice said:

"I present the new Chief Justice of the United States."

Adjourned to the time and place appointed by law.

It was ordered by the Court that the accompanying correspondence between members of the Court and Mr. Chief Justice Warren upon his retirement as Chief Justice of the United States be this day spread upon the minutes and that it also be printed in the reports of the Court.

SUPREME COURT OF THE UNITED STATES,
WASHINGTON, D.C., June 23, 1969.

HON. EARL WARREN,
Chief Justice of the United States,
Washington, D.C.

DEAR CHIEF, Your retirement today from our Court brings us mingled feelings—regret that you are leaving and gratitude that you have served the Court and the Nation with such eminent distinction.

We, your brethren, cannot let you leave without expressing our admiration and affection for you. Through our years of service together we have been constantly impressed by your patriotism and your unswerving devotion to liberty and justice. For us it is a source of pride that we have had the opportunity to be members of the Court over which you have presided during one of the most important and eventful eras of our Nation.

We are happy that you leave the Court in good health and wish you many more years of health and happiness in your well-earned retirement.

Sincerely,

HUGO L. BLACK
JOHN M. HARLAN
BYRON R. WHITE

W. O. DOUGLAS
WM. J. BRENNAN, JR.
POTTER STEWART

THURGOOD MARSHALL

SUPREME COURT OF THE UNITED STATES,
WASHINGTON, D.C., *June 23, 1969.*

DEAR BRETHREN:

Your letter of today concerning my retirement was heartwarming for me.

To have been able to serve with you through these many eventful years is one of the great satisfactions of my life, and to retire with the friendship of all of you fills my cup to overflowing.

I shall always be interested in you and your work, and I trust that each of you will, for many years, enjoy continued good health and happiness.

Sincerely,

EARL WARREN.

Mr. Justice Black
Mr. Justice Douglas
Mr. Justice Harlan
Mr. Justice Brennan
Mr. Justice Stewart
Mr. Justice White
Mr. Justice Marshall