

II

STATISTICS

	Original	Appellate	Miscellaneous	Total
Number of cases on dockets-----	15	1, 758	2, 429	4, 202
Cases disposed of-----	5	1, 433	1, 971	3, 409
Remaining on dockets-----	10	325	458	793

Cases disposed of—Appellate Docket :

By written opinions-----	105
By per curiam opinions or orders-----	206
By motion to dismiss or per stipulation (merit cases)-----	1
By denial or dismissal of petitions for certiorari-----	1,121

Cases disposed of—Miscellaneous Docket :

By written opinions-----	0
By denial or dismissal of petitions for certiorari-----	1,759
By denial or withdrawal of other applications-----	121
By granting of other applications-----	3
By per curiam dismissal of appeals-----	36
By other per curiam opinions or orders-----	22
By transfer to Appellate Docket-----	30

Number of written opinions-----	88
Number of printed per curiam opinions-----	21
Number of petitions for certiorari granted (Appellate)-----	73
Number of appeals in which jurisdiction was noted or postponed (Appellate)-----	46
Number of admissions to bar-----	3,965

GENERAL :

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Appointment of Mr. Rowland F. Kirks, Director of Ad- ministrative Office of the United States Courts (June 8, 1970)-----	447
Presentation of Justice Blackmun before Court by Attorney General-----	456
Justice Blackmun took oath of office (June 9, 1970)-----	457
Remarks of Chief Justice-----	457
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RULES:

Motion to dismiss granted for failure to docket case within time prescribed by Rule 13 of the Rules of this Court (681, 805, 854, 1022)-----	169, 215, 220, 234
Motion to file brief, as amicus curiae, granted provided the size of the print and pages of his brief is made to con- form with requirements of Rule 39(1) (4)-(305)-----	198
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	498, 499
Extension of time to docket appeal from U.S. District Court granted, time for docketing appeal extended to date when appeals from a later decree by the same court are required to be docketed, or if no appeals is noted, until a certain later date. (No. —) -----	73
Appeal under 18 U.S.C. 3731 from U.S. District Court dismissed for want of jurisdiction (305) -----	492
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Judgment vacated and case remanded so that Court may enter fresh judgment from which a timely appeal may be taken to the Court of Appeals (1568) -----	496
Appeal dismissed for want of properly presented federal question (1525 Misc.) -----	497
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ARGUMENT:

Motion of amicus curiae to argue orally, denied (39, 135, 305, 399, 927, 565, 730, 1189) -- 10, 106, 198, 199, 235, 300, 498, 499	499
Motion for leave to participate in oral argument as amicus curiae denied unless respondents cede to it part of their time for argument (52) -----	10
Motion by Solicitor General to argue orally as amicus curiae granted (59, 2 Misc.) -----	10, 11
Motion of amicus curiae to argue orally granted (266, 153) -----	11, 198
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50, 62, 103, 156, 249, 279, 281, 282, 284, 361, 377, 381, 394	
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Memorandum to come after oral argument (269)-----	377

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Motion for appointment of new counsel, denied (40)-----	10
Motion for leave to argue pro hac vice granted (53, 71, 249, 300, 628, 830)-----	11, 74, 107, 171, 315, 345
Argument pro hac vice by special leave of Court (53, 628) --	151, 325
Motion for appointment of counsel under Criminal Justice Act, granted (189)-----	11
Appointment of Counsel by the Court (189, 270; 727; 84; 403; 830; 730; 387; 1142; 595; 1250; 642; 1389; 1389, 1302; 900; 1633)-----	11, 74, 86, 138, 160, 171, 215, 228, 235, 333, 345, 370, 397, 448, 498
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Motion to file in this case an amicus brief filed in an earlier case denied (13)-----	85
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Motion to file reply brief after argument, granted (2 Misc.) -----	293
Motion to amend petition or to file supplemental brief granted (1019 Misc.)-----	311
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Writs dismissed as improvidently granted (40, 731, 74, 127 [without prejudice to further appropriate proceedings]-	135, 231, 287, 428
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Motion to retax costs denied (553)-----	476
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Motion for stay of temporary injunction granted pending timely filing and disposition of appeal: Provisions for various contingencies (No. —, No. —)-----	160, 497
Application for stay denied by equally divided court (No. —) -----	417
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Motion for the appointment of Special Master, granted (Honorable Robert Van Pelt) (36 Orig.)-----	433
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Motion to use record in 325, October Term 1967, granted (573) -----	243
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Motion to redeliver material not in evidence and which had been lodged with court, denied (1093)-----	256
Motion to strike references to agency reports denied (1093) -----	256
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SUPREME COURT OF THE UNITED STATES

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

The Chief Justice said:

"I have the honor to announce that the 1969 Term of the Supreme Court of the United States is now convened."

ADMISSIONS TO THE BAR

Allan Charles Fork, of Washington, D.C., Kenneth Michael Byrum, of Bakersfield, Calif., Allan S. Mason, of Fresno, Calif., Arnold Levin, of Beverly Hills, Calif., Richard Herman Jenkins, of Washington, D.C., Robert Franklin Sagle, of Hagerstown, Md., James Wallace Kerr, Jr., of Dallas, Tex., and Arthur John O'Donnell, of Chicago, Ill., on motion of Mr. Solicitor General Erwin N. Griswold; James Lewis Mann Cromer, of Columbia, S.C., on motion of Mr. J. Strom Thurmond; Arnold Luther Wood, Jr., of El Monte, Calif., on motion of Mr. Charles E. Wiggins; Reagan R. Huffman, of Marshall, Tex., on motion of Mr. Richard C. White; Alvin A. Fein, of Cleveland, Ohio, on motion of Mr. Charles A. Vanik; Wyman C. Lowe, of Atlanta, Ga., on motion of Mr. Benjamin B. Blackburn.

Joseph Samuel Rachlin, of West Hartford, Conn., on motion of Mr. Thomas J. Meskill; Adele T. Weaver, of Miami Beach, Fla., on motion of Mr. Claude Pepper; Theodore Epstein, Jr., of Denver, Colo., on motion of Mr. Byron G. Rogers; C. Timothy Hopkins, of Idaho Falls, Idaho, on motion of Mr. Orval Howard Hansen; Jerry J. Dunlap, of Oklahoma City, Okla., on motion of Mr. Page Belcher; Louis Robert Pearlman, of Phoenix, Ariz., on motion of Mr. John J. Rhodes; Henry J. Monahan, of Washington, D.C., on motion of Judge Edward M. Curran; Grace K. Banoff, of Albany, N.Y., on motion of Mr. Daniel M. Friedman; Joseph P. Busch, Jr., of Los Angeles, Calif., on motion of Mr. Thomas H. Kuchel; Madge W. Kretsch, of Indianapolis, Ind., on motion of Mr. William D. Ruckelshaus; Leon Lewitt, of Beverly Hills, Calif., on motion of Mr. Philip R. Ehrenkranz; Joseph Lawrence Sax, of Washington, D.C., on motion of Mr. George Kaufmann; George E. Martz, of Indianapolis, Ind., on motion of Mr. Frank A. Nelson; Edwin F. Lark, of Charles Town, W. Va., on motion of Mr. Reginald B. Jackson; Oscar Goldberg, of Philadelphia, Pa., Harry O. Hinz, of Milwaukee, Wis., and Patrick B. O'Brien, of New York, N.Y., on motion of Mrs. Jean E. Simpson; John Eddy,

of Des Moines, Iowa, Harley A. Whitfield, of Des Moines, Iowa, and Marvin A. Iverson, of Des Moines, Iowa, on motion of Mr. William Allen Whitfield; Howard L. Neuhaus, of Omaha, Neb., on motion of Mr. Richard P. Nelson; Eugene T. Hackler, of Olathe, Kans., on motion of Mr. John D. Logsdon; John P. Sullivan, of Seattle, Wash., on motion of Mr. John Robert Ewers; Luis F. Gómez, of San Juan, P.R., on motion of Mr. Howard F. Cerny; Lewis D. Clarke, Jr., of Waukegan, Ill., on motion of Mr. Robert C. Findlay; Robert N. Levin, of Washington, D.C., on motion of Mr. Steven Koplan.

L. Lee Humphries, of Long Beach, Calif., and Robert G. Rogers, of Placentia, Calif., on motion of Mr. Harry John Staas; Edward E. Cubberley, of Washington, D.C., on motion of Mr. J. Anthony Moran; Joseph V. Ferrino, of Winthrop, Mass., on motion of Mr. Joseph R. Gorman; William Forest Carroll, of Clendenin, W. Va., on motion of Mr. James Harvey Coleman; Arthur W. Ayers, Jr., of Red Lodge, Mont., Robert J. Brooks, of Broadus, Mont., and Charles F. Moses, of Billings, Mont., on motion of Mr. Robert C. Ayers; Jon K. Holcombe, of Syracuse, N.Y., on motion of Mr. Irwin Goldbloom; Oscar J. Green, of Cleveland, Ohio, on motion of Mr. S. Neil Hosenball; Michael L. Leventhal, Jr., of Chicago, Ill., on motion of Mr. Stephen Paul Goldman; Theodore R. Mitchell, of Window Rock, Ariz., on motion of Mr. Richard Schifter; Harold L. VanVoorhis, Jr., of Des Moines, Iowa, on motion of Mr. James T. Stovall; Phil B. Hammond, of Phoenix, Ariz., on motion of Mr. Phil Delano Butler; James M. McIntyre, of Halethorpe, Md., on motion of Mr. Norman F. Summers; Theodore Rosenberg, of Brooklyn, N.Y., on motion of Mr. Frank A. Lopez.

Elizabeth L. R. Armstrong, of Lake Jackson, Tex., Rebecca L. Bradley, of Denver, Colo., Anna Weiss Carton, of Baltimore, Md., Claire K. Cates, of Sebring, Fla., Marjorie M. Childs, of San Francisco, Calif., Eve Cohen, of Los Angeles, Calif., Ann Crisp, of Dallas, Tex., Ruth Rayner Debord, of Dallas, Tex., Sophia Ann De Bruin, of Kansas City, Mo., Margaret Angela Deeds, of Washington, D.C., Mary Alice Duffy, of Philadelphia, Pa., Sara M. Duffy, of Philadelphia, Pa., Lura Clark Ethridge, of Jackson, Miss., Marie G. Garrett, of Washington, D.C., Nettabell Edith Girard, of Washington, D.C., Ida M. Greenblatt, of Dallas, Tex., Elizabeth F. Gruen, of Great Neck, N.Y., Elizabeth Guhring, of Washington, D.C., Ruth Church Gupta, of San Francisco, Calif., Carole Jo Hanzes, of North Olmsted, Ohio, Alice K. Henry, of South Euclid, Ohio, Mildred E. Kamine, of Denver, Colo., Irene M. Kotulic, of Cleveland, Ohio, Marie A. Palumbo, of Chicago, Ill., Joann Peters, of Dallas, Tex., Mary Kathryn Ryan, of Cleveland, Ohio, Nanette E. L. M. Sands, of Suffern, N.Y., Anne H. Schneider, of Jackson, Tenn., Jettie Pierce Selvig, of San Francisco, Calif., Ardis A. Smith, of Detroit, Mich., Ketherine Eliza-

beth Dailey Storey, of Houston, Tex., Virginia O. Tackett, of Little Rock, Ark., Ruth Gentry Talley, of Bogalusa, La., Elizabeth Tennery, of Rockville, Md., Dorothy G. Turkel, of Detroit, Mich., Hortense E. Zalosh, of Chicago, Ill., and Rose S. Zetzer, of Baltimore, Md., on motion of Mrs. Maurine Howard Abernathy, were admitted to practice.

Adjourned until Monday, October 13, 1969, at 10 o'clock.

The day call for Monday, October 13, 1969, will be as follows: Nos. **14, 62, 33, and 15.**

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SUPREME COURT OF THE UNITED STATES

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

CERTIORARI GRANTED DENIED

No. **632**. Beatrice Alexander et al., petitioners *v.* Holmes County Board of Education et al.; and

No. **713**. Holmes County Board of Education et al., petitioners, *v.* Beatrice Alexander et al. Motion of The Lawyers' Committee for Civil Rights Under Law for leave to file a brief, as *amicus curiae*, in No. 632 granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit in No. 632 granted and cross-petition in No. 713 denied. Case No. 632 set for oral argument on Thursday, October 23. Case will be heard on the certified unprinted record as well as the printed briefs already on file and typewritten copies of any further briefs the parties may desire to submit. The typewritten brief of counsel for the petitioners shall be on file by Friday, October 17, and the typewritten briefs, or briefs, of the respondents shall be on file by Wednesday, October 22.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Elise Brookfield Heinz, of Arlington, Va., Alice R. Keel, of Los Angeles, Calif., Robert S. Thompson, of Tampa, Fla., Daniel J. Sullivan, of Sacramento, Calif., Roy Albert Hoff, of LaMirada, Calif., Maurice P. Raizes, of Chicago, Ill., Allan L. Blair, of Chicago, Ill., James J. Barta, of St. Louis, Mo., Mary Elizabeth Armstrong De Watlington, of San Juan, P.R., Seth Frederick Kaminsky, of New York, N.Y., Samuel Rabinove, of New York, N.Y., and Phillip H. Holm, of Chicago, Ill., on motion of Mr. Solicitor General Erwin N. Griswold; Alfred R. Sundberg, of St. Paul, Minn., and Richard J. Sundberg, of Minneapolis, Minn., on motion of Mr. Clark MacGregor; Robert Brunsell, of San Francisco, Calif., on motion of Mr. Jerome R. Waldie; James L. Hafele, of Peoria, Ill., on motion of Mr. Abner Joseph Mikva; James F. Bingham, of Stamford, Conn., on motion of Mr. Thomas J. Meskill; James H. Pipkin, Jr., of Washington, D.C., Shannon H. Ratliff, of Austin, Tex., and Lee A. Freeman, Jr., of Chicago, Ill., on motion of Mr. William Ramsey Clark; Raymond D. Williamson, Jr., of San Francisco, Calif., and Raymond D. Williamson, of San Francisco, Calif., on motion of Mr. Thomas H. Kuchel.

David Wendel Foerster, of Jacksonville, Fla., on motion of Mrs. Fred M. Vinson, Jr.; Donald Autrey Randall, of Lyons, Ga., and Thomas Malone Sharpe, of Lyons, Ga., on motion of Mr. Wilbur D. Sparks; Lee A. Albert, of New York, N.Y., on motion of Mr. John J. Loffin, Jr.; Robert Taylor Carlisle, of Jackson, Miss., and James Elliott Williams, of Florence, Miss., on motion of Mr. Wm. Ephraim Cresswell; Stanley Walsh, of San Francisco, Calif., on motion of Mr. Clark Leroy Fauver; Travis H. Clark, Jr., of Greenwood, Miss., on motion of Mr. Joseph E. Donahue; Burrell Dean Johnston, Jr., of Austin, Tex., and James Henry Doyle, of Austin, Tex., on motion of Mr. Vincent W. Ambrose; L. Barry Costilo, of Washington, D.C., on motion of Mr. Francis X. Baytagh; Edwin S. Weiner, of Shaker Heights, Ohio, on motion of Mr. William McHenry Hoiles; Gerald Herbert Popkin, of Boston, Mass., on motion of Mr. George Kauf-

mann; James Michael Bailey, of Silver Spring, Md., on motion of Mr. Allen A. Sperling; Daniel William Louis Fessler, of Cheyenne, Wyo., on motion of Mr. Richard J. Speltz; Terry G. Fewell, of Fort Wayne, Ind., on motion of Mr. Richard R. Sigmon; James Truman Stovall, Jr., of Montgomery, Ala., on motion of Mr. James T. Stovall, III; David Lench, of New York, N.Y., on motion of Mr. Malcolm S. Mason; Robert L. Russel, of Colorado Springs, Colo., on motion of Mr. Carroll E. Multz; Gearry Lloyd Knight, Jr., of Arlington, Va., on motion of Mr. Allen Kirkpatrick.

Edwin Augustus Colby, of Canton, Mass., on motion of Mr. John Randolph Davis; James J. Loeffler, of Houston, Tex., on motion of Mr. Everett Hutchinson; Alan J. Littau, of New York, N.Y., and Lewis Rosenberg, of New York, N.Y., on motion of Mr. James M. Henderson; Robert Walker Thomas, of Washington, D.C., on motion of Mr. Harry Protas; Donald E. Mullen, of Bowie, Md., on motion of Mr. Peter McKenzie Stockett, Jr.; Steve Enich, of Milwaukee, Wis., on motion of Mr. Joseph Bradley Blake; Peter E. Sitkin, of San Francisco, Calif., and Steven Jay Antler, of San Francisco, Calif., on motion of Mrs. Elizabeth Palmer; Charles O. Fisher of Westminster, Md., and Donald James Gimore, of Westminster, Md., on motion of Mr. Alfred Long Scanlan; Frank Feuille IV, of El Paso, Tex., on motion of Mr. Herbert H. George; William R. Holland, of Akron, Ohio, Paul W. Vale, of Akron, Ohio, and Bruce Howard Wilson, of Akron, Ohio, on motion of Mr. Wayne K. Hill; Sid J. White, of Monticello, Fla., on motion of Mr. Jack F. White, Jr.; and Charles F. Crowell, of Dennis, Mass., Arthur T. King, of Belmont, Mass., James P. Murray, of Newton, Mass., Norman Ostroff, of Boston, Mass., Edmund M. Pitts, of Boston, Mass., Paul Victor Salter, of Boston, Mass., Martin L. Saradjian, of Boston, Mass., and John D. Simeone, of Walpole, Mass., on motion of Mr. Edward M. Dangel, were admitted to practice.

The Chief Justice:

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

OPINIONS PER CURIAM

No. 123. Spalding Laundry & Dry Cleaning Company, appellant, *v.* Department of Revenue, Commonwealth of Kentucky. Appeal from the Court of Appeals of Kentucky. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 132. Duffy Storage and Moving Co., et al., appellants, *v.* The City and County of Denver et al. 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*.

No. 136. Gettig Equipment Corp., et al., appellants, *v.* Board of Zoning Appeals, City of Cleveland, et al. 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. 142. Abe Furman, appellant, *v.* City 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 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. 171. Imperial Refineries of Minnesota, Inc., appellant, *v.* City of Rochester. Appeal from the Supreme Court of Minnesota. The appeal is dismissed for want of a substantial federal question. Opinion *per curiam*. The Chief Justice took no part in the consideration or decision of this case.

No. 191. Frank Ristuccia et ux., appellants, *v.* Earl Adams et al. Appeal from the United States Court of Appeals for the Ninth 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. 199. Wilfred R. Wheeler, appellant, *v.* Vermont. Appeal from the Supreme Court of Vermont. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 204. Jewel W. Jordan, appellant, *v.* Arizona ex rel. Gary K. Nelson, Attorney General. Appeal from the Supreme Court of Arizona. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 215. Bernard Shapiro, Commissioner of Welfare, State of Connecticut, appellant, *v.* Edna Solman et al. Appeal from the United States District Court for the District of Connecticut. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*.

No. 238. Clinton D. Bradesku, appellant, *v.* Ilene M. Bradesku. 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. 261. Maine et al., appellants, *v.* Michael Edward Shone. Appeal from the United States Court of Appeals for the First Circuit. The motion of the appellee for leave to proceed *in forma pauperis* is granted. Judgments of Court of Appeals and United States Dis-

trict Court for the District of Maine vacated and case remanded to United States District Court for the District of Maine with directions to dismiss the case as moot. Opinion *per curiam*.

No. 279. James R. Hagan et al., appellants, *v.* Ronald Reagan, Governor of California et al., Appeal from the United States District Court for the Northern District of California. Judgment affirmed. Opinion *per curiam*.

No. 306. Interco Incorporated, appellant, *v.* Arny Rhoden, Chairman of the Mississippi State Tax Commission. Appeal from the Supreme Court of Mississippi. The motion to dismiss is granted and the appeal is dismissed. Opinion *per curiam*.

No. 308. Charles L. Kellar, appellant, *v.* Jasper Neal et ux. Appeal from the Supreme Court of Nevada. The motion to dispense with printing the 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. 320. William M. Hiyane et al., appellants, *v.* The House of Vision, Inc. Appeal from the Supreme Court of Illinois. 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. 324. Susan Butler Shikara, appellant, *v.* Maryland Casualty Company. Appeal from the United States Court of Appeals for the First Circuit. The motion to dispense with printing the 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. 177, Misc. Helen Bernard, appellant, *v.* New York City Employees' Retirement System et al. Appeal from the Appellate Division of the Supreme Court of New York, First Judicial Department. The motions to dismiss are granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 264, Misc. Cleveland Louis Sellers, Jr., 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 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*.

No. 268, Misc. James Whitley, appellant, *v.* New York. Appeal from the Appellate Division of the Supreme Court of New York,

First Judicial Department. The appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 272, Misc. Ray Charles Stoeckle, appellant, *v.* Wisconsin. Appeal from the Supreme Court of Wisconsin. 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. 336, Misc. Marvin Puryear, appellant, *v.* Frank S. Hogan, District Attorney, etc., 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 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. 573, October Term, 1968. National Labor Relations Board, petitioner, *v.* Gissel Packing Company, Inc., et al. The motions of respondents Gissel Packing Co., Inc. and Hecks, Inc. to reassess costs in this case are denied. The motion of respondents General Steel Products, Inc. and Crown Flex of North Carolina, Inc., to reassess costs in this case is granted and no costs are assessed against those respondents. Gissel Packing Co., Inc. is assessed cost of \$2705.24 and Hecks, Inc. is assessed costs of \$1981.06. The Chief Justice took no part in the consideration or decision of these motions.

No. 1279, October Term, 1968. United States, petitioner, *v.* Ideal Basic Industries, Inc. The respondent is requested to file a response to the petition for rehearing within thirty days. Mr. Justice White and Mr. Justice Marshall took no part in the entry of this order.

No. —. Roy Anderson, plaintiff, *v.* Luigi Raimondi, as and for The State of Vatican City. The motion for leave to file a bill of complaint under the original jurisdiction is denied.

No. —. Howard B. Levy, petitioner, *v.* Jacob J. Parker, Warden of the United States Penitentiary, Lewisburg, Pennsylvania, and Stanley R. Resor, Secretary of the Army. The application for bail granted by Mr. Justice Douglas pending action by this Court is continued pending disposition of the case by the United States District Court for the Middle District of Pennsylvania. Mr. Justice Marshall took no part in the consideration or decision of this application.

No. 15. Clarence DeBacker, appellant, *v.* Homer Brainard, Sheriff of Dodge County, Nebraska. The motion of The National Council of Juvenile Court Judges for leave to file a brief, as *amicus curiae*, is granted.

No. 19. The First National Bank in Plant City, Plant City, Florida, petitioner, *v.* Fred O. Dickinson, Jr., etc., et al.; and

No. 34. William B. Camp, Comptroller of the Currency, petitioner, *v.* Fred O. Dickinson, Jr., etc., et al. The motion of The First National Bank of Gainesville, Georgia, et al., for leave to file a brief, as *amici curiae*, is granted.

No. 25. Frederick T. Zuber et al., petitioners, *v.* Russell Allen et al.; and

No. 52. Clifford M. Hardin, Secretary of Agriculture, petitioner, *v.* Russell Allen et al. The motion of Lorton Blair et al. for leave to file a brief, as *amici curiae*, is granted. The motions of the respondents for additional time for oral argument and to postpone the oral argument are denied. The motion of the State of Vermont for leave to participate in oral argument, as *amicus curiae*, is denied, unless the respondents cede to it part of their time for argument. Mr. Justice Stewart would grant the motion of State of Vermont. The Chief Justice and Mr. Justice Marshall took no part in the consideration or decision of these motions.

No. 31. Paul M. Brockington, appellant, *v.* James A. Rhodes, Governor of Ohio et al. Further consideration of the suggestion of mootness by certain appellees is postponed to the hearing of the case.

No. 32. National Labor Relations Board, petitioner, *v.* J. H. Rutter-Rex Manufacturing Company, Inc. et al. The motion of the Amalgamated Clothing Workers of America, AFL-CIO, for leave to participate in the oral argument is denied.

No. 33. Paul E. Sullivan et al., petitioners, *v.* Little Hunting Park, Inc. et al. The motion of the Anti-Defamation League of B'nai B'rith et al. for leave to file a brief, as *amici curiae*, is granted.

No. 39. Richard Hall et ux., appellants, *v.* Harriet Beals, Clerk and Recorder of El Paso County et al. The motion of the Bipartisan Committee on Absentee Voting for leave to participate in the oral argument, as *amicus curiae*, is denied.

No. 40. James Conway, petitioner, *v.* California Adult Authority et al. The motions of the petitioner for an injunction and for the appointment of new counsel are denied. The typewritten brief submitted by the petitioner is ordered filed.

No. 41. The Choctaw Nation and the Chickasaw Nation, petitioners, *v.* Oklahoma et al.; and

No. 59. The Cherokee Nation or Tribe of Indians in Oklahoma, petitioner, *v.* Oklahoma et al. The motion of Wilkinson, Cragun and Barker for leave to file a brief, as *amicus curiae*, is granted. The motion of the Solicitor General for leave to participate in the oral

argument, as *amicus curiae*, is granted and 20 minutes are allotted for that purpose. Twenty additional minutes are allotted to counsel for the respondents.

No. 50. North Carolina, appellant, *v.* Henry C. Alford; and

No. 268. Charles Lee Parker, petitioner, *v.* North Carolina. The motion of Albert Bobby Childs et al. for leave to file a brief, as *amici curiae*, is granted.

No. 53. Sara Baird, petitioner, *v.* State Bar of Arizona. The motion of Peter D. Baird for leave to argue, *pro hac vice*, is granted.

No. 81. Rector Simmons, Jr., et ux., appellants, *v.* West Haven Housing Authority;

No. 265. Gladys Boddie et al., appellants, *v.* Connecticut et al.; and

No. 266. Lelia Mae Sanks et al., appellants, *v.* Georgia et al. The motion of the State of Connecticut for leave to participate in the oral argument, as *amicus curiae*, in support of the judgment in No. 81 is granted. The motion of the National Legal Aid and Defender Association in No. 81 for leave to file a brief, as *amicus curiae*, is granted. The motion of The Center on Social Welfare Policy and Law et al., for leave to file a brief, as *amici curiae*, is granted.

No. 85. Association of Data Processing Service Organization, Inc., et al., petitioners, *v.* William B. Camp, Comptroller of the Currency of the United States, et al. The motion of the Sierra Club for leave to file a brief, as *amicus curiae*, is granted.

No. 125. Martin Marietta Corporation, petitioner, *v.* Judith S. Feder et al. The Solicitor General is invited to file a brief expressing the views of the United States.

No. 214. TV Pix, Inc., et al., appellants, *v.* Resse H. Taylor, Jr., et al. The Solicitor General is invited to file a brief expressing the views of the United States.

No. 189. James Minor, petitioner, *v.* United States. The motion for the appointment of counsel under the Criminal Justice Act is granted, and it is ordered that Phylis Skloot Bamberger, of New York, New York, be appointed to serve as counsel for the petitioner in this case.

No. 270. Robert M. Brady, petitioner, *v.* United States. The motion for the appointment of counsel is granted, and it is ordered that Peter J. Adang, Esquire, of Albuquerque, New Mexico, be appointed to serve as counsel for the petitioner in this case.

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 of the Solicitor General for leave to participate in the oral argument, as *amicus curiae*, is granted and 30 minutes are allotted for that purpose. Thirty additional minutes are allotted to counsel for the petitioner. The case is removed from the current argument list and it is ordered that briefs and oral arguments be presented by counsel for the parties. Mr. Justice Marshall took no part in the consideration or decision of this order.

No. 149, Misc. In the Matter of the Disbarment of Thomas W. Sullivan. It having been reported to the Court that Thomas W. Sullivan, of Montgomery, Alabama, has been disbarred from the practice of the law by the Supreme Court of the State of Alabama; and this Court by order of April 28, 1969, having suspended the said Thomas W. Sullivan from the practice of the law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred.

And it appearing that the said rule was duly issued and served upon the respondent, who has filed a return; now, upon consideration of the rule to show cause and the return aforesaid;

It is ordered that the said Thomas W. Sullivan be, and he is hereby, disbarred, and that his name be stricken from the roll of attorneys admitted to practice in this Court.

No. 220, Misc. Earnest Norman, petitioner, *v.* United States. The motion of the petition for leave to file a supplement to the petition for certiorari is granted.

APPEALS—JURISDICTION NOTED OR POSTPONED

No. 84. United States, appellant, *v.* Milton C. Jorn. Appeal from the United States District Court for the District of Utah. 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. 103. United States, appellant, *v.* Armour & Company 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. 179. William P. Rogers, Secretary of State, appellant, *v.* Aldo Mario Bellei. 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.

No. 131. Edmund P. Dandridge, Jr., Chairman of the Maryland State Board of Public Welfare, et al., appellants, *v.* Linda Williams

et al. Appeal from the United States District Court for the District of Maryland. Motion of appellees for leave to proceed *in forma pauperis* granted. In this case probable jurisdiction noted and case placed on the summary calendar. Case set for oral argument with No. 540 in which certiorari granted today.

No. 185. Augie Reetz, Commissioner of Fish and Game for Alaska et al., appellants, *v.* John Bozanich et al. Appeal from the United States District Court for the District of Alaska. In this case probable jurisdiction noted and case placed on the summary calendar. Case set for oral argument with No. 301 in which jurisdiction was noted today.

No. 236. William Evans, etc., et al., appellants, *v.* Tillye Cornman et al. Appeal from the United States District Court for the District of Maryland. In this case probable jurisdiction noted and case placed on the summary calendar. The Solicitor General is invited to file a brief expressing the views of the United States.

No. 301. Loren J. Pike, etc., appellant, *v.* Bruce Church, Inc. Appeal from the United States District Court for the District of Arizona. Motion of Western Growers Association for leave to file brief, as *amicus curiae*, granted. In this case probable jurisdiction noted and case placed on the summary calendar. Case set for oral argument with No. 185 in which jurisdiction was noted today.

No. 305. United States, appellant, *v.* John Heffron Sisson, Jr. Appeal from the United States District Court for the District of Massachusetts. Further consideration of the question of jurisdiction in this case postponed to the hearing of case on the merits. Case placed on the summary calendar and set for oral argument with No. 76 in which certiorari granted today. In addition to the questions presented on the merits, counsel are requested to discuss in their briefs and oral arguments, not only the issue of jurisdiction under the "arresting a judgment" subdivision of 18 U.S.C. § 3731, but also the questions of whether jurisdiction exists under either the "motion in bar" subdivision or the "decision * * * setting aside or dismissing" subdivision of 18 U.S.C. § 3731.

No. 43, Misc. Donald J. Vale, appellant, *v.* Louisiana. Appeal from the Supreme Court of Louisiana. Motion for leave to proceed *in forma pauperis* granted. Further consideration of question of jurisdiction in this case postponed to the hearing of case on the merits and review limited to the search and seizure question. Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI GRANTED

No. 74. Clifford Taggart et al., petitioners, *v.* Weinacker's, Inc. Petition for writ of certiorari to the Supreme Court of Alabama granted and case placed on the summary calendar.

No. 88. United States, petitioner, *v.* W. G. Reynolds et ux. 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. 104. United States, petitioner, *v.* Estate of Thomas S. Donnelly, Sr., 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. 108. The Colonnade Catering Corp., Petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for Second Circuit granted and case placed on the summary calendar.

No. 231. International Longshoremen's Association, Local 1416, AFL-CIO, petitioner, *v.* Ariadne Shipping Company, Limited, et al. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, granted and case placed on the summary calendar.

No. 234. Henry J. Czosek et al., petitioners, *v.* John R. O'Mara 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. 282. United States, petitioner, *v.* Maclin P. Davis et ux. 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. 300. James Tooahimpah Tate et al., petitioners, *v.* Walter J. Hickel, Secretary of the Interior for the United States, 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.

No. 395. United States, petitioner, *v.* M. O. Seckinger, Jr., etc. 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. 75. In the Matter of the Application of Martin Robert Stolar, petitioner. Petition for writ of certiorari to the Supreme Court of Ohio granted. Case placed on the summary calendar and set for oral argument immediately following No. 53.

No. 76. Elliott Ashton Welsh, II, petitioner, *v.* United States. Petition for writ of certiorari to United States Court of Appeals for the Ninth Circuit granted and case placed on the summary calendar.

Case set for oral argument with No. **305** in which further consideration of question of jurisdiction was postponed today.

No. **153**. Daniel McMann, Warden, et al., petitioners, *v.* Wilbert Ross et al. Motion of respondents for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to United States Court of Appeals for the Second Circuit granted and case placed on the summary calendar. Case set for oral argument with No. **212** in which certiorari was granted today.

No. **212**. David Earl Trammell, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Appeals of Alabama granted and case placed on the summary calendar. Case set for oral argument with No. **153** in which certiorari was granted today.

No. **221**. Walter J. Hickel, Secretary of the Interior, petitioner, *v.* The Oil Shale Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit and case placed on the summary calendar. Mr. Justice White and Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **230**. H. K. Porter Company, Inc., etc., 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 granted and case placed on the summary calendar. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **540**. Julia Rosado et al., petitioners, *v.* George K. Wyman, etc., et al. Application for stay presented to Mr. Justice Harlan, and by him referred to the Court, denied. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit and to expedite granted and case placed on the summary calendar. Case set for oral argument with No. **131** in which probable jurisdiction was noted today.

No. **51, Misc.** Robert Dean Dickey, petitioner, *v.* Florida. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the District Court of Appeal of Florida, First District, granted. Case transferred to the appellate docket and placed on the summary calendar.

No. **53, Misc.** Donald Bachellar et al., petitioners, *v.* Maryland. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Court of Special Appeals of Maryland granted. Case transferred to the appellate docket and placed on the summary calendar.

No. **69, Misc.** Archie William Hill, Jr., 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.

No. 480, Misc. Kenneth R. Jones et al., petitioners, *v.* State Board of Education of and for the State of Tennessee 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 Sixth Circuit granted, as to petitioner, Jones. Certiorari denied as to other petitioners. Case transferred to appellate docket and placed on the summary calendar.

CERTIORARI DENIED

No. 77. James Russell Haskin, petitioner, *v.* The Superior Court of California, County of Orange (Patricia Noreen Haskin, real party in interest). Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 80. Louis A. Heyd, Jr., Sheriff, Parish of Orleans, Louisiana, petitioner, *v.* Robert L. Brown and William J. Hadrick. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 89. Lester Nehring, petitioner, *v.* Empresa Lineas Maritimas Argentinas et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 92. American Empire Insurance Company of South Dakota et al., petitioners, *v.* Fidelity and Deposit Company of Maryland. Petition for writ of certiorari to United States Court of Appeals for the Fifth Circuit denied.

No. 94. 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. 97. Charles Bussie, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 98. Long Beach Banana Distributors, Inc., et al., petitioners, *v.* Atchison, Topeka & Santa Fe Railway Company et al. Petition for writ of certiorari to the United States of Appeals for the Ninth Circuit denied.

No. 105. Northeastern Consolidated Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 106. Campbell Soup Company, petitioner, *v.* International Association of Machinists, District No. 8, AFL-CIO. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 110. Ruth Snyder et al., petitioners, *v.* Walter J. Hickel, Secretary of Interior. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 111. Wyman C. Lowe, petitioner, *v.* Charles L. Weltner. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 112. George W. Dotson, petitioner, *v.* Bertha Duty. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 113. Southwestern Portland Cement Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 114. Standard Fruit and Steamship Company, petitioner, *v.* United Fruit Company and United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 115. A. R. Industries, petitioner, *v.* Superior Court of the State of California for the County of Sacramento. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 118. Dean Julious Walsh, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 120. Frank R. Franko, petitioner, *v.* Mahoning County Bar Association. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 126. Watsco, Inc., petitioner, *v.* Henry Valve Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 130. S. W. Asher, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 133. Walter S. Cooper, petitioner, *v.* Leslie Salt Company et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 134. In the Matter of the Application of Walter Marvin, Jr., petitioner. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 137. Charles Francis DeNarvaez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 138. Paul O. Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 140. Christopher Jackman et al., petitioners, *v.* John M. Bodine et al. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 141. Thomas T. Tagawa, petitioner, *v.* Maui Publishing Company, Ltd. Petition for writ of certiorari to the Supreme Court of Hawaii denied.

No. 144. David R. Babb, petitioner, *v.* Ray Marelli, etc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 145. Roxanne Tannehill, petitioner, *v.* Thomas W. Roberts et al. Petition for writ of certiorari to the Court of Appeal of Louisiana, Fourth Circuit denied.

No. 147. Everett W. Granderson, Jr., petitioner, *v.* Orleans Parish School Board. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 149. Sidney P. Abramson, petitioner, *v.* The Exchange National Bank of Chicago et al.; and

No. 208. Exchange National Bank of Chicago, petitioner, *v.* Sidney P. Abramson et al. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 150. Harry F. Berggren & Sons, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 151. Ronald Martin and Roger Wolf, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 152. Angelus Funeral Home, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 154. Jesse Gay, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 155. Leo Neiwirth, petitioner, *v.* Hydrocarbon Chemicals, Inc., et al., and

No. 217. Samuel S. Starr et al., petitioners, *v.* Hydrocarbon Chemicals, Inc., et al. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 156. Lee W. Tauferner et ux., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 157. Valleydale Packers, Inc., of Bristol, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 159. Crown Machine & Tool Co., petitioner, *v.* D & S Industries, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 162. Marie P. Richard, petitioner, *v.* Travelers Insurance Co. et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 163. William A. Agoranos, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 165. Mojave Uranium Company, petitioner, *v.* Mesa Petroleum Company. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. 167. Richard Wayne Hart et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 168. Marion J. Belveal et al., petitioners, *v.* Socony Mobile Oil Corporation et al. Petition for writ of certiorari to the Court of Civil Appeals of Texas, 8th Supreme Judicial District, denied.

No. 170. Preferred Insurance Company, etc., petitioner, *v.* James L. Bentley, Insurance Commissioner of Georgia, et al. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 174. William Sheiner, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 176. John Ike Griffith, petitioner, *v.* Board of Commissioners of the Alabama State Bar. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 178. K-S-H Plastics, Inc., petitioner, *v.* Carolite, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 184. Thomas W. Sullivan, petitioner, *v.* Board of Commissioners of the Alabama State Bar. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 186. Iowa Public Service Company, petitioner, *v.* Iowa State Commerce Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 192. Marvin C. Mesch, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 193. William A. Thorne, Receiver, Atlas Lumber & Door Co., petitioner, *v.* Aetna Life Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 195. Lawrence D. Sullivan, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 197. Robert Foye O'Neal, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 203. Robert A. Moses and Richard P. Moses, etc., petitioners, *v.* The Manufacturers Life Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 205. Tennessee Valley Sand & Gravel Company, petitioner, *v.* Bobby Joe Crafton. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 209. Maryland Casualty Company, petitioner. *v.* The Rush Street Rugby Shop, Ltd., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 213. Mark L. France, Trustee, etc., petitioner, *v.* Union Bank and Savings Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 216. George W. Chapman, Inc., petitioner, *v.* Robert E. Shenk et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 220. Jefferson Standard Life Insurance Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 222. Jack G. Buncher d/b/a The Buncher 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. 223. Ellen Goett, etc., petitioner, *v.* Union Carbide Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 224. Theodore J. Gotthelf et ux., petitioners, *v.* Commissioner of Internal Revenue; and

No. 293. Commissioner of Internal Revenue, petitioner, *v.* Sara N. Gotthelf. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 228. Tri-Wall Containers, Inc., petitioner, *v.* United States. Petition for writ of certiorari to the United States of Claims denied.

No. 229. Vance A. Dobbins, Jr., and Jerry Calvin Smith, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 232. Peter Ross, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 233. Donald Simon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 237. Bishop Collins, petitioner *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 243. Texas Oil & Gas Corp. et al., petitioners, *v.* Phillips Petroleum Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 246. Samuel Eugene Patterson, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 247. Jesse Earl Miller, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 251. Magnetic Heating Corporation et al., petitioners, *v.* Julius E. Foster. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 252. Julio Dejoris, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 253. Durwood O. Phillips et ux., petitioners, *v.* Bill C. Latham. Petition for writ of certiorari to the Court of Civil Appeals of Texas, 11th Supreme Judicial District, denied.

No. 254. John E. Acuff, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 255. William A. Wax, petitioner, *v.* Frank J. Pate, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 256. William T. McCluskey, Jr., petitioner, *v.* Norfolk and Western Railway Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 257. General Metal Products 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. 258. Odessa H. Knauff, etc., et al., petitioners, *v.* Utah Construction & Mining Co. et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 259. Saab Aktiebolag (formerly Svenska Aeroplan Aktiebolaget (Saab)), petitioner, *v.* Mergenthaler Linotype Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 262. Willett Wilson, petitioner, *v.* City of Port Lavaca, Texas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 263. Leroy Crumley, alias Leo Crumley, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Appeals of Alabama denied.

No. 264. Gordon S. Miller et ux., petitioner, *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 Third Circuit denied.

No. 272. David Bernard Barash, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 273. Ceferino Perez Carril, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 274. Ransom Melvin Ketron, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Eastern Division, denied.

No. 276. State Farm Mutual Automobile Insurance Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 277. Kenneth Wayne Knaack and Milton Segoviano, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 278. Ridgewood Management Company, 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. 280. City of Detroit et al., petitioners, *v.* Ambassador Steel Company et al. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 281. John J. Tyne, Jr., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 283. The John Klann Moving and Trucking 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. 286. Felix Canova, petitioner, *v.* The Travelers Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 289. Milton Margoles, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 294. Southeastern Canteen Co., 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. 295. Wheeler-Van Label Company, Subsidiary of Stecher-Traung-Schmidt Corporation, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 297. Purer & Company and Phillip Purer, petitioners, *v.* Aktiebolaget Addo and Addo Machine Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 298. Herbert M. Rosenthal et al., petitioners, *v.* Harry A. Ash, Trustee, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 299. Dorothy C. Regan, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 302. Paul Brown Maynard, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 303. Gaston Turner, petitioner, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 309. Edward H. Breen, petitioner, *v.* Otis Elevator Company et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 311. The Washington Terminal Company, petitioner, *v.* Alonzo W. Taylor. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 312. Joel Simon Meyers, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 313. Donald Kalish, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 314. Florence M. Barnes 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. 315. Robert D. Hayes, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 317. B. F. Diamond Construction Company, Inc., et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 319. Richard W. Croughan, petitioner, *v.* Michael J. Murphy, Police Commissioner of the City of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 322. Montecatini Edison S.p.A., petitioner, *v.* E. I. du Pont de Nemours & Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 323. J. D. McCarthy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 325. Raymond Franco, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 327. Walter Sher, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 328. Stuyvesant Insurance Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 332. Gerard E. Berne, petitioner, *v.* Government of the Virgin Islands. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 333. Nicholas Panaccione, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 334. Robert E. Boenker, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 336. James H. McKee, petitioner, *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 339. Danny Roy Shoemaker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 341. Merrill Lynch, Pierce, Fenner & Smith, Inc., petitioner, *v.* Donald W. Buttrey, etc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 342. The Exchange National Bank of Atchison, petitioner, *v.* The Hibernia National Bank of New Orleans. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 344. Joseph Kandall, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 345. Amalgamated Transit Union, Local Division 1338, et al., petitioners, *v.* The Dallas Public Transit Board et al. Petition for writ of certiorari to the Court of Civil Appeals of Texas, 5th Supreme Judicial District, denied.

No. 346. Hickman Garment 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. 348. Clara L. Washington, petitioner, *v.* Golden State Mutual Life Insurance Company. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 350. J. Willison Smith, Jr., et ux., petitioners, *v.* Pennsylvania Public Utility Commission et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Middle District, denied.

No. 351. McKinley Durham and Lucious Patterson, Sr., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 353. R. G. Barry Corporation, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 354. Calvert Allen Lacy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 356. Willie Kirk and Ted Perry, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 359. Yachim G. Holochuck, petitioner, *v.* United Aircraft Corp. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 361. Russell Bynum Proctor, petitioner, *v.* Marion King Proctor. Petition for writ of certiorari to the Superior Court of Pennsylvania, Philadelphia District, denied.

No. 364. John W. Campbell, petitioner, *v.* F. W. Gooch, Jr., Capt., U.S.N., Commander, Philadelphia Naval Shipyard, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 365. Brann & Stuart Company, petitioner, *v.* Consolidated Sun Ray, Inc. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 366. Carl W. Spahr and William A. Kaiser, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 367. Edmor Properties, Inc., petitioner, *v.* Metropolitan Dade County, Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 370. George E. Farrell, etc., et al., petitioners, *v.* Piedmont Aviation, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 371. John S. Barnes 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. 372. New York State Liquor Authority, petitioner, *v.* Finn's Liquor Shop, Inc. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 377. Anthony S. Noga, etc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 380. William F. Sanford, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **385**. Order of Railway Conductors and Brakemen et al., petitioners, *v.* Clinchfield Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **405**. John L. Lodwick, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **416**. L. E. Riffe, petitioner, *v.* Wilshire Oil Company of Texas. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **479**. Leonard Simasko, petitioner, *v.* Township of Harrison, Macomb County. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. **491**. E. E. Morgan, petitioner, *v.* United States Fidelity & Guaranty Company. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. **47**. The Tobacco Institute, Inc., et al., petitioners, *v.* Federal Communications Commission et al.;

No. **48**. National Association of Broadcasters et al., petitioners, *v.* Federal Communications Commission et al.;

No. **49**. American Broadcasting Companies, Inc., petitioner, *v.* Federal Communications Commission et al.; and

No. **51**. National Broadcasting Company, Inc., petitioner, *v.* Federal Communications Commission et al. Petitions for writs 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 these petitions.

No. **107**. Stasia V. Hayman, petitioner, *v.* Commissioner of Internal Revenue. 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. **219**. Reies Lopez Tijerina et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. The Chief Justice took no part in the consideration or decision of this petition.

No. **56**. Charles Edmundson and Roy Hamilton, petitioners, *v.* Tennessee ex rel. W. Preston Battle. Petition for writ of certiorari to the Supreme Court of Tennessee, Western Division, denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **122**. Jesse Freeman et al., petitioners, *v.* The Gould Special School District of Lincoln County, Arkansas, et al. 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. 169. Ames Nowell, petitioner, *v.* Marguerite Lovelett Nowell. Petition for writ of certiorari to the Supreme Court of Connecticut. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 177. Oliver Rosenberg et al., petitioners, *v.* Marie Minichiello, etc., 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. 181. Cecil E. Shifflett et al., petitioners, *v.* Edward Minor et al. Petition for writ of certiorari to the Court of Appeals of Maryland denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 194. Veterans of the Abraham Lincoln Brigade et al., petitioners, *v.* Attorney General of the United States 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. 198. Philip J. Hirschkop, 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. 211. Broadway Enterprise, Inc., petitioner, *v.* Liquor Control Commission of 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. 227. City of Audubon Park, Kentucky, et al., petitioners, *v.* American Airlines, Inc., 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. 244. Ernestine W. Hunt, petitioner, *v.* Arizona. 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. 260. Gulf Oil Corporation et al., petitioners, *v.* United States et al. 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. 291. United Mine Workers of America, petitioner, *v.* Riverside Coal Company, 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. 296. Thomas Kadlec et al., petitioners, *v.* Illinois Bell Telephone Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 335. Louise Burdine Eschmann, petitioner, *v.* R. Kirk Moyer et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 373. Herbert S. Schwartzman, 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. 437. Louis L. Atkins, petitioner, *v.* Greenville Shipbuilding Corporation. 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. 61. C. Murray Henderson, Warden, petitioner, *v.* George Monroe Pryor. 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 Sixth Circuit denied.

No. 248. Ross E. Herold, M.D., Director of Dannemora State Hospital Dannemora, New York, petitioner, *v.* Roy Schuster. 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 Second Circuit denied.

No. 326. David N. Myers, Superintendent, State Correctional Institution, petitioner, *v.* Edwin Gockley. 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. 91. Louie L. Wainwright, Director, Division of Corrections, petitioner, *v.* Nicholas Cappetta. Motions of respondent for leave to proceed *in forma pauperis* and for leave to file a *pro se* brief in opposition to petition for certiorari granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 99. Jane Levin, etc., petitioner, *v.* Great Western Sugar Company et al. 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. Mr. Justice White took no part in the consideration or decision of this petition.

No. 109. Henry Dorsey, petitioner, *v.* National Association for the Advancement of Colored People 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. 116. Joseph E. Lifschutz, M.D., petitioner, *v.* Superior Court of California in and for the County of San Mateo. Motions of California State Psychological Association; American Psychiatric Association; and National Association for Mental Health for leave to file briefs, as *amicus curiae*, granted. 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. 119. George Laris, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied. Mr. Justice Douglas and Mr. Justice Brennan are of the opinion that certiorari should be granted.

No. 130. Brotherhood of Locomotive Firemen and Enginemen, petitioner, *v.* Bangor and Aroostook Railroad Company 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. The Chief Justice and Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 202. Sam Joseph Battaglia, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh 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. 207. Walter W. Meek, petitioner, *v.* Arizona. Petition for writ of certiorari to the Court of Appeals of Arizona denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion that certiorari should be granted.

No. 218. Louis Vernell, petitioner, *v.* Florida ex rel. Richard E. Gerstein, etc. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion that certiorari should be granted.

No. 304. Dorothy Fay Duffy, etc., petitioner, *v.* James H. Wharton, etc. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 368. Raymond Thomas Ward, petitioner, *v.* Pennsylvania New York Central Transportation Company et al. 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. 316. Diana Kearney Powell, petitioner, *v.* National Savings and Trust Company. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. The Chief Justice and Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 363. Lawrence S. Ingoglia, petitioner, *v.* Harold M. Spitzer. Petition for writ of certiorari to the Court of Appeals of New York denied. Mr. Justice Black is of the opinion that certiorari should be granted.

No. 26, Misc. Ollie Lee Brooks, Jr., petitioner, *v.* Lawrence E. Wilson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 36, Misc. Wallace Dean Cline, petitioner, *v.* Nevada, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 40, Misc. Nicholas Anthony Vitale, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 41, Misc. Reginald A. Soolook, petitioner, *v.* Alaska. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 42, Misc. Richard Allen Cornelius, petitioner, *v.* John C. Burke, Warden. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 46, Misc. Cason L. Scheimer, petitioner, *v.* Harold V. Field, Superintendent, California Men's Colony. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 54, Misc. Pedro Crispin, 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. 55, Misc. Wayne A. Russell et al., petitioners, *v.* Minnesota. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 56, Misc. George Harrison Flynn, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 57, Misc. Charles Lucas, petitioner, *v.* Robert W. Duggan, District Attorney, et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, denied.

No. 58, *Misc.* Jasper Rodel Walker, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 61, *Misc.* Larry Harold Gunning, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 62, *Misc.* Johnnie L. Dalton, etc., petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 65, *Misc.* William Smith and Austin Carter, petitioners, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 67, *Misc.* Albert G. Hintz, petitioner, *v.* Clarence T. Gladden, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 68, *Misc.* Allen Gates, 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. 70, *Misc.* Robert E. Young, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 75, *Misc.* In re Dennis P. Fletcher, a Juvenile, petitioner. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 83, *Misc.* Wilbert Haywood, petitioner, *v.* United States; and

No. 139, *Misc.* Elmer Jessup, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 90, *Misc.* Wayne Ellsworth Conley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 91, *Misc.* Charles Twist, petitioner, *v.* S. Redeker et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 93, *Misc.* William Heirens, petitioner, *v.* Frank J. Pate, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 94, *Misc.* Charles Lenwood Butler, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 95, *Misc.* Jack Virgil Caffey, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 96, **Misc.** In the Matter of Barbara Lynn Johnson et al., petitioners. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 97, **Misc.** Mel Eddie Edwards, petitioner, *v.* Lou V. Brewer, Warden. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 98, **Misc.** G. W. Carroll, 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. 100, **Misc.** Jose Rodriquez, petitioner, *v.* Earl Coke, Secretary of the Agriculture and Service Agency of California, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 101, **Misc.** Joseph De Rosa, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 102, **Misc.** Willie George Boyd, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied.

No. 106, **Misc.** Jay Ed Miller, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 107, **Misc.** Thomas Leroy Yough, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 111, **Misc.** Keith G. Dosskey, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 114, **Misc.** Wilmer Austin, petitioner, *v.* Alabama. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 130, **Misc.** Edward Allen Mead, petitioner, *v.* Alaska. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 131, **Misc.** Wallace R. Bard, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 153, **Misc.** Bobby H. Pursley, petitioner, *v.* United States. Petition for writ certiorari to the United States Court of Appeals for the ~~Fourth~~ Circuit denied.

No. 154, *Misc.* Robert Jewell Landman, Sr., petitioner, *v.* Virginia et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 155, *Misc.* David Davis, petitioner, *v.* New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 158, *Misc.* Harold Lee Jones, petitioner, *v.* Otis L. Brown, Director, Department of Welfare and Institutions. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 161, *Misc.* Kenneth O'Larry Glenn, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 163, *Misc.* Clifford C. Stewart, petitioner, *v.* California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 164, *Misc.* Edward W. Moore, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 165, *Misc.* Thurlow Belk, petitioner, *v.* North Carolina. Petition for writ of certiorari to the ~~Supreme Court of North Carolina~~ *US Court of Appeals, 4th Circuit* denied.

No. 166, *Misc.* James R. Rowles, petitioner, *v.* David N. Myers et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 167, *Misc.* Gloria Jenkins, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 169, *Misc.* McKenzie Davis, petitioner, *v.* John C. Burke, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 170, *Misc.* Harold B. Lutchin, petitioner, *v.* County Court of Outagamie County, Wisconsin, et al. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 171, *Misc.* Clarence H. Bagby, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 172, *Misc.* Joseph P. Gerardi, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 173, Misc. Joseph P. Gerardi, petitioner, *v.* Secretary of Health, Education and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 175, Misc. Bobby R. Cox, petitioner, *v.* Illinois. Petition for writ certiorari to the Supreme Court of Illinois denied.

No. 176, Misc. Charles Patterson, 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. 180, Misc. Ronnie Roberts, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 181, Misc. Anthony DeAngelis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 182, Misc. Fred Jones, petitioner, *v.* Richard A. Harewood, Judge. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 184, Misc. Herman Yvonne Risenhoover, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 185, Misc. Alvin Ray Huff, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 186, Misc. Alfred Jones, petitioner, *v.* California. Petition for writ of certiorari to the court of CAppeal of California, Second Appellate District, denied.

No. 188, Misc. Grady Smith, petitioner, *v.* Edward M. Fay, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 189, Misc. Spencer Grant Wolff, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 190, Misc. Maria Mercedes Chavez-Martinez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 191, Misc. John M. Fellabaum, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the ~~Ninth~~ ^{Seventh} Circuit denied.

No. 192, Misc. William Leroy Ewing, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 193, **Misc.** Michael Bindulski, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 194, **Misc.** Andrew Douglas Green, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 195, **Misc.** Loren Blackwell, petitioner, *v.* John C. Burke, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 196, **Misc.** Stanley Perkins, petitioner, *v.* John T. Deegan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 198, **Misc.** Eric L. Montgomery, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 199, **Misc.** Delano Grant, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 202, **Misc.** L. T. Fields, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 204, **Misc.** Ralph Leroy Klingler, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 205, **Misc.** Victor C. Piacentile, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 206, **Misc.** Eugene Atkins, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 208, **Misc.** James Rogers, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 211, **Misc.** James L. Forella, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 213, **Misc.** Russell P. Saia, petitioner, *v.* United States;

No. 214, **Misc.** Alfred Sarno, petitioner, *v.* United States; and

No. 285, **Misc.** Arthur J. Freije, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 216, *Misc.* James Watson, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 218, *Misc.* John Cunningham, petitioner, *v.* Joseph R. Brierly, Superintendent, State Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 221, *Misc.* David C. Luse, petitioner, *v.* Warden, Nevada State Prison. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 222, *Misc.* Ramon Feliciano, 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. 223, *Misc.* Edward Heilman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 224, *Misc.* Joseph C. Erhart, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 225, *Misc.* Johnny Banks, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 227, *Misc.* John Fioravanti, petitioner, *v.* Howard Yeager, Principal Keeper, New Jersey State Prison. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 228, *Misc.* Dorey Smith, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 233, *Misc.* Joe Arthur Zappia, Jr., petitioner, *v.* Arizona. Petition for writ of certiorari to the Court of Appeals of Arizona denied.

No. 234, *Misc.* Kenneth James Wells, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 236, *Misc.* William Bryant, petitioner, *v.* Maryland. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 238, *Misc.* Rubin F. Needel, petitioner, *v.* Palmer C. Scafati, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 241, *Misc.* Theodore Blas Luna, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fifth Appellate District, denied.

No. 243, *Misc.* Alice T. Rodes, petitioner, *v.* Municipal Authority of the Borough of Milford. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 245, *Misc.* Anthony J. Costello, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 248, *Misc.* Charley Washington, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 249, *Misc.* Robert Foster, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 250, *Misc.* J. D. Booker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 253, *Misc.* Billy Joe Jackson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 255, *Misc.* Hugh P. Dreelan, petitioner, *v.* Chief Disbursing Officer, Federal Reserve Bank, Boston, Massachusetts. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 256, *Misc.* George Clarke, petitioner, *v.* S. Redeker, et al., etc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 270, *Misc.* William A. Burke, petitioner, *v.* Harold V. Langlois, Warden. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 271, *Misc.* James Harrison Collins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 273, *Misc.* James E. Jackson, petitioner, *v.* Warden, Menard Branch, Illinois State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 275, *Misc.* Milton Bloombaum, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 277, *Misc.* Renee G. Liebendorfer, petitioner, *v.* James F. Gayle. Petition for writ of certiorari to the Court of Appeal of Louisiana, Third Circuit, denied.

No. 279, **Misc.** Louis Teplitzky, petitioner, *v.* Bureau of Compensation, U.S. Department of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 282, **Misc.** Robert P. Nieto, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 287, **Misc.** Charles Raymon Oden, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 289, **Misc.** Charles Henry Bishop, Jr., petitioner, *v.* H. T. Huff, etc. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 292, **Misc.** David J. Davis, petitioner. *v.* Otis L. Brown, Director, Department of Welfare and Institutions. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 295, **Misc.** Rolla A. Bass, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 296, **Misc.** Verstell Willis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 301, **Misc.** Paul Marquez, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 303, **Misc.** Richard E. Jones, petitioner, *v.* Pratt & Whitney, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 304, **Misc.** Anthony C. Cuty, petitioner, *v.* New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 308, **Misc.** Henry Thomas Shipp, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 311, **Misc.** Carmine Lombardi, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 313, **Misc.** Cho Po Sun, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 315, *Misc.* Amos S. Tinker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 318, *Misc.* Rudolph Ruffin, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 321, *Misc.* Sebastian Rossilli, 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. 322, *Misc.* Ernest Bowles, 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. 334, *Misc.* Robert Richardson, petitioner, *v.* Otis L. Brown, Director, Department of Welfare and Institutions. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 350, *Misc.* Virgil Franklin Ryder, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 370, *Misc.* Dennis Michael Czap, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 377, *Misc.* Clifton Gregory, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 398, *Misc.* Burgess Melvin Carson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 424, *Misc.* Richard F. Caverly and James S. Rizek, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 427, *Misc.* John Harry Bully, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 483, *Misc.* Frederick E. Lewis, petitioner, *v.* American Federation of State, County and Municipal Employees, AFL-CIO. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 507, *Misc.* Christopher Hughes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 4, **Misc.** John Edward Daugherty, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 74, **Misc.** Tomasa Hernandez, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 207, **Misc.** Franklin Henry Chaney, 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. 374, **Misc.** George A. Curry, 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. 44, **Misc.** Gurthie A. Mayes and Charlie G. Garner, petitioners, *v.* Jessie J. McKeithen et al. Motion of the Louisiana Trial Lawyers Association for leave to file brief, as *amicus curiae*, granted. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 104, **Misc.** Lawrence Doyle Conklin, 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. Mr. Justice Douglas is of the opinion that certiorari should be granted, judgment of United States Court of Appeals vacated and case remanded to that Court for a ruling on the merits.

No. 230, **Misc.** Chester R. Newman, petitioner, *v.* United States. 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. 434, **Misc.** Ezekial Dominguez, petitioner, *v.* United States; and

No. 436, **Misc.** Alfonso Chavez, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Tenth Circuit denied. The Chief Justice took no part in the consideration or decision of these petitions.

No. 247, **Misc.** Charles Clarence Hamilton, petitioner, *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 314, **Misc.** Ernesto A. Miranda, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **316, Misc.** *Ciro M. Caruso, 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. **252, Misc.** *Max Richard Hiller, petitioner, v. P. J. Ciccone, Director, Medical Center for Federal Prisoners; and*

No. **317, Misc.** *Louis Ludwik Furtak, petitioner, v. Vincent R. Mancusi, Warden.* Motions for leave to file petitions for writs of habeas corpus denied.

LEAVE TO FILE PETITIONS FOR WRITS OF ^{MANDAMUS}~~HABEAS CORPUS~~ DENIED

No. **201, Misc.** *Pete C. Gallegos, petitioner, v. Arizona ex rel. Frank A. Eyman, Warden.* Motion for leave to file petition for writ of mandamus and for other relief denied.

No. **437, Misc.** *George E. Farrell, Administrator, etc., et al., petitioners, v. Inzer B. Wyatt, United States District Judge for the Southern District of New York.* Motion for leave to file petition for writ of mandamus and/or prohibition denied.

REHEARINGS DENIED

No. —, **October Term, 1968.** In the Matter of *Sherman H. Skolnick, petitioner;*

No. —, **October Term, 1968.** In the Matter of *E. J. Albright, petitioner;*

No. **200, October Term, 1968.** *Ben H. Frank, petitioner, v. United States;*

No. **216, October Term, 1968.** *Patrick G. Martone, appellant, v. Cecil Morgan et al.;*

No. **548, October Term, 1968.** *Roderick Jenkins, appellant, v. John Julien McKeithen et al.;*

No. **573, October Term, 1968.** *National Labor Relations Board, petitioner, v. Gissel Packing Company, Inc., et al.;*

No. **670, October Term, 1968.** *Fred Banks, petitioner, v. California;*

No. **770, October Term, 1968.** *Ted Steven Chimel, petitioner, v. California;*

No. **995, October Term, 1968.** *Ross Howard, petitioner, v. United States;*

No. **1089, October Term, 1968.** *Benjamin Levinson and Franklin Mortgage Corporation, petitioners, v. United States;*

No. 1162, **October Term, 1968.** Danica Enterprises, Inc., petitioner, *v.* Commissioner of Internal Revenue;

No. 1163, **October Term, 1968.** Frank Smith, petitioner, *v.* United States;

No. 1244, **October Term, 1968.** Radio Corporation of America, petitioner, *v.* SCM Corporation;

No. 1253, **October Term, 1968.** Bernard Wilson, petitioner, *v.* United States;

No. 1266, **October Term, 1968.** Walter Dlutzy, petitioner, *v.* Federal Trade Commission;

No. 1278, **October Term, 1968.** Charles R. Armstrong, petitioner, *v.* United States;

No. 1351, **October Term, 1968.** Harry S. Stonehill and Robert P. Brooks, petitioners, *v.* United States;

No. 1355, **October Term, 1968.** Blumcraft of Pittsburgh, etc., petitioner, *v.* Citizens and Southern National Bank of South Carolina et al.;

No. 1373, **October Term, 1968.** Nathan Wechsler, petitioner, *v.* United States; and

No. 1381, **October Term, 1968.** Joseph N. Tooni et al., petitioners, *v.* Eugene Zuckert, Secretary of the Air Force. Petitions for rehearing denied. The Chief Justice took no part in the consideration or decision of these petitions.

No. 624, **October Term, 1968.** Clyde A. Perkins, petitioner, *v.* Standard Oil Company of California. Petition for rehearing denied. The Chief Justice and Mr. Justice Harlan took part in the consideration or decision of this petition.

No. 1029, **October Term, 1968.** John J. DeLury, etc., et al., appellants, *v.* City of New York. Motion for leave to file petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this motion.

No. 1276, **October Term, 1968.** William H. Roberts, petitioner, *v.* William J. McDonald et al. Petition for rehearing denied. The Chief Justice and Mr. Justice Brennan took no part in the consideration or decision of this petition.

No. 224, **Misc., October Term, 1968.** Frank Sturm, petitioner, *v.* California Adult Authority et al.;

No. 550, **Misc., October Term, 1968.** Ralph Cooper, Jamison, petitioner *v.* United States;

No. 984, **Misc., October Term, 1968.** John Paul Anderson, appellant, *v.* South Carolina;

No. 1097, Misc., **October Term, 1968.** Robert Harris, petitioner *v.* Illinois;

No. 1172, Misc., **October Term, 1968.** Thomas Ruppert, petitioner, *v.* J. Edwin LaVallee, Warden;

No. 1282, Misc., **October Term, 1968.** Donald A. Cavanaugh, petitioner, *v.* California;

No. 1424, Misc., **October Term, 1968.** Robert L. Barbee, petitioner *v.* Texas;

No. 1554, Misc., **October Term, 1968.** Harry William Theriault, petitioner, *v.* United States;

No. 1587, Misc., **October Term, 1968.** Gerald D. Peterson and Louis A. Derringer, petitioners, *v.* United States;

No. 1642, Misc., **October Term, 1968.** Carroll M. House, appellant, *v.* United States et al.;

No. 1726, Misc., **October Term, 1968.** Dallas O. Williams, petitioner, *v.* United States.

No. 1765, Misc., **October Term, 1968.** Joseph L. DeLeVay, petitioner, *v.* Edwin L. Reynolds, etc.;

No. 1787, Misc., **October Term, 1968.** Leo W. Charland, petitioner, *v.* Norge Division, Borg-Warner Corporation, et al.;

No. 1794, Misc., **October Term, 1968.** Huey R. Lee, petitioner, *v.* Alabama;

No. 1827, Misc., **October Term, 1968.** Mary M. Brown et al., petitioners, *v.* Bethania Hospital, et al.;

No. 1841, Misc., **October Term, 1968.** Nealy J. Buchanon, petitioner, *v.* Michigan;

No. 1868, Misc., **October Term, 1968.** Mae Frances Neal et al., petitioners, *v.* Saga Shipping Co., S. A., et, al.;

No. 1880, Misc., **October Term, 1968.** Mike Waldo Simmons, petitioner, *v.* United States.

No. 1900, Misc., **October Term, 1968.** Salvatore Rispo, Jr., petitioner, *v.* Pennsylvania;

No. 1922, Misc., **October Term, 1968.** William Ray Chase, petitioner, *v.* Pennsylvania;

No. 1937, Misc., **October Term, 1968.** Jack Kamsler, petitioner, *v.* Frank J. Pate, Warden, et al.; and

No. 1956, Misc., **October Term, 1968.** Louis Ludwik Furtak, petitioner, *v.* New York. Petitions for rehearing denied. The Chief Justice took no part in the consideration or decision of these petitions.

No. 887, Misc., **October Term, 1968.** Thomas Henry Robinson, Jr., petitioner, *v.* United States. Motion for leave to file second petition

for rehearing denied. The Chief Justice took no part in the consideration or decision of this motion.

No. 979, Misc., October Term, 1968. Cleveland L. Sellers, Jr., petitioner, *v.* Melvin R. Laird, Secretary of Defense, et al. Petition for rehearing and for other relief denied. The Chief Justice took no part in the consideration or decision of this petition.

No. 1574, Misc., October Term, 1968. Rocco Salvatore Lupino, petitioner, *v.* Jack Young, Warden. Motion of Minnesota Civil Liberties Union for leave to file brief, as *amicus curiae*, granted. Petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this motion and petition.

No. 1610, Misc., October Term, 1968. Charles Delgado, petitioner, *v.* United States. Motion for leave to file petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this motion.

ORAL ARGUMENT

No. 14. Mae Wheeler et al., appellants, *v.* John Montgomery, etc., et al. Argued by Mr. Peter E. Sitkin for the appellants and by Mrs. Elizabeth Palmer for the appellees.

No. 62. Jack R. Goldberg, Commissioner of Social Services of the City of New York, appellant, *v.* John Kelly et al. Argued by Mr. John J. Loffin, Jr., for the appellant and by Mr. Lee A. Albert for the appellees.

No. 33. Paul E. Sullivan et al., petitioners, *v.* Little Hunting Park, Inc., et al. Argued by Mr. Allison W. Brown, Jr., for the petitioners and by Mr. John Charles Harris for the respondents.

No. 15. Clarence DeBacker, appellant, *v.* Homer Brainard, Sheriff of Dodge County, Nebraska. One and one half hours allowed for oral argument. Argument commenced by Mr. William G. Line for the appellant and continued by Mr. Richard L. Kuhlman for the appellee.

ORDER IN PENDING CASE

No. 212. David Earl Trammell, petitioner, *v.* Alabama. The order entered today granting certiorari is hereby revoked.

Adjourned until tomorrow at 10 o'clock.

The day call for Tuesday, October 14, 1969, will be as follows: Nos. 15, 39, 35, 17, and 21.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Gerald M. Quiat, of Denver, Colo., on motion of Mr. Byron G. Rogers; Charles A. Chartier, of Junction City, Tenn., on motion of Mr. Keith G. Sebelius; Harris Elliott Coleman, of Vienna, Va., on motion of Mr. William Vollis Alexander, Jr.; Timothy Geddes Greene, of Alexandria, Va., on motion of Mr. Hamer H. Budge; Robert Duane Linder, of Oelwein, Iowa, on motion of Mr. Clifford A. Dougherty; Charles E. Patterson, of Kansas City, Mo., on motion of Mr. Charles R. Larouche; Edward DeWitt III, of Falmouth, Mass., on motion of Mr. Charles Emmet Lucey; Bernard Robert Baker, of Colorado Springs, Colo., on motion of Mr. Carroll E. Multz; Frank Dodd Smith, Jr., of Cartersville, Ga., on motion of Mr. John W. Coggins; Craig M. Armstrong, of Ottawa, Ill., on motion of Mr. Michael Schneiderman; James Roy Lindley, of Killeen, Tex., on motion of Mr. John Franklin O'Neal; George J. Moscarino, of Cleveland, Ohio, on motion of Mr. William M. Hoiles; Hollis T. Cordray, Jr., of Houston, Tex., on motion of Mr. James Edwin Smith; Jerome James Shea, Jr., of Huntington Beach, Calif., on motion of Mr. John E. Boice, Jr.; Fred S. Pegler, of Omaha, Neb., and Arthur Samuel Raznick, of Omaha, Neb., on motion of Mr. Joseph Bernard Axelman; Jerome P. McGranaghan, of Oneida, N.Y., on motion of Mr. Max N. Edwards; James Watt Moorman, of Washington, D.C., on motion of Mr. Bruce Terris; and Reid Merritt, of Lawrenceville, Ga., on motion of Mr. Alfred L. Evans, Jr., were admitted to practice.

ORAL ARGUMENT

No. 15. Clarence DeBacker, appellant, *v.* Homer Brainard, Sheriff of Dodge City, Nebraska. Argument continued by Mr. Richard L. Kuhlman for the appellee, by Mr. Alfred L. Scanlan for the National Council of Juvenile Court Judges, as *amicus curiae*, by special leave of Court, and concluded by Mr. William G. Line for the appellant.

No. 39. Richard Hall et ux., appellants, *v.* Harriet Beals, Clerk and Recorder of El Paso County, et al. Argued by Mr. Richard Hall for the appellants, *pro se*, and by Mr. Bernard R. Baker for the appellees.

No. 35. Hugh Bryson, petitioner, *v.* United States. Argued by Mr. Richard Gladstein for the petitioner and by Mr. Francis X. Beytagh for the respondent.

No. 17. United States, appellant, *v.* James D. Knox. Argued by Mr. Mervyn Hamburg for the appellant and by Mr. J. Edwin Smith for the appellee.

Adjourned until tomorrow at 10 o'clock.

The day call for Wednesday, October 15, 1969, will be as follows:
Nos. 21, 189, 271, 190, and 19 (and 34).

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Ralph Spencer Annear, of Alexandria, Va., on motion of Mr. Quentin N. Burdick; William Barrett Gunter, of Gainesville, Ga., on motion of Mr. Phil M. Landrum; John Vernon Rainbolt II, of Cordell, Okla., on motion of Mr. Graham Purcell; Kathryn E. Diggs, of Wheaton, Md., and Charles E. Bowen, of Wheaton, Md., on motion of Judge Kathryn J. Shook; John Devereaux Johnston, Jr., of New York, N.Y., on motion of Mr. Lawrence Gerald Wallace; Arthur E. Parker, of Birmingham, Ala., on motion of Mr. Wendell Wilkie Mitchell; Emanuel Becker, of New York, N.Y., on motion of Mr. Victor H. Kramer; Robert J. Castellani, of Atlanta, Ga., and J. Robert Coleman, of Atlanta, Ga., on motion of Mr. Alfred L. Evans, Jr.; Homer C. Bittiker, of Kansas City, Kans., and Victor M. Rocha, of Kansas City, Mo., on motion of Mr. James J. Murphy; George E. Duncan, of Beaumont, Tex., on motion of Mr. Ross O'Donoghue; Robert LeRoy Bennett, of Falls Church, Va., on motion of Mr. Lawrence R. Houston; Jerome E. Henry, of Oklahoma City, Okla., on motion of Mr. William Boys Harmon, Jr.; Robert A. Maddocks, of Hudson, Ohio, on motion of Mr. Samuel C. Klein; and David Arthur Diamond, of New York, N.Y., on motion of Mr. William E. Hellerstein, were admitted to practice.

ORAL ARGUMENT

No. 21. A. L. Dutton, Warden, appellant, *v.* Alex S. Evans. Argued by Mr. Alfred L. Evans, Jr., for the appellant and by Mr. Robert B. Thompson for the appellee.

No. 189. James Minor, petitioner, *v.* United States. Argued by Mrs. Phylis Skloot Bamberger for the petitioner and by Mr. Peter L. Strauss for the respondent.

No. 271. Michael Buie, petitioner, *v.* United States. Argued by Mr. David A. Diamond for the petitioner and by Mr. Joseph J. Connolly for the respondent.

No. 190. James Turner, petitioner, *v.* United States. Argued by Mr. Josiah E. DuBois, Jr., for the petitioner, by Mr. Steven R. Rivkin for Cleveland Burgess, as *amicus curiae*, and by Mr. Lawrence G. Wallace for the respondent.

Adjourned until tomorrow at 10 o'clock.

The day call for Thursday, October 16, 1969, will be as follows: Nos. 19 (and 34), 25 (and 52), and 29.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

James B. Allen, of Gadsden, Ala., on motion of Mr. Wendell Wilkie Mitchell; Carl Michael Brophy, of Medford, Oreg., on motion of Mr. John R. Dellenback; Edwin H. Amidon, Jr., of Shelburne, Vt., on motion of Mr. James M. Jeffords; Lloyd L. Duxbury, Jr., of McLean, Va., and Daniel N. Lempres, of Oakland, Calif., on motion of Mr. Richard N. Little; James J. McNamara, of Evanston, Ill., and William E. Nodine, of Clearwater, Fla., on motion of Mr. James van R. Springer; Frank A. Lane, of Miami, Fla., and George Oles Mitchell, of Miami, Fla., on motion of Mr. James E. Mitchell; Derrell E. Yaeger, of Corona, Calif., on motion of Mr. C. Emerson Duncan II; William E. Trautman, of San Francisco, Calif., on motion of Mr. Karl J. Uebel; R. William Spinn, of Brenham, Tex., on motion of Mr. Richard Charles Spinn; Scott Cameron Whitney, of Washington, D.C., on motion of Mr. Brian Christian Elmer; T. Gorman Reilly, of New York, N.Y., on motion of Mr. Frederick Simpich; Justin A. Gross, of San Francisco, Calif., on motion of Mr. David S. J. Brown; Joseph H. Redmon, of Redding, Calif., on motion of Mr. Robert Raymond Redmon; Richard S. Homer, of Chicago, Ill., on motion of Mr. Allen H. Gardner; Louis Draper Harrington, of Silver Spring, Md., on motion of Mr. Oliver Ellis Stone; and Ronald Lee Russell, of Alliance, Ohio, on motion of Mr. Donald H. Dalton, were admitted to practice.

ORAL ARGUMENT

No. 19. The First National Bank in Plant City, Plant City, Florida, petitioner, *v.* Fred O. Dickinson, Jr., etc., et al.; and

No. 34. William B. Camp, Comptroller of the Currency, petitioner, *v.* Fred O. Dickinson, Jr., etc., et al. One hour and forty minutes allowed for oral argument. Argued by Mr. James van R. Springer and Mr. Robert S. Edwards for the petitioners, by Mr. William Reece Smith, Jr., for the respondents and by Mr. James F. Bell for the National Association of Supervisors of State Banks, as *amicus curiae*, by special leave of Court.

No. 25. Frederick T. Zuber et al., petitioners, v. Russell Allen et al.; and

No. 52. Clifford M. Hardin, Secretary of Agriculture, petitioner, v. Russell Allen et al. Argued by Mr. Daniel M. Friedman and Mr. Lawrence D. Hollman for the petitioners, by Mr. Charles Patrick Ryan for the respondents and by Mr. Edwin H. Amidon, Jr., for the State of Vermont, as *amicus curiae*.

Adjourned until Monday, October 20, 1969, at 10 o'clock.

The day call for Monday, October 20, 1969, will be as follows: Nos. 29, 9 (and 16), 23, and 30.

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SUPREME COURT OF THE UNITED STATES

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

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 404. Rufus Beacham, appellant, *v.* Martin Braterman et al. Appeal from the United States District Court for the Southern District of Florida. 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.

No. 267, Misc. Arthur Odell Whiddon, 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 United States District Court for the Eastern District of Texas for resentencing. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 353, October Term, 1968. Elijah White Ratcliff, petitioner, *v.* E. Ivan Bruce and Truman Blocker, Jr. The motion to reinstate petition for writ of certiorari is denied. The Chief Justice took no part in the consideration or decision of this motion.

No. ———. James Horelick and Sandra Adickes, petitioners, *v.* New York. The application for stay presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. ———. William Rensler Nolan, petitioner, *v.* United States. The application for reduction in bail presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. 33, Original. State of Arkansas, plaintiff, *v.* State of Tennessee. The Report of the Special Master is received and ordered filed. Exceptions, if any, with supporting briefs, to the Report of the Special Master may be filed by the parties on or before December 4, 1969. Reply briefs, if any, to such exceptions may be filed on or before January 3, 1970.

No. 13. William L. Maxwell, petitioner, *v.* O. E. Bishop, Superintendent, Arkansas State Penitentiary. The motion of petitioner to enlarge the scope of review is denied.

No. 66. Anghel Goldstein aka Andrei Pietraru et al., appellants, *v.* Joseph A. Cox et al. The motion of Wolf, Popper, Ross, Wolf & Jones for leave to file a reply brief, as *amicus curiae*, is granted.

No. 131. Edmund P. Dandridge, Jr., Chairman of the Maryland State Board of Public Welfare, et al., appellants, *v.* Linda Williams et al.; and

No. 540. Julia Rosado et al., petitioners, *v.* George K. Wyman, etc., et al. The orders setting these cases to be argued together are hereby rescinded.

No. 135. Frederick Walz, appellant, *v.* Tax Commission of the City of New York. The motion of Madaly Murray O'Hair et al. for leave to file a brief, as *amici curiae*, is granted.

CERTIORARI GRANTED

No. 402. United States, petitioner, *v.* Sheldon A. Key, Trustee. 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. 412. Fred W. Woodward et al., petitioners, *v.* Commissioner of Internal Revenue. 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. 413. Greenbelt Cooperative Publishing Association, Inc., et al., petitioners, *v.* Charles S. Bresler. Petition for writ of certiorari to the Court of Appeals of Maryland granted and case placed on the summary calendar.

No. 441. Robert I. Toussie, petitioner, *v.* United States. 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. 212. David Earl Trammell, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Appeals of Alabama denied.

No. 307. Roy Gerber, petitioner, *v.* The First National Bank of Nevada, etc.; and

No. 431. El Rancho, Inc., et al, petitioners, *v.* The First National Bank of Nevada, etc. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 338. Grace Grove Sappington and Lilliam Grove Shank, etc., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 375. Paul C. Ware, petitioner, *v.* Minnesota. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 391. John O'C. Fitzgerald and Charles F. Marino, petitioners, *v.* Lee A. Freeman et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 392. Billy Joe Tant and John Ted Jenkins, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 396. Clifton H. Meisinger et ux., petitioners, *v.* William Scully et ux. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 398. Components, Inc., petitioner, *v.* Western Electric Company, Incorporated. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 410. John Odean Cass and Homer Ray Prevette, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 427. Defiance Industries, Inc., et al., petitioners, *v.* Deborah Tanzer et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 433. P. S. Seymour-Heath, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 78. Yam Sang Kwai, petitioner, *v.* Immigration and Naturalization Service. 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. 275. Ernest Werner Loos, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 349. Salvato J. Silverio, petitioner, *v.* Municipal Court of the City of Boston and City of Medford. Petition for writ of certiorari to Supreme Judicial Court of Massachusetts denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 393. Cleveland Board of Education, petitioner, *v.* Pearl E. Masheter, Director of Highways, State of 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. **424**. FMC Corporation, petitioner, *v.* Paper Converting Machine Co., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **200**. Louisville & Nashville Railroad Company et al., petitioners, *v.* National Mediation Board et al.; and

No. **206**. Brotherhood of Locomotive Engineers, petitioner, *v.* National Mediation Board et al. Petitions for writs 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. The Chief Justice took no part in the consideration or decision of these petitions.

No. **240**. Joseph Covello, 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. **381**. Donald D. Spencer, 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 Fifth Circuit denied.

No. **654**. Clay E. Hunter, petitioner, *v.* Ohio ex rel. Roy E. Miller et al. Motion of petitioner for leave to intervene granted. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. **117, Misc.** Henry Porter, petitioner, *v.* United States. Petition for writ of certiorari to the United Court of Appeals for the Fifth Circuit denied.

No. **120, Misc.** Robert John Wolcott, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **178, Misc.** Charlie L. Taite, petitioner *v.* W. Clyde Busbee et al. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. **209, Misc.** Isabelino Alamo, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. **215, Misc.** Robert G. Nicholson and Jimmy D. Maddox, petitioners, *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. **246, Misc.** Cleophas Austin, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **300, Misc.** J. C. Gable, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 302, *Misc.* Walter F. Keyes, petitioner, *v.* Walter Dunbar et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 331, *Misc.* Raymond Moreno, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 339, *Misc.* Stanley Fink, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 340, *Misc.* Bennett V. Cook, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 346, *Misc.* Freddie Williams, petitioner, *v.* M. R. Schneckloth. Petition for writ of certiorari to Supreme Court of California denied.

No. 348, *Misc.* Umbert M. Pisani, Jr., petitioner, *v.* Warden, Maryland Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 355, *Misc.* Joseph R. Castruita, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 360, *Misc.* Joseph H. Gerardi, petitioner, *v.* Carolyn and Sarah Sipos. Petition for writ of certiorari to the Court of Appeal of California Second Appellate District, denied.

No. 361, *Misc.* Herbert F. Steigler, petitioner, *v.* Superior Court of the State of Delaware, in and for New Castle County, et al. Petition for writ of certiorari to the Supreme Court of Delaware denied.

No. 366, *Misc.* Horace Teasley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 378, *Misc.* Peter Pagan, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 379, *Misc.* Delbert Chris Clark, petitioner, *v.* John W. Turner, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 381, *Misc.* John J. Pepitone, petitioner, *v.* H. V. Field, Superintendent, California Men's Colony. Petition for writ of certiorari to the Supreme Court of California denied.

No. 387, *Misc.* Robert A. Conti, petitioner, *v.* Superior Court for the County of Los Angeles et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 388, *Misc.* Melvin Daniel, petitioner, *v.* Daniel McMann, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 244, *Misc.* Gerald Glen Boyden, 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. 338, Misc. Richard Gambale, petitioner, *v.* Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts 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. 92, Misc. Frank B. W. Davidson, petitioner, *v.* California Adult Authority et al. Motion for leave to file petition for writ of habeas corpus denied.

LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 356, Misc. Ex parte Jack Kamsler, petitioner. Motion for leave to file petition for writ of mandamus denied.

REHEARING DENIED

No. 574, October Term, 1968. United States, petitioner, *v.* Estate of Joseph P. Grace, deceased, et al. Petition for rehearing denied. The Chief Justice and Mr. Justice Stewart took no part in the consideration or decision of this petition.

RECESS ORDER

The Court will take a recess from Monday, October 27, 1969, until Monday, November 10, 1969.

ADMISSIONS TO THE BAR

Richard Frank Miller, of Pasadena, Calif., Milton Nason, of Berkeley, Calif., Donald Ray Philbin, of Oklahoma City, Okla., Willis S. Carpenter, Jr., of Dallas, Tex., and Edwin Dale Heath, Jr., of Dallas, Tex., on motion of Mr. Solicitor General Erwin N. Griswold; Fred Howard Tolan, of Seattle, Wash., on motion of Mr. Warren G. Magnuson; Alice Ann Booher, of Indianapolis, Ind., on motion of Mr. William G. Bray; Robert Neil Dempsey, of Alexandria, Va., on motion of Mr. William H. Dempsey, Jr.

Lon Kile, of Hugo, Okla., on motion of Mr. Thomas Dunn Finney, Jr.; Richard Fletcher Calhoun, of Montgomery, Ala., and Walter Sanderson Turner, of Montgomery, Ala., on motion of Mr. Leslie Hall; David Bruce Shine, of Kingsport, Tenn., on motion of Mr. Donald M. Murtha; Gwendolyn H. Gregory, of Denver, Colo., on motion of Mr. Robert C. Mardian; Theodore Joseph Collins, of St. Paul, Minn., on motion of Mr. Lorne Dale MacIver; Richard Taylor Cub-

bage, of Chicago, Ill., R. Paul Tjossem, of Seattle, Wash., and James Robert Walker, of St. Paul, Minn., on motion of Mr. Lloyd L. Duxbury, Jr.; Francis J. Vaas, of Boston, Mass., on motion of Mr. Francis W. McInerny; Daniel Lund, of New Orleans, La., and Henry J. Read, of New Orleans, La., on motion of Mr. Herbert A. Bergson; Kenneth Murray, of Detroit, Mich., and Brownson Murray, of Detroit, Mich., on motion of Mr. Arthur B. Hanson; Paul L. Larsen, of Las Vegas, Nev., on motion of Mr. James Henry Duffy; Jim Zegeer, of Alexandria, Va., on motion of Mr. Joseph A. DeGrandi; Bernard Martin Goodman, of Easton, Pa., on motion of Mr. Albert Jerome Goodman.

Sim W. Goodall, of Memphis, Tenn., on motion of Mr. Richard T. Yery; Lazar Lowinger, of Boston, Mass., on motion of Mr. George Kaufmann; Chauncey F. Kingsley, of Bronxville, N.Y., on motion of Mr. Emmett Leon Sheehan; John David Hagerman, of Houston, Tex., on motion of Mr. Everett Hutchinson; John Morton Maller, of Los Angeles, Calif., on motion of Mr. Lyndol L. Young; E. Eugene Tucker, of Hayward, Calif., on motion of Mr. Francis Raymond Hammill; and John L. Harmer, of Glendale, Calif., on motion of Mr. Jesse R. Smith, were admitted to practice.

ORAL ARGUMENT

No. 29. The Detroit and Toledo Shore Line Railroad Company, petitioner, *v.* United Transportation Union. Argued by Mr. Francis M. Shea for the petitioner and by Mr. Richard R. Lyman for the respondent.

No. 9. Nacirema Operating Co., Inc., et al., petitioners, *v.* William H. Johnson et al.; and

No. 16. 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 and Mr. Solicitor General Griswold for the petitioners and by Mr. Ralph Rabinowitz and Mr. John J. O'Connor, Jr., for the respondents.

No. 23. Calvin Turner et al., appellants, *v.* W. W. Fouche et al. Argued by Mr. Michael Meltsner for the appellants and by Mr. Alfred L. Evans, Jr., for the appellees.

Adjourned until tomorrow at 10 o'clock.

The day call for Tuesday, October 21, 1969, will be as follows: Nos. 30, and 28 (38, 43 and 44).

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

William Henry Braun, of Lafayette, Ind., on motion of Mr. Birch Bayh; Harry J. Lehman, of Cleveland, Ohio, on motion of Mr. Louis Stokes; R. T. Shankweiler, of Fort Lauderdale, Fla., on motion of Mr. J. Herbert Burke; Robert C. Cannada, of Jackson, Miss., on motion of Mr. Albioun F. Summer; H. McKinley Marlow, Jr., of Nashville, Tenn., on motion of Mr. Charles E. Pledger, Jr.; William Morey Weisfield, of Seattle, Wash., on motion of Mr. Walter I. Horlick; James H. Knecht, of Pasadena, Calif., on motion of Mr. David Walker Richmond; LaVon Eugene Billings, of Red Oak, Iowa, and Stephen C. Robinson, of Des Moines, Iowa, on motion of Mr. David Kammerman; Bruce B. Wilson, of Philadelphia, Pa., on motion of Mr. Richard W. McLaren; Howard Roy Dressner, of New York, N.Y., on motion of Mr. David Ginsburg; Patrick Gerald Geraghty, of Centerville, Va., on motion of Mr. Nathaniel H. Goodrich; Renée J. Roberts, of New York, N.Y., and Asa D. Sokolow, of New York, N.Y., on motion of Mr. Joseph DeFranco; Steven Martin Katz, of Silver Spring, Md., Morton H. Press, of Rockville, Md., and Marvin M. Waldman, of Rockville, Md., on motion of Mr. Sol Friedman; and Arthur S. Friedman, of Chappaqua, N.Y., and Lester J. Tanner, of Yonkers, N.Y., on motion of Mr. Harold Ungar, were admitted to practice.

ORAL ARGUMENT

No. 30. Willie Carter, Sr., et al., appellants, *v.* Jury Commission of Greene County, Alabama, et al. Argued by Mr. Norman C. Amaker for the appellants and by Mr. Leslie Hall for the appellees.

No. 28. United States, appellant, *v.* Interstate Commerce Commission et al.;

No. 38. Charles E. Brundage et al., appellants, *v.* United States et al.;

No. 43. City of Auburn, appellant, *v.* United States et al.; and

No. 44. Livingston Anti-Merger Committee, appellant, *v.* Interstate Commerce Commission et al. Four hours allowed for oral argument. Argument commenced by Mr. Richard W. McLaren for the appellants

and continued by Mr. Louis B. Dailey and Mr. Valentine B. Deale for the appellants and by Mr. Fritz R. Kahn and Mr. Hugh B. Cox for the appellees.

Adjourned until tomorrow at 10 o'clock.

The day call for Wednesday, October 22, 1969, will be as follows:
Nos. 28 (38, 43, and 44), 31, 32, and 41 (and 59).

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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 P. Dosland, of Moorhead, Minn., on motion of Mr. Clark MacGregor; D. J. Sposeto, of San Jose, Calif., and James F. Peacock, of Inglewood, Calif., on motion of Mr. Don Edwards; Milan A. Jaksic, of Cleveland, Ohio, Howard Marvin Rossen, of Cleveland, Ohio, and Wilton Sherman Sogg, of Cleveland, Ohio, on motion of Mr. Charles A. Vanik; Benjamin B. Sheerer, of Cleveland, Ohio, on motion of Mr. Louis Stokes; John J. O'Hara, of Covington, Ky., on motion of Mr. M. G. Snyder; William Julius Monroe, of Oklahoma City, Okla., on motion of Mr. George Tony Blankenship; Clyde L. Johnson, of Oklahoma City, Okla., on motion of Mr. David Ferber; David M. Foster, of Jacksonville, Fla., and Frank X. Friedmann, of Jacksonville, Fla., on motion of Mr. Dennis G. Lyons; Clyde C. Houston, of Anchorage, Alaska, on motion of Mr. Ray R. Murdock; John G. Premo, of Western Springs, Ill., and Don F. Clark, of Los Angeles, Calif., on motion of Mr. John S. Roberts, Jr.; Richard Lee Kuersteiner, of Tallahassee, Fla., on motion of Mr. Stanley Suydam; Harold Joseph Minton, of North Hollywood, Calif., on motion of Mr. Nathan Rubey; Lawrence J. Bernard, Jr., of Washington, D.C., on motion of Mr. William Theodore Pierson, Jr.; Don R. Le Duc, of Madison, Wis., on motion of Mr. Richard W. Galiher; and Nathan A. Gibson, of Oklahoma City, Okla., Sidney M. Groom, Jr., of Edmond, Okla., Varley H. Taylor, of Oklahoma City, Okla., and Judson S. Woodruff, of Oklahoma City, Okla., on motion of Mr. M. D. Kirk, were admitted to practice.

ORAL ARGUMENT

No. 28. United States, appellant, *v.* Interstate Commerce Commission et al.;

No. 38. Charles E. Brundage et al., appellants, *v.* United States et al.;

No. 43. City of Auburn, appellant, *v.* United States et al.; and

No. 44. Livingston Anti-Merger Committee, appellant, *v.* Interstate Commerce Commission et al. Argument continued by Mr. Hugh

B. Cox, by Mr. Fred H. Tolan and by Mr. R. K. Merrill for the appellees, by Mr. Richard W. McLaren for the appellants and concluded by Mr. Valentine B. Deale for the appellants.

No. **31**. Paul M. Brockington, appellant, *v.* James A. Rhodes, Governor of Ohio, et al. Argued by Mr. Benjamin Sheerer for the appellant and by Mr. Robert D. Macklin for the appellees.

No. **32**. National Labor Relations Board, petitioner, *v.* J. H. Rutter-Rex Manufacturing Company, Inc., et al. Argued by Mr. Arnold Ordman for the petitioner and by Mr. Henry J. Read for the respondents.

No. **41**. The Choctaw Nation and the Chickasaw Nation, petitioners, *v.* Oklahoma et al.; and

No. **59**. The Cherokee Nation or Tribe of Indians in Oklahoma, petitioner, *v.* Oklahoma et al. Two hours and forty minutes allowed for oral argument. Argument commenced by Mr. Lon Kile for the petitioners and continued by Mr. Peyton Ford for the petitioners and by Mr. Louis F. Claiborne for the United States, as *amicus curiae*, by special leave of Court.

Adjourned until tomorrow at 10 o'clock.

The day call for Thursday, October 23, 1969, will be as follows: Nos. **41** (and **59**), and **632**.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Stewart, Mr. Justice White, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Robert Brewster Clark, of Brewster, Mass., on motion of Mr. Edward W. Brooke; Louis H. Cosho, of Boise, Idaho, John Joseph Reed, of Alexandria, Va., and John B. Tacke, of Washington, D.C., on motion of Mr. Frank Church; Joseph Z. Marks, of Des Moines, Iowa, on motion of Mr. Neal E. Smith; Anthony DeCristoforo, Jr., of Sacramento, Calif., Lorenzo E. Tapia, Jr., of Albuquerque, N. Mex., Kelsey Daniel Bartlett, of Toledo, Ohio, and Aaron Lionel Tilton, of Milwaukee, Wis., on motion of Mr. Louis Fenner Claiborne; George La Forrest Bailey, of Smyrna, Ga., on motion of Mr. Duane L. Faw; Herman Cowan Glazier, Jr., of Rolling Fork, Miss., William B. Compton, of Meridan, Miss., and Robert Elijah Covington, Jr., of Quitman, Miss., on motion of Mr. Albioun F. Summer; William Stephen Crain, of West Memphis, Ark., on motion of Mr. Floyd Lee Williams; Michael Richard Berz, of Kankakee, Ill., on motion of Mr. Seymour S. Guthman; Deborah M. Cole, of New York, N.Y., on motion of Mr. Jack Greenberg; Andrew C. Wilcoxon, of Muskogee, Okla., on motion of Mr. Earl Boyd Pierce; Barry Albert, of Oklahoma City, Okla., on motion of Mr. Henry B. Taliaferro, Jr.; Joseph A. Marino, of Glenn Dale, Md., on motion of Mrs. Lenore G. Ehrig; Nick G. Zegrea, of Parkersburg, W. Va., on motion of Mr. Oliver H. Bassuener; Wallis LeRoy Campbell, of Denver, Colo., on motion of Mr. Enser W. Cole, Jr.; Ernest LeRoy Autrey, of Texarkana, Ark., on motion of Mr. C. William Taylor; Paul Willard Hammack, Jr., of Annandale, Va., on motion of Mr. Lloyd D. Young.

Robert Platt, of Bethesda, Md., on motion of Mr. George J. Leibowitz; June Bushart Norris, of Washington, D.C., and James L. Norris, Sr., of Washington, D.C., on motion of Mr. Jay W. Glasmann; Brian J. O'Neill, of Pacific Palisades, Calif., and William Kaplan, of San Francisco, Calif., on motion of Mr. Edward Aloysius White; and Herbert B. Lebovitz, of Pittsburgh, Pa., and Robert Alan Lebovitz, of Pittsburgh, Pa., on motion of Mr. Robert Bernard Bowytz, were admitted to practice.

ORAL ARGUMENT

No. 41. The Choctaw Nation and The Chickasaw Nation, petitioners, *v.* Oklahoma et al.; and

No. 59. The Cherokee Nation or Tribe of Indians in Oklahoma, petitioner, *v.* Oklahoma et al. Argument continued by Mr. Louis F. Claiborne for the United States, as *amicus curiae*, by special leave of Court and concluded by Mr. M. Darwin Kirk for the respondents.

No. 632. Beatrice Alexander et al., petitioners, *v.* Holmes County Board of Education et al.

The Chief Justice said:

"Mr. Greenberg, I overlooked advising you and your co-counsel and friends that Mr. Justice Brennan is unavoidably detained, but he will participate in the case on the basis, of course, of the entire record, the briefs, and the tape recording of the oral arguments. Excuse me for not having clarified that right at the outset."

Argued by Mr. Jack Greenberg for the petitioners, by Mr. Louis F. Oberdorfer for the Lawyers' Committee for Civil Rights Under Law, as *amicus curiae*, and by Mr. Jerris Leonard, Mr. A. F. Summer and Mr. John C. Satterfield for the respondents.

Adjourned until Monday, October 27, 1969, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Stewart, Mr. Justice White, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Roger A. Vaughan, Jr., of Tampa, Fla., Michael I. Schwartz, of Tallahassee, Fla., Cornelius Alfred Hecker, III, of White Plains, N.Y., Don K. Pettus, of Orrick, Mo., Douglas L. Hokenstad, of Fairbury, Nebr., Eric Corbett Williams, of New York, N.Y., and Fabian G. Palomino, of New York, N.Y., on motion of Mr. Solicitor General Erwin N. Griswold; H. Richard Chew, of Arlington, Va., on motion of Mr. Edward M. Kennedy; Don Paul Badgley, of Seattle, Wash., and Irwin L. Treiger, of Seattle, Wash., on motion of Mr. Warren G. Magnuson; Alfred Lehtonen, of Austin, Tex., on motion of Mr. J. Strom Thurmond; Mark J. Levinson, of Boston, Mass., on motion of Mrs. Margaret M. Heckler; Duane A. Bartsch, of Portland, Oreg., Lawrence V. Smart, of Portland, Oreg., and Merritt J. Wilson, of Salem, Oreg., on motion of Mr. Wendell Wyatt; Carlton Pierce Maddox, of Jacksonville, Fla., S. Strome Maxwell, of Jacksonville, Fla., and Donald Gilbert Nichols, of Jacksonville, Fla., on motion of Mr. Charles E. Bennett; Hugh M. Miller, of Houston, Tex., on motion of Mr. Robert R. Casey; Robert H. Remaklus, of Cascade, Idaho, on motion of Mr. Orval Howard Hansen; Robert L. Reinke, of Richmond, Ind., on motion of Mr. David W. Dennis; Otto E. Simon, of Mobile, Ala., and James Cooke Wood, of Mobile, Ala., on motion of Mr. Bernard Dunau.

Donald N. Malawsky, of New York, N.Y., Mark Arthur Loush, of Detroit, Mich., and James Ewing Sims, of Houston Tex., on motion of Mr. Walter P. North; Henry Eliot Nichols, of Bethesda, Md., on motion of Mr. Michael A. Schuchat; Haskell C. Freedman, of Boston, Mass., and John R. Martzell, of New Orleans, La., on motion of Mr. James van R. Springer; Charles Byron Wolfe, Jr., of Chicago, Ill., on motion of Mr. Charles R. Johnston; Frances Clark Barrie, of Washington, D.C., on motion of Mr. Robert M. Dougherty; Robert L. Bevan, of Kansas City, Mo., on motion of Mr. Bernard Fensterwold, Jr.; Mariana Roca Shulstad, of Arlington, Va., and Scott Ellsworth Little, of Phoenix, Ariz., on motion of Mr. Paul McLennan Roca; Josiah Hillerman Blackmore II, of Columbus, Ohio, on motion of Mr. Sheldon I. Cohen; Charles L. Fonarow, of Los Angeles, Calif., and

Richard E. Sobelle, of Los Angeles, Calif., on motion of Mr. George Miron; John A. Gates, of Sacramento, Calif., on motion of Mr. Louis P. Maniatis; Florence Bernstein, of Los Angeles, Calif., on motion of Mr. Dean Sharpe; Cornell D. Cornish, of Port Jefferson, N.Y., on motion of Mr. Roland Alfred Anderson; William T. Clague, of Glenn Echo, Md., on motion of Mr. Lenox G. Cooper; Stephen A. Bauman, of Los Angeles, Calif., on motion of Mr. Robert Jordan Wager; Erwin S. Solomon, of Hot Springs, Va., on motion of Mr. David Nelson Sutton, Jr.; Warren W. Rice, Jr., of Greenbelt, Md., and Leonard W. Shea, of Coral Gables, Fla., on motion of Mr. Daniel J. B. Bierman; John Francis Lallo, of Westerly, R.I., and John P. Toscano, Jr., of Westerly, R.I., on motion of Mr. James Henry Duffy; Kirk W. Weinert, of Washington, D.C., on motion of Mr. Herf M. Weinert; Daniel Aronson, Jr., of Burlingame, Calif., on motion of Mr. E. K. Gubin; Robert M. Fox of Los Angeles, Calif., on motion of Mr. H. Raymond Cluster.

Timothy J. McCarthy, of Providence, R.I., on motion of Mr. James H. Duffy; Irving Francis Gregory, II, of Framingham, Mass., on motion of Mr. Raymond Bergan; Delane C. Carpenter, of Tucson, Ariz., and Anthony B. Ching, of Tucson, Ariz., on motion of Mr. Edward B. Berger; Leonard S. Sands, of Los Angeles, Calif., on motion of Mr. Abe Levy; Thomas Richard Phillips, of Chicago, Ill., on motion of Mr. John W. Gray; Weymon H. Forrester, of Gainesville, Ga., Claude O. Garvin, of Gainesville, Ga., Wm. R. Gignilliat, Jr., of Gainesville, Ga., James A. Glenn, Jr., of Gainesville, Ga., Wm. Hammon Johnson, Jr., of Gainesville, Ga., Kenneth R. Keene, of Cleveland, Ga., James E. Palmour, III, of Gainesville, Ga., George B. Ramsay, Jr., of Toccoa, Ga., Joe B. Sartain, Jr., of Gainesville, Ga., Raymond F. Schuder, of Gainesville Ga. Douglas E. Smith, of Gainesville, Ga., J. Douglas Stewart, of Gainesville, Ga., Robert B. Struble, of Toccoa, Ga., C. Frank Strickland, Jr., of Gainesville, Ga., and Edmund A. Waller, of Gainesville, Ga., on motion of Mr. Phil M. Landrum; Jacob W. Abraham, of New York, N.Y., Melvin Beinart of New York, N.Y., James David Butler, of Jersey City, N.J., Morris M. Cahen, of New York, N.Y., Jack Dashosh, of New York, N.Y., Donald L. Ferguson, of New York, N.Y., Stephen F. Gordon, of New York, N.Y., Edward R. Hughes, of New York, N.Y., Robert E. Juceam, of New York, N.Y., George Kalkines, of New York, N.Y., Martin I. Kaminsky, of New York, N.Y., Robert L. King, of New York, N.Y., Michael S. Landes, of New York, N.Y., James M. La Rossa, of New York, N.Y., Baldwin Maull, Jr., of New York, N.Y., Donald Paragon, of New York, N.Y., Earl A. Rawlins, of New York, N.Y., William

Roth, of New York, N.Y., and Richard H. Troy, of New York, N.Y., on motion of Mr. Johnnie McKeiver Walters.

Lloyd Anderson, of Worcester, Mass., Nicholas G. Anderson, of Worcester, Mass., Richard J. Baker, of West Boylston, Mass., Russell F. Bath, Jr., of Worcester, Mass., Peter L. Bell, of Worcester, Mass., William E. Bernstein, of Worcester, Mass., Henry G. Bowen, of Fitchburg, Mass., John H. Campbell, of Hardwick, Mass., S. Anthony Caprera, of Southbridge, Mass., Dominic A. Caronna, of Worcester, Mass., Joseph J. Cariglia, of Worcester, Mass., Charles E. Cashman, Jr., of Fitchburg, Mass., Gregory Lazar Chiriaco, of Worcester, Mass., Christopher Christopher, of Worcester, Mass., Francis Ward Conlin, of Worcester, Mass., Thomas X. Cotter, of Worcester, Mass., Clement T. Desautels of Worcester, Mass., Thomas J. Donahue, Jr., of Worcester, Mass., Edwin P. Dow, of Rutland, Mass., Janet Rowe Dugan, of Athol, Mass., Irvin E. Erb, of Fitchburg, Mass., John White Fellows, of Boylston, Mass., Stephen A. Ferguson, of Worcester, Mass., Conrad W. Fisher, of Worcester, Mass., Robert Joseph Gallagher, of Westboro, Mass., Joanne Marie Garabedian, of Worcester, Mass., Joseph A. Gattoni, of Milford, Mass., John Gazourian, of Clinton, Mass., Andre A. Gelinas, of Fitchburg, Mass., Andrew A. Godimis, of Worcester, Mass., Macey J. Goldman, of Worcester, Mass., Calvin C. Gould, of Worcester, Mass., Harold D. Gould, Jr., of Worcester, Mass., Morris N. Gould, of Clinton, Mass., Gerald J. Helfenbein, of Worcester, Mass., Rauni V. Helin, of Fitchburg, Mass., John E. Keenan, Jr., of Worcester Mass., John G. Kottis, of Uxbridge, Mass., Robert R. LaFortune, of Winchendon, Mass., William J. LeDoux, of Worcester, Mass., Thomas J. Lynch, Jr., of Uxbridge, Mass., Leo P. McCabe, of Holden, Mass.

A. Warren McDougal, of Brookfield, Mass., John K. McGuire, of Worcester, Mass., Joseph E. McGuire, of Worcester, Mass., Margaret Smith McLean, of Worcester, Mass., Terence J. McLean, of Worcester, Mass., Charles H. Meloche, Jr., of Spencer, Mass., Arnold J. Miller, of Philadelphia, Pa., John M. O'Connor, of Fitchburg, Mass., Robert Norman Peters, of Worcester, Mass., Richard M. Plotkin, of Athol, Mass., William C. Rauscher, of Worcester, Mass., Michael J. Ravelli, of Worcester, Mass., George J. Robinson, of Webster, Mass., Richard A. Robinson, of Worcester, Mass., John L. Roncone, Jr., of Leominster, Mass., Brian Rowe, of Westminster, Mass., Eugene L. Rubin, of Worcester, Mass., Jacob Sack, of Worcester, Mass., Richard J. Sarapas, of Worcester, Mass., Robert B. Shumway, of Worcester, Mass., Henry O. Smith, of Shrewsbury, Mass., John L. Sousa, of Worcester, Mass., Frank N. Stone, of Worcester, Mass., Henry C. Walker, of Upton, Mass., Amos E. Wasgatt, Jr., of Worcester, Mass., and Robert J. Whipple, of Worcester, Mass., on motion of Mr. Ed-

ward M. Kennedy; Robert A. Abrams, of Newark, N.J., Frank P. Addas, of Jersey City, N.J., Stephen F. Agocs, of Trenton, N.J., Frederick H. Allen, of Hasbrouck Heights, N.J., Richard A. Amdur, of Asbury Park, N.J., Paul E. Anderson, of Perth Amboy, N.J., Thomas A. Argyris, of Newark, N.J., Charles Armbruster, of Jersey City, N.J., Paul R. Auchter, of Atlantic City, N.J., Howard L. Ballen, of Montclair, N.J., Martin M. Barger, of Red Bank, N.J., Charles A. Bartlett, of Hackensack, N.J., William G. Bassler, of Red Bank, N.J., Lawrence E. Bathgate, of Lakewood, N.J., Gerald J. Batt, of Vineland, N.J., William M. Baumgartner, Jr., of Moorestown, N.J., George Avery Beckmann, of Hackensack, N.J.

Frank J. Benasutti, of Ardmore, Pa., Edward G. Bennett, of Avon By The Sea, N.J., James Hunting Bennett, of Montclair, N.J., Allan S. Berger, of Union, N.J., Daniel Stoler Bernstein, of Scotch Plains, N.J., Andrew T. Berry, of Newark, N.J., Anthony M. Bezich, of Collingswood, N.J., Arthur J. Blake, of Jersey City, N.J., Francis V. Bonello, of Asbury Park, N.J., Peter T. Bongiorno, of Paterson, N.J., Alexander W. Booth, of Jersey City, N.J., Salvatore A. Brancato, of Newark, N.J., Martin J. Brenner, of Jersey City, N.J., Joseph Louis Brescher, Jr., of Elizabeth, N.J., William G. Brigiani, of Metuchen, N.J., Sheldon Bross, of Newark, N.J., Arnold E. Brown, of Englewood, N.J., James B. Brown, Jr., of Old Bridge, N.J., William F. Brown, of Moorestown, N.J., Warren Paul Bruder, of Kenilworth, N.J., Anthony T. Bruno, of Red Bank, N.J., Robert Jay Buckalew, of Hackensack, N.J., John F. Butler of Hackensack, N.J., Henry J. Byrne, of Jersey City, N.J., Edward J. Cahill, of Closter, N.J., Michael D. Capizola, of Vineland, N.J., Frank A. Carlet, of Clifton, N.J., James J. Casby, Jr., of Camden, N.J., Richard J. Casey, of Kingston, N.J., Michael J. Cernigliaro, of Asbury Park, N.J., George M. Chamlin, of West Long Branch, N.J., Harold Christoffersen, of Trenton, N.J., Leonard A. Cinaglia, of Camden, N.J., Roger S. Clapp of New Vernon N.J.; and Roger A. Clapp, of Middletown, N.J., on motion of Mr. Charles I. Bertini.

William J. Cook, of Camden, N.J., Alan J. Cornblatt, of Asbury Park, N.J., Lawrence F. Costill, Jr., of Camden, N.J., Leonard A. Coyle, of Trenton, N.J., Samuel A. Curcio, of Hammonton, N.J., Henry J. Daaleman, of Elizabeth, N.J., Jay F. Dailey, of Mountain-side, N.J., Harry J. Del Plato, of Belleville, N.J., Donald R. Del Monte, of Morristown, N.J., Benjamin M. Del Vento, of East Orange, N.J., Michael DeMarras, of Ridgefield Park, N.J., Robert W. Dempsey, of Fort Lee, N.J., Harold I. Dolgoff, of Bloomfield, N.J., William A. Dreier, of Plainfield, N.J., John F. Dumont, II, of Newton, N.J., Martin L. Duyk, of Edison, N.J., Thomas F. Dwyer, Jr., of Clark, N.J., Howard A. Ebright, of Paterson, N.J., Neil D. Edwards, of Whippany, N.J., Richard D. Ehrlich, of Burlington, N.J., Louis Eisenstein, of

Palisades Park, N.J., Richard W. Engelbart of Fort Lee, N.J., Arthur W. Eriksen, of Millington, N.J., Gerald C. Escala, of Englewood, N.J., George B. Esposito, of Somerville, N.J., S. Sally Mytelka-Esposito, of Manville, N.J., Edward Evans, of West Caldwell, N.J., John Ford Evans, Jr., of Woodstown, N.J., Paul Kemper Evans, of Chatham Township, N.J., Julius J. Feinson, of Perth Amboy, N.J., Joseph Fisch, of Somerset, N.J., Harry V. Fisher, of Bloomfield, N.J., Gerald A. Flanzbaum, of Plainfield, N.J., George W. Fleming, of Washington, N.J., Russell Fleming, Jr., of Milltown, N.J., Stephen J. Foley, of Asbury Park, N.J., Jerome J. Forman, of Mount Holly, N.J., Charles Frankel, of Ashbury Park, N.J., John A. Fratto, of Cherry Hill, N.J., Elmer Friedbauer, of Passaic, N.J., Richard E. Friedman, of Jersey City, N.J., Norman Friedman of Morristown, N.J., John J. Gaffey, of East Orange, N.J., S. Thomas Gagliano, of Oceanport, N.J.

Joseph J. Galfy, Jr., of Irvington, N.J., George L. Garrison, of Clifton, N.J., Robert E. Gaynor, of New Brunswick, N.J., William H. Gazi, of Middlesex, N.J., Stephen A. Geffner, of Hackensack, N.J., Willard Geller, of Perth Amboy, N.J., Frederick S. Gillespie, of Kearny, N.J., Peter J. Giovine, of Toms River, N.J., and Marjorie Girth, of Washington, D.C., on motion of Mr. Daniel L. Golden; Michael Gold, of Flemington, N.J., Abraham Goldfarb, of Toms River, N.J., Morris Goldin, of Rockaway, N.J., Gerald Goldman, of Passaic, N.J., C. Martin Goodall, of Red Bank, N.J., Sidney H. Grad, of Trenton, N.J., John J. Greco, of Riverdale, N.J., James Greenburg of Camden, N.J., Murray Greiman, of Jersey City, N.J., Alan M. Grosman, of Newark, N.J., Marlene Gross, of Trenton, N.J., Robert R. Guida, of Wood-Ridge, N.J., Thomas M. Guiney, of Clifton, N.J., Alfred Haber, of Fort Lee, N.J., Robert M. Hanlon, of Asbury Park, N.J., Eugene M. Haring, of Newark, N.J., David C. Harper, of Bridgeton, N.J., Benedict W. Harrington, of Carteret, N.J., John Doland Harrington, of Hackensack, N.J., Allan M. Harris, of Paterson, N.J., Harvey G. Hartman, of Keyport, N.J., Gerald E. Haughey, of Medford, N.J., James M. Havey, of Toms River, N.J., Robert T. Healey, of Haddonfield, N.J., Daniel J. Healy, of Avon, N.J., William A. Hegarty, of Morristown, N.J., Robert E. Hendricks, of Bound Brook, N.J., Isaac Henkoff, of Upper Montclair, N.J., Robert F. Henn, of Midland Park, N.J., Donald Paul Hetchka, of Clifton, N.J., A. C. Reeves Hicks, of Lawrenceville, N.J., Henry A. Hill, Jr., of Princeton, N.J., William David Hill, of Willingboro, N.J.

Kenneth B. Hixson, of Newark, N.J., Garret A. Hobart IV, of Morristown, N.J., George H. Hohweiler, of Cherry Hill, N.J., Jay M. Hollander, of Woodbridge, N.J., Warren W. Homan, of Penns Grove, N.J., Adele T. Hommell, of Sussex, N.J., Adrien B. Hommell, of Sussex, N.J., Ruth Epstein-Honig, of Waldwick, N.J., Irwin A. Horowitz,

of Newark, N.J., Joseph A. Horowitz, of Perth Amboy, N.J., Samuel C. Inglese, of Metuchen N.J., Edward J. Insley, of Scotch Plains, N.J., Joseph E. Irenas, of Newark, N.J., Arthur Jacob, of Hackensack, N.J., John F. Jennings, of Short Hills, N.J., George W. Johnson, of Dover, N.J., Irwin Kanengiser, of Lake Hiawatha, N.J., and Barry L. Kantor, of Morristown, N.J., on motion of Mr. Joseph T. Grause; Herbert C. Kaplan, of Carteret, N.J., William John Kearns, Jr., of Willingboro, N.J., Thomas F. Kelaher, of Toms River, N.J., Joseph H. Kenney, of Camden, N.J., Matthew M. Keshishian, of Orodell, N.J., Nathan S. Kirsch, of Hackensack, N.J., Steven Z. Kleiner, of Bridgeton, N.J., Martin S. Koch, of Perth Amboy, N.J., Milton Kosene, of Fair Haven, N.J., Harry B. Kotler, of Elizabeth, N.J., Joel P. Kraemer, of Orange, N.J., Robert H. Kraus, of Westfield, N.J., Daniel H. Krivit, of Bethesda, Md., Richard A. Kurland, of River Vale, N.J., Howard W. Kushner, of Toms River N.J., John J. Lack, of Camden, N.J., Frank M. Lario, Jr., of Camden, N.J., Harold Leib, of Clifton, N.J., Frank Lerner, of West Caldwell, N.J., Gerald Levy, of Dover, N.J., Stanton L. Levy, of East Brunswick, N.J., Robert S. Lewis, of Medford Lakes, N.J., Milton D. Leibowitz, of Tenafly, N.J., Chester K. Ligham, of East Orange, N.J., Charles A. Little, of Camden, N.J., Louis H. Littman, of Toms River, N.J.

Frank J. D. Lloyd, of Hackensack, N.J., Floyd F. Lombardi, of Jersey City, N.J., Joel D. Lowinger, of Millburn, N.J., Daniel J. Lyons, Jr., of Trenton, N.J., John F. Lyons, of Hackensack, N.J., John M. Mackenzie, of Elizabeth, N.J., Stephen J. Magura, of Jersey City, N.J., August Maffei, of Whippany, N.J., Howard Mahany, Jr., of Little Silver, N.J., Lawrence E. Maisel, of Newark, N.J., Allan Maitlin, of Newark, N.J., David N. Manuel, of Moorestown, N.J., Joseph J. Maraziti, Jr., of Boonton, N.J., Frederick W. Margaritell, of Brielle, N.J., Joseph N. Marotta, Jr., of Fort Lee, N.J., Francis A. Mastro, of Basking Ridge, N.J., T. Brent Mauro, of Toms River, N.J., John F. McCann, of Ridgefield Park, N.J., Leo H. McCarthy, of Rumson, N.J., Francis X. McDermott, of Westfield, N.J., Albert F. McGee, Jr., of Atlantic City, N.J., Dennis L. McGill, of Jersey City, N.J., Thomas F. McGuire, of Haddonfield, N.J., Joseph R. McMahan, of Rumson, N.J., and Kenneth D. McPherson, of Jersey City, N.J., on motion of Mr. William P. Reiss; David K. Marx, Jr., of Rockaway, N.J., James E. Masteron, of North Caldwell, N.J., Mitchell Melnikoff, of Newark, N.J., William R. Miller, of Irvington, N.J., Richard A. Mink, of Union, N.J., Mario A. Monaco, of Edison, N.J., Arthur Montano, of Haddonfield, N.J., David J. Monyek, of New Brunswick, N.J., Martin D. Moroney, of Newark, N.J., Alan R. Moskin, of Fort Lee, N.J., Leonard W. Moss, of Pennsauken, N.J., Robert Muir, Jr.,

of Mendham, N.J., William P. Murphy, of Brick Town, N.J., William J. Murray, of Jersey City, N.J., Merritt Lee Murry, of Washington, D.C., Robert Carey Neff, of Little Silver, N.J., Ernest R. Nuzzo, of Newark, N.J., Jeremiah J. O'Callaghan, of Jersey City, N.J., James F. O'Connor, of Jersey City, N.J., Richard T. O'Connor, of Freehold, N.J., Jeremiah D. O'Dwyer, of Westfield, N.J., James S. Oliver, of Chester, N.J.

Edward A. Olson, of Hackensack, N.J., George R. Padgett, of Short Hills, N.J., Ned J. Parsekian, of Ridgewood, N.J., Stephen B. Patrick, of Northfield, N.J., Carlos Peay Jr., of Ridgewood, N.J., Robert A. Pennachio, of Englewood, N.J., Stanley T. Perlowski, of Old Bridge, N.J., Louis M. Perry, of Lakewood, N.J., Joel L. Pitman, of Livingston, N.J., Frank A. Pizzi, Jr., of New Providence, N.J., Philip H. Pohl, of Wayne, N.J., Michael A. Posnock, of Linden, N.J., Marion D. Powers, of Mantoloking, N.J., N. Patrick Quirk, of Cresskill, N.J., Robert C. Rafano, of South River, N.J., Joseph R. Raziano, of Wayne, N.J., Charles H. Recht, of Plainfield, N.J., Arthur H. Reeve, of Englewood, N.J., James C. Richardson, of Watchung, N.J., James P. Richardson, of Chatham, N.J., Theodore S. Ridgway, of Atlantic City, N.J., Howard A. Roberts, of Middletown, N.J., Frederick M. Rollenhager, of Morristown, N.J., Frederick W. Rose, of Newark, N.J., George D. Rosenthal, of Paterson, N.J., Robert P. Rospond of Maplewood, N.J., Vincent S. Rospond, of Bloomfield, N.J., Paul W. Ross, of Newfoundland, N.J., Robert R. Ross, of Trenton, N.J., Leonard Rothman, of Englewood, N.J., and Alfonse R. Russo, of Closter, N.J., on motion of Mr. T. Girard Wharton; Theodore D. Parsons, Jr., of Red Bank, N.J., Daniel J. Russel, of Elizabeth, N.J., John R. Rutledge, Jr., of Beachwood, N.J., Richard J. Ryan, of Hillsdale, N.J., Marvin A. Sachs, of Newark, N.J., William Sachs, of Bayonne, N.J., Joseph J. Salerno, of Clifton, N.J., Richard M. Salsburg, of Deal, N.J., Richard J. Schachter, of Somerville, N.J., Arthur Lionel Schatten, of East Brunswick, N.J.

Arthur R. Schmauder, of Basking Ridge, N.J., Herbert J. Schneider, Jr., of Sea Girt, N.J., Erwin C. Schnitzer, of Newark, N.J., Michael D. Schottland, of West Long Branch, N.J., Lawrence S. Schwartz, of Belleville, N.J., Leonard E. Schwartz, of Livingston, N.J., Harold Seide, of Hoboken, N.J., Irwin B. Seligsohn, of Newark, N.J., Ernest N. Sever, of Burlington, N.J., Richard James Shackleton, of Ship Bottom, N.J., Richard G. Sharkey, of East Orange, N.J., Thomas F. Shebell, Jr., of Asbury Park, N.J., Francis X. Sheehen, of Livingston, N.J., John J. Sheehy, of Jersey City, N.J., Marian V. Rooney-Sheehy, of Jersey City, N.J., Howard Siegel, of Teaneck, N.J., Peter M. Siegel, of New Brunswick, N.J., Orion J. Silverman, of Lakewood, N.J., Nathan Royce Silverstein, of Newark, N.J., Robert H. Simandl, of Livingston, N.J., David R. Simon, of Newark, N.J., Gary N. Skoloff,

of West Orange, N.J., James H. Smith, of Red Bank, N.J., Louis A. Smith, of Burlington, N.J., William S. Smith, of West Caldwell, N.J., Sanford Soren, of Willingboro, N.J., Max Spinrad, of West Orange, N.J., Howard Springer, of Jersey City, N.J., Norman H. Springer, of Eatontown, N.J., Joel M. Steinberg, of Maplewood, N.J., Richard R. Stout, of Allenhurst, N.J., Alan C. Sugeran, of Asbury Park, N.J., Henry A. Supplee, of Ridgewood, N.J., John W. Surgent, of Clifton, N.J., Robert J. Sussman, of Bloomfield, N.J., Alan B. Tarr, of Jersey City, N.J., Robert W. Taylor, of Hoboken, N.J., David C. Thompson, of Bloomfield, N.J., Robert J. Tiedemann, of Lyndhurst, N.J., Ann Wilkin Trombadore, of Bound Brook, N.J., Raymond R. Trombadore, of Bound Brook, N.J., Thomas K. J. Tusso, of Vineland, N.J., Theodore L. Van Winkle, of Rutherford, N.J., Michael D. Varbalow, of Cherry Hill, N.J., and Vincent L. Verdiramo, of Jersey City, N.J., on motion of Mr. Philip Dean Cohen.

Harold Chipperson, of East Orange, N.J., Florence Schwartz Davidow, of Millville, N.J., Judah P. Davidow, of Millville, N.J., Herbert M. Heaney, of Basking Ridge, N.J., Herbert C. Heim, of Toms River, N.J., Stanley Romer Katz, of Deal, N.J., Arthur J. Murphy, of Fort Lee, N.J., John E. Nemetz, Jr., of Clifton, N.J., Edward L. Picone, of Kendall Park, N.J., Eugene T. Radcliffe, of Medford Lakes, N.J., Robert L. Shear, of Plainfield, N.J., Bertram Siegel, of Woodcliffe Lake, N.J., Joel D. Siegal, of Newark, N.J., Dermot P. Slevin, of Hazlet, N.J., Richard D. Sutton, of Toms River, N.J., Robert E. Tarleton, of Chatham, N.J., M. Allan Vogelsson, of Camden, N.J., Brooks Von Arz, of Fair Haven, N.J., Mortimer Wald, of East Orange, N.J., Alan R. Waldman, of Salem, N.J., James A. Waldron, of Trenton, N.J., Thomas E. Walsh, Jr., of Newark, N.J., David A. Waters, of Jersey City, N.J., Marvin Waxman, of East Orange, N.J., Meyer Weinberg, of Newark, N.J., John E. Weinhofer, of Somerville, N.J., Richard Joel Weiner, of Jersey City, N.J., David A. Weinstein, of Ocean Township, N.J., Stephen S. Weinstein, of Morristown, N.J., Frank A. Welt, of Elizabeth, N.J., Frank S. Wexler, of Lyndhurst, N.J., Melvin S. Whitken, of Elizabeth, N.J., Henry J. Williams, of Perth Amboy, N.J., Maurice L. Williams, of Cranford, N.J., James Lawrence Wilson, of Surf City, N.J., Morris Wiseman, of Cherry Hill, N.J., Alan L. Wohl, of Somerville, N.J., Nelson Wolf, of Elizabeth, N.J., John H. Yaugh, Jr., N.J., Robert E. Young, of Newark, N.J., and Frank N. Yurasko, of Somerville, N.J., on motion of Mr. Charles I. Bertini, were admitted to practice.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 374. Haywood Washum, d/b/a Los Angeles-Yuma Freight Lines, et al., appellants, *v.* United States et al. Appeal from the United States District Court for the District of Arizona. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*.

No. 419. Richard S. Simpson, petitioner, *v.* Union Oil Company of California. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Petition for writ of certiorari granted on the question of whether the principles in *Simpson v. Union Oil Co.* should be made prospective in the present litigation, and denied on the other questions tendered. 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*. Opinion by Mr. Justice Black concurring in part and dissenting in part. Mr. Justice Stewart would deny the petition for certiorari. Mr. Justice Harlan took no part in the consideration or decision of this case.

No. 430. Arthur L. Cox, Successor Guardian of Aquilla Redditt, appellant, *v.* Tennessee, etc., et al. Appeal from the Supreme Court of Tennessee, Western Division. 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. —. Providence and Worcester Railroad Company, appellant, *v.* United States et al. The motion of the Providence and Worcester Railroad Company, now known as Providence and Worcester Company, for an extension of time to docket its appeal from the judgment of the United States District Court for the Southern District of New York entered on the 28th day of April, 1969, is granted and the time for docketing said appeal is extended to the date when appeals from the decree by said court dated September 11, 1969, are required to be docketed, or, if no appeal is noted, until December 15, 1969.

No. —. Julius S. Moskowitz, appellant, *v.* James M. Power et al. The application for a temporary restraining order presented to Mr. Justice Harlan, and by him referred to the Court, is denied.

No. —. Grove Press, Inc., petitioner, *v.* Donald C. Brockett, individually and as County Prosecutor, et al. The application for a

temporary stay presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. —. Nicolò Licata, petitioner, *v.* United States. The petition for rehearing presented to Mr. Justice Douglas, and by him referred to the Court, from his denial of bail is denied. The Chief Justice took no part in the consideration or decision of this petition.

No. —. Richard Lorne Hunt, petitioner, *v.* Frank A. Eyman, Warden, et al. The petition for rehearing presented to Mr. Justice Douglas, and by him referred to the Court, from his denial of habeas corpus is denied. The Chief Justice took no part in the consideration or decision of this petition.

No. 71. David Earl Gutknecht, petitioner, *v.* United States. The motion of Michael E. Tigar for leave to argue, *pro hac vice*, is granted.

No. 632. Beatrice Alexander et al., petitioner, *v.* Holmes County Board of Education et al. The motions of the National Education Association and the Tennessee Federation of Constitutional Government for leave to file briefs, as *amicus curiae*, are granted.

No. 674. Henry I. Siegel Co., Inc., petitioner, *v.* National Labor Relations Board et al. The application for stay presented to Mr. Justice Douglas, and by him referred to the Court, is denied. The Chief Justice took no part in the consideration or decision of this application.

No. 727. Donald J. Vale, appellant, *v.* Louisiana. The motion of the appellant for the appointment of counsel is granted and it is ordered that Eberhard P. Deutsch, Esquire, of New Orleans, Louisiana, a member of the Bar of this Court be, and he is hereby, appointed to serve as counsel for the appellant in this case.

No. 147, Misc. John Buford Slaughter, petitioner, *v.* California et al. The petition for rehearing presented to Mr. Justice Douglas, and by him referred to the Court, from his denial of an injunction is denied.

APPEALS—JURISDICTION NOTED OR POSTPONED

No. 330. United States, appellant, *v.* Noel Stanley Eisdorfer. Appeal from the United States District Court for the Eastern District of New York. Further consideration of the question of jurisdiction in this case is postponed to the hearing of the case on the merits and placed on the summary calendar.

No. 369. American Farm Lines, appellant, *v.* Black Ball Freight Service et al.; and

No. 382. Interstate Commerce Commission, appellant, *v.* Black Ball Freight Service et al. Appeals from the United States District Court for the Western District of Washington. In these cases probable jurisdiction noted. Cases consolidated and a total of one hour allotted for oral argument.

No. 399. Daniel Rowan, d/b/a American Book Service, et al., appellants, *v.* United States Post Office Department et al. Appeal from the United States District Court for the Central District of California. In this case probable jurisdiction noted and case placed on the summary calendar.

No. 85, Misc. In the Matter of Samuel Winship, appellant. Appeal from the Court of Appeals of New York. Motion for leave to proceed *in forma pauperis* granted. In this case probable jurisdiction noted. Case transferred to appellate docket and placed on the summary calendar.

CERTIORARI GRANTED

No. 403. United States, petitioner, *v.* Gerritt Johannes Van Leeuwen. 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 Ninth Circuit granted. Case placed on the summary calendar.

No. 445. Standard Industries, Inc., petitioner, *v.* Tigrett Industries, Inc., et al. Petition for writ to the United States Court of Appeals for the Sixth Circuit granted and case placed on the summary calendar.

CERTIORARI DENIED

No. 58. Brotherhood of Locomotive Firemen and Enginemen, petitioner, *v.* Elgin, Joliet & Eastern Railway Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 352. John N. Stice, petitioner, *v.* State Board of Bar Examiners of the State of Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 355. Talmadge Hayer et al., petitioners, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 360. Rudolph M. Mancuso, etc., petitioner, *v.* Arnold Guy Fraiman, etc. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 378. Kenneth L. Beal, petitioner, *v.* Portsmouth Salvage Company, Incorporated. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 394. Charlie Delia, petitioner, *v.* Court of Common Pleas of Cuyahoga County et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 407. Martis C. Scalf, petitioner, *v.* John E. Bennett, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 408. Louise M. Scudder, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 415. Louis Harry Parker, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 417. Ernest Lee Gordon, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 422. The California Company et al., petitioners, *v.* Fred Kuchenig. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 423. William Ezria Powell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 425. John R. Hughes, petitioner, *v.* Frank Standidge. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 429. Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employes, petitioner, *v.* The Atchison, Topeka and Santa Re Railway Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 285. The Federal Broadcasting System, Inc., petitioner, *v.* Federal Communications Commission; and

No. 532. Star Television, Inc., et al., petitioners, *v.* Federal Communications Commission et al. Petitions for writs 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 these petitions.

No. 386. International Association of Machinists, District Lodge 94, AFL-CIO, et al., petitioners, *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. The Chief Justice took no part in the consideration or decision of this petition.

No. 329. Vincent R. Mancusi, Warden, petitioner, *v.* Burton N. Pugach. 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 Second Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this motion and petition.

No. 357. General Telephone Company of California et al., petitioners, *v.* Federal Communications Commission et al.; and

No. 450. National Association of Regulatory Utility Commissioners, petitioner, *v.* Federal Communications Commission et al. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. The Chief Justice and Mr. Justice Douglas took no part in the consideration or decision of these petitions.

No. 397. Clarence Houston Holding, petitioner, *v.* Willo Puckett Holding. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 406. John R. Woodward, III, petitioner, *v.* Edward Lawson et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 110, *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. 127, *Misc.* Vincent Gendron and Paul Baykowski, petitioners, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 128, *Misc.* Rudolph Ruffin, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 129, *Misc.* Charles P. Lainhart, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 135, *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. 144, *Misc.* Eddie Taylor, Jr., petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 146, *Misc.* James E. Gadson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 150, *Misc.* Vernon Manning, 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. 305, *Misc.* Harold Richard Ross, petitioner, *v.* Robert H. Finch, Secretary of Department of Health, Education and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 320, *Misc.* Raymond Leon Jackson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 327, *Misc.* Frank Finley, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 329, *Misc.* William Joseph McGurrin, petitioner, *v.* John Shovlin et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **342, Misc.** James P. H. Mitchell, petitioner, *v.* C. J. Fitzharris, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **344, Misc.** Marie Baucum Scott, petitioner, *v.* Hunt Oil Company. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. **359, Misc.** Herbert Cornitcher, petitioner, *v.* William A. Dwyer, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **362, Misc.** Howard Eugene Eaton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **363, Misc.** Gilbert E. Lazaroff, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **385, Misc.** Arthur Wartson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **386, Misc.** James Nelson Coleman, petitioner, *v.* William D. Salisbury, Superintendent, Chillicothe Correctional Institute. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **392, Misc.** Earl F. Mink, petitioner, *v.* U.S. District Court for the Western District of Michigan et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **393, Misc.** Thomas Davis, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **394, Misc.** Joseph Raymond Webster, petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **395, Misc.** William Gilreath, petitioner, *v.* Frank A. Eyman, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **397, Misc.** Memmon Lawrence, Jr., petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. **399, Misc.** Carroll Welch, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. **403, Misc.** George Taylor Padgitt, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 404, *Misc.* Antonia Llabora Thomas, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 406, *Misc.* Hector Semidey, petitioner, *v.* C. L. McKendrick, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 407, *Misc.* Leroy Mason, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 410, *Misc.* Daniel Bolish, 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. 413, *Misc.* Alfred Eugene Stone, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 414, *Misc.* Alfred Eugene Stone, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 415, *Misc.* Ernest Pena, 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. 418, *Misc.* Robert Palmer, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 419, *Misc.* Charles Bates, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 422, *Misc.* George Leroy Stedtnitz, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 433, *Misc.* Tommy Thompson, petitioner, *v.* Nevada. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 443, *Misc.* Jose McDonald, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Term of Supreme Court of New York, First Judicial Department, denied.

No. 444, *Misc.* Richard Floyd DeVoe, petitioner, *v.* T. E. Duncan, State Attorney, etc. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 445, *Misc.* Richard E. Wallace, petitioner, *v.* Alfred T. Rundle, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 447, **Misc.** Patrick F. X. McGucken, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 455, **Misc.** Bradford Mandoza Sylvia, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 459, **Misc.** Elmer S. Edwards, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 461, **Misc.** Alfred Lewis, petitioner, *v.* Daniel McMann, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 464, **Misc.** Gary Richard Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 470, **Misc.** Grady V. Boutwell, Jr., petitioner, *v.* Curtis M. Simpson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 473, **Misc.** Donald Gene Walker, 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. 474, **Misc.** Auston James, 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. 476, **Misc.** Robert Miller Young, petitioner, *v.* Ira M. Coiner, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 478, **Misc.** Stephen Fink, petitioner, *v.* Louis Heyd, Criminal Sheriff of the Parish of Orleans. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 479, **Misc.** Paula Arguello de Vargas, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 482, **Misc.** Marion Herndon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 493, **Misc.** Charles Nelson, petitioner, *v.* Warren Pinto, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 496, **Misc.** James Edward Toliver, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 521, **Misc.** Henry Gerald Liley, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 522, **Misc.** Larry D. Dearman, petitioner, *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 527, **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. 553, **Misc.** Leslie Carl Fuller, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 621, **Misc.** William Raymond Chontos, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 641, **Misc.** Robert Bradford Murphy, petitioner, *v.* Frederick Johnson, Clerk, United States District Court. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 730, **Misc.** Robert B. Murphy et ux., petitioners, *v.* U.S. Commissioner of Detroit, Michigan, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 763, **Misc.** Robert Bradford Murphy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 358, **Misc.** Thomas Clifford Warnock, petitioner, *v.* Donna Mae Warnock. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 426, **Misc.** Guy A. Duval, 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. 518, **Misc.** Bill Harvey Dukes, 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.

LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. 608, **Misc.** Arthur Baker, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections, 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.

ORDER IN PENDING CASE

No. **330**. United States, appellant, *v.* Noel Stanley Eisdorfer. The order entered today postponing further consideration of the question of jurisdiction to the hearing of the case on the merits is hereby revoked.

Adjourned until Monday, November 10, 1969, at 10 o'clock.

The day call for Monday, November 10, 1969, will be as follows:
Nos. **42, 45, 46, and 37.**

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SUPREME COURT OF THE UNITED STATES

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

PER CURIAM OPINION

No. 632. Beatrice Alexander et al., petitioners, *v.* Holmes County Board of Education et al. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Order issued on August 28, 1969, vacated and case remanded to Court of Appeals for further proceedings in conformity with the opinion of this Court. Judgment shall issue forthwith. Opinion *per curiam*.

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In the Supreme Court of the United States

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

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 343. Boston and Maine Railroad et al., appellants, *v.* United States et al. Appeal from the United States District Court for the District of Massachusetts; and

No. 480. Arizona Corporation Commission et al., appellants, *v.* United States et al.; and

No. 497. Union Pacific Railroad Company et al., appellants, *v.* United States et al. Appeals from the United States District Court for the District of Nebraska. The motions to affirm are granted and the judgments are affirmed. Opinion *per curiam*.

No. 434. Tilden W. Johnson, appellant, *v.* State Bar of California et al. 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. 439. National Labor Relations Board, petitioner, *v.* Clark’s Gamble Corporation, etc., et al. 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 National Labor Relations Board *v.* Gissel Packing Co., Inc., 395 U.S. 575. Opinion *per curiam*. Mr. Justice Douglas dissents.

No. 451. Transportation Unlimited of California, Inc., appellant, *v.* United States et al. Appeal 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*.

No. 453. Charles L. Jolly, appellant, *v.* Morgan County Junior College District et al. Appeal from the Supreme Court of Colorado. The motion to dismiss is granted and the appeal is dismissed. Opinion *per curiam*.

No. 474. Melvin Krafft, appellant, *v.* New York. Appeal from the Court of Appeals of New York. 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. 482. Maryland National Insurance Company et al., appellants, *v.* The Seventh Judicial District Court of Oklahoma County, Oklahoma, et al. Appeal from the Supreme Court of Oklahoma. 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. 502. Yale Stein, appellant, *v.* Illinois et al. Appeal from the Supreme Court of Illinois. 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. 615, Misc. William King, appellant, *v.* Milton Greenblatt et al. Appeal from the United States District Court for the District of Massachusetts. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*.

No. 632, Misc. Richard Henry Clinton, appellant, *v.* California. Appeal from the Supreme Court of California. 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. 686, Misc. Robert K. Zwicker, appellant, *v.* Wisconsin. Appeal from the Supreme Court 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.

ORDERS IN PENDING CASES

No. 1173, October Term, 1968. Harley D. Jones, appellant, *v.* State of Illinois by its Electoral Board. The motion to require State and Local Officials promptly to conduct an election for Office of Lieutenant Governor of Illinois is denied. The Chief Justice took no part in the consideration or decision of this motion.

No. 11. George Samuels et al., appellants, *v.* Thomas J. Mackell, District Attorney, et al. The motion of appellants to strike brief of appellee Mackell is denied.

No. 13. William L. Maxwell, petitioner, *v.* O. E. Bishop, Superintendent, Arkansas State Penitentiary. The motion of Gerald H. Gottlieb et al. for leave to file the *amici curiae* brief in the base of *Boykin v. Alabama*, No. 642, Oct. Term, 1968, in this case, is denied.

No. 84. United States, appellant, *v.* Milton C. Jorn. The motion of the appellee for the appointment of counsel is granted, and it is ordered that Denis R. Morrill, Esquire, of Salt Lake City, Utah, be, and he is hereby, appointed to serve as counsel in this case.

No. 540. Julia Rosado et al., petitioners, *v.* George K. Wyman, etc., et al. The motion of People for Adequate Welfare for leave to file a brief, as *amicus curiae*, is granted.

No. 429, Misc. Victor Frank Szijarto, petitioner, *v.* Elmer J. Oberhauser et al. The application for bail presented to Mr. Justice Brennan, and by him referred to the Court, is denied.

APPEAL—JURISDICTION NOTED

No. 560, Misc. Genever Lewis et al., appellants, *v.* John Montgomery, Director of the State Department of Social Welfare of State of California, et al. Appeal from United States District Court for the Northern District of California. Motion of appellants 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. 175. Petsonella Moragne, etc., petitioner, *v.* States Marine Lines, 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. 440. National Labor Relations Board, petitioner, *v.* Raytheon Company et al. 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. 477. Atlantic Coast Line Railroad Company, petitioner, *v.* Brotherhood of Locomotive Engineers 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. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 81, Misc. Frank Chambers, petitioner, *v.* James F. Maroney, Superintendent, State Correctional Institution. 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 and placed on the summary calendar.

CERTIORARI DENIED

No. 146. C. V. (Buster) Kern et al., petitioners, *v.* William Whirl. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 187. A & S Tropical, Inc., petitioner, *v.* Hiram Walker, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 245. Carol Derrington, petitioner, *v.* City of Portland. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 290. Winton M. Blount, Postmaster General, petitioner, *v.* United Federation of Postal Clerks, AFL-CIO, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 310. United States for the use of Audley Moore & Son, petitioner, *v.* General Insurance Company of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 400. Walter G. Fowler et al., petitioners, *v.* City of Charlottesville et al. Petition for writ of certiorari to the Corporation Court of Charlottesville of Virginia denied.

No. 438. Sears, Roebuck and Co., petitioner, *v.* Thomas M. Hanigan et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 442. Elizabeth L. Conrad, petitioner, *v.* Graf Bros., Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 443. Continental Insurance Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 446. Herbert Lang et al., petitioners, *v.* Robert J. Thompson et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 448. Farmers' Cooperative Compress, petitioner, *v.* United Packinghouse, Food and Allied Workers International Union, AFL-CIO, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 452. Donald Lee Hale, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 454. Dante Martire, petitioner, *v.* Laborers' Local Union 1058 et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 455. Frank Onesti, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 459. James Terrell Knight, petitioner, *v.* United States; and

No. 460. Elmer Samuel Chapman and James Terrell Knight, petitioners, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 461. Hevi-Duty Electric Company, etc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 463. Jack D. Johnson, petitioner, *v.* Nova F. Stucker, Superintendent of the Kansas State Industrial Reformatory. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 465. Edward Serzysko, petitioner, *v.* The Chase Manhattan Bank. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 466. St. Helena Parish School Board et al., petitioners, *v.* Lawrence Hall et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 467. Robert R. Kaufman, petitioner, *v.* The Association of the Bar of the City of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 468. Seguros Tepeyac, S. A. Compania Mexicana de Seguros Generales, petitioner, *v.* James L. Jernigan. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 469. National Labor Relations Board, petitioner, *v.* Pepsi-Cola Buffalo Bottling Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit, denied.

No. 470. Lawrence J. Conversano, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit, denied.

No. 471. George W. Lynch, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 472. In the Matter of Laurence Semel, Bankrupt, petitioner. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 473. Lyn-Bev Development, Inc., petitioner, *v.* Commercial National Bank, etc., et al. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 478. Louis Sachs and Ralph Sachs, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit Court denied.

No. 481. Noble Drilling Corporation, petitioner, *v.* Clyde J. Smith. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 483. Atlantic Richfield Company et al., petitioners, *v.* W. O. Hilton et al. Petition for writ of certiorari to the Court of Civil Appeals of Texas, 12th Supreme Judicial District, denied.

No. 485. Samuel Galewitz et ux., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 487. Robert Wilkerson et al., petitioners, *v.* Waterford Park, Inc., et al. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 489. L. C. Shelton et al., petitioners, *v.* City of Chicago et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 492. Sailors Haven Fire Island, Inc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 493. Albert Snyder, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 494. Teressa Cole, etc., petitioner, *v.* Sunray DX Oil Company et al. Petition for writ of certiorari to the Supreme Court of Oklahoma denied.

No. 501. William Waltz Howell, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 182. The Security Sewage Equipment Company, petitioner, *v.* Edwin F. Woodle. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting opinion by Mr. Justice Black.

No. 362. Rollo Reeves, petitioner, *v.* Pacific Far East Lines, Inc. Petition for writ of certiorari to the Supreme Court of Oregon denied. Dissenting opinion by Mr. Justice Black with whom Mr. Justice Brennan joins.

No. 428. Leonard S. Brown, Jr., petitioner, *v.* Frank D. Hardin et al. Motion for leave to proceed as a veteran granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit and for other relief denied.

No. 447. Vernon O. Barnett, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 488. Arthur G. Popp et ux., petitioners, *v.* Frederic C. Eberlein et al. Motion to dispense with printing petition granted. Petition

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

No. 490. James M. Sinclair, Jr., petitioner, *v.* Anna Roza Boughton. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United State Court of Appeals for the Ninth Circuit denied.

No. 499. Federal Trade Commission, petitioner, *v.* Textile and Apparel Group, American Importers Association, et al.; and

No. 500. National Knitted Outerwear Association et al., petitioners, *v.* Textile and Apparel Group, American Importers Association, et al. Petitions 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 these petitions.

No. 6, *Misc.* William A. Lassiter, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 8, *Misc.* Robert Virgil Yarnal, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 78, *Misc.* Rex Sterling, petitioner, *v.* Frank J. Pate, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 108, *Misc.* Alfred Moore, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 115, *Misc.* Chester Lee Clift, petitioner, *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 118, *Misc.* William R. Geraway, petitioner, *v.* Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 119, *Misc.* Laurence Ray Yant, petitioner, *v.* Terrill A. Wilson, Judge, etc. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 121, *Misc.* Patrick Ralph Rizzo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 132, *Misc.* Michael Joseph McDermott, petitioner, *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 133, *Misc.* Charles Edward Lewis, petitioner, *v.* Max P. Frye, Warden, et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 141, *Misc.* William R. Nolan, petitioner, *v.* United States District Court for the District of Kansas et al. Petition for writ of cer-

tiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 142, *Misc.* Sherman T. Mullen, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 147, *Misc.* John Buford Slaughter, petitioner, *v.* California et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 251, *Misc.* Wilfredo Rodriguez, 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.* Moses Pearsall, Jr., petitioner, *v.* Florida. Petition for writ of certiorari to the Court of Appeal of Florida, First District, denied.

No. 349, *Misc.* Alton Sanders, petitioner, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 368, *Misc.* William Robert Bowen, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 371, *Misc.* John Wayne White, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 396, *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. 401, *Misc.* Peter D. Bogart and June Bogart, petitioners, *v.* California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 430, *Misc.* Placido Amalfitano, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 439, *Misc.* Gilmer Swain, petitioner, *v.* David R. Barfield, Recreation Director, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 442, *Misc.* Mark J. Clancy, petitioner, *v.* New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 448, *Misc.* William J. Adams, an individual, trading as Vitamin Products Co. of Maryland, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 451, *Misc.* Dawud Sabu Hakeem, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 452, *Misc.* Edward A. Timmons, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 460, *Misc.* Arthur G. Abel, petitioner, *v.* George J. Beto. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 485, *Misc.* Ronald Dean Pittman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 487, *Misc.* Ben Odes, petitioner, *v.* City of Chicago. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 489, *Misc.* John Wayne Kemplen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 491, *Misc.* James Hardison, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 492, *Misc.* Will Bowen, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 497, *Misc.* Adell Henderson, petitioner, *v.* Warden, Frank J. Pate, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 501, *Misc.* Phil Gray, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 502, *Misc.* Jerry Delfred Jarrett, petitioner, *v.* Ben Britt et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 504, *Misc.* Donald Raymond Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 508, *Misc.* Robert A. Howard, petitioner, *v.* Roger B. Copping, Jr., Warden, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 511, *Misc.* Jacques Roberts, 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. 523, *Misc.* Clarence Elmon Waldo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 530, *Misc.* Charles P. Bourassa, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 539, *Misc.* George Gonzales Lugo, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District denied.

No. 540, *Misc.* Robert Courtney, 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 denied.

No. 541, *Misc.* Richard Ryan, petitioner, *v.* John T. Deegan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 543, *Misc.* Edward H. Milne, petitioner, *v.* Marcel LaFlamme. Petition for writ of certiorari to the Supreme Court of Vermont denied.

No. 544, *Misc.* Edward H. Milne, petitioner, *v.* Shell Oil Company. Petition for writ of certiorari to the Supreme Court of Vermont denied.

No. 554, *Misc.* Hezekiah Wenstley, 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. 555, *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. 562, *Misc.* Phyllis Kennelly, petitioner, *v.* Richard E. Davis. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 563, *Misc.* George Lee, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 573, *Misc.* Harold Morefield, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 576, *Misc.* Walter Raymond Demes, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 578, *Misc.* Gilbert Gonzales Gonzales, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 580, *Misc.* James D. Burton, petitioner, *v.* G. P. Lloyd, Superintendent, California Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 585, *Misc.* Billy Williams, petitioner, *v.* Nevada. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 588, *Misc.* John Chisholm, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 590, *Misc.* Daniel B. Duran et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 591, *Misc.* Willie Robert Davis, petitioner, *v.* Paul J. Gernert et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 592, *Misc.* Robert Gary Collette, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 598, *Misc.* Alex James Palmiter, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 601, *Misc.* Joseph H. Milani, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 602, *Misc.* Robert Summers Neely, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 604, *Misc.* James Gwin, petitioner, *v.* C. Murray Henderson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 605, *Misc.* Charles Tomaiolo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 609, *Misc.* Gregorio Victor Villahermosa, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 612, *Misc.* Clyde Bass, petitioner, *v.* North Carolina et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 613, *Misc.* Joe Louis Howard, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 623, *Misc.* Dorothy G. Restrepo, petitioner, *v.* Florida Supreme Court. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 624, *Misc.* William Thomas, petitioner, *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. **626, Misc.** James Valentine, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. **627, Misc.** Ralph Martinez, petitioner, *v.* Arthur L. Oliver, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **628, Misc.** Arthur Rudick, petitioner, *v.* Melvin Laird, Secretary of Defense, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **642, 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. **643, Misc.** Thomas J. Cobb, petitioner, *v.* John C. Burke. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **644, Misc.** Peter Franklin, petitioner, *v.* Thomas Shortman et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **646, Misc.** William G. Holland, petitioner, *v.* John Nasou, Medical Director, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **647, Misc.** Paul Arthur Winn et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **650, Misc.** Curtis Wright, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **654, Misc.** Garland William Boggus, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **662, Misc.** Stacy Sanford Holley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **664, Misc.** Joseph Richard Clark, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **666, Misc.** George Willie Hobbs, petitioner, *v.* Elza Brantley, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **667, Misc.** Moses Conyers, petitioner, *v.* Ross E. Herold, Director, Dannemora State Hospital et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 668, **Misc.** Gerald D. Peterson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 669, **Misc.** Ann Steinlauf, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 671, **Misc.** Wilbur Norton Rockefeller, petitioner, *v.* Arizona. Petition for writ of certiorari to the Court of Appeals of Arizona denied.

No. 680, **Misc.** Merton A. Chase, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 689, **Misc.** Kenneth Wayne Adams, petitioner, *v.* Minnesota. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 690, **Misc.** John Wesley Sanford et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 691, **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 Ninth Circuit denied.

No. 694, **Misc.** Earl F. Mink, petitioner, *v.* Raymond G. Buchkoe, Warden. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 695, **Misc.** Milton Martin, 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. 696, **Misc.** Nathaniel Hall, petitioner, *v.* John T. Deegan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 697, **Misc.** Howard T. Lints, 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. 702, **Misc.** Ben Brown, petitioner, *v.* Harold R. Swenson, Warden. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 711, **Misc.** Robert Daniel Harkins, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 712, **Misc.** Robert Halpern, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 728, **Misc.** Sam Morales Garza, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 735, **Misc.** John J. Pepitone, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 741, **Misc.** Waldyslaw Sleziak, etc., petitioner, *v.* Alaska. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 751, **Misc.** Augustine R. Tisnado, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 752, **Misc.** Joseph Jakalski, petitioner, *v.* Attorney General of the United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 754, **Misc.** Arthur John Watkins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 755, **Misc.** James Wilson, petitioner, *v.* Thomas J. MacBride, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 756, **Misc.** Albert Louis Thibadoux, petitioner, *v.* New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 761, **Misc.** John Marcus, petitioner, *v.* John T. Deegan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 771, **Misc.** Thomas Mulligan, petitioner, *v.* New Jersey et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 774, **Misc.** In re John Kevin Sancrant et al., petitioners. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 775, **Misc.** Stanley Steven Fleischman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 800, **Misc.** James Henry Leysith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 801, **Misc.** Joseph Stancato, etc., et al., petitioners, *v.* Service Bureau Corporation, etc. Petition for writ of certiorari to the Supreme Court of California denied.

No. 806, **Misc.** Willie Richmond, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 807, **Misc.** Moscow Minor, petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 812, **Misc.** Cleveland Stuart, petitioner, *v.* Coral Gables Federal Savings & Loan Association. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 814, **Misc.** Lloyd Lee Broadnax, petitioner, *v.* California et al. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 837, **Misc.** Robert Lewis, petitioner, *v.* New Jersey. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 893, **Misc.** John William Powers, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 933, **Misc.** Jack C. Massengale, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 324, **Misc.** Johnny Crawford, petitioner, *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. 510, **Misc.** Gerald Cachoian, petitioner, *v.* John N. Mitchell, Attorney General. 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. 818, **Misc.** Kenneth Wood, 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. 687, **Misc.** James C. Long, petitioner, *v.* United States. 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. 731, **Misc.** John Joseph O'Connor, petitioner, *v.* Charles Rodgers. 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.

LEAVE TO FILE PETITION FOR WRIT OF CERTIORARI DENIED

No. **453, Misc.** Florentino Encinas Sierras, petitioner, *v.* United States. Motion for leave to file petition for writ of certiorari denied.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. **584, Misc.** Frederic W. West, petitioner, *v.* G. Perry Lloyd, Superintendent, California Correctional Institution, et al.;

No. **595, Misc.** Clyde McGarry, petitioner, *v.* Carl Hocker, Warden;

No. **610, Misc.** Linville Thompson, petitioner, *v.* North Carolina;

No. **698, Misc.** George Walter Meek, petitioner, *v.* Don R. Thomas, Judge, etc., et al.; and

No. **810, Misc.** Billy Watkins, petitioner, *v.* V. Lee Bounds, Commissioner of Correction of the North Carolina Department of Correction. Motions for leave to file petitions for writs of habeas corpus denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. **701, Misc.** Richard E. Walsh, petitioner, *v.* U.S. District Court for the Eastern District of California et al. Motion for leave to file petition for writ of mandamus and/or prohibition denied.

No. **843, Misc.** William Frederick Wendt, Jr., petitioner, *v.* S. Hugh Dillin et al. Motion for leave to file petition for writ of mandamus denied.

REHEARINGS DENIED

No. **496, October Term, 1967.** Wien Alaska Airlines, Inc., petitioner, *v.* United States; and

No. **313, Misc. October Term, 1968.** Joe Garrison Smith, petitioner, *v.* United States. Motions for leave to file petitions for rehearing denied. The Chief Justice took no part in the consideration or decision of these motions.

No. —. Roy Anderson, plaintiff, *v.* Luigi Raimondi, as and for The State of Vatican City. Petition for rehearing denied.

ADMISSIONS TO THE BAR

Abraham A. Dash, of Bowie, Md., James Charles Borra, of Bowie, Md., Nicholas G. Schoonbrood, of San Francisco, Calif., Michael J. Virga, of Sacramento, Calif., Martin Stein, of Los Angeles, Calif., Rose Deeb Kitchen, of Tallahassee, Fla., Edward Deal Lewis, of Palm Beach, Fla., Palmer W. Collins, of Indian Harbour Beach, Fla., Robert G. Mahony, of Chicago, Ill., Stanley I. Greenberg, of St.

Louis, Mo., Richard Michael Cahill, of Washington, D.C., Samuel H. Reis, of New York, N.Y., John Nicoll, of Washingtonville, N.Y., Jose C. Aponte, Jr., of San Juan, P.R., David Daniel Hoff, of Seattle, Wash., Norman Gold Axe, of Los Angeles, Calif., Michael C. Hone, of San Francisco, Calif., and Harold Sobel, of Trumbull, Conn., on motion of Mr. Solicitor General Erwin N. Griswold; Joseph R. Quinn, of Denver, Colo., on motion of Mr. Bryon G. Rogers; Margaret Hunter Pierce, of Washington, D.C., on motion of Mr. Jerome K. Kuykendall; John H. Blake, of Los Angeles, Calif., on motion of Mr. Richard N. Little; Bernard G. Heinzen, of Minneapolis, Minn., on motion of Mr. William H. Dempsey, Jr.; Roger Louis Waldman, of New York, N.Y., on motion of Mr. Marvin Schwartz; John M. Wolslegel, of Ottawa, Ill., on motion of Mr. Craig M. Armstrong; Carl G. Parker, of St. Petersburg, Fla., and Howard P. Ross, of St. Petersburg, Ala., on motion of Mr. Anthony S. Battaglia, Sr.; Donald Earl Hamilton, of Oklahoma City, Okla., and John J. Yanskey, of Canton, Ga., on motion of Mr. Norris Shealy; Rowland A. Morrow, of Baltimore, Md., on motion of Mr. James Joseph Kearney; John L. Boeger, of St. Louis, Mo., on motion of Mr. Sidney M. Glazer; Clarence H. Dicus, of Kansas City, Mo., on motion of Mr. William J. Burrell; Robert E. Clemency, of Milwaukee, Wisc., on motion of Mr. James E. Cockfield; Harold T. Boone, of Pittsburgh, Pa., on motion of Mr. James F. Conway; Leonard W. Fruchter, of Irvington, N.J., on motion of Mr. David Jerchower; James H. Anderson, Jr., of Baltimore, Md., on motion of Miss Lola Boswell; Chauncey Eskridge, of Chicago, Ill., on motion of Mr. Jesse O. Dedmon, Jr.; Stanford E. Parris, of Alexandria, Va., and Ronald W. Tydings, of Fairfax, Va., on motion of Mr. Roy A. Swayze; and Richard K. Bank, of Scarsdale, N.Y., Lawrence S. Seufferer, of Ankeny, Iowa, David K. Fromme, of Kansas City, Kans., Edwin L. Gage, of Enid, Okla., James S. Mathews, of Suffolk, Va., Benjamin G. Porter, of Madison, Wisc., and William R. Steinmetz, of Milwaukee, Wisc., on motion of Mr. Edwin P. Wasinger, were admitted to practice.

ORAL ARGUMENT

No. 42. Howard Ross and Bernard Ross, as Trustees for Lena Rosenbaum, petitioners, *v.* Robert A. Bernhard et al. Argued by Mr. William E. Haudek for the petitioners and by Mr. Marvin Schwartz for the respondents.

No. 45. Anderson's-Black Rock, Inc., petitioner, *v.* Pavement Salvage Co., Inc. Argued by Mr. Alan W. Borst for the petitioner and by Mr. Walter J. Blenko, Jr., for the respondent.

No. 46. United States, petitioner, *v.* James A. White. Argued by Mr. Will R. Wilson for the petitioner and by Mr. John L. Boeger for the respondent.

No. 37. Della Hadley et al., appellants, *v.* The Junior College District of Metropolitan Kansas City, Missouri, et al. One and one half hours allowed for oral argument. Argued by Mr. Irving Achtenberg for the appellants and by Mr. William J. Burrell and Mr. Louis C. DeFeo, Jr., for the appellees.

Adjourned until Wednesday, November 12, 1969, at 10 o'clock.

The day call for Wednesday, November 12, 1969, will be as follows:
Nos. 79, 40, 55, and 60.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Robert Marshall Redding, of Annandale, Va., on motion of Mr. Robert W. Packwood; Lowell P. Weicker, Jr., of Greenwich, Conn., on motion of Mr. Thomas J. Meskill; Charles H. Livaudais, of Chalmette, La., and Robert Joseph Klees, of Chalmette, La., on motion of Mr. Patrick T. Caffery; William H. Alexander, of Atlanta, Ga., on motion of Mr. James M. Nabrit III; William D. Roth, of Lakeland, Fla., on motion of Mr. George Georgieff; Charles M. Cork, of Macon, Ga., on motion of Mr. Frank Cater Jones; David H. Spiller of Toledo, Ohio, on motion of Mr. Jerold S. Solovy; Timothy Schuyler Elliott, of New York, N.Y., and Guy Frederick Miller, of Annandale, Va., on motion of Mr. Robert James Moore; Karl Stephen Mayer, of San Francisco, Calif., and Marshall Lee Small, of San Francisco, Calif., on motion of Mr. John T. Murphy; Herbert Seth Cannon, of New York, N.Y., Steven J. Kumble, of New York, N.Y., and Neil Underberg, of New York, N.Y., on motion of Mr. Herbert F. Roth; Leonard M. Bernard, Jr., of Ft. Lauderdale, Fla., and James F. Jordan, of Bethesda, Md., on motion of Mr. David Alan Scott; and Baldomero Collazo-Salazar, of San Juan, P.R., Manuel Correa-Calzada, of San Juan, P.R., Ismael H. Herrero, Jr., of San Juan, P.R., James H. Broadhurst, of Austin, Tex., and Alfred W. Walker, of Austin, Tex., on motion of Mr. Albert E. Arent, were admitted to practice.

OPINION

No. 15. Clarence DeBacker, appellant, *v.* Homer Brainard, Sheriff of Dodge County, Nebraska. Appeal from the Supreme Court of Nebraska. Appeal dismissed. Opinion *per curiam* announced by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Douglas.

ORAL ARGUMENT

No. 79. Sandra Adickes, petitioner, *v.* S. H. Kress and Company. Argued by Mrs. Eleanor Jackson Piel for the petitioner and by Mr. Sanford M. Litvack for the respondent.

No. 40. James Conway, petitioner, *v.* California Adult Authority et al. Argued by Mr. Charles S. Ralston for the petitioner and by Mr. Arlo E. Smith for the respondents.

No. 55. Willie Wade, Jr., petitioner, *v.* Lawrence E. Wilson, Warden, et al. Argued by Mr. Marshall L. Small for the petitioner and by Mr. John T. Murphy for the respondents.

No. 60. E. S. Evans et al., petitioners, *v.* Guyton G. Abney et al. One and one-half hours allowed for oral argument. Argument commenced by Mr. James M. Nabrit, III, for the petitioners and continued by Mr. Louis F. Claiborne for the United States, as *amicus curiae*, by special leave of Court and by Mr. Frank C. Jones for the respondents.

Adjourned until tomorrow at 10 o'clock.

The day call for Thursday, November 13, 1969, will be as follows:
Nos. 60, 64, 57, 24, and 63.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Robert G. Simpson, of Portland, Oreg., on motion of Mr. Robert W. Packwood; Raul H. Castro, of Tucson, Ariz., on motion of Mr. Morris K. Udall; Joseph A. Jeffrey, of Perth Amboy, N.J., on motion of Mr. Edward J. Patten; Richard Kazuyuki Hikawa, of Chicago, Ill., on motion of Mr. Louis Fenner Claiborne; Robert Gene Duncan, of Kansas City, Mo., Lewis Edward Pierce, of Kansas City, Mo., and Gene E. Voigts, of Jefferson City, Mo., on motion of Mr. Clark M. Clifford; Samuel W. Barr, of Detroit, Mich., on motion of Mr. Wilbur D. Sparks; William MacFarland Culbertson, of Alexandria, Va., on motion of Mr. George Nelson Heil, Jr.; George W. Crowley, of Boston, Mass., on motion of Mr. Gideon Franklin Rothwell, IV; Henry C. Neilds, of Boston, Mass., on motion of Mr. W. Brown Morton, Jr.; Cyrus A. Field, of Fergus Falls, Minn., and Irving Lloyd Swanson, of Elbow Lake, Minn., on motion of Mr. Wallace Edward Brand; John E. Loomis, of Milwaukee, Wis., on motion of Mr. Jerold S. Solovy; Jeffrey A. Filman, of New York, N.Y., on motion of Mr. Arnold I. Shure; Orville Steele Swank, of Lombard, Ill., on motion of Mr. Thomas E. Chilcott; John G. Stiffler, of Chicago, Ill., on motion of Mr. Albert E. Jenner, Jr.; Conrad A. Bradshaw, of Grand Rapids, Mich., on motion of Mr. Richard Roland Sigmon; Earl Jay Van Gerpen, of Atlanta, Ga., on motion of Mr. William C. O'Kelley; Leslie Harold Levinson, of Gainesville, Fla., on motion of Mr. Gardner Wise Beckett, Jr.; Carl Larsen Taylor, of Washington, D.C., on motion of Mr. Francis L. Casey, Jr.; Allen C. K. Clark, of Washington, D.C., on motion of Mr. George P. Lamb; Vincent V. Dent, of Houston, Tex., on motion of Mr. David Walker Richmond; and John Richard Scalzo, of Omaha, Nebr., on motion of Mr. Harold S. Harrison, were admitted to practice.

ORAL ARGUMENT

No. 60. E. S. Evans et al., petitioners, *v.* Guyton G. Abney et al. Argument continued by Mr. Frank C. Jones for the respondents and concluded by Mr. James M. Nabritt, III, for the petitioners. Brief for respondents to come.

No. 64. Elmer E. Mills and Louis Susman, petitioners, *v.* The Electric Autolite Company et al. Argued by Mr. Arnold I. Shure for the petitioners and by Mr. Albert E. Jenner, Jr., for the respondents.

No. 57. Bob Fred Ashe, petitioner, *v.* Harold R. Swenson, Warden. Argued by Mr. Clark M. Clifford for the petitioner and by Mr. Gene E. Voigts for the respondent.

No. 24. Joseph Waller, Jr., petitioner, *v.* Florida. Argued by Mr. Leslie H. Levinson for the petitioner and by Mr. George Georgieff for the respondent.

Adjourned until Monday, November 17, 1969, at 10 o'clock.

The day call for Monday, November 17, 1969, will be as follows:
Nos. 63, 66, 50, and 268.

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SUPREME COURT OF THE UNITED STATES

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

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 509. Richard Lawrence and James Orange, appellants, *v.* City of Chicago. Appeal from the Supreme Court of Illinois. 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. 526. Dan Sheridan O’Leary, III, et al., appellants, *v.* 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*. Mr. Justice Douglas is of the opinion that probable jurisdiction should be noted.

ORDERS IN PENDING CASES

No. ——. Ronald A. Stewart, appellant, *v.* United States. The application for a stay of removal pending appeal presented to Mr. Justice Douglas, and by him referred to the Court, is denied. The Chief Justice took no part in the consideration of this application.

No. 85. Association of Data Processing Service Organizations, Inc., et al., petitioners, *v.* William B. Camp, Comptroller of the Currency of the United States, et al. The motion of the petitioners for additional time for oral argument is denied.

No. 135. Frederick Walz, appellant, Tax Commission of the City of New York. The motion of the National Jewish Commission on Law and Public Affairs, for leave to file a brief, as *amicus curiae*, is granted. The motion of the Society of Separationists, Inc., et al. for leave to participate in the oral argument, as *amici curiae*, is denied.

No. 249. Clemon Barlow et al., petitioners, *v.* B. L. Collins, etc., et al. The motion of Harold Edgar for leave to argue *pro hac vice* is granted.

No. 520. City of Sheridan et al., appellants, *v.* United States et al. The motion to advance is denied.

CERTIORARI GRANTED

No. 476. Sears, Roebuck and Co., petitioner, *v.* Carpet, Linoleum, Soft Tile and Resilient Floor Covering Layers, Local Union No. 419, AFL-CIO, et al. Motion of the American Retail Federation for leave to file brief, as *amicus curiae*, granted. Motion of the Terminal Freight Handling Company 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 Tenth Circuit granted and case placed on the summary calendar.

No. 524. Louis Carlos, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York granted and case placed on the summary calendar.

CERTIORARI DENIED

No. 239. Vincent Colletti and Smile Guajardo, petitioners, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 340. Bernie Ludwig, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 486. Curtis Brawner, petitioner, *v.* S. Lamont Smith, Warden. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 503. Harold Sawyer and Sam Ehrenberg, petitioners, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 505. Jack W. Jernigan, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 506. Baker Oil Tools, Inc., petitioner, *v.* Kiva Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 507. Bay Sound Transportation Co., et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 510. Florida Citrus Exposition, Inc., et al., petitioner, *v.* Hungerford Construction Company et al.; and

No. 588. Hungerford Construction Company et al., petitioners, *v.* Florida Citrus Exposition, Inc., etc. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 511. The Prudential Insurance Company of America, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 512. Leigh T. Bowie et al., petitioners, *v.* Board of County Commissioners of Howard County et al. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 514. Cesar Arturo Ramirez, petitioner, *v.* United States Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 517. James F. Luman, petitioner, *v.* Hans G. Tanzler, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 518. Joseph Hendler, by Abraham Hendler, father and next friend, et al., petitioners, *v.* Miriam Wolozin et al. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 519. In the matter of Jerome Bricker, petitioner. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 521. Guido Fidanzi, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 523. Tri-Valley Growers, etc., petitioner, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 525. Donald F. Welling, petitioner, *v.* Norma A. Welling. Petition for writ of certiorari to the Appellate Court of Indiana denied.

No. 196. Carl E. Eckerstrom, petitioner, *v.* H. V. Field, Superintendent, California Men's Colony, et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Supreme Court of California denied.

No. 292. Milford Fuller, petitioner, *v.* Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 432. A. Robert Ray, petitioner, *v.* City of Prichard, Alabama. Petition for writ of certiorari to the Court of Appeals of Alabama denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 522. Erich Spillman, 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. 122, *Misc.* Edward Allen Mead, petitioner, *v.* Morgan M. Grude. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 138, *Misc.* John Zack Mitchell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 369, *Misc.* Henry Clay Monts, petitioner, *v.* C. Murray Henderson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 376, *Misc.* Frank O. Alonzo, petitioner, *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 416, *Misc.* Martin Sostre, petitioner, *v.* Bruce Jensen, Agent of the Federal Bureau of Narcotics. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 468, *Misc.* Donald H. Hallock, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 520, *Misc.* James Almond, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 536, *Misc.* Ralph C. Mathewson, petitioner, *v.* Henry C. McGrath, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 552, *Misc.* Marguerite A. Amass, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 558, *Misc.* Elbert Roscoe Walden et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 561, *Misc.* Hubert Geroid Brown, aka H. Rap Brown, etc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 565, *Misc.* Carl Gregory Witt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 572, *Misc.* Benjamin Raysor, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 574, *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. 634, *Misc.* Carroll Lee Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 638, *Misc.* Edward Frye, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 693, *Misc.* Paul Helsel, petitioner, *v.* Gus Harrison, Director, Michigan Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 703, *Misc.* Kenneth Lee Windes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 714, *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. 723, *Misc.* Delia A. Lico, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 739, *Misc.* Bryant Oscar Pearce, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 740, *Misc.* Norma M. Melfa and Joseph F. Lucke, petitioners, *v.* A. S. Abell Company. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 745, *Misc.* Nathan Moore, 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. 746, *Misc.* Nat Villiam Wright, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 764, *Misc.* Robert Freeman, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 767, *Misc.* Robert T. Haston, petitioner, *v.* California. Petition for writ of certiorari to the Superior Court of California, County of Los Angeles, denied.

No. 796, *Misc.* William Henry Tudor, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeals of California, Fifth Appellate District, denied.

No. 798, **Misc.** E. Lewis Ferrell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 817, **Misc.** Joseph Felice Burge, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 821, **Misc.** Roger S. Bandy, petitioner, *v.* United States Parole Board. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 822, **Misc.** Peter R. Rodriguez, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 823, **Misc.** Thomas E. 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. 826, **Misc.** George Columbus Roland, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fifth Appellate District, denied.

No. 829, **Misc.** James Hoey Fear, petitioner, *v.* R. K. Johnson, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 832, **Misc.** Nazario Soto Lopez, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 833, **Misc.** John J. Barrett, petitioner, *v.* Daniel J. McMann, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 834, **Misc.** John R. Carman, 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. 835, **Misc.** Lee Roy Ortiz, petitioner, *v.* J. E. Baker, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 836, **Misc.** Jack Frank Adams, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 839, **Misc.** Jack Ward, petitioner, *v.* California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 844, **Misc.** George Smith, Jr., and Johnny B. Rozier, Jr., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **848, Misc.** L. G. Ruderer, petitioner, *v.* Eugene W. Meyer et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **850, Misc.** Thomas Ludlow, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. **857, Misc.** James L. Jefferson, petitioner, *v.* Peerless Pumps Hydrodynamic, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **882, Misc.** William J. Henderson, petitioner, *v.* Pennsylvania et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. **913, Misc.** Charles Spain, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. **917, Misc.** Edgar J. Dewey, 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. **409, Misc.** Kahmid Solomon, petitioner, *v.* Vincent R. Mancusi, 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. **538, Misc.** Robert Dewey Hilbrich, 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. **533, Misc.** Jimmie Lee Klines, petitioner, *v.* C. J. Fitzharris et al.;

No. **758, Misc.** Henry V. Wolenski, petitioner, *v.* John P. Shovlin, Superintendent;

No. **841, Misc.** Fred Hayes, petitioner, *v.* Louie L. Wainwright, Director, Division of Corrections of Florida;

No. **889, Misc.** Jack Lee Park, petitioner, *v.* California Adult Authority et al.; and

No. **906, Misc.** Richard Garner, petitioner, *v.* Howard Yeager, Warden, et al. Motions for leave to file petitions for writs of habeas corpus denied.

No. **877, Misc.** David W. Wion, petitioner, *v.* J. T. Willingham, Warden. Motion for leave to file petition for writ of habeas corpus and for other relief denied.

LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 713, *Misc.* Emil C. Gross, petitioner, *v.* Judges of the United States Court of Appeals for the Sixth Circuit. Motion for leave to file petition for writ of mandamus denied.

REHEARINGS DENIED

No. 847, *Misc.*, **October Term, 1967.** Peter D. Bogart, petitioner, *v.* California. Motion for leave to file petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this motion.

No. 353, **October Term, 1968.** Elijah White Ratcliff, petitioner, *v.* E. Ivan Bruce and Truman Blocker, Jr. Petition for rehearing from denial of motion for reinstatement of petition for writ of certiorari denied. The Chief Justice took no part in the consideration or decision of this petition.

No. 948, *Misc.*, **October Term, 1968.** Leonard F. Murray, petitioner, *v.* John W. Macy, Jr., etc., et al. Motion for leave to file petition for rehearing and for other relief denied. The Chief Justice took no part in the consideration or decision of this motion.

No. 119. George Laris, petitioner, *v.* Pennsylvania;

No. 229. Vance A. Dobbins, Jr. and Jerry Calvin Smith, petitioners, *v.* United States;

No. 313. Donald Kalish, petitioner, *v.* United States;

No. 324. Susan Butler Shikara, appellant, *v.* Maryland Casualty Company;

No. 332. Gerard E. Berne, petitioner, *v.* Government of the Virgin Islands;

No. 93, *Misc.* William Heirens, petitioner, *v.* Frank J. Pate, Warden;

No. 106, *Misc.* Jay Ed Miller, petitioner, *v.* United States;

No. 166, *Misc.* James R. Rowles, petitioner, *v.* David N. Myers et al.;

No. 176, *Misc.* Charles Patterson, petitioner, *v.* Louie L. Wainwright, Director, Florida Division of Corrections; and

No. 250, *Misc.* J. D. Booker, petitioner, *v.* United States. Petitions for rehearing denied.

RECESS ORDER

The Court will take a recess from Monday, November 24, 1969, until Monday, December 8, 1969.

ORDER IN PENDING CASE

No. 524. Louis Carlos, petitioner, *v.* New York. The order entered today granting petition for writ of certiorari is hereby revoked.

ADMISSIONS TO THE BAR

Harold Gordon Featherstone, of Miami, Fla., Howard N. Pelzner, of Miami, Fla., Seymour H. Dussman, of Washington, D.C., Thomas H. Henderson, Jr., of Birmingham, Ala., John R. Tarrant, of Alexandria, Va, and Walter L. Abbey, of Dallas, Tex., on motion of Mr. Solicitor General Erwin N. Griswold; Shunichi Kimura, of Hilo, Hawaii, on motion of Mrs. Patsy Takemoto Mink; Stuart G. Haynsworth, of Houston, Tex., Clarence F. Kendall II, of Houston, Tex., and Arthur E. W. Barrett, Jr., of Houston, Tex., on motion of Mr. Bob Casey; William R. Courtney, of Temple, Tex., on motion of Judge Byron George Skelton; Jerry Clay Cude, of Oklahoma City, Okla., on motion of Mr. Brice Wilson Rhyne; Irwin J. Prince, of Indianapolis, Ind., on motion of Mr. William D. Ruckelshaus; Stephen Chesnoff, of New York, N.Y., on motion of Mr. Michael V. DiSalle; Herzl S. Eisenstadt, of Brooklyn, N.Y., on motion of Mr. John M. Bradley; Charles A. Tarter, of Birmingham, Ala., on motion of Mr. Robert Lester Weinberg; Herbert S. Stanek, of San Jose, Calif., on motion of Mr. Joseph Forer; Ronald H. Usem, of Minneapolis, Minn., on motion of Mr. Harry S. Littman; John Breed Newhall, of Boston, Mass., on motion of Mr. Matthew Wilson Goring; John H. Reuber, of Mason City, Iowa, and Harold R. Winston, of Mason City, Iowa, on motion of Mr. David Kammerman; Doris R. Bray, of Greensboro, N.C., Norman B. Smith, of Greensboro, N.C., Jacob L. Safron, of Raleigh, N.C., Maurice Westbrook Horne, of Raleigh, N.C., Jean A. Benoy, of Raleigh, N.C., Thomas Jefferson Bolch, of Raleigh, N.C., and James Dale Shepherd, of Raleigh, N.C., on motion of Mr Samuel J. Ervin, Jr.; Richard F. Carr, of Orange, Calif., on motion of Mr. Mumson H. Lane; Robert N. Cleaves, of Los Angeles, Calif., and Peter J. Adang, of Albuquerque, N. Mex., on motion of Mr. Joseph J. Lyman; Gerald Eisenberg, of Brooklyn, N.Y., Louis Gerstman, of Queens, N.Y., and Ira Milton Margolis, of New York, N.Y., on motion of Mr. Herbert L. Jacobson; Edwin W. Cummer, of Sarasota, Fla., Thomas M. Gallen, of Bradenton, Fla., Charles Stuart Landers, of Bradenton, Fla., John C. Manson, of Bradenton, Fla., Jackson D. Miller III, of Bradenton, Fla., Thomas W. Stewart, of Bradenton, Fla., and Isaac E. Whisnant, of Bradenton, Fla., on motion of Mr. Edwin B. Patterson; and Hugh E. DeLozier, Jr., of Maryville, Tenn., Stuart F. Dye, of Knoxville, Tenn., Houston M. Goddard, of Maryville, Tenn, Rufus Benjamin Hailey of Sevierville, Tenn., H. Dennis Jarvis, Jr., of Seiverville, Tenn., John K. King, of Knoxville, Tenn., Charles Bailey Lewis, of Knoxville, Tenn., L. Clure Morton, of Knoxville, Tenn, George Wager Morton, Jr., of Knoxville, Tenn., Claude K. Robertson, of Knoxville, Tenn., John B.

Waters, Jr., of Seiverville, Tenn., and William Dale Young, of Maryville, Tenn., on motion of Mr. Howard H. Baker, Jr., were admitted to practice.

ORAL ARGUMENT

No. 63. United States, petitioner, *v.* W. M. Webb, Incorporated, et al. Argued by Mr. Solicitor General Griswold for the petitioner and by Mr. Joseph J. Lyman for the respondents.

No. 66. Anghel Goldstein aka Andrei Pietraru et al., appellants, *v.* Joseph A. Cox et al. Argued by Mr. John R. Vintilla for the appellants and by Mr. Daniel M. Cohen for the appellees.

No. 50. North Carolina, appellant, *v.* Henry C. Alford. Argued by Mr. Jacob L. Safron for the appellant and by Mrs. Doris R. Bray for the appellee.

No. 268. Charles Lee Parker, petitioner, *v.* North Carolina. Argued by Mr. Norman B. Smith for the petitioner and by Mr. Jacob L. Safron for the respondent.

Adjourned until tomorrow at 10 o'clock.

The day call for Tuesday, November 18, 1969, will be as follows:
Nos. 270, 85, 73, and 82.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Karl Mattlage, of Waco, Tex., on motion of Mr. Ralph W. Yarborough; David Charles Laxson, of Hilo, Hawaii, on motion of Mr. Clark MacGregor; John H. Hollands, of Buffalo, N.Y., on motion of Mr. John Lord O'Brian; Bernard Newman, of Beverly Hills, Calif., Bert M. Gross, of Minneapolis, Minn., and Felix M. Phillips, of Minneapolis, Minn., on motion of Mr. Joseph J. Connolly; Allan J. Topol, of Washington, D.C., on motion of Mr. William H. Allen; Virginia Rayburn Gates, of North Little Rock, Ark., on motion of Mr. Floyd Lee Williams; Jerome Feldman, of Chicago, Ill., on motion of Mr. Edward Kaplan; Seymour A. Gopman, of Miami Beach, Fla., on motion of Mr. Louis Sherman; Norman B. Alverson, of Alexandria, Va., on motion of Mr. Thomas A. Nelson, Jr.; and William L. Goldman, of Bethesda, Md., on motion of Mr. Harry C. Alberts, were admitted to practice.

ORAL ARGUMENT

No. 270. Robert M. Brady, petitioner, *v.* United States. Argued by Mr. Peter J. Adang for the petitioner and by Mr. Joseph J. Connolly for the respondent.

No. 85. Association of Data Processing Service Organizations, Inc., et al., petitioners, *v.* William B. Camp, Comptroller of the Currency of the United States, et al. Argued by Mr. Bert M. Gross for the petitioners and by Mr. Alan S. Rosenthal for the respondents.

No. 72. John Henry Coleman and Otis Stephens, petitioners, *v.* Alabama. Argued by Mr. Charles Tarter for the petitioners and by Mr. David W. Clark for the respondent.

No. 82. Lee Arthur Hester, petitioner, *v.* Illinois. Argued by Mr. Marshall Kaplan for the petitioner and by Mr. Joel M. Flaum for the respondent.

Adjourned until tomorrow at 10 o'clock.

The day call for Wednesday, November 19, 1969, will be as follows: Nos. 249, 135, 540, 65, and 71.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

David H. Call, of Fairbanks, Alaska, on motion of Mr. Ted Stevens; John W. Witt, of San Diego, Calif., and Roger Swire Woolley, of Rancho Santa Fe, Calif., on motion of Mr. Hale Boggs; Sylvia Cohen Shapiro, of Boston, Mass., on motion of Mrs. Margaret M. Heckler; Fred Elias George, of Canton, Ohio, on motion of Mr. Frank T. Bow; Charles L. Harrington, of Butte, Mont., on motion of Mr. Arnold H. Olsen; Edith Irene Spivack, of New York, N.Y., and Eugene Margolis, of New York, N.Y., on motion of Mr. James Lee Rankin; Richard Edwin Herndon, of San Francisco, Calif., on motion of Mr. Peter L. Strauss; William W. Gobrecht, of Cincinnati, Ohio, and Brian T. Solan, of Whittier, Calif., on motion of Mrs. Jean E. Simpson; Carolyn A. Cochrane, of St. Paul, Minn., on motion of Mr. John A. Cochrane; Archie Samuel Oddi, of Finleyville, Pa., on motion of Mr. Gordon S. Parker; Lapsley Walker Hamblen, Jr., of Lynchburg, Va., on motion of Mr. Glenn A. Mitchell; and Stephen Howard Abramowitz, of Stony Brook, N.Y., on motion of Mr. Floyd Sarisohn, were admitted to practice.

ORAL ARGUMENT

No. 249. Clemon Barlow et al., petitioners, *v.* B. L. Collins, etc., et al. Argued by Mr. Harold Edgar for the petitioners, *pro hac vice*, by special leave of Court, and by Mr. Peter L. Strauss for the respondents.

No. 135. Frederick Walz, appellant, *v.* Tax Commission of the City of New York. Argued by Mr. Edward J. Ennis for the appellant and by Mr. J. Lee Rankin for the appellee.

No. 540. Julia Rosado et al., petitioners, *v.* George K. Wyman, etc., et al. Argued by Mr. Lee A. Albert for the petitioners and by Mr. Philip Weinberg for the respondents.

No. 65. Timothy J. Breen, petitioner, *v.* Selective Service Local Board No. 16, Bridgeport, Connecticut, et al. Argued by Mr. Emanuel

Margolis for the petitioner and by Mr. William Ruckelshaus for the respondents.

Adjourned until tomorrow at 10 o'clock.

The day call for Thursday, November 20, 1969, will be as follows:
Nos. **71, 86, 87, and 101** (and **102**).

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

David William Enoch, of Colorado Springs, Colo., on motion of Mr. Peter H. Dominick; William A. Foster, of West Palm Beach, Fla., on motion of Mr. Paul G. Rogers; Allan Dishongh, of Little Rock, Ark., on motion of Mr. David H. Pryor; Alvin R. Wohl, of Sacramento, Calif., on motion of Mr. Robert L. Leggett; George W. Tedder, Jr., of Fort Lauderdale, Fla., and Martin F. Avery, Jr., of Fort Lauderdale, Fla., on motion of Mr. J. Herbert Burke; Sidney G. Baucom, of Salt Lake City, Utah, Robert Gordon, of Salt Lake City, Utah, Harrison Loesch, of Montrose, Colo., and Bryce E. Roe, of Salt Lake City, Utah, on motion of Mr. Richard M. Schmidt, Jr.; Leonard F. McGee, of River Forest, Ill., Leonard F. McGee, Jr., of Mt. Prospect, Ill., and Robert Butler McGee, of River Forest, Ill., on motion of Mr. Joseph F. Spaniol, Jr.; Jerry P. Rhoads, of Henderson, Ky., and Norton Woodrow Pusey, of Hampton, Va., on motion of Mr. Joseph Edward Donahue; Earl L. Tyner, of Washington, D.C., on motion of Mr. Donald Robert Dunner; James B. Werner, of San Francisco, Calif., on motion of Mr. Herman M. Levy; John R. Stark, of Washington, D.C., on motion of Mr. George J. Leibowitz; Sheldon Stuart Lustigman, of New York, N.Y., on motion of Mr. Solomon H. Friend; Chester A. Bruvold, of Minneapolis, Minn., on motion of Mr. Melvin L. Wulf; James Block Zagel, of Chicago, Ill., on motion of Mr. Sidney M. Glazer; Richard T. Farrell, of Brooklyn, N.Y., on motion of Mr. Burton B. Roberts; Orin Douglas Stenstrom, of Sanford, Fla., on motion of Mr. William V. Chappell, Jr.; Clifford T. Coomes, of Louisville, Ky., on motion of Mr. Joseph L. Lenihan; Robert E. Bateman, of Burley, Idaho, and G. Joseph Weller, of Atlanta, Ga., on motion of Mr. Edwin R. Fischer; and Benedict C. Cosimano, of Washington, D.C., Mark L. Goldstein, of Chicago, Ill., Bernard Rane, of Chicago, Ill., and Eugene W. Ward, of Nashville, Tenn., on motion of Mr. Gordon P. MacDougall, were admitted to practice.

ORAL ARGUMENT

No. 71. David Earl Gutknecht, petitioner, *v.* United States. Argued by Mr. Michael E. Tigar for the petitioner, *pro hac vice*, by special leave of Court, and by Mr. William D. Ruckelshaus for the respondent.

No. 86. Melvin Morales, petitioner, *v.* New York. Argued by Mr. Richard T. Farrell for the petitioner and by Mr. Burton P. Roberts for the respondent.

No. 87. United States, petitioner *v.* Lelord Kordel and Alfred Feldten. Argued by Mr. Lawrence G. Wallace for the petitioner and by Mr. Solomon H. Friend for the respondents.

No. 101. City of Chicago et al., appellants, *v.* United States et al.; and

No. 102. City of Chicago et al., appellants, *v.* United States et al. Argued by Mr. Gordon P. MacDougall and Mr. Howard E. Shapiro for the appellants and by Mr. James W. Hoeland for the appellees.

Adjourned until Monday, November 24, 1969, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Wm. L. Dickey, of Sioux Falls, S. Dak., Myles J. Ambrose, of New York, N.Y., Robert V. McIntyre, of Washington, D.C., Morris M. Pallozzi, of Baltimore, Md., Leonard Lehman, of Bethesda, Md., Marvin M. Amernick, of Baltimore, Md., Harvey B. Fox, of Baltimore, Md., Bernard J. Fritz, of University Park, Md., Morgan Ledyard Tenny, of Garrett Park, Md., and Hubbard Lee Volenick, of Rockville, Md., on motion of Mr. Justice Tom C. Clark; Alice Patricia Frohman, of Washington, D.C., Ellen Lee Park, of Washington, D.C., Homer L. Garrott, of Los Angeles, Calif., Jeffrey Michael Cohen, of Miami, Fla., Lee Eugene Boeke, of Iowa City, Iowa, John A. Gardiner, of Washington, D.C., John H. Fenniman, of New York, N.Y., and James Albert Wilson, of Dayton, Ohio, on motion of Mr. Solicitor General Erwin N. Griswold; Maurice E. Shaffer, of Harrisburg, Pa., J. Scott Calkins, of Harrisburg, Pa., and Thomas R. Balaban, of Harrisburg, Pa., on motion of Mr. Albert W. Johnson; Robert A. Giannasi, of Washington, D.C., on motion of Mr. Norton J. Come; Alan Douglas Childs, of Cleveland, Ohio, and Torrey N. Foster, of Cleveland, Ohio, on motion of Mr. Walter A. Slowinski, Jr.; Ralph J. Schwarz, Jr., of New York, N.Y., on motion of Mr. Stanley L. Temko; Richard B. Wickersham, of Harrisburg, Pa., on motion of Mr. Richard L. Hirshberg; John C. Danforth, of Jefferson City, Mo., on motion of Mr. Robert J. Kutak; Samuel Harry Depew, of Severna Park, Md., on motion of Judge M. Bruce Morgan.

James Lawton Robertson, of Greenville, Miss., and George Douglas Abraham, of Greenville, Miss., on motion of Mr. Peter McKenzie Stockett, Jr.; Margaret Maie Wheltle, of Baltimore, Md., and Thomas Earle Rosser, of Baltimore, Md., on motion of Mr. Albert F. Wheltle; Marvin Levine, of Santa Barbara, Calif., on motion of Mr. A. L. Wirin; Michael P. D'Amato, of New York, N.Y., Robert J. Didato, of Brooklyn, N.Y., William A. Gallagher, of New York, N.Y., Richard Samuel Nadler, of New York, N.Y., Benjamin Jules Rosof, of New York, N.Y., Morris J. Saltzman, of New York, N.Y., and Samuel Willner, of Bronx, N.Y., on motion of Mr. Laurence H. Axman; Rufus Calhoun Young, Jr., of Coronado, Calif., and Daniel B. Ventres, Jr., of

Hopkins, Minn., on motion of Mr. Duane L. Faw; Frank G. Schlegel, of San Francisco, Calif., and Alfonso Z. Gonzales, of Sacramento, Calif., on motion of Mr. Vincent W. Ambrose; A. Robert Cherin, of Washington, D.C., and Gerald S. Rourke, of Washington, D.C., on motion of Mr. Thomas M. P. Christensen; Eugene Meyers, of New York, N.Y., on motion of Mr. Stuart Evan Seigel; Robert Patrick Forrestal, of Washington, D.C., on motion of Mr. Jerome W. Shay; Gregory Buckingham Beggs, of Chicago, Ill., on motion of Mr. Albert Huntington Pendleton; Stephen H. Knee, of Maplewood, N.J., Edward N. Lippincott, of Montclair, N.J., Barry A. Osmun, of Chatham, N.J., and William S. Tucker, Jr., of Summit, N.J., on motion of Mr. Richard J. Congleton; Doris F. Ulman, of Spring Valley, N.Y., Frank P. Barone, of Suffern, N.Y., Harvey Stephen Barr, of Spring Valley, N.Y., and Paul H. Rivet, of Orangeburg, N.Y., on motion of Mr. Melvin Spaeth; Robert J. Alfton, of Minneapolis, Minn., Donald Stephen Farley, Jr., of Minneapolis, Minn., Roger H. Frommelt, of Minneapolis, Minn., John S. Hale, of Minneapolis, Minn., Raymond F. Kirkman, III, of Minneapolis, Minn., Barry M. Lazarus, of Minneapolis, Minn., James J. Schumacher, of Minneapolis, Minn., Roger U. Stageberg, of Minneapolis, Minn., Arthur D. Walsh, of Minneapolis, Minn., Robert B. Whitlock, of Minneapolis, Minn., David B. Eide, of Bloomington, Minn., Lane C. Fridell, of St. Paul, Minn., Mitchell Lee Lathrop, of Los Angeles, Calif., Luke L. Melchert, of Waconia, Minn., James E. Ross, of Detroit, Mich., and Paul Wohl, of Falls Church, Va., on motion of Mr. Donald D. Chapman.

Eugene J. Anastasio, of Scranton, Pa., Louis F. Del Duca, of Carlisle, Pa., Elaine Mary Kalenevitch, of Hershey, Pa., James B. Pannebaker, of Middletown, Pa., Richard C. Angino, of Harrisburg, Pa., Edward T. Baker, of Harrisburg, Pa., Floyd M. Baturin, of Harrisburg, Pa., Irwin Benjamin of Harrisburg, Pa., Harry Leroy Bricker, Jr., of Harrisburg, Pa., William W. Caldwell, of Harrisburg, Pa., Edward S. Finkelstein, of Harrisburg, Pa., Jerome Thomas Foerster, of Harrisburg, Pa., Anthony J. Gianforti, of Harrisburg, Pa., Harry Benjamin Goldberg, of Harrisburg, Pa., Joseph Page Hafer, of Harrisburg, Pa., Henry E. Harner, of Harrisburg, Pa., Samuel C. Harry, of Harrisburg, Pa., Ronald Martin Katzman, of Harrisburg, Pa., Richard L. Kearns, of Harrisburg, Pa., William John Kerpan, of Harrisburg, Pa., James Hartley King, of Harrisburg, Pa., Arthur A. Kusic, of Harrisburg, Pa., Robert D. Meyers, of Harrisburg, Pa., Francis J. O'Gorman, Jr., of Harrisburg, Pa., Carroll F. Purdy, Jr., of Harrisburg, Pa., N. David Rahal, of Harrisburg, Pa., James H. Rowland, Jr., of Harrisburg, Pa., Herbert G. Rupp, Jr., of Harrisburg, Pa., F. Lee Shipman, of Harrisburg, Pa., William Trickett Smith, of Harrisburg, Pa., Carl B. Stoner, Jr., of Harris-

burg, Pa., Patrick Timothy Sullivan, of Harrisburg, Pa., James K. Thomas, of Harrisburg, Pa., Albert J. Tomalis, Jr., of Harrisburg, Pa., Richard D. Walker, of Harrisburg, Pa., Carl G. Wass, of Harrisburg, Pa., John Gordon Williams, of Harrisburg, Pa., Norman M. Yoffe, of Harrisburg, Pa., and Merrill A. Yohe, Jr., of Harrisburg, Pa., on motion of Mr. James W. Evans; and Nick Dane Hansen, of Washington, D.C., E. Elizabeth Lutz, of Washington, D.C., Edward Everett Pigg, of Temple, Ariz., Charles Edward Williams, of Washington, D.C., Christian John Achstetter, of Bethesda, Md., Harry Beckhoff, of Silver Spring, Md., Francis J. Elward, of Annapolis, Md., Harold T. Flanagan, of Silver Spring, Md., Sarah A. W. Garrett, of Annapolis, Md., Ross C. Hall, of Bethesda, Md., Reka Potgieter Hoff, of Bethesda, Md., George H. Jelly, of Silver Spring, Md., Anthony Manzaneres, Jr., of Camp Springs, Md., St. Clair Reeves, of College Park, Md., Raymond J. Schuman, of Silver Spring, Md., Paul Julien Sude, of Camp Springs, Md., Sidney A. Winborne, of Potomac, Md., John L. Withers, of Chevy Chase, Md., Alan L. Gosule, of Brookline, Mass., Richard Lewis Haight, of Boston, Mass., Ernest James Wright, of Brockton, Mass., Paul Shearman Allen, of Watertown, N.Y., Marvin Edward Brave, of New York, N.Y. Victor John Chao, of New York, N.Y., Arnold Jay Gould, of New York, N.Y., Robert Kraft, of Brooklyn, N.Y., Ernesto V. Luzzatto, of New York, N.Y., Michael Anthony Menillo, of New York, N.Y., Wolfgang H. Otto, of New York, N.Y., Donald Schwartz, of Forest Hills, N.Y., Ernest Honecker, of Chatham, N.J., Arthur Yellin, of East Brunswick, N.J., Kenneth L. Travis, of Cincinnati, Ohio, William B. Katz, of Philadelphia, Pa., D. Alden Newland, of Pittsburgh, Pa., Roger Allen Baker, of Arlington, Va., Avery B. Cousins, of Annandale, Va., John R. Moodie, of Falls Church, Va., Christopher James Ray, of McLean, Va., Nancy Messick Ray, of McLean, Va., Neal E. Sheldon, of Alexandria, Va., and Cornelius C. Shields, of Fairfax, Va., on motion of Mr. K. Martin Worthy, were admitted to practice.

The Chief Justice said:

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

CERTIORARI DENIED

No. 117. Albert E. Wallace, Jr., petitioner, *v.* Albert B. Wallace. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 530. Frank Sarelli, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 531. Occidental Life Insurance Company of California, petitioner, *v.* Bob LeRoy's, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 534. Carvel Corporation, petitioner, *v.* Robert J. Griswold, Trustee, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 537. Transamerican Freight Lines, Inc. and Ralph Carbone, petitioners, *v.* New York on Complaint of John Gillies. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 538. Robert B. Miller, petitioner *v.* Alice L. Miller. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 541. Mississippi-Alabama State Fair, petitioner, *v.* Mississippi State Tax Commission. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 543. Charles W. Posey, petitioner, *v.* Clark Equipment Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 545. The Clarksdale Municipal Separate School District et al., petitioners, *v.* Rebecca E. Henry et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 547. Carnation Company, petitioner, *v.* General Foods Corporation, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 548. Leon Nash, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 549. William K. Buscaglia, etc., et al., petitioners, *v.* Liberty National Bank and Trust Company. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 554. John T. Chambers, petitioner, *v.* W. M. Beauchamp, etc., et al. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 121. Gabe Pressman, petitioner, *v.* City of Plainfield, New Jersey, et al. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 158. Charles E. Sulton et ux., petitioners, *v.* Frank R. Schoen et al. 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. 318. Fannie Lou Hamer et al., petitioners, *v.* Sam J. Ely, Jr., 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. 533. J. D. Cox, Superintendent, Virginia State Penitentiary, petitioner, *v.* James Lee Jones and William Ipock. 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 Fourth Circuit denied.

No. 550. Lois D. Jackson et vir., petitioners, *v.* General Motors Corporation, Oldsmobile Division. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Supreme Court of Tennessee, Western Division, denied.

No. 160, Misc. Calvin Winston Jackson, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 179, Misc. James Brown, Jr., petitioner, *v.* Louie L. Wainwright, Director, Florida Division of Corrections. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 467, Misc. Leroy Sims, Jr., petitioner, *v.* Ward Lane, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 495, Misc. Sylvester Lockhart, Jr., petitioner, *v.* Charles A. Hoenstine, etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 526, Misc. Robert Frank Stewart, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 534, Misc. Robert Borrege, petitioner, *v.* Beatrice Gabba, etc. Petition for writ of certiorari to the United States Court of Appeal of California, Third Appellate District, denied.

No. 536, Misc. Kenneth J. Rome, petitioner, *v.* Robert H. Finch, Secretary, Health, Education & Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 597, Misc. Jeff J. Jelinski, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 618, Misc. Keith P. Ayers, petitioner, *v.* P. J. Ciccone, Director, United States Medical Center for Federal Prisoners. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 631, Misc. Luis Moreno Lizarraga, petitioner, *v.* G. V. Underwood, Maj. General, Commanding Officer, Fort Bliss, Texas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **633, Misc.** Robert Camacho, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **639, Misc.** Gilbert David McEvers, petitioner, *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. **653, Misc.** Joseph Arrington, petitioner, *v.* E. L. Maxwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **658, Misc.** Glenn Lane, petitioner, *v.* Albert Pucci et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **659, Misc.** Arthur McFadden, petitioner, *v.* Director of Department of Public Safety, Springfield, Illinois. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **681, Misc.** Michael Nus, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. **684, Misc.** Dean Jones, a.k.a. Dean Alexander, petitioner, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, First Appellate District, denied.

No. **688, Misc.** Claude Slaughter, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. **732, Misc.** Douglas L. Rhodes, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. **733, Misc.** Melvin Emmanuel Simons, petitioner, *v.* Frank J. Pate, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **743, Misc.** James E. Dickerson, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. **757, Misc.** John W. Shuford, 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. **762, Misc.** Leroy M. Foreman, petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **773, Misc.** Roberto Power Benthien, petitioner, *v.* United States District Court for the District of Puerto Rico. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **782, Misc.** Frank Wolff, petitioner, *v.* Jay Foley. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **785, Misc.** Albert Charles Wessling, petitioner, *v.* John E. Bennett, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **819, Misc.** Anna B. Kovach, etc., petitioner, *v.* Lyman W. Noyes et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **852, Misc.** John L. Robinson, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. **853, Misc.** Jack Allen Barber, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. **856, Misc.** Albert Roger Bahr, petitioner, *v.* Lou V. Brewer, Warden. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. **858, Misc.** William Winegar, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. **861, Misc.** Shelton Watkins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **863, Misc.** Gene Parton, petitioner, *v.* Frank Newell, Sheriff, Hamilton County, Tennessee. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **871, Misc.** Russell Jack Ballard et al., petitioners, *v.* Sarah Hughes. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **879, Misc.** Willie Neal, Jr., petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. **880, Misc.** Albert Mintzer, petitioner, *v.* David I. Shivitz, as Trustee, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **883, Misc.** Raymond Earl Sheer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **886, Misc.** John Vasquez, Jr., on behalf of Charles T. Vidal, petitioner, *v.* Eugene S. Jones, Superintendent. Petition for writ of certiorari to the Supreme Court of California denied.

No. 914, **Misc.** Douglas Hoag, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 920, **Misc.** Robert Joe Robins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 922, **Misc.** Juanito M. Manoloto, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 952, **Misc.** David Ernest Speller, petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 956, **Misc.** Donald Hilbert, petitioner, *v.* Daniel McMann, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 957, **Misc.** Harold Hoyt Tucker, 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. 959, **Misc.** John Edward Daugherty, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 961, **Misc.** William H. Kendrick, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 962, **Misc.** James Burks, petitioner, *v.* Frank J. Pate, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 971, **Misc.** Francis Lee Jones, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 978, **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. 979, **Misc.** Jose Manuel, petitioner, *v.* Isabel C. Manuel. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 984, **Misc.** Charles Bates, petitioner, *v.* New York. Petition for writ of certiorari to the United States Court of Appeals for the Second District denied.

No. **993, Misc.** Clemmie Lewis, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **997, Misc.** William B. Bennett, petitioner, *v.* California. Petition for writ of certiorari to the Superior Court of California, County of Sacramento, denied.

No. **1002, Misc.** Edward M. Hector, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1005, Misc.** Robert K. Domer, petitioner, *v.* P. G. Smith, Warden. Petition for writ of certiorari to the United States Court of Appeals for the ~~Ninth~~ ^{Seventh} Circuit denied.

No. **1014, Misc.** Eugene Virgil Hunt, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1016, Misc.** James Morris Fletcher, 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. **514, Misc.** William B. Richardson, petitioner, *v.* S. S. Sokol, Commissioner of Accounts, Fiscal Service, Treasury Department. 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. **651, Misc.** Dan Wanamaker, 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. **859, Misc.** John Paul Anderson, petitioner, *v.* South Carolina. Motion to defer consideration of petition for writ of certiorari denied. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. **887, Misc.** Jack Lee Park, petitioner, *v.* Louis S. Nelson, Warden, et al.;

No. **989, Misc.** Rubin Sterngass, petitioner, *v.* W. W. Fitzpatrick, Warden; and

No. **1049, Misc.** Charles Sanders, petitioner, *v.* John T. Deegan, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. **293, Misc.** Ralph B. Bowman, Jr., petitioner, *v.* George A. Kropp et al. Motion for leave to file petition for writ of mandamus denied.

REHEARINGS DENIED

No. **1042, October Term, 1968.** Jasper C. Gould et ux., petitioners, *v.* American Water Works Service Co., Inc., et al.; and

No. **1355, October Term, 1968.** Blumcraft of Pittsburgh, etc., petitioner, *v.* Citizens and Southern National Bank of South Carolina et al. Motions for leave to file second petitions for rehearing denied. The Chief Justice took no part in the consideration or decision of these motions.

No. **177.** Oliver Rosenberg et al., petitioners, *v.* Marie Minichiello, etc., et al.;

No. **191.** Frank Ristuccia et ux., appellants, *v.* Earl Adams et al.;

No. **199.** Wilfred R. Wheeler, appellant, *v.* Vermont;

No. **263.** Leroy Crumley, alias Leo Crumley, petitioner, *v.* Alabama;

No. **264.** Gordon S. Miller et ux., petitioners, *v.* William B. Camp, Comptroller of the Currency of the United States;

No. **312.** Joel Simon Meyers, petitioner, *v.* United States;

No. **348.** Clara L. Washington, petitioner, *v.* Golden State Mutual Life Insurance Company;

No. **364.** John W. Campbell, petitioner, *v.* F. W. Gooch, Jr., Capt. U.S.N., Commander, Philadelphia Naval Shipyard, et al.;

No. **83, Misc.** Wilbert Haywood, petitioner, *v.* United States;

No. **98, Misc.** G. W. Carroll, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections;

No. **243, Misc.** Alice T. Rodes, petitioner, *v.* Municipal Authority of the Borough of Milford;

No. **295, Misc.** Rolla A. Bass, petitioner, *v.* United States; and

No. **483, Misc.** Frederick E. Lewis, petitioner, *v.* American Federation of State, County and Municipal Employees, AFL-CIO. Petitions for rehearing denied.

No. **171.** Imperial Refineries of Minnesota, Inc., appellant, *v.* City of Rochester. Petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this petition.

No. **316.** Diana Kearny Powell, petitioner, *v.* National Savings and Trust Company. Petition for rehearing denied. The Chief Justice and Mr. Justice Marshall took no part in the consideration or decision of this petition.

OPINIONS

No. 31. Paul M. Brockington, appellant, *v.* James A. Rhodes, Governor of Ohio, et al. Appeal from the Supreme Court of Ohio. Judgment vacated and case remanded to the Supreme Court of Ohio for such proceedings as that court may deem appropriate. Opinion *per curiam* announced by Mr. Chief Justice Burger.

No. 39. 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. Judgment vacated and case remanded to the United States District Court for the District of Colorado with directions to dismiss the cause as moot. Opinion *per curiam* announced by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Brennan. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Brennan joins.

Adjourned until Monday, December 8, 1969, at 10 o'clock.

The day call for Monday, December 8, 1969, will be as follows: Nos. 81, 266, 265, and 53.

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SUPREME COURT OF THE UNITED STATES

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

No. ——. Paul Adams et al., plaintiffs, *v.* The Board of Regents of the State of Florida et al. The application for a writ of injunction presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. 879. County of Santa Barbara et al., petitioners, *v.* Robert J. Malley et al. The application for injunction pending appeal, presented to Mr. Justice Douglas, and by him referred to the Court, is denied. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas and Mr. Justice Harlan took no part in the consideration or decision of this application and petition.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Edward F. Lowry, Jr., of Phoenix, Ariz., Melvin K. Najarian, of San Francisco, Calif., James Kent Jeanblanc, of Franklin Grove, Ill., Jerome J. Segal, of Saint Paul, Minn., and Robert D. Gary, of Lorain, Ohio, on motion of Mr. Solicitor General Erwin N. Griswold; Joseph J. Binsfeld, of Milwaukee, Wis., and Edward A. Dudek, of Milwaukee, Wis., on motion of Mr. Jerris Leonard; James J. McGowan, Jr., of New York, N.Y., and C. Max Vassanelli, of Washington, D.C., on motion of Mr. Alexander Pirnie; Melvyn Loren Medansky, of Chicago, Ill., and Earl Trevis Medansky, of Chicago, Ill., on motion of Mr. Abner Joseph Mikva; Charles C. W. Atwater, of Baltimore, Md., on motion of Mr. Crombie J. D. Garrett; Ernest C. Hornsby, of Tallassee, Ala., on motion of Mr. Wendell Wilkie Mitchell; Arthur B. LaFrance, of Phoenix, Ariz., and Joanne S. Faulkner, of New Haven, Conn., on motion of Mr. Francis Xavier Dineen; Leonard C. Koldin, of Syracuse, N.Y., on motion of Mr. Thomas R. Kennedy; Robert Leslie Hirtle, Jr., of Rocky Hill, Conn., on motion of Mr. F. Michael Ahern; George S. H. Sharratt, Jr., of Olathe, Kans., on motion of Mr. George A. Williams; Harold Roy Fisher, of Boston, Mass., on motion of Mr. John A. Dudley; Robert Stephen Chamblee, of Dallas, Tex., on motion of Mr. Richard Grosgebauer; Billy Ray Snow, of Fort Worth, Tex., on motion of Mr. George L. Powell; Richard Campbell Foster, of Washington, D.C., on motion of Mr. James P. Timony; Carlisle Blalock, of Dallas, Tex., on motion of Mr. Edward G. Fenwick, Jr.; Harold L. Hall, of Little Rock, Ark., on motion of Mr. J. Winston Bryant; Clarence R. Cook, Jr., of Los Angeles, Calif., on motion of Mr. Clarence T. Kipps, Jr.; W. Kerby Bowling, of Memphis, Tenn., on motion of Mr. William G. Allen; Thomas Michael Foster of Ft. Meyers, Fla., on motion of Mr. John A. Blevens.

Richard A. Derham, of Seattle, Wash., on motion of Mr. Ralph Adam Fine; Charles Westbrook Murphy, of Bethesda, Md., on motion of Mr. Charles S. Murphy; Henry L. McConnell, of Oklahoma City, Okla., on motion of Mr. E. Tillman Stirling; Joseph Francis Jaskiewicz, of McLean, Va., on motion of Mr. Garland T. Thompson; William P. Harris, of Lynchburg, Va., on motion of Mr. Raymond

R. Dickey; John W. Keffer, of Amarillo, Tex., on motion of Mr. Ethelbert Warfield; Thomas D. Morgan, of Champaign, Ill., on motion of Mr. Frank A. Bartimo; James A. Penta, of Boston, Mass., on motion of Mr. George Kaufmann; Paul G. Ulrich, of Phoenix, Ariz., on motion of Mr. Joseph P. Frank; Scott John Meyer, of Arlington Heights, Ill., on motion of Mr. Donald H. Dalton; Lorenzo W. Jacobs, Jr., of Washington, D.C., on motion of Mr. Coolidge N. McCants; Leonard Morse Trosten, of Washington, D.C., on motion of Mr. William T. England; Raymond Anthony DiLuglio, of Jamaica, N.Y., and Howard L. Kaplus, of Clifton, N.J., on motion of Mr. Karl J. Uebel; Martin G. Castillo, of Los Angeles, Calif., Howard Gershan, of Los Angeles, Calif., and Norman J. Kaplan, of Los Angeles, Calif., on motion of Mr. Leonard Garment; Michael D. Padnos, of Atlanta, Ga., Charles Mitchell Kidd, of Atlanta, Ga., A. Joseph Nardone, Jr., of Atlanta, Ga., on motion of Mr. Alfred L. Evans, Jr.; and Lowell L. Sewell, of Chicago, Ill., on motion of Mr. John A. Berry, were admitted to practice.

OPINIONS

No. **189**. James Minor, petitioner, *v.* United States; and

No. **271**. Michael Buie, petitioner, *v.* United States. On writs of certiorari to the United States Court of Appeals for the Second Circuit. Judgments affirmed. Opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Black joins in No. **189**. Mr. Justice Black and Mr. Justice Douglas dissent in No. **271**.

No. **35**. Hugh Bryson, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed. Opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Black joins.

No. **17**. United States, appellant, *v.* James D. Knox. Appeal from the United States District Court for the Western District of Texas. Judgment reversed and case remanded to the United States District Court for the Western District of Texas for further proceedings in conformity with the opinion of this Court. Opinion by Justice Harlan. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Black joins.

No. **45**. Anderson's-Black Rock, Inc., petitioner, *v.* Pavement Salvage Co., Inc. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment reversed and case remanded to the United States District Court for the Southern District of West Virginia for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Mr. Chief Justice Burger took no part in the decision of this case.

No. **86.** Melvin Morales, petitioner, *v.* New York. On writ of certiorari to the Court of Appeals of New York. Judgment vacated and case remanded to the Court of Appeals of New York for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam* announced by Mr. Chief Justice Burger. Mr. Justice Black dissents and would affirm.

No. **40.** James Conway, petitioner, *v.* California Adult Authority et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Writ of certiorari dismissed as improvidently granted. Opinion *per curiam* announced by Mr. Chief Justice Burger.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. **153.** Daniel McMann, Warden, et al., petitioners, *v.* Wilbert Ross et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Upon consideration of the suggestion of mootness by reason of death of respondent, Ross, judgment as to Ross, vacated and remanded to the United States District Court for the Eastern District of New York with directions to dismiss petition for writ of habeas corpus as moot. Opinion *per curiam*.

No. **524.** Louis Carlos, 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 reversed, and case remanded to Court of Appeals of New York for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam*. The Chief Justice and Mr. Justice Harlan are of the opinion that certiorari should be denied. However, case having been taken for review, they would affirm judgment upon the premises stated in Mr. Justice Harlan’s separate opinion in *Roth v. United States*, 354 U.S. 476, 496 (1957), and in his dissenting opinion in *Memoirs v. Massachusetts*, 383 U.S. 413, 455 (1966).

No. **539.** The National Small Shipments Traffic Conference, Inc., et al., *v.* Middlewest Motor Freight Bureau et al. Appeal from the United States District Court for the District of Minnesota. The motions to dismiss are granted and the appeal is dismissed for want of jurisdiction. Opinion *per curiam*.

No. **542.** International Nickel Co., Inc., appellant, *v.* City of Bayonne. 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*.

No. 552. Albert Shanker, etc., et al., appellants, *v.* J. Lee Rankin, etc. 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 Douglas are of the opinion that probable jurisdiction should be noted.

No. 563. The House of Seagram, Inc., appellant, *v.* State Liquor Authority 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 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. 580. John A. Ambrose and Frances P. Himmelfarb, appellants, *v.* David I. Wells et al. Appeal from the United States District Court for the Southern District of New York. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Opinion *per curiam*.

No. 582. Millard Gooding, Warden, appellant, *v.* Johnny C. Wilson. Appeal from the United States District Court for the Northern District of Georgia. The motion of appellee for leave to proceed *in forma pauperis* is granted. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Opinion *per curiam*.

No. 590. Ralph J. Perk, Cuyahoga County Auditor, appellant, *v.* Ohio ex rel. John T. Corrigan, Prosecuting Attorney of Cuyahoga County, Ohio. Appeal from the Supreme Court of Ohio. 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. 593. Louis Balthazar et ux., appellants, *v.* Mari Ltd., et al. Appeal from the United States District Court for the Northern District of Illinois. 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. 599. New Orleans Chapter, Associated General Contractors of America, Inc., appellant, *v.* United States. 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. Justice Black is of the opinion that probable jurisdiction should be noted.

No. 611. Mississippi Power & Light Company, appellant, *v.* Capital Electric Power Association. Appeal from the Supreme Court of Mississippi. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 617. United Fuel Gas Company, appellant, *v.* Charles H. Haden II, Tax Commissioner of West Virginia. 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*.

No. 72, Misc. Willie B. Foster, appellant, *v.* E. B. Caldwell, Superintendent, Georgia Industrial Institute. Appeal from the Supreme Court of Georgia. 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. 620, Misc. Dovie Carl Mathis, appellant, *v.* Louis S. Nelson, Warden. Appeal from the Supreme Court of California. 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. 816, Misc. James F. Huesdash, appellant, *v.* E. B. Haskins, Superintendent, London Correctional Institution. 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. 1017, Misc. Howard Neu Ingram, Jr., 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*.

ORDERS IN PENDING CASES

No. —. Joe J. B. O'Neil, petitioner, *v.* Louis S. Nelson, Warden. The application for release on personal recognizance is denied.

No. —. Robert Durham et ux., appellants, *v.* Independence Homes, Inc. The application for stay and approval of supersedeas appeal bond presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. —. John K. Snyder, petitioner *v.* John Minor Wisdom et al. The motion for leave to file application for mandamus remedy is denied.

No. 175. Petsonella Moragne, etc., petitioner, *v.* States Marine Lines, Inc., et al. The Solicitor General is invited to submit a brief, as *amicus curiae*, and to participate in the oral argument. The parties and the Solicitor General are requested to brief, in addition to other

issues presented, the question of whether *The Harrisburg*, 119 U.S. 199, should be overruled.

No. **403**. United States, petitioner, *v.* Gerritt Johannes Van Leeuwen. The motion of the respondent for the appointment of counsel is granted, and it is ordered that Craig G. Davis, Esquire, of Bellingham, Washington, be, and he is hereby, appointed to serve as counsel for the respondent in this case.

No. **817**. Domenic N. Mastroppolito, petitioner, *v.* United States. The application for bail presented to Mr. Justice Marshall, and by him referred to the Court, is denied.

No. **1382, Misc.** In the Matter of Disbarment of William D. Edwards. It is ordered that William D. Edwards of Columbus, Ohio, be suspended from the practice of law in this Court and that a rule to show cause issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

APPEAL—JURISDICTION NOTED

No. **565**. Charles Batchelor, Chief of Police, City of Dallas, et al., appellants, *v.* Brent Stein. Appeal from the United States District Court for the Northern District of Texas. In this case probable jurisdiction noted. Case placed on summary calendar and set for oral argument immediately following Nos. **11**, **20**, and **4**.

CERTIORARI GRANTED

No. **528**. United States, petitioner, *v.* Hilton Hotels Corporation. 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. **412**.

No. **529**. Fred T. Mackey, petitioner, *v.* United States. 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. **8**.

No. **595**. Louis S. Nelson, Warden, petitioner, *v.* John Edward George. Motion for 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. **606**. Illinois, petitioner, *v.* William Allen. 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 Seventh Circuit granted and case placed on the summary calendar.

No. **323, Misc.** Johnny Williams, petitioner, *v.* Florida. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to District Court of Appeal of Florida, Third District, granted. Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI DENIED

No. **337.** Gennero Galtieri, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. **390.** Commissioner of Internal Revenue, petitioner, *v.* Guardian Agency, Inc., et al.; and

No. **561.** Local Finance Corporation et al., petitioners, *v.* Commissioner of Internal Revenue. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **555.** Joseph F. Schindelar, petitioner, *v.* David L. Michaud et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **556.** Southern California Edison Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **559.** Cornell Richardson, petitioner, *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. **560.** Russell O. Law, petitioner, *v.* Joint Checker Labor Relations Committee, San Francisco, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **562.** Leonard DeLue et al., petitioners, *v.* The Public Utilities Commission of Colorado et al. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. **564.** Violet Rose Foy, etc., petitioner, *v.* Ed Taussig, Inc., et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. **566.** Joseph A. White, Jr., et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. **568.** J. E. Wilson, petitioner, *v.* State Bar of Georgia et al. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. **571.** William Davis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 572. James Kendall Clancy, petitioner, *v.* The First National Bank of Colorado Springs. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 574. United Bonding Insurance Company, petitioner, *v.* Development Corporation of America, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 575. James R. Sewell, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 576. John J. Fahey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 578. Antonio Corallo, petitioner, *v.* United States; and

No. 620. Henry Fried and S. T. Grand, Inc., petitioners, *v.* United States. Petitions for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 579. Curtiss-Wright Corporation, petitioner, *v.* Braniff Airways, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 581. Charles Hoffman, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 583. D. B. Anders, petitioner *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 584. Michael Allen Schmitt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 586. Robert W. Stanley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 587. State Farm Mutual Automobile Insurance Company, 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. Raymond Charles Curiale, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 594. Faye S. Ferguson, petitioner, *v.* James Walter Fountain. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 602. Robert E. Gollaher et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 604. Helen Weber, petitioner, *v.* Ralph Aoki, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 605. The Beacon Journal Publishing Company, petitioner, *v.* Akron Typographical Union No. 182 et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 608. Arnold Cornman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 609. William Clayton Pierce, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 610. Neil S. Mackay, petitioner, *v.* Buell A. Nesbett et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 612. Claresa F. Armstrong Brown, petitioner, *v.* Commercial National Bank of Peoria, as Trustee, et al. Petition for writ of Certiorari to the Supreme Court of Illinois denied.

No. 614. Joseph Richard Wick, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 615. Textile Workers Union of America, AFL-CIO, petitioner, *v.* The Schwarzenbach-Huber Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 618. Clifford Gowdy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 376. Amalgamated Transit Union, Local Division 1309, et al., petitioners, *v.* San Diego Transit Corporation. 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. 613. John C. Van Houten, petitioner, *v.* Ray Arthur Ralls 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.

No. 544. Dexter C. Shultz, petitioner, *v.* Melvin Laird, Secretary of Defense, et al. 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. 558. Houston H. Feaster, etc, et al., 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 Marshall took no part in the consideration or decision of this petition.

No. 569. The New Mexico State Game Commission, petitioner, *v.* Walter J. Hickel, Secretary of Interior, 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. 585. Brotherhood of Locomotive Firemen and Enginemen et al., petitioners, *v.* Seaboard Coast Line Railroad Company 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. 597. Frank Conroy, petitioner, *v.* City of Miami Beach, Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 598. The Founding Church of Scientology of Washington, D.C., 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 Douglas is of the opinion that certiorari should be granted.

No. 616. Robert L. Hatchett, Jr., petitioner, *v.* C. W. Williams. Petition for writ of certiorari to the Court of Civil Appeals of Texas, First Supreme Judicial District, denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 749. Daniel J. Motto, 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. 99, Misc. Lilliam Flowers, petitioner, *v.* Nebraska. Petition for writ of certiorari to the Separate Juvenile Court of Douglas County, Nebraska, denied.

No. 210, Misc. Robert Edward McClindon, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 232, Misc. John Pipinos, petitioner, *v.* William Peek, etc., et al. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 337, Misc. John Conte, petitioner, *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 343, *Misc.* Fitzgerald Lovell, petitioner, *v.* Government of the Virgin Islands. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 408, *Misc.* Walter McDaniel, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 432, *Misc.* Luis Surita, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 454, *Misc.* Robert Sylvester Ray, petitioner, *v.* North Carolina. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 456, *Misc.* Bobby Franklin Endicott, petitioner, *v.* West Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 458, *Misc.* Joseph W. DiSilvestro, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 466, *Misc.* James E. Duckett, petitioner, *v.* Arthur A. Marshall, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 469, *Misc.* Hallett Howard Anderson, petitioner, *v.* Clay Circuit Court et al. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 494, *Misc.* Roger S. Bandy, petitioner, *v.* United States Attorney General et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 506, *Misc.* Alex Keys, 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. 516, *Misc.* James Brown, petitioner, *v.* United States; and

No. 593, *Misc.* Henry Venning et al., petitioners, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 519, *Misc.* Howard J. Fields, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 524, *Misc.* Benjamin Brown, petitioner, *v.* Warren Pinto, Superintendent, Rahway Prison Farm. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **525, Misc.** William B. Edmondson, Sr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **532, Misc.** Robert L. Moore, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **537, Misc.** Lynward James Daye, Jr., petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. **542, Misc.** William Luther Elkins, petitioner, *v.* Asa Kelley, Director, State Board of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **545, Misc.** Ernest O. Wing, Jr., petitioner, *v.* Howard Yeager, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **546, Misc.** Lanier Allison Ramer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **548, Misc.** Valentine Rodriquez, 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. **549, Misc.** Wilford Hullon Dimsdle, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. **550, Misc.** Donald Eugene Cipolla, petitioner, *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. **559, Misc.** C. F. Pruess, Sr., Executor, et al., petitioners, *v.* Walter Hickel, Secretary of the Interior. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **564, Misc.** Carl R. Chase, petitioner, *v.* Allan L. Robbins, Warden. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **566, Misc.** Walter McDonald, petitioner, *v.* George Kropp, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **571, Misc.** Raymond Morales Alvarez, petitioner, *v.* Cletus J. Fitzharris, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. **594, Misc.** Robert E. Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. **606, Misc.** Amos Harold Rathburn, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. **611, Misc.** John J. Pepitone, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. **614, Misc.** Doyle Ray Skinner, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **617, Misc.** A. D. Allison, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **619, Misc.** William E. Huff, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **635, Misc.** Howard Clayton Swann, Jr., and Thomas Franklin Swann, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **637, Misc.** Wayne Fong, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **661, Misc.** Neal Simpson Webb, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. **670, Misc.** Thomas Darrell Camp, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **675, Misc.** Sammy Gene Kirk, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **676, Misc.** Charles Martin Harris, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **677, Misc.** Robert Edward Cook, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **682, Misc.** Sharland Reeves Gaston, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. **683, Misc.** William Terry Johnson, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 710, **Misc.** William Horace Decker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 715, **Misc.** Oliver Wendell Robinson, petitioner, *v.* George A. Kropp, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 720, **Misc.** Ralph Tudela, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 734, **Misc.** Donald D. Barnes, petitioner, *v.* Florida. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 742, **Misc.** Richard Mendoza, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 744, **Misc.** Bernard Joseph Birbeck, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 750, **Misc.** LeRoy Shorter, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 759, **Misc.** Curtis Lamar Timmons, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Florida, First District, denied.

No. 760, **Misc.** James Edward Hall, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 765, **Misc.** James Powell Rabon, petitioner, *v.* Frank A. Eyman, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 772, **Misc.** Nancy Jewell Cross, petitioner, *v.* John A. Bruning, County Clerk, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 776, **Misc.** Jessie Rivera Duarte, petitioner, *v.* H. V. Field, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 781, **Misc.** Frank Dvorsky, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 791, **Misc.** William Murray, petitioner, *v.* Pennsylvania et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 793, **Misc.** Earl F. Mink, petitioner, *v.* George A. Kropp, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **803, Misc.** Richard Allen Swan, petitioner, *v.* Jack Young, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **805, Misc.** Peyton Ralph Rech, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **815, Misc.** Eugene Walker, 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.** John F. Lang, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. **842, Misc.** Marion Stevenson, petitioner, *v.* Nelson A. Rockefeller, Governor, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **845, Misc.** Edward Allen, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **846, Misc.** David James Rose, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **849, Misc.** Charles F. Bedford, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **855, Misc.** Nathaniel McGuirk, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. **864, Misc.** Neal Earl Harlin, petitioner, *v.* Lou V. Brewer, Warden. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. **866, Misc.** Charles Resseguie, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **867, Misc.** Donald Clarke, 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. **873, Misc.** Paul Turpy, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. **875, Misc.** Paul A. Smogor, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **884, Misc.** Eulice Stallings and William Earl Wilson, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **891, Misc.** Robert C. Wright, petitioner, *v.* Lou V. Brewer, Warden. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. **892, 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. **894, Misc.** Robert Walker, petitioner, *v.* Frank Willie et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **899, Misc.** Michael J. Riley, petitioner, *v.* B. J. Rhay, Superintendent, Washington State Penitentiary. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. **900, 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. **901, Misc.** Refugio Reese Huerto, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **902, Misc.** Phillip Weinschenker, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. **903, Misc.** Harry Beck, petitioner, *v.* California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **905, Misc.** Frank W. Scott, petitioner, *v.* H. V. Field. Petition for writ of certiorari to the Supreme Court of California denied.

No. **911, Misc.** Michael L. Sullivan, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. **977, Misc.** Charles Watkins, petitioner, *v.* Pennsylvania et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **981, Misc.** David William Cox, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **987, Misc.** Nelson Tobe Hodge, petitioner, *v.* Lake F. Russell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **991, Misc.** Bruce Walter Leikett, petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 999, *Misc.* Eddie M. 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. 1009, *Misc.* Prentice F. Day, petitioner, *v.* Ray H. Page, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1024, *Misc.* John S. Austin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1032, *Misc.* James Roland King and Leonard John Clemons, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1060, *Misc.* John D. Wade, petitioner, *v.* Howard D. Yeager, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 335, *Misc.* Ruffin George et ux., petitioners, *v.* Ora Bertrand et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 513, *Misc.* Thomas Stasilowicz, 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.

No. 517, *Misc.* Franklin Nial Castle, 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. 616, *Misc.* Richard John Migliore and Jacqueline Mingo, petitioners, *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. 656, *Misc.* Alfred D. Arellanes, 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. 716, *Misc.* Herman E. Miller, 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 and for other relief denied.

No. 797, *Misc.* Nancy Jewell Cross, petitioner, *v.* Municipal Court of San Francisco et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit and for other relief denied.

The Chief Justice took no part in the consideration or decision of this petition.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. **440, Misc.** Jimmy Darnell, petitioner, *v.* R. J. Moseley, Warden;

No. **932, Misc.** James Henry Eisenhardt, petitioner, *v.* United States;

No. **936, Misc.** Ben Hitchcock, petitioner, *v.* Frank A. Eyman, Warden, et al.;

No. **1105, Misc.** William Grady North, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections;

No. **1110, Misc.** Kermith George Mullis, petitioner, *v.* Louie L. Wainwright, Director, Florida Division of Corrections; and

No. **1116, Misc.** James R. Jenkins, petitioner, *v.* United States. Motion for leave to file petitions for writs of habeas corpus denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. **600, Misc.** Charles Hall and Nathaniel Harvey, petitioners, *v.* Oliver J. Carter, United States District Judge, et al. Motion for leave to file petition for writ of mandamus denied.

No. **919, Misc.** The New Mexico State Game Commission, petitioner, *v.* United States Court of Appeals for the Tenth Circuit et al. Motion for leave to file petition for writ of mandamus denied. Mr. Justice Douglas is of the opinion that the motion should be granted.

REHEARINGS DENIED

No. **1279, October Term, 1968.** United States, petitioner, *v.* Ideal Basic Industries, Inc. Petition for rehearing denied. Mr. Justice White and Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **415.** Louis Harry Parker, petitioner, *v.* Virginia;

No. **428.** Leonard S. Brown, Jr., petitioner, *v.* Frank D. Hardin et al.;

No. **344, Misc.** Marie Baucum Scott, petitioner, *v.* Hunt Oil Company;

No. **623, Misc.** Dorothy G. Restrepo, petitioner, *v.* Florida Supreme Court; and

No. **752, Misc.** Joseph Jakalski, petitioner, *v.* Attorney General of the United States et al. Petitions for rehearing denied.

No. **391.** John O'C. Fitzgerald and Charles F. Marino, petitioners, *v.* Lee A. Freeman et al. Motion to stay effectiveness of order denying certiorari and petition for rehearing denied.

No. **632.** Beatrice Alexander et al., petitioners, *v.* Holmes County Board of Education et al. Petition for rehearing, or in the alternative, for a clarification of judgment, denied.

RECESS ORDER

The Court will take a recess from Monday, December 15, 1969, until Monday, January 12, 1970.

ORAL ARGUMENT

No. **81**. Rector Simmons, Jr., et ux., appellants, *v.* West Haven Housing Authority. Argued by Mr. Francis X. Dineen for the appellants and by Mr. F. Michael Ahern for the State of Connecticut, as *amicus curiae*, in support of judgment.

No. **266**. Lelia Mae Sanks et al., appellants, *v.* Georgia et al. Argued by Mr. Michael D. Padnos for the appellants and by Mr. Alfred L. Evans, Jr., for the appellees.

No. **265**. Gladys Boddie et al., appellants, *v.* Connecticut et al. Argued by Mr. Arthur B. LaFrance for the appellants and by Mr. Raymond J. Cannon for the appellees.

No. **53**. Sara Baird, petitioner, *v.* State Bar of Arizona, Argument commenced by Mr. Peter D. Baird for the petitioner *pro hac vice*, by special leave of Court.

Adjourned until tomorrow at 10 o'clock.

The day call for Tuesday, December 9, 1969, will be as follows:
Nos. **53, 75, 131, 188, and 2, Misc.**

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Wayne Thomas Mendicino, of San Antonio, Tex., on motion of Mr. O. C. Fisher; Richard W. Wallach, of New York, N.Y., on motion of Mr. William F. Ryan; Roland Tague, of Oklahoma City, Okla., on motion of Mr. Brice Wilson Rhyne; Richard F. Locke, of Boston, Mass., George J. McCartin, Jr., of Red Bank, N.J., and Dulaney L. O'Roark, Jr., of St. Petersburg, Fla., on motion of Mr. Joseph E. Donahue; Jerry Slater, of New York, N.Y., on motion of Mr. Michael Robin Juviler; Michael Hagner McConihe, of Washington, D.C., on motion of Mr. Arthur B. Hanson; Donald E. Shely, of Detroit, Mich., on motion of Mr. Robert L. Gilliat; Robert Lawrence Lieff, of San Francisco, Calif., on motion of Mr. Arthur Jordan Levine; Benjamin P. Wasserman, of Culver City, Calif., on motion of Mr. Louis Pabst Poulton; Daniel Lewis, of Milwaukee, Wis., on motion of Mr. Daniel O. Omer; Harold H. Leeper, of Oklahoma City, Okla., on motion of Mr. Oscar Wayman Holmes; Herbert Hershal Brown, of Oak Park, Mich., on motion of Mr. Carl E. Bagge; James J. Faris, of Alexandria, Va., on motion of Mr. Kenneth R. Haskins; Malvine Nathanson, of New York, N.Y., on motion of Mr. Isadore Nathanson; Robert Owen Rogers, of Palm Beach, Fla., on motion of Mr. Richard S. Rodin; John Walton Hicks, Jr., of Dallas, Tex., on motion of Mr. Hugh G. Hart, Jr.; Alice Daniel, of New York, N.Y., and Melvin S. Schwarzwald, of Cleveland, Ohio, on motion of Mr. William E. Hellerstein; and Thomas Nichols Biddison, Jr., of Baltimore, Md., James L. Bundy, of Baltimore, Md., Robert A. Di Cicco, of Towson, Md., Stanford Donald Hess, of Baltimore, Md., Henry Robbins Lord, of Baltimore, Md., Richard G. McCauley, of Columbia, Md., Francis X. Pugh, of Baltimore, Md., Joseph R. Raymond, of Baltimore, Md., Clarence W. Sharp, of Baltimore, Md., and Wilbur E. Simmons, Jr., of Baltimore, Md., on motion of Mr. Robert Francis Sweeney, were admitted to practice.

OPINIONS

No. 9. Nacirema Operating Co., Inc., et al., petitioners, *v.* William H. Johnson et al.; and No. 16, John P. Traynor and Jerry C. Oosting, Deputy Commissioner, petitioners, *v.* William H. Johnson et al. On writs of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgments reversed and cases remanded to the United States District Court for the District of Maryland and the United States District Court for the Eastern District of Virginia respectively 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 Black and Mr. Justice Brennan join.

No. 25. Frederick T. Zuber et al., petitioners, *v.* Russell Allen et al.; and

No. 52. Clifford M. Hardin, Secretary of Agriculture, petitioner, *v.* Russell Allen et al. On writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed. Opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice Black with whom Mr. Justice White joins. The Chief Justice and Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 101. City of Chicago et al., appellants, *v.* United States et al.; and

No. 102. City of Chicago et al., appellants, *v.* United States et al. Appeals from the United States District Court for the Northern District of Illinois. Judgment reversed and cases 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.

No. 29. The Detroit and Toledo Shore Line Railroad Company, petitioner, *v.* United Transportation Union. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment affirmed. Opinion by Mr. Justice Black. Opinion by Mr. Justice Harlan with whom Mr. Chief Justice Burger joins concurring in part and dissenting in part.

No. 19. The First National Bank in Plant City, Plant City, Florida, petitioner, *v.* Fred O. Dickinson, Jr., etc., et al.; and

No. 34. William B. Camp, Comptroller of the Currency, petitioner, *v.* Fred O. Dickinson, Jr., etc., et al. On writs of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed. Opinion by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Stewart.

ORAL ARGUMENT

No. 53. Sara Baird, petitioner, *v.* State Bar of Arizona. Argument continued by Mr. Mark Wilmer for the respondent and concluded by Mr. Peter D. Baird for the petitioner, *pro hac vice*, by special leave of Court.

No. 75. In the Matter of the Application of Martin Robert Stolar, petitioner. Argued by Mr. Leonard B. Boudin for the petitioner and by Mr. Robert D. Macklin for the respondent.

No. 131. Edmund P. Dandridge, Jr., Chairman of the Maryland State Board of Public Welfare, et al., appellants, *v.* Linda Williams et al. Argued by Mr. George W. Liebmann for the appellants and by Mr. Joseph A. Matera for the appellees.

No. 188. Robert Baldwin, appellant, *v.* New York. Argued by Mr. William E. Hellerstein for the appellant and by Mr. Michael R. Juwiler for the appellee.

Ajourned until tomorrow at 10 o'clock.

The day call for Wednesday, December 10, 1969, will be as follows:

No. 2, Misc.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Fred Selan, of Beverly Hills, Calif., Eugene M. Frese, of Washington, D.C., and Charles A. DeGrandpre, of Manchester, N.H., on motion of Mr. Solicitor General Erwin N. Griswold; George Kent Edwards, of Juneau, Alaska, on motion of Mr. Ted Stevens; Allan R. Koritzinsky, of Manitowoc, Wis., and Daniel Leon Shneidman, of Milwaukee, Wis., on motion of Mr. Gaylord Nelson; James R. Mann, of Greenville, S.C., Marshall W. Abercrombie, of Laurens, S.C., and Thomas M. Spence, of Laurens, S.C., on motion of Mr. Robert Grier Stephens, Jr.; Richard J. Herbert, of Phoenix, Ariz., on motion of Mr. Morris K. Udall; Arthur Stephen Penn, of New York, N.Y., on motion of Mr. Bruce A. Burns; James Laurence Rose, of Topeka, Kans., on motion of Mr. Carl Larsen Taylor; Robin Madison Demouth, of Chicago, Ill., on motion of Mr. Augustus G. Douvas; William Marvin Cohen, of Fairfax, Va., on motion of Mr. George Richard Hyde; Donald Peter Arvnavas, of Washington, D.C., and J. Edward Goff, of Toledo, Ohio, on motion of Mr. Richard Allen Bartl; Roger M. Whelan, of Silver Spring, Md., on motion of Mr. Charles Alfred Docter; and Jerry W. Cavaneua, of Searcy, Ark., Randolph H. Aires, of Los Angeles, Calif., Martin E. Jacobs, of Beverly Hills, Calif., Ronald W. Anteau, of Los Angeles, Calif., Norman Westphal Busse, of San Francisco, Calif., John Cramer, of Los Angeles, Calif., David Chase Linehan, of Los Angeles, Calif., Richard M. Mosk, of Los Angeles, Calif., Alvy P. Moore, of Glendale, Calif., James Maxwell Orendorff, of Los Angeles, Calif., James S. Place, of Los Angeles, Calif., Dwight Theodore Randall, Jr., of Los Angeles, Calif., Robert Michael Simpson, of Los Angeles, Calif., Daniel Zipser, of Los Angeles, Calif., and Marshall S. Zolla, of Los Angeles, Calif., on motion of Mr. Donald D. Chapman, were admitted to practice.

ORAL ARGUMENT

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. Argued by Mr. Thomas J. Kenan for the petitioner, by Mr. Carl L. Shipley, as *amicus curiae*, by Mr. Charles Alan Wright for the respondent and by Mr. Solicitor General Griswold for the United States, as *amicus curiae*, by special leave of Court.

Adjourned until Monday, December 15, 1969, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

OPINION PER CURIAM

No. 944. Robert Carter et al., petitioners, *v.* West Feliciana Parish School Board et al. On application for temporary injunctive order. The application for a temporary injunctive order is granted and the judgment of the Court of Appeals is vacated in part. The respondents are directed to take no action delaying a schedule to implement on or before February 1, 1970, desegregation plans of Department of Health, Education, and Welfare and the respondents are directed to file a response to the petition for certiorari on or before January 2, 1970. Opinion *per curiam*.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Black, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

N. Rommel Bondoc, of San Francisco, Calif., Dyson William Cox, of Redlands, Calif., William John Curren, Jr., of Los Angeles, Calif., Thomas Schneider, of Berkeley, Calif., and Carl Leonard Stern, of Washington, D.C., on motion of Mr. Solicitor General Erwin N. Griswold; John I. Bradshaw, Jr., of Indianapolis, Ind., on motion of Mr. Birch Bayh; Marlow W. Cook, of Louisville, Ky., Charles Woodford Rolph, of Lexington, Ky., and Edward M. Steutermann, of Louisville, Ky., on motion of Mr. Fred M. Goldberg; James G. Head, of Chicago, Ill., and Edward C. Purcell, of Chicago, Ill., on motion of Mr. John N. Erlenborn; Cornelius Elwood Toole, of Chicago, Ill., and Manly Whitman Mumford, of Chicago, Ill., on motion of Mr. Abner Joseph Mikva; John C. Hughes, of Phoenix, Ariz., on motion of Mr. John J. Rhodes; Bruce Earl Schultheis, of Washington, D.C., on motion of Mr. Howard W. Pollock; Arthur L. Schwartz, of New York, N.Y., on motion of Judge Oscar H. Davis; John James Cain, of Houston, Tex., on motion of Mr. Walter I. Horlick; George W. Healy III, of New Orleans, La., and Leonard S. Ungar, of New Orleans, La., on motion of Mr. Hale Boggs.

Raymond J. Dwyer, of Miami, Fla., and Edward A. Perse, of Miami, Fla., on motion of Mr. Kahl K. Spriggs; Charles Edward Parker, of Santa Ana, Calif., on motion of Mr. Robert Newton Reid; Carol Suzanne Agin Kipperman, of Washington, D.C., and Lawrence I. Kipperman, of Washington, D.C., on motion of Mr. Ralph Winkler; Shiro Kashiwa, of Washington, D.C., on motion of Mr. Walter Kiechel, Jr.; Robert Gail Perry, of Charleston, W. Va., on motion of Mr. Steven M. Umin; John Alfred Hutter, Jr., of Chicago, Ill., on motion of Mr. Earl R. Stanley; John Downing Cooke, of Chicago, Ill., and Frank Joseph McLoraine, of Chicago, Ill., on motion of Mr. Charles W. Mander; Paul A. Lenzini, of Centralia, Ill., on motion of Mr. Martin L. Friedman; Andrea M. Alcarese, of Baltimore, Md., on motion of Mr. Joseph P. Alcarese; John Charles Bierley, of Tampa, Fla., on motion of Mr. Donald Knox DuVall; Elihu Inselbuch, of New York, N.Y., on motion of Mr. Philip Werner Amram; Perry W. Merchant, of West Hartford, Conn., on motion

of Mr. Wallace T. Ward; E. K. McFadden, of Glen Rock, N.J., on motion of Mr. Albert Foreman; Sheldon W. Farber, of Norristown, Pa., on motion of Mr. Richard Joseph Sincoff; G. Joseph Bertain, Jr., of San Francisco, Calif., on motion of Mr. Joseph Eugene Keller; Matthew Ely Jaffe, of Chevy Chase, Md., on motion of Mr. Irving Jaffe; Bailin L. Kuch, of Essex, Vt., on motion of Mr. Frank Neuhauser; Ralph Dobbins York, of Nashville, Tenn., on motion of Mr. Jeter Seeborn Ray; Bertram H. Berg, of Cincinnati, Ohio, on motion of Mr. William J. Dammarell; George J. Luberda, of Beverly Hills, Mich., on motion of Mr. William P. Cassedy; Robert E. Keltner, of Parkersburg, W. Va., on motion of Mr. Nick G. Zegrea; James F. Fitzpatrick, of Washington, D.C., on motion of Mr. Melvin Spaeth; and William Herbert M. Greene, of San Francisco, Calif., on motion of Mr. Dayton M. Harrington, were admitted to practice.

OPINIONS

No. 32. National Labor Relations Board, petitioner, *v.* J. H. Rutter-Rex Manufacturing Company, Inc., et al. 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 Marshall. Dissenting opinion by Mr. Justice Douglas with whom Mr. Chief Justice Burger and Mr. Justice Harlan join.

No. 33. Paul E. Sullivan et al., petitioners, *v.* Little Hunting Park, Inc., et al. On writ of certiorari to the Supreme Court of Appeals of Virginia. Judgment reversed and case remanded to the ~~Supreme Court of Appeals of Virginia~~ for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Douglas announced by Mr. Justice Black. Dissenting opinion by Mr. Justice Harlan with whom Mr. Chief Justice Burger and Mr. Justice White join.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 603. Robert L. Dowell, an infant, etc., et al., petitioners, *v.* Board of Education of the Oklahoma City Public Schools et al. 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 proceedings in conformity with the opinion of this Court. Opinion *per curiam*.

Circuit Court of Fairfax County,
16th Judicial Circuit of Virginia.

No. 625. Reuben Carlton et al., appellants, *v.* Doyle Conner, as Commissioner of Agriculture, State of 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*.

ORDERS IN PENDING CASES

No.———. Garrett Byrne etc., appellant, *v.* Serafim Karalexis et al. The motion for a stay of the temporary injunction issued by the United States District Court for the District of Massachusetts presented to Mr. Justice Brennan, and by him referred to the Court, is granted pending the timely filing and disposition of an appeal. Should such an appeal not be filed, this stay is to expire automatically. Should such an appeal be timely docketed, this stay is to continue pending the Court's action on the jurisdictional aspect of the case. In the event the appeal is dismissed or the judgment below is summarily affirmed, this stay is to expire automatically. Should the Court note probable jurisdiction of the appeal or postpone further consideration of the question of jurisdiction to the hearing on the merits, this stay is to remain in effect pending the issuance of the judgment of this Court. Dissenting opinion by Mr. Justice Douglas. Opinion by Mr. Justice Black. Opinion by Mr. Justice Stewart.

No.———. Charles Howard Schmid, Jr., petitioner, *v.* Frank A. Eyman, Warden. The application for a writ of habeas corpus presented to Mr. Justice Marshall, and by him referred to the Court, is denied.

No.———. William G. Petuskey et al., appellants, *v.* Calvin L. Rampton et al. The motion for a further extension of time to docket an appeal is granted.

No. 74. Clifford Taggart et al., petitioners, *v.* Weinacker's, 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. 240. Joseph Covello, petitioner, *v.* United States. The Solicitor General is requested to file a response to the petition for rehearing within thirty days. Mr. Justice Marshall took no part in the entry of this order.

No. 830. Frank Chambers, petitioner, *v.* James F. Maroney, Superintendent, State Correctional Institution. The motion for the appointment of counsel is granted, and it is ordered that Vincent J. Grogan, Esquire, of Pittsburgh, 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.

No. 1178, Misc. Adai Leser, petitioner, *v.* United States et al. The application for bail presented to the Chief Justice, and by him referred to the Court, is denied.

CERTIORARI GRANTED

No. 515. United States et al., petitioners, *v.* Gifford-Hill-American, 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. 628. Daniel Jay Schacht, petitioner, *v.* United States. Motion for leave to file petition for writ of certiorari out of time granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and case placed on the summary calendar. The Chief Justice, Mr. Justice Stewart and Mr. Justice White would deny motion for leave to file petition out of time.

CERTIORARI DENIED

No. 409. James B. Wilkinson, Commonwealth's Attorney for the City of Richmond, Virginia, et al., petitioners *v.* Tyrone, Inc., et al.; and

No. 418. Tyrone, Inc., et al., petitioners, *v.* James B. Wilkinson, Commonwealth's Attorneys for the City of Richmond, Virginia, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 421. Chicago, St. Paul, Minneapolis and Omaha Railway Company et al., petitioners, *v.* City of Saint Paul. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 462. William Scott, Jr., petitioner, *v.* The Ohio Citizens Trust Company. Petition for writ of certiorari to the Court of Appeals of Ohio, Lucas County, denied.

No. 464. Steven Hamilton et al., petitioners, *v.* The Municipal Court for the Berkeley-Albany Judicial District. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 591. Roy Curtis Cleveland, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 592. John R. Floyd, petitioner, *v.* City of Rockford, Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 596. Harry R. Illman, petitioner, *v.* Toledo Bar Association. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 600. Thomas Bambulas, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 619. Manchester Band of Pomo Indians, Inc., petitioner, *v.* Alfonso J. Zirpoli, Judge, 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. 622. Emilio Pizzarello, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 624. Ray Smith Transport Company, petitioner, *v.* George P. Shultz, Secretary of Labor, United States Department of Labor. Petition for writ of certiorari to the United States Court of Appeals the Fifth Circuit denied.

No. 626. David H. Farley, petitioner, *v.* H. Nickell Kramer, etc., et al. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 629. Clarence White, Jr., petitioner, *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 631. David Carliner et al., petitioners, *v.* Commissioner of the District of Columbia et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 633. Robert J. Muller, Sr., and Frank Muller, petitioners, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 634. John Frederick Weersing, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 635. Elizabeth Elaine Craig, etc., petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 636. City of Newark, petitioner, *v.* The Port of New York Authority. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 638. Leo Crumley, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Middle Division, denied.

No. 640. John J. Scarselletti, petitioner, *v.* Aetna Casualty & Surety Company. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 166. Maurice H. Sigler, Warden, petitioner, *v.* Robert William Losieau. 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 Eighth Circuit denied. Dissenting opinion by Mr. Chief Justice Burger with whom Mr. Justice Stewart joins.

No. 456. Reies Lopez Tijerina and Jerry Noll, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. The Chief Justice took no part in the consideration or decision of this petition.

No. 458. Charles Johnson et al., petitioners, *v.* Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion that certiorari should be granted and judgment reversed.

No. 607. The Daily Press, Inc., petitioner, *v.* United Press International et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion that certiorari should be granted.

No. 641. United Air Lines, Inc., petitioner, *v.* Hilary D. Thomas, as Executrix, etc., et al. 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. 109, Misc. Lee Clyde Lambright, 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. 284, Misc. George F. Madkins, petitioner, *v.* William I. O'Neil et al. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 325, Misc. Donald Henderson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 353, Misc. Richard Joseph Berg, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Los Angeles, denied.

No. 367, Misc. Joseph Kagan, petitioner, *v.* Merle R. Schneckloth, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 438, Misc. Enoch Dickinson, petitioner, *v.* Ray D. Bridges, Sheriff. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 446, Misc. Marvin E. Barnett, James McQueen, Kenneth Crigler and Juan Franklin, petitioners, *v.* Arnold E. Pontesso, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 449, *Misc.* John Kenyatta, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 475, *Misc.* Frank O. Alonzo, petitioner, *v.* Board of Commissioners of the Alabama State Bar. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 505, *Misc.* Jon Carlton and Ann Carlton, petitioners, *v.* Richard E. Gerstein, State's Attorney. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 557, *Misc.* William Robert Pence, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 569, *Misc.* In the Matter of Robert Edward Lipscomb, petitioner. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 587, *Misc.* Thermon Gantt, a.k.a. Gizmo Gantt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 648, *Misc.* Patricia Carnegie, petitioner, *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 663, *Misc.* Billy George Evans, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 673, *Misc.* C. L. Moss, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 725, *Misc.* Charles F. Ferrara, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 736, *Misc.* Edward Withridge, 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. 794, *Misc.* Marion Dean Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 862, *Misc.* James H. Williams, petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 876, *Misc.* Franklin M. Archie, petitioner, *v.* New Mexico. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 924, **Misc.** Gerald E. Gowdy, petitioner, *v.* Ralph H. Tahash, Warden. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 964, **Misc.** Gilmer C. Swain, petitioner, *v.* North Carolina. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 965, **Misc.** Robert E. Garner, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 985, **Misc.** Robert Bee Hutchinson, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 990, **Misc.** Americo Lluveras, 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. 1042, **Misc.** Willie Dozie, petitioner, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 1043, **Misc.** Albert Mintzer, petitioner, *v.* John T. Deegan, Warden. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 1046, **Misc.** Elvin Graham, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1047, **Misc.** Charles Alston, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1068, **Misc.** Robert Jewell Landman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1077, **Misc.** John Joseph Heslip, petitioner, *v.* New Jersey. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1086, **Misc.** Luis Morales, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1089, **Misc.** Fred Hallowell, petitioner, *v.* Louis Nelson, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1135, **Misc.** William B. Scanlan, petitioner, *v.* H. V. Field. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1141, **Misc.** Dale Leroy Daniels, 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. **1142, 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. **636, Misc.** Jerry Paul Pritchard, 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.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. **1162, Misc.** Louis Sogoian, petitioner, *v.* Walter E. Craven, Warden;

No. **1182, Misc.** David Joseph Rawls, petitioner, *v.* Olin G. Blackwell, Warden;

No. **1216, Misc.** Robert Edd Loney, petitioner, *v.* L. V. Brewer, Warden;

No. **1251, Misc.** Orville Gene Vinson, petitioner, *v.* Arizona et al.; and

No. **1253, Misc.** David Howard Collins, petitioner, *v.* United States. Motions for leave to file petitions for writs of habeas corpus denied.

LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. **988, Misc.** Frank Waltz, petitioner, *v.* John F. Davis. Motion for leave to file petition for writ of mandamus denied.

REHEARING DENIED

No. **748, October Term, 1968.** Thornton A. Jenkins, petitioner, *v.* Delaware. Petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this petition.

Adjourned until Monday, January 12, 1970, at 10 o'clock.

The day call for Monday, January 12, 1970, will be as follows: Nos. **74, 84, 104, and 231.**

SUPREME COURT OF THE UNITED STATES

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

No. 944. Robert Carter et al., petitioners, *v.* West Feliciana Parish School Board et al. The motion for emergency reconsideration of granting of injunctive order is denied.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Don Michael Anthony, of Pasadena, Calif., Donald Hamilton Norman, of Fort Lauderdale, Fla., A. T. Walsh, of Chicago, Ill., John R. Fielding, of Chicago, Ill., and Fredric Mendelsohn, of Milwaukee, Wis., on motion of Mr. Solicitor General Erwin N. Griswold; Charles Kinney Cranston, of Anchorage, Alaska, on motion of Mr. Howard W. Pollock; David M. Butowsky, of Laurel, Md., on motion of Mr. Walter P. North; Dino De Concini, of Tucson, Ariz., and Dennis De Concini, of Tucson, Ariz., on motion of Mr. Stewart L. Udall; Samuel Newman, of Boston, Mass., on motion of Mr. George Kaufmann; James P. Shea, of Buffalo, N.Y., on motion of Mr. William Foley; Robert T. Boyd, of Forest Hills, N.Y., and Joseph F. Ryan, Jr., of Levittown, N.Y., on motion of Mr. Russell Taylor Weil; George Nelson Van Fleet, Jr., of Philadelphia, Pa., on motion of Mr. George Nelson Van Fleet; John J. Sullivan, of New York, N.Y., and Alfred A. Lohne, of New York, N.Y., on motion of Mr. Daniel Huttenbrauck; Sesto Enrico Vecchi, of Canandaigua, N.Y., on motion of Mr. James F. Sams; George B. Wikoff, of Port Arthur, Tex., on motion of Mr. Eugene Francis Peters; Dennis Thomas Koromzay, of Washington, D.C., and Walter Bruce Laessig, of Chevy Chase, Md., on motion of Mr. Isaiah Guyman Martin; Lawrence M. Cohen, of Evanston, Ill., on motion of Mr. Gerard C. Smetana; Richard Allan Ellison, of Syracuse, N.Y., on motion of Mr. Josel Joseph Rabin; John Marshall Wellborn, of New York, N.Y., on motion of Mr. H. Douglas Weaver; Charles D. Sheldon, of Long Beach, Calif., on motion of Mr. Sideny A. Cherniss, Jr.; Donald Leonard Horowitz, of Washington, D.C., on motion of Mr. Ralph Adam Fine; Edmond G. Psaltis of Rockville, Md., on motion of Mr. Dermont Michael Owens; Peter Lucian Constantino, of Waterbury, Conn., and F. Patrick Zailikas, of Waterbury, Conn., on motion of Mr. Vincent J. Fuller; and Gwendolyn B. Crockett, of Baton Rouge, La., and Doris Falkenhainer, of Baton Rouge, La., on motion of Miss Lillian C. McLaurin, were admitted to practice.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. **100.** New York, appellant, *v.* United States et al. Appeal from the United States District Court for the Northern District of New York; and

No. **520.** City of Sheridan et al., appellants *v.* United States et al. Appeal from the United States District Court for the District of Wyoming. The motions to affirm are granted and the judgments are affirmed. Opinion *per curiam.*

No. **656.** American Smelting and Refining Company, appellant *v.* The County of Contra Costa et al. 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. **662.** Joseph Bonomo and Leonard A. Civill, appellants, *v.* Ernest C. Jones. Appeal from the Supreme Court of Pennsylvania, Western 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. **681.** Jerome Fishkin et al., appellants, *v.* United States Civil Service Commission et al. Appeal from the United States District Court for the Northern District of California. The appeal is dismissed for failure to docket the case within the time prescribed by Rule 13. Opinion *per curiam.* Mr. Justice Black and Mr. Justice Douglas are of the opinion that probable jurisdiction should be noted.

No. **703.** Local 1497, National Federation of Federal Employees, et al., appellants, *v.* City and County of Denver et al. Appeal from the United States District Court of the District of Colorado. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Opinion *per curiam.*

No. **706.** In the Matter of Paul R. Reed, appellant. Appeal from the Supreme Court of Delaware. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam.*

No. **714.** Jack R. Swain et al., appellants, *v.* Board of Adjustment of the City of University Park, Texas, et al. Appeal from the Court of Civil Appeals of Texas, Fifth Supreme Judicial 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. **715**. Nancy P. Lyon, appellant, *v.* Houston I. Flournoy, as Controller of the State of California, et al. Appeal from the Court of Appeal of California, Third Appellate District. The appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. **722**. Michael Schiavone & Sons, Inc., appellant, *v.* United States. Appeal from the United States District Court for the District of Massachusetts. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Opinion *per curiam*.

No. **738**. Bryce U. Graham, appellant, *v.* Alabama. Appeal from the Court of Appeals 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. **741**. 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 Illinois. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*.

No. **748**. John Schwegmann, Jr., appellant, *v.* The Louisiana Stadium and Expedition District, 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*.

No. **787, Misc.** Ex parte Jeanne Carrington, petitioner-appellant. Appeal from and on petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Petition for writ of certiorari denied. Opinion *per curiam*.

No. **897, Misc.** Philip S. Ariel, 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*. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **974, Misc.** Gilbert A. Sanchez, appellant, *v.* New Mexico. Appeal from the Supreme Court of New Mexico. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. **1123, Misc.** Carol Doyle et al., appellants, *v.* Thomas J. O'Brien, Chief of Police of Somerville, Massachusetts, et al. Appeal from the United States District Court for the District of Massachusetts. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. —. John Michael Coffey, petitioner, *v.* Walter E. Craven, Warden. The petition for reconsideration of the denial of bail by Mr. Justice Douglas, and by him referred to the Court, is denied.

No. —. Gerald E. Signorelli, petitioner, *v.* Andrew T. Malleck. The application for a restraining order presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. 74. Clifford Taggart et al., petitioners, *v.* Weinacker's, Inc. The motions of the American Retail Federation; and the Homart Development Company for leave to file briefs, as *amicus curiae*, are granted.

No. 53. Sara Baird, petitioner, *v.* State Bar of Arizona; and

No. 75. In the Matter of the Application of Martin Robert Stolar, petitioner. These cases are restored to the calendar for reargument.

No. 230. H. K. Porter Company, Inc., etc., petitioner, *v.* National Labor Relations Board et al. The motion of the United Steelworkers of America for leave to participate in the oral argument is granted and 15 minutes are allotted for that purpose. An additional 15 minutes is allotted to counsel for the petitioner. Mr. Justice Marshall took no part in the consideration or decision of this motion.

No. 234. Henry J. Czosek et al., petitioners, *v.* John R. O'Mara et al. The motion of the respondents for permission for two attorneys to participate in the oral argument is granted.

No. 300. James Tooahimpah Tate et al., petitioners, *v.* Walter J. Hickel, Secretary of the Interior for the United States, et al. The motion of Richard B. Stone for leave to argue *pro hac vice* is granted. The motion of respondent, Dorita High Horse, to remove this case from the summary calendar is denied. However, 15 additional minutes are allotted to each side in this case.

No. 692. The Public Service Commission of Wyoming et al., petitioners, *v.* Tri-State Generation & Transmission Association, Inc. The Solicitor General is invited to file a brief, expressing the views of the United States.

No. 730. Archie William Hill, Jr., petitioner, *v.* California. The motion for the appointment of counsel is granted and it is ordered that Joseph Amato, Esquire, of Palos Verdes Estates, California, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

APPEALS—JURISDICTION NOTED

No. 696. Law Students Civil Rights Research Council, Inc., et al., appellants, *v.* Lowell Wadmond et al. Appeal from the United States District Court for the Southern District of New York. In this case

probable jurisdiction noted. Case placed on the summary calendar and set for oral argument immediately following No. 75.

No. 726. Charlene Mitchell et al., appellants, *v.* Joseph L. Donovan, etc., et al. Appeal from the United States District Court for the District of Minnesota. In this case probable jurisdiction noted and case placed on the summary calendar. Mr. Justice Harlan is of the opinion that further consideration of the question of jurisdiction should be postponed to the hearing of the case on the merits.

CERTIORARI GRANTED

No. 387. California, petitioner, *v.* John Anthony Green. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Supreme Court of California granted and case placed on the summary calendar.

No. 661. Hellenic Lines Limited et al., petitioners, *v.* Zacharias Rhoditis. Motion of The Royal Greek Government for leave to file a brief, as *amicus curiae*, granted. Motion of the Union of Greek Ship-owners et al., for leave to file a brief, as *amici curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit and case placed on the summary calendar.

No. 678. James G. Nash et al., petitioners, *v.* United States. 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. 768. The Boys Markets, Inc., petitioner, *v.* Retail Clerk's Union, Local 770. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted and case placed on the summary calendar.

CERTIORARI DENIED

No. 242. Albert Perez, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 379. William Dennis Lemke, petitioner, *v.* City of Newport News, Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 504. William Donaldson, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 567. William O. Mettler and Eleanor Mettler, petitioners, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 627. Dorwin Marine, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **643.** Vincent J. Frilette and Paul B. Weisz, petitioners, *v.* Charles Newton Kimberlin, Jr., et al. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. **644.** Southern Railway Company, petitioner, *v.* City of Knoxville. Petition for writ of certiorari to the Supreme Court of Tennessee, Eastern Division, denied.

No. **645.** Sydney N. Floersheim, etc., petitioner, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **646.** Arizona ex rel. Edgar Merrill, Sheriff of Apache County, petitioner, *v.* Wayne Turtle, Sr. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **648.** Hammond Milling Company et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **650.** The Human Engineering Institute, Inc., petitioner, *v.* the Welch Scientific Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **651.** First National Bank of Lincolnwood, petitioner, *v.* Carroll et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **652.** Penrod Drilling Company, petitioner, *v.* Sam H. Johnson et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **657.** Fred N. Acker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **658.** Local No. 380, International Union, Allied Industrial Workers of America, AFL-CIO, petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **659.** Robert Cerrito, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **660.** Hyman R. Weiner, petitioner, *v.* Cuyahoga Community College District et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. **665.** Brush-Moore Newspapers, Inc., dba The Portsmouth Times, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **667.** Patton Manufacturing Company et al., petitioners, *v.* Everett W. Kimerling, Trustee in Bankruptcy for Patton Manufac-

turing Company, Bankrupt. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 671. Presto Manufacturing Company, 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. 673. Glen and Mohawk Milk Association, Inc., petitioner, *v.* Don J. Wickham, etc. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 680. Kurt Fiedler, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 682. General Electric Company, petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 684. Markham Advertising Company, Inc., et al., petitioners, *v.* George D. Zahn et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 685. James Leo Harris, Jr., petitioner, *v.* Pennsylvania Turnpike Commission. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 686. Cyril Maxwell Bugden, petitioner, *v.* Mary Jean C. Bugden. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 689. Wayne Boyles, petitioner, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 690. James Talcott, Inc., petitioner, *v.* Ivor B. Clark Co., Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 691. Earl S. Baird, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 695. Ana Sirbu and Elena Sirbu Maniu, petitioners, *v.* Jennie Sirbu. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 697. Eleanor G. Morton et al., partners t/a Pennbrook Milk Company, petitioners, *v.* National Dairy Products Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 698. John J. Scott et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 699. Joseph Anthony Licausi, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 700. 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. 702. A. H. Belo Corporation (WFAA-TV), petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 704. James S. Pyle, Jr., petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 707. Pennaluna and Company, Inc., et al., petitioners, *v.* Securities and Exchange Commission. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 708. Robert Sacks, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 709. Freddie Thomas, Jr., petitioner, *v.* Peterson Marine Service, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 710. First National City Bank of New York, petitioner, *v.* American Fire and Casualty Company. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 711. W. P. Taylor 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. 712. George L. Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 716. John E. Leslie et ux., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 717. Central of Georgia Railway Company, petitioner, *v.* Brotherhood of Railroad Trainmen et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 718. Iris S. Bessman and David S. Bessman, d.b.a. Bessman Insurance Agency, petitioners *v.* Jesse R. Bacalis. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 719. John A. Wright et ux., petitioners, *v.* Dade County. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 720. Herman Bauer, petitioner, *v.* Stern Finance Company et al. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 721. John S. Wynn, Jr., et ux., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 723. Archie L. Wainwright, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 724. James Theodore Swindler, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 733. Merchants National Bank and Trust Company of Indianapolis, petitioner, *v.* Professional Men's Association, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 734. White Consolidated Industries, Inc., petitioner, *v.* Allis-Chalmers Manufacturing Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 740. Mike Cantrell, petitioner, *v.* City of Oklahoma City. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 744. Dorothy H. Rossi, petitioner, *v.* Earl A. Fletcher. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 745. Cox's Food Center, Inc., petitioner, *v.* Retail Clerks Union, Local No. 1653, et al. Petition for writ of certiorari to the Supreme Court of Idaho denied.

No. 747. Melvin Andre Taylor, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 750. Gerson Nagelberg, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 751. Frank Mazzochi, Jr., 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. 754. Polymers, 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. 755. Minneapolis Park Board, petitioner, *v.* Minnesota. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 757. John S. Carroll, petitioner, *v.* United States District Court for the District of Colorado. Petition for writ of certiorari to the United States Court of Appeal for the Tenth Circuit denied.

No. 758. Joel Rubin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 759. Public Service Company of Indiana, Inc., et al., petitioners, *v.* David A. Hamil, Administrator of the Rural Electrification Administration, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 763. Indianola 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. 764. Fowler Manufacturing Company, petitioner, *v.* H. H. Gorlick, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 765. Arturo Ortiz Toro, petitioner, *v.* Julio E. Geraldino, Inc. Petition for writ of certiorari to the Supreme Court of Puerto Rico denied.

No. 769. Thomas D. Wyatt, petitioner, *v.* Carl Hocker, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 822. Herbert Basan, petitioner, *v.* United States;

No. 825. Harry P. Hutul, petitioner, *v.* United States; and

No. 826. Vito Lombardi, petitioner, *v.* United States Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 26. Russell Allen et al., petitioners, *v.* Clifford H. Hardin, Secretary of Agriculture, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. The Chief Justice and Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 160. John T. Hopper and Joe A. Woodward, petitioners, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 546. David H. Heine, petitioner, *v.* New Hampshire. Petition for writ of certiorari to the Supreme Court of New Hampshire denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 653. Betty Lou Jones, petitioner, *v.* City of Birmingham. Petition for writ of certiorari to the Court of Appeals of Alabama denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **668.** Timothy J. Boroski, 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. **766.** Joseph P. Kauffman, petitioner, *v.* Secretary of the Air Force. 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. **420.** J. Edward Jones, petitioner, *v.* Evelyn S. Jones et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **639.** Leon Berkman, 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 Second Circuit denied.

No. **495.** Louie L. Wainwright, Director, Division of Corrections, Florida, Petitioner *v.* William L. Barton. 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. **647.** Noel Hunt McRoberts, 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. **693.** Arnold F. Habig and Jerome M. Schroering, 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. **739.** Z. T. Osborn, Jr., 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. **669.** John Ruffalo, Jr., petitioner, *v.* Mahoning County Bar Association. Motion to use record and appendix in No. **73**, October Term, 1967, granted. Petition for writ of certiorari to the Supreme Court of Ohio denied. Mr. Justice Douglas is of the opinion that certiorari should be granted. Mr. Justice Stewart took no part in the consideration or decision of this motion and petition.

No. **674.** Henry I. Siegel Co., Inc., 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. The Chief Justice took no part in the consideration or decision of this petition.

No. 752. Harold Matzner and Dorothe Matzner, petitioners, *v.* Gordon H. Brown, Jr., etc. 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. 63, *Misc.* Cecil Moore, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 124, *Misc.* Glenn R. Bryant, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 151, *Misc.* Robert Henry Wane, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 162, *Misc.* Jack Lee Park, 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. 217, *Misc.* Harold A. Vaughn, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Judicial District, denied.

No. 259, *Misc.* Louis Samuel Cotton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 515, *Misc.* Charles Earnest Nicholls, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 551, *Misc.* Roscoe Brown, aka Sam Morris, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 672, *Misc.* Abner Junior Stephens, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 726, *Misc.* Ronald J. Rakshys, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 748, *Misc.* George Chromiak, petitioner, *v.* Harold V. Field. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 770, *Misc.* Adolfo Madrid, petitioner, *v.* Arizona. Petition for writ of certiorari to the Court of Appeals of Arizona denied.

No. 777, *Misc.* Donald A. Broadhead, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 799, *Misc.* Donald Forrest Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **804, Misc.** Hilda Oblatore, petitioner, *v.* Albert Robert Brauner. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **809, Misc.** Richard Black, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **831, Misc.** Loy Lavator Baker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **840, Misc.** Marcelo Vivero and Ceferino Gordon, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **872, Misc.** Charles Ruble Sisk, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **874, Misc.** Joseph Swift, 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. **888, Misc.** Andrew Green, petitioner, *v.* Frank J. Pate, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **918, Misc.** Thomas Owen Norman, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **935, Misc.** James Joseph Culotta, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **939, Misc.** Anthony Brill et al., petitioners, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. **951, Misc.** William Anthony, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **966, Misc.** Norman Allen Gibson, petitioner, *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. **967, Misc.** Troy Lee Webb, 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. **968, Misc.** Fred C. Ronstadt, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **972, Misc.** Douglas Morrill Kelley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **973, Misc.** Walter William Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **982, Misc.** Dwight Jaegers, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **983, Misc.** John Paul Smith, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **986, Misc.** Nathan Elmont Eli, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. **994, Misc.** Wayne G. Marvel, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **996, Misc.** Milton Tellis, petitioner, *v.* Carl Hocker, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1003, Misc.** Philip B. Chambers and Gladys Chambers, petitioners, *v.* Colonial Pipeline Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1004, Misc.** Herbert D. Stevens, petitioner, *v.* Louis Nelson, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1008, Misc.** Anthony F. Maroscia, petitioner, *v.* The Dispatch Printing Co. et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1011, Misc.** Ellis Eaton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **1013, Misc.** Floyd Leroy Laughlin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1023, Misc.** Howard Allen Logan, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. **1025, Misc.** Robert James Miller and Peter Wiljo Jarvi, petitioners, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. **1026, Misc.** Stephen Conover, petitioner, *v.* Ross E. Herold, M.D., Director, Dannemora State Hospital. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1028, Misc.** Marvin Phillips, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **1029, Misc.** John Lee Arnold, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1031, Misc.** Richard Owens, Jr., petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. **1033, Misc.** William Joseph Cooper and Robert Paul Murfitt, petitioners *v.* New Jersey. Petition for writ of certiorari to the Supreme Court New Jersey denied.

No. **1036, Misc.** Frances O. Warriner, petitioner, *v.* Marilyn Fernandez, etc., et al. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. **1039, Misc.** George D. Rogers, petitioner, *v.* California Adult Authority et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1040, Misc.** Kelsey D. Bartlett, Guardian, etc., petitioner, *v.* Thomas Hollopeter. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. **1041, Misc.** Joseph Weldon Roberts, petitioner, *v.* Alaska. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. **1044, Misc.** Samuel Corrado and Dorothy Corrado, petitioners, *v.* Providence Redevelopment Agency et al. Petition for writ of certiorari to the Supreme Court of Rhode Island denied.

No. **1056, Misc.** Eleanor Lee, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1057, Misc.** James Raymond Neal, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1058, Misc.** Steve Czako, petitioner, *v.* James F. Maroney, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1065, Misc.** Richard Holland, petitioner, *v.* Ira M. Coiner, Warden. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. **1067, Misc.** William Smith, 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. **1070, Misc.** Oscar Floyd Wharton, petitioner, *v.* Sherman H. Crouse, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1071, Misc.** Bunchie White, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1072, Misc.** Winfield H. Lyon, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1073, Misc.** Mickey Joe McAlvain, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. **1075, Misc.** Billy W. Stephens, petitioner, *v.* H. V. Field, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1081, Misc.** Petronila Gabriel et vir, petitioners, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1082, Misc.** Lewis E. Johnson, petitioner, *v.* Thomas Sard, D.C. Board of Parole, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1083, Misc.** Louis Ortega, petitioner, *v.* Superior Court of California, County of Los Angeles. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1084, Misc.** George G. Gross, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1087, Misc.** Nancy Mitchell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1088, Misc.** Willie Charles Hill, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1090, Misc.** Lewis Thomas Rogers, Jr., petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. **1093, Misc.** Robert Hamilton, petitioner, *v.* Alabama. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1099, **Misc.** Dwight Boone, etc., et al., petitioners, *v.* George K. Wyman, Commissioner, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1100, **Misc.** James A. Haynes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1104, **Misc.** William Joseph McGurrin, petitioner, *v.* John Shovlin, Superintendent, Fairview State Hospital, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1106, **Misc.** Michael Chupich, petitioner, *v.* Illinois. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1109, **Misc.** William Francis Collins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1114, **Misc.** Ramiro Reyes, Jr., petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1115, **Misc.** John Ronald Blankenship, petitioner, *v.* Willard Norvell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1117, **Misc.** Johnny Lee Anthony, 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. 1119, **Misc.** Russell Walters, petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1120, **Misc.** Joseph Saunders, petitioner, *v.* Michigan Parole Board. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 1121, **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. 1122, **Misc.** Earnest Edward Newlin, petitioner, *v.* Superior Court of Arizona, County of Maricopa, et al. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 1125, **Misc.** Harry Rogers, petitioner, *v.* Wilbur J. Schmidt, Secretary, Wisconsin Department of Health & Social Services. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1127, **Misc.** Edward Blake Taylor, petitioner, *v.* Elmer O. Cady, Warden. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 1128, **Misc.** Raymond E. Johns, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1130, **Misc.** Wallace Dean Cline, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1131, **Misc.** Ben Brown, petitioner, *v.* R. W. Keith. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1134, **Misc.** Sam Gilmore, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1136, **Misc.** Warren Gabriel Huskey, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1143, **Misc.** James F. Grix, petitioner, *v.* Ross E. Herold, Director, Dannemora State Hospital. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1145, **Misc.** Richard X. Rountree, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1148, **Misc.** Josh McDaniels, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1153, **Misc.** Henry A. Parrish, 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. 1157, **Misc.** Earl F. Mink, petitioner, *v.* W. Wallace Kent, Judge. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1160, **Misc.** William Cagle, Jr., petitioner, *v.* P. J. Ciccone, Director, U.S. Medical Center for Federal Prisoners. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1233, **Misc.** Raymond Seward, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1242, Misc.** Earl F. Mink, petitioner, *v.* Gus Harrison, Director of Michigan Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1257, Misc.** Harvey Hamilton Flemming, 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. **1276, Misc.** Antony Pergolizzi et al., petitioners, *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. **11, Misc.** Albert Haden, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **20, Misc.** Robert L. Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **27, Misc.** Kevin McLean, 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. **49, Misc.** Frank J. Andrews, 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. **64, Misc.** George Carrigan, petitioner, *v.* United States. 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. **86, Misc.** Paul Handy Nunley, petitioner, *v.* United States. 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. **157, Misc.** Janet Irene King, 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. **391, Misc.** James Elmer Swift, petitioner, *v.* Commandant, U.S. Disciplinary Barracks, 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. **428, Misc.** William Goode, petitioner, *v.* Milton Sommers. Petition for writ of certiorari to the Baltimore City Court of Maryland denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **707, Misc.** William R. Baird, petitioner, *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. **708, Misc.** Delores Barnes, 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.

No. **898, Misc.** H. Rap Brown, petitioner, *v.* Maryland and/or Ira Johnson, Sheriff, Dorchester County. 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. **975, Misc.** Charles Thessen, petitioner, *v.* Alaska. Petition for writ of certiorari to the Supreme Court of Alaska denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **896, Misc.** Norvin G. Maloney, Jr., petitioner, *v.* E. I. duPont de Nemours & Co., Inc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Stewart and Mr. Justice White took no part in the consideration or decision of this petition.

No. **995, Misc.** William T. Carr, petitioner, *v.* United States. 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. **1124, Misc.** Jesse Eugene Dearing, 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.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. **1074, Misc.** Benn Hall, Jr., petitioner, *v.* John W. Wingo, Warden; and

No. **1264, Misc.** Armando Maisonave, petitioner, *v.* Louie L. Wainwright, Director, Florida Division of Corrections. Motions for leave to file petitions for writs of habeas corpus denied.

No. **1178, Misc.** Adai Leser, petitioner, *v.* United States et al. Motion for leave to file petition for writ of habeas corpus denied. Mr. Justice Marshall took no part in the consideration or decision of this motion.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. **262, Misc.** Roland R. Poggi, petitioner, *v.* Wm. P. Gray, Judge, U.S. District Court for the Central District of California; and

No. **310, Misc.** Roland R. Poggi, petitioner, *v.* Wm. P. Gray, Judge, United States District Court for the Central District of California. Motions for leave to file petitions for writs of mandamus denied.

REHEARINGS DENIED

No. **1190, Misc.**, October Term, 1967. Charles F. Ware, petitioner, *v.* Paul H. Preston, etc., et al. Motion for leave to file second petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this motion.

No. **40.** James Conway, petitioner, *v.* California Adult Authority et al.;

No. **340.** Bernie Ludwig, petitioner, *v.* Florida;

No. **434.** Tilden W. Johnson, appellant, *v.* State Bar of California et al.;

No. **430.** Arizona Corporation Commission et al., appellants *v.* United States et al.;

No. **497.** Union Pacific Railroad Company et al., appellants, *v.* United States et al.;

No. **507.** Bay Sound Transportation Co. et al., petitioners, *v.* United States;

No. **554.** John T. Chambers, petitioner, *v.* W. M. Beauchamp, etc., et al.; and

No. **583.** D. B. Anders, petitioner, *v.* Commissioner of Internal Revenue. Petitions for rehearing denied.

No. **368.** Raymond Thomas Ward, petitioner, *v.* Pennsylvania New York Central Transportation Company et al. Motion for leave to file petition for hearing denied.

No. **160, Misc.** Calvin Winston Jackson, petitioner, *v.* California;

No. **602, Misc.** Robert Summers Neely, Jr., petitioner, *v.* United States;

No. **632, Misc.** Richard Henry Clinton, appellant, *v.* California;

No. **658, Misc.** Glenn Lane, petitioner, *v.* Albert Pucci et al.;

No. **781, Misc.** Frank Dvorsky, petitioner, *v.* United States;

No. **782, Misc.** Frank Wolff, petitioner, *v.* Jay Foley;

No. **843, Misc.** William Frederick Wendt, Jr., petitioner, *v.* S. Hugh Dillin et al.;

No. **866, Misc.** Charles Resseguie, petitioner, *v.* Harold W. Follette, Warden;

No. **959, Misc.** John Edward Daugherty, petitioner, *v.* United States et al.;

No. **978, Misc.** Albert Lonzo Cantrell, petitioner, *v.* United States; and

No. **1016, Misc.** James Morris Fletcher, petitioner, *v.* James F. Maroney, Superintendent, State Correctional Institution. Petitions for rehearing denied.

No. **999, Misc.** Eddie M. Harrison, petitioner, *v.* United States. Petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this petition.

ORAL ARGUMENT

No. **74.** Clifford Taggart et al., petitioners, *v.* Weinacker's, Inc. Argued by Mr. Bernard Dunau for the petitioners and by Mr. Shayle P. Fox for the respondent.

No. **84.** United States, appellant, *v.* Milton C. Jorn. Argued by Mr. Louis F. Claiborne for the appellant and by Mr. Denis R. Morrill for the appellee.

No. **104.** United States, petitioner, *v.* Estate of Thomas S. Donnelly, Sr., et al. Argued by Matthew J. Zinn for the petitioner and by Mr. Daniel N. Pevos for the respondents.

No. **282.** United States, petitioner, *v.* Maclin P. Davis et ux. Argued by Mr. Solicitor General Griswold for the petitioner and by Mr. William Waller for the respondents.

Adjourned until tomorrow at 10 o'clock.

The day call for Tuesday, January 13, 1970, will be as follows:
Nos. **185, 301, 234,** and **231.**

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

William J. Moran, of Anchorage, Alaska, on motion of Mr. Howard W. Pollock; Henry T. Reath, of Philadelphia, Pa., on motion of Mr. Endicott Peabody; Douglas J. Maloney, of San Rafael, Calif., and Albert E. Butler, of Jesup, Ga., on motion of Mr. Brice Wilson Rhyne; John Phillip Ryan, of Milwaukee, Wis., on motion of Mr. Graham W. McGowan; Richard McLaughlin Leslie, of Miami, Fla., on motion of Mr. William H. Allen; Robert Boochever, of Juneau, Alaska, on motion of Mr. Seth W. Morrison; Richard F. Griffin, of Buffalo, N. Y., and Courtland R. LaVallee, of Buffalo, N. Y., on motion of Mr. James P. Shea; and John Andrew Church, of Salinas, Calif., and Robert Marble Hinrichs, of Salinas, Calif., on motion of Mr. Jacob Abramson, were admitted to practice.

OPINION

No. 55. Willie Wade, Jr., petitioner, *v.* Lawrence E. Wilson, Warden, et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgments of the Court of Appeals and the District Court vacated and case remanded to the United States District Court for the Northern District of California for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Brennan. Dissenting opinion by Mr. Justice Black.

ORAL ARGUMENT

No. 185. Augie Reetz, Commissioner of Fish and Game for Alaska, et al., appellants, *v.* John Bozanich et al. Argued by Mr. Charles K. Cranston for the appellants and by Mr. Robert Boochever for the appellees.

No. 301. Loren J. Pike, etc., appellant, *v.* Bruce Church, Inc. Argued by Mr. Rex E. Lee for the appellant and by Mr. Jacob Abramson for the appellee.

No. 234. Henry J. Czosek et al., petitioners, *v.* John R. O'Mara et al. Argued by Mr. Richard R. Lyman for the petitioners and by

Mr. James P. Shea for respondent employees and Mr. Richard F. Griffin for the respondent railroad.

No. **231**. International Longshoremens's Association, Local 1416, AFL-CIO, petitioner, *v.* Ariadne Shipping Company, Limited, et al. Argued by Mr. Seymour M. Waldman for the petitioner and by Mr. Richard M. Leslie for the respondents.

Adjourned until tomorrow at 10 o'clock.

The day call from Wednesday, January 14, 1970, will be as follows:
Nos. **300, 395, 88, and 441.**

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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 Groover Kennedy, Jr., of Savannah, Ga., on motion of Mr. Paul Leonard O'Brien; Barry V. Freeman, of Los Angeles, Calif., on motion of Mr. Earl Kintner; Jacob W. Heller, of New York, N.Y., on motion of Mr. Murray I. Gurfein; and Eugene M. Whitacre, of Lawrenceville, N.J., on motion of Mr. Roland A. Linger, were admitted to practice.

ORAL ARGUMENT

No. 300. James Tooahimpah Tate et al., petitioners, *v.* Walter J. Hickel, Secretary of the Interior for the United States, et al. One and one half hours allowed for oral argument. Argued by Mr. Omer Luellen for the petitioners, by Mr. Richard B. Stone for respondent, Secretary of Interior, *pro hac vice*, by special leave of Court, and by Mr. Houston Bus Hill for respondent, Dorita High Horse.

No. 395. United States, petitioner, *v.* M. O. Seckinger, Jr., etc. Argued by Mr. James van R. Springer for the petitioner and by Mr. John G. Kennedy for the respondent.

No. 38. United States, petitioner, *v.* W. G. Reynolds et ux. Argued by Mr. Shiro Kashiwa for the petitioner and by Mr. Erwin S. Solomon for the respondent.

No. 441. Robert I. Toussie, petitioner, *v.* United States. Argued by Mr. Murray I. Gurfein for the petitioner and by Mr. Francis X. Beytagh for the respondent.

Orders of the Court certified by the Chief Justice and filed with the Clerk:

OPINION PER CURIAM

No. 944. Robert Carter et al., petitioners, *v.* West Feliciana Parish School Board et al.; and

No. 972. Derek Jerome Singleton et al., petitioners, *v.* Jackson Municipal Separate School District et al. On petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit. Petition for writ of certiorari granted, judgments reversed and cases remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Judgments shall issue

forthwith. Opinion *per curiam*. Concurring opinion by Mr. Justice Harlan with whom Mr. Justice White joins. Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Brennan, and Mr. Justice Marshall express their disagreement with the opinion of Mr. Justice Harlan, joined by Mr. Justice White. Separate memorandum by The Chief Justice and Mr. Justice Stewart.

ORDERS IN PENDING CASES

No. **944**. Robert Carter et al., petitioners, *v.* West Feliciana Parish School Board et al.;

No. **972**. Derek Jerome Singleton et al., petitioners, *v.* Jackson Municipal Separate School District et al.; and

No. **1003**. West Feliciana Parish School Board et al., petitioners, *v.* Robert Carter et al. The motion of the Louisiana Teachers Association for leave to file a brief, as *amicus curiae*, is granted.

CERTIORARI DENIED

No. **1027**. Jackson Municipal Separate School District et al., petitioners, *v.* Derek Jerome Singleton et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1042**. Hinds County School Board et al., petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1003**. West Feliciana Parish School Board et al., petitioners, *v.* Robert Carter et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

Adjourned until tomorrow at 10 o'clock.

The day call for Thursday, January 15, 1970, will be as follows:
Nos. **108**, **230**, and **179**.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Edward S. Horowitz, of Washington, D.C., and Maurice Jacques Attie, of Los Angeles, Calif., on motion of Mr. Jerome Feit; Thomas P. Luscher, of Pittsburgh, Pa., Paul Richard Obert, of Pittsburgh, Pa., and William Alvah Stewart III, of Pittsburgh, Pa., on motion of Mr. Donald C. Winson; Arlene Tuck Ulman, of Washington, D.C., on motion of Mr. Leon Ulman; Benjamin P. Bonelli, of San Rafael, Calif., on motion of Mr. Herbert Pittle; Max M. Goldberg, of Washington, D.C., on motion of Mr. Nathan Rubey; Frederick J. Bellaman, of Washington, D.C., on motion of Mr. Joseph Francis Jaskiewicz; James John Casey, of Hyattsville, Md., on motion of Mr. Lawrence Charles Miller; Frank R. Ortisi, of East Detroit, Mich., on motion of Mr. Edgar G. Merson; Gene I. Mesh, of Cincinnati, Ohio, on motion of Mr. John Franklin O'Neal; Martin Jack Leavitt, of Detroit, Mich., on motion of Mr. Nahum Litt, were admitted to practice.

ORAL ARGUMENT

No. **108**. The Colonnade Catering Corp., petitioner, *v.* United States. Argued by Mr. O. John Rogge for the petitioner and by Mr. Jerome Feit for the respondent.

No. **230**. H. K. Porter Company, Inc., etc., petitioner, *v.* National Labor Relations Board et al. One and one half hours allowed for oral argument. Argued by Mr. Donald C. Winson for the petitioner, by Mr. Lawrence M. Cohen for the Chamber of Commerce of the United States, as *amicus curiae*, by Mr. Norton J. Come for respondent National Labor Relations Board and by Mr. George H. Cohen for respondent United States Steelworkers of America, AFL-CIO, by special leave of Court.

No. **179**. William P. Rogers, Secretary of State, appellant, *v.* Aldo Mario Bellei. Argued by Mr. Joseph J. Connolly for the appellant and by Mr. O. John Rogge for the appellee.

Adjourned until Monday, January 19, 1970, at 10 o'clock.

The day call for Monday, January 19, 1970, will be as follows:
Nos. **33 Orig.**, **730**, **731**, and **778**.

SUPREME COURT OF THE UNITED STATES

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

No. 458. Charles Johnson et al., petitioners, *v.* Massachusetts. The application of Joseph M. Palladino, Sr., to stay the effectiveness of the order denying petition for certiorari as to him, presented to Mr. Justice Brennan and by him referred to the Court, is denied. Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Stewart are of the opinion that the application should be granted.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Scott R. Schoenfeld, of Washington, D.C., Gerson Marks, of Beverly Hills, Calif., Blaine Ewing Pettitt, of Fresno, Calif., Frank J. Habershaw, of Miami, Fla., Richard Stansbury Zahn, of Baltimore, Md., Norman Allan Mandel, of Reston, Va., William Slater Allen, Jr., of Providence, R. I., and Robert Eugene McLaughlin, of Arlington, Va., on motion of Mr. Solicitor General Erwin N. Griswold; Harold F. Hanser, of Billings, Mont., and John Bradley Chickering, of Tucson, Ariz., on motion of Mr. Lee Metcalf; Homer Eugene Bostick, of Macon, Ga., on motion of Mr. John James Flynt, Jr.; Louis P. Gray III, of Stonington, Conn., on motion of Mr. Jerris Leonard; Shrader R. Miller, of Louisville, Ky., and Richard M. Trautwein, of Louisville, Ky., on motion of Mr. Edward M. Steutermann; Rena K. Uviller, of New York, N.Y., on motion of Mr. H. Richard Uviller; John Buford Grier, of Rock Hill, S.C., on motion of Mr. Robert Miller Ward; Heard H. Sutton, of Memphis, Tenn., on motion of Mr. Harry W. Laughlin, Jr.; Edward Bernard Hopper II, of Indianapolis, Ind., on motion of Mr. Sigmund J. Beck; Arland Thomas Stein, of Pittsburgh, Pa., on motion of Mr. Eugene Franklin Buell; Joseph Amato, of Palos Verdes Estates, Calif., on motion of Mr. Ronald Marc George; C. Hayes Cooney, of Nashville, Tenn., and Robert Hassler Roberts, of Byrdstown, Tenn., on motion of Mr. Thomas E. Fox; Thomas Baron Lief, of Venice, Calif., on motion of Mr. Robert L. Randall; Thomas E. Patton, of Washington, D.C., on motion of Mr. Arthur John Keeffe; and Peter Kent Spriggs, of Oxford, Miss., on motion of Mr. Joseph Forer, were admitted to practice.

OPINION

No. 30. 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. Judgment affirmed without prejudice to the right of the appellants to seek modification of the District Court's decree as circumstances may require. Opinion by Mr. Justice Stewart. Concurring opinion by Mr. Justice Black. Opinion by Mr. Justice Douglas dissenting in part.

No. 23. Calvin Turner et al., appellants, *v.* W. W. Fouche et al. Appeal from the United States District Court for the Southern District of Georgia. Judgment vacated and case remanded to the United States District Court for the Southern District of Georgia for further proceedings in conformity with the opinion of this Court. Motion of the appellees grand jurors to dismiss the appeal as to them is granted. Opinion by Mr. Justice Stewart.

No. 71. David Earl Gutknecht, 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 Douglas. Mr. Chief Justice Burger concurs in the result reached by the Court generally for the reasons set out in the separate opinion of Mr. Justice Stewart. Mr. White joins the opinion of the Court insofar as it holds that Congress has not delegated to the President the authority to promulgate the delinquency regulations involved in this case. Concurring opinion by Justice Harlan. Opinion by Mr. Justice Stewart concurring in the judgment.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 288. First Federal Savings and Loan Association of Providence, appellant, *v.* Fred M. Langton, Tax Administrator. Appeal from the Supreme Court of Rhode Island. 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. 414. 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. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*. Concurring opinion by Mr. Justice Brennan with whom Mr. Justice Douglas and Mr. Justice Marshall join.

No. 496. Alfred Tennyson Cowgill, 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. Opinion *per curiam*. Concurring opinion by

Mr. Justice Harlan with whom Mr. Justice Brennan joins. Mr. Justice Douglas is of the opinion that probable jurisdiction should be noted.

No. 663. Camillo Molinaro, appellant, *v.* New Jersey. Appeal from the Supreme Court of New Jersey. The appeal is dismissed. Opinion *per curiam*. Mr. Justice Douglas concurs in the result.

No. 770. Julius S. Moskowitz, appellant, *v.* James M. Power 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*.

No. 808. Edward L. Blincoe et ux., appellants, *v.* Philip E. Watson, Assessor, et al. Appeal from the Court of Appeal of California, Second Appellate District. The motion to dispense with printing the 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*.

ORDERS IN PENDING CASES

No. —. Orlando Bosch Avila, petitioner, *v.* United States. The application for bail pending appeal presented to Mr. Justice Black, and by him referred to the Court, is denied.

No. 41. The Choctaw Nation and The Chickasaw Nation, petitioners, *v.* Oklahoma et al.; and

No. 59. The Cherokee Nation or Tribe of Indians in Oklahoma, petitioner, *v.* Oklahoma et al.; and

No. 46. United States, petitioner, *v.* James A. White. These cases are restored to the calendar for reargument.

No. 153. Daniel McMann, Warden, et al., petitioners, *v.* Willie Richardson et al. The motion of the District Attorney of New York County for leave to participate in the oral argument, as *amicus curiae*, is granted and a total of 30 minutes is allotted for that purpose. Counsel for the respondents are allotted an additional 30 minutes.

No. 175. Petsonella Moragne, etc., petitioner, *v.* States Marine Lines, Inc., et al. The motion of Nathan Baker for leave to file a brief, as *amicus curiae*, is granted. The motion of American Trial Lawyers Association for leave to file a brief, as *amicus curiae*, is granted.

No. 221. Walter J. Hickel, Secretary of the Interior, petitioner, *v.* The Oil Shale Corporation et al. In this case 45 minutes are allotted to each side for oral argument. Mr. Justice White and Mr. Justice Marshall took no part in the consideration or decision of this order.

No. 305. United States, appellant, *v.* John Heffron Sisson, Jr. In this case one hour is allotted to each side for oral argument. The motion of Frank P. Slaninger for leave to dispense with printing the

amicus curiae brief is denied. The motion to file a brief, as *amicus curiae*, will be granted provided the size of the print and pages of his brief is made to conform with the requirements of Rule 39 (1) and (4) of the Rules of this Court. The motion of Los Angeles Selective Service Law Panel for leave to participate in oral argument, as *amicus curiae*, is denied.

No. 399. Daniel Rowan, dba American Book Service, et al., appellants, v. United States Post Office Department et al. The motion of The Direct Mail Advertising Association, Inc., for leave to participate in oral argument, as *amicus curiae*, is denied.

No. 730. Archie William Hill, Jr., petitioner, v. California. The motion of Keith C. Monroe for leave to file a brief, as *amicus curiae*, is granted.

APPEAL—JURISDICTION NOTED

No. 156, Misc. Willie E. Williams, appellant, v. Illinois. Appeal from the Supreme Court of Illinois. 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. 655. Joseph Thomas Mulloy, 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.

CERTIORARI DENIED

No. 125. Martin Marietta Corporation, petitioner, v. Judith S. Feder et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 771. Milton J. Baumel et al., petitioners, v. Leonard Rosen et al.; and

No. 881. Leonard Rosen et al., petitioners, v. Milton J. Baumel et al. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 773. United States, petitioner, v. Missouri Pacific Railroad Company. Petition for writ of certiorari to the United States of Appeals for the Eighth Circuit denied.

No. 775. Narragansett Racing Association, Inc., et al., petitioners, v. Frank E. Berman et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 776. Williams-McWilliams, Inc., et al., petitioners, v. Alfred M. Massey. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 777. Seven Slot Machines et al., petitioners, *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 779. Local 282, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States of Appeals for the Second Circuit denied.

No. 780. Arnold H. Bruner et al., petitioners, *v.* Republic Supply Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 784. Joseph Schreiber and David Goldberg, etc., petitioners, *v.* American Safety Table Company, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 785. George W. Shankey, Jr., et al., petitioners, *v.* Leonard C. Staisey et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 786. Leo Zubkoff, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 790. Ruth M. Saville, petitioner, *v.* Bank of America, etc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 791. A. J. Young et ux., petitioners, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 792. John A. Kunzman et al., petitioners, *v.* Union Pacific Railroad Company. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 795. Retail Store Employees Union, Local 954, petitioner, *v.* The LaSalle & Koch Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 796. Sammey Gordon Randolph, Jr., petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 797. Louisiana Industries, Inc. and Louisiana Lightweight Aggregate Company, a Division of Texas Industries, petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 799. Willie J. Ambers, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 800. United Benefit Life Insurance Company, petitioner, *v.* James L. McCrory. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **802.** Harold Konigsberg, petitioner, *v.* John N. Mitchell, Attorney General, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **803.** Perry B. Ward, petitioner, *v.* Paul M. Differding et al. Petition for writ of certiorari to the Appellate Court of Indiana denied.

No. **806.** Jeff Fort, petitioner, *v.* Illinois. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **807.** The National Foundation, petitioner, *v.* City of Fort Worth. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **810.** State Board of Equalization of the State of California, petitioner *v.* Montgomery Ward & Co., Incorporated. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. **384.** Presbyterian Church in the United States et al., petitioners, *v.* Mary Elizabeth Blue Hull Memorial Presbyterian Church et al. Motion to use record in No. 71, October Term, 1968, granted. Motion of William P. Thompson, Stated Clerk of the General Assembly of the United Presbyterian Church in the United States of America, et al., for leave to file a brief, as *amici curiae*, granted. Motion of the Right Reverend John E. Hines, Presiding Bishop of the Protestant Episcopal Church in the United States for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the Supreme Court denied.

No. **772.** James T. Benn, petitioner, *v.* Julius Sankin et al. 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. **793.** Jim Garrison, etc., petitioner, *v.* Walter Sheridan and Richard Townley. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. The Chief Justice took no part in the consideration or decision of this petition.

No. **781.** John J. Gibbons, petitioner, *v.* United States District Court for the District of Nevada. 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. **783.** Susie Frances Butler, petitioner, *v.* City of Winter Garden. Petition for writ of certiorari to the Supreme Court of Florida denied. Mr. Justice Black is of the opinion that certiorari should be granted.

No. 787. Lawrence R. Velvel, etc., petitioner, *v.* Richard M. Nixon, President, et al. Motion to dispense with printing petition granted. 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. 789. Walker Oil Company, Inc., et al., petitioners, *v.* Hudson Oil Company of Missouri, Inc. 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. 143, Misc. Flossie Bullock, petitioner, *v.* Warden, Westfield State Farm for Women. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 203, Misc. Tommie J. Beasley, petitioner, *v.* County Court, Kenosha County. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 235, Misc. York Porter, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 278, Misc. Charles Pennington, petitioner, *v.* Frank J. Pate, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 352, Misc. Allen P. Green, petitioner, *v.* C. J. Fitzharris, Superintendent, Correctional Training Facility. Petition for writ of certiorari to the Supreme Court of California denied.

No. 372, Misc. Solomon Vann, Jr., petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 384, Misc. Guy D. Jaquish, petitioner, *v.* H. V. Field, Superintendent, California Men's Colony. Petition for writ of certiorari to the Supreme Court of California denied.

No. 402, Misc. Hector Pacheco, petitioner, *v.* Carl G. Hocker, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 423, Misc. Clair D. Sullivan, petitioner, *v.* Frank A. Eyman, Warden, et al. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 465, Misc. Joe Gonzales, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 498, Misc. Robert D. Copas, petitioner, *v.* John C. Burke, Warden. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 599, **Misc.** Louis L. Schwartz, petitioner, *v.* Victory Container Corp. and Edwin F. Radin. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 660, **Misc.** Gary W. Meeks, petitioner, *v.* C. J. Fitzharris, Superintendent, Correctional Training Facility. Petition for writ of certiorari to the Supreme Court of California denied.

No. 717, **Misc.** Lawrence H. Child, petitioner, *v.* Maine et al. Petition for writ of certiorari to the Supreme Court of Maine denied.

No. 727, **Misc.** Clemon Blanchey, Jr., petitioner, *v.* Washington et al. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 729, **Misc.** Stephen Luther Evans, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 749, **Misc.** Louis Brow, Jr., petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 828, **Misc.** James William Gibbs, petitioner, *v.* Bob Turner et al. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 925, **Misc.** Allen Bell, Jr., petitioner, *v.* North Carolina. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 926, **Misc.** Henry Campbell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 928, **Misc.** Ronald Lee Smith, petitioner, *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 929, **Misc.** Harold M. Hemminger, petitioner, *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 931, **Misc.** Edward Ray Stacy, petitioner, *v.* Charles Van Curen, Superintendent, Lebanon Correctional Institution. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 947, **Misc.** Mike Serrato Cuevas, petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 948, **Misc.** Octaviano Sanchez, petitioner, *v.* H. V. Field, Superintendent. Petition for writ of certiorari to the Supreme Court of California denied.

No. 949, **Misc.** Robert Reilly, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. **1048, Misc.** William DePalma, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1050, Misc.** Floyd Ray Gearing, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. **1052, Misc.** Russell Dean Kleinhans, petitioner, *v.* Donna Kleinhans. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. **1062, Misc.** Jack and Ethel Gittlemacker et al., petitioners, *v.* County of Philadelphia, Commonwealth of Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1066, Misc.** Theodore Lawler, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1102, Misc.** William A. Young, petitioner, *v.* Richard A. McGee, Administrator, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1111, Misc.** Antoni Mitchelson, petitioner, *v.* Daniel McMann, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1171, Misc.** Earl T. Penrice, petitioner, *v.* California Adult Authority. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1277, Misc.** Steven X. Washington, Jr., 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. **1312, Misc.** Vernon Thompson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1316, Misc.** John McFadden, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. **1368, Misc.** Leland Eugene Wenner, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **281, Misc.** Lloyd E. Dupree, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Mr. Justice Black is of the opinion that certiorari should be granted.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. **868, Misc.** Clarence Edward Poteet, petitioner, *v.* Alfred T. Rundle, Superintendent, State Correctional Institution; and

No. **1442, Misc.** Ernest Watkins, petitioner, *v.* John W. Wingo, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. **226, Misc.** Safeguard Mutual Insurance Company, petitioner, *v.* Abraham L. Freedman, Judge of the U.S. Court of Appeals for the Third Circuit, et al.; and

No. **699, Misc.** Roy Ross, Jr., petitioner, *v.* Gus Harrison, Director, Michigan Corrections and Prisons, et al. Motions for leave to file petitions for writs of mandamus denied.

REHEARINGS DENIED

No. **19.** The First National Bank in Plant City, Plant City, Florida, petitioner, *v.* Fred O. Dickinson, Jr., etc., et al.;

No. **612.** Claresa F. Armstrong Brown, petitioner, *v.* Commercial National Bank of Peoria, as Trustee, et al.;

No. **505, Misc.** Jon Carlton and Ann Carlton, petitioners, *v.* Richard E. Gerstein, State's Attorney;

No. **569, Misc.** In the Matter of Robert Edward Lipscomb, petitioner;

No. **594, Misc.** Robert E. Williams, petitioner, *v.* United States; and

No. **1086, Misc.** Luis Morales, petitioner, *v.* Walter E. Craven, Warden. Petitions for rehearing denied.

RECESS ORDER

The Court will take a recess from Monday, January 26, 1970, until Tuesday, February 24, 1970.

ORAL ARGUMENT

No. **33, Original.** State of Arkansas, plaintiff, *v.* State of Tennessee. Argued by Mr. Don Langston for the plaintiff and by Mr. Heard H. Sutton for the defendant.

No. **730.** Archie William Hill, Jr., petitioner, *v.* California. Argued by Mr. Joseph Amato for the petitioner and by Mr. Ronald M. George for the respondent.

No. **731**. Kenneth R. Jones, petitioner, *v.* State Board of Education of and for the State of Tennessee et al. Argument commenced by Mr. Reber F. Boulton, Jr., for the petitioner and continued by Mr. Robert H. Roberts for the respondents.

Adjourned until tomorrow at 10 o'clock.

The day call for Tuesday, January 20, 1970, will be as follows:
Nos. **731, 778, 76, and 305**.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Tully Matteau Bond, Jr., of Macon, Ga., on motion of Mr. John James Flynt, Jr.; Richard C. Lindberg, of Chicago, Ill., on motion of Mr. Munson H. Lane; William T. Ward, of Washington, D.C., on motion of Mr. Franklin C. Roller; William Meriwether Bowen, of Beaufort, S. C., on motion of Mr. Joab Mauldin Dowling; Theodore R. Scott, of Chicago, Ill., on motion of Mr. Lewis Stanton Garner, Jr.; Alvin John Huss, Jr., of St. Paul, Minn., on motion of Mr. Charles O'Connell; Wilbur H. Mathesius, of Trenton, N.J., on motion of Mr. Robert G. Maysack; Herbert Arthur Rosenthal, Jr., of Washington, D.C., on motion of Mr. Howard S. Boros; James R. Kinzer, of Dallas, Tex., on motion of Mr. Henry Martin Shine, Jr.; George D. Haimbaugh, Jr., of Columbia, S. C., on motion of Mr. Marshall T. Mays; and John Murdoch Crane, of Dover, Del., and Kent Clyde Dugmore, of Anchorage, Alaska, on motion of Mr. Alexander J. Palenscar, Jr., were admitted to practice.

OPINIONS

No. 190. James Turner, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed as to Counts 1 and 2 and reversed as to Counts 3 and 4 and case remanded to the United States Court of Appeals for the Third Circuit for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Concurring opinion by Mr. Justice Marshall. Dissenting opinion by Mr. Justice Black with whom Mr. Justice Douglas joins.

No. 64. Elmer E. Mills and Louis Susman, petitioners, *v.* The Electric Autolite Company et al. On writ of certiorari to the United States Court of Appeals for the Seventh 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 Harlan. Opinion by Mr. Justice Black concurring in part and dissenting in part.

ORAL ARGUMENT

No. **731**. Kenneth R. Jones, petitioner, *v.* State Board of Education of and for the State of Tennessee et al. Argument continued by Mr. Robert H. Roberts for the respondents and concluded by Mr. Reber F. Boulton, Jr., for the petitioners.

No. **778**. In the Matter of Samuel Winship, appellant. Argued by Mrs. Rena K. Uviller for the appellant and by Mr. Stanley Buchsbaum for the appellee.

No. **76**. Elliott Ashton Welsh, II, petitioner, *v.* United States. Argued by Mr. J. B. Tietz for the petitioner and by Mr. Solicitor General Griswold for the respondent.

No. **305**. United States, appellant, *v.* John Heffron Sisson, Jr., Argument commenced by Mr. Solicitor General Griswold for the appellant and continued by Mr. John G. S. Flyn for the appellee.

Adjourned until tomorrow at 10 o'clock.

The day call for Wednesday, January 21, 1970, will be as follows:
Nos. **305, 221, 402, and 728.**

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

George W. Shaffer, Jr., of Washington, D.C., James L. McBride, of Los Angeles, Calif., Anthony V. Nizetich, of San Pedro, Calif., Frank P. Christian, of San Antonio, Tex., and Norman H. Birnkrant, of Detroit, Mich., on motion of Mr. Solicitor General Erwin N. Griswold; Lamar Alexander, of Maryville, Tenn., and Thomas Glover Roberts, of New Orleans, La., on motion of Mr. Howard H. Baker, Jr.; Eugene W. Lewis III, of Detroit, Mich., on motion of Mr. John Lord O'Brian; Louis Frey, Jr., of Winter Park, Fla., on motion of Mr. William R. Cramer; Weldon W. Moore, of Rolla, Mo., on motion of Mr. Richard H. Ichord; Gary Morris Caylor, of Costa Mesa, Calif., on motion of Mr. James B. Utt; Edward R. Becker, of Philadelphia, Pa., on motion of Mr. Robert L. Kunzig; R. H. Ewert, of Chicago, Ill., on motion of Mr. Peter N. Chumbris; Alan R. Watts, of Anaheim, Calif., on motion of Mr. C. Emerson Duncan II; William B. Adams, of Portland, Oreg., on motion of Mr. Nelson J. Cooney; Otis Klar, of Dallas, Tex., on motion of Mr. Dan R. Anders; George Cline Bond, of Pasadena, Calif., on motion of Mr. Enser W. Cole; Alfred W. Offer, of San Antonio, Tex., on motion of Mr. Charles T. Kappler; James H. Mosley, of Denver, Colo., on motion of Mr. Richard Woodward Hulbert; and Richard E. Crouch, of Arlington, Va., on motion of Mr. Mark H. Woolsey, were admitted to practice.

ORAL ARGUMENT

No. 305. United States, appellant, *v.* John Heffron Sisson, Jr. Argument continued by Mr. John G. S. Flym for the appellee and concluded by Mr. Solicitor General Griswold for the appellant.

No. 221. Walter J. Hickel, Secretary of the Interior, petitioner, *v.* The Oil Shale Corporation et al. Argument postponed by reason of absence of a quorum.

No. 402. United States, petitioner, *v.* Sheldon A. Key, Trustee. Argued by Lawrence G. Wallace for the petitioner and by Mr. Sigmund J. Beck for the respondent.

No. **723**. Robert Dean Dickey, petitioner, *v.* Florida. Argued by Mr. John D. Buchanan, Jr., for the petitioner and by Mr. George R. Georgieff for the respondent.

Adjourned until tomorrow at 10 o'clock.

The day call for Thursday, January 22, 1970, will be as follows:
Nos. **399** and **236**.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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 Rowland Cook, of Austin, Tex., Boe W. Martin, of Fort Worth, Tex., and Ed J. Polk, of Dallas, Tex., on motion of Mr. Ralph W. Yarborough; Milton Jay Davidson, of Woodland Hills, Calif., and Lynn George Truesdell III, of Minneapolis, Minn., on motion of Mr. Jerome R. Waldie; Hugh G. Head, Jr., of Atlanta, Ga., on motion of Mr. Benjamin B. Blackburn; Dean Martin Larson, of Sheridan, Wyo., on motion of Miss Nettabell Edith Girard; Charles Dickinson Hawley, of Washington, D.C., on motion of Mr. David Aldrich Nelson; William A. Smith, of Lander, Wyo., on motion of Mr. Dudley D. Miles; Alan E. Greenfield, of Miami, Fla., on motion of Mr. John H. Dorsey; Thomas W. Yoder, of Fort Wayne, Ind., on motion of Mr. Melvin Spaeth; H. Dennis Erwin, of Erwin, Tenn., and Harry W. Lawrence, of Johnson City, Tenn., on motion of Mr. Wade Hampton Hargrove, Jr.; D. Nick Caparoale, of Omaha, Nebr., and Keith I. Frederick, of Omaha, Nebr., on motion of Mr. Alan D. McArthur; Thomas R. Maher, of Alexandria, Va., and David M. Bullock, of Nashville, Tenn., on motion of Mr. Howard L. Kaplus; and John H. Bradbury, of Seattle, Wash., and Thomas Frank Paul, of Seattle, Wash., on motion of Mr. Emanuel Fein, were admitted to practice.

ORAL ARGUMENT

No. **399**. Daniel Rowan, dba American Book Service, et al., appellants, *v.* United States Post Office Department et al. Argued by Mr. Joseph Taback for the appellants and by Mr. William D. Ruckelshaus for the appellees.

No. **236**. William Evans, etc., et al., appellants, *v.* Tillye Cornman et al. Argument commenced by Mr. Robert F. Sweeney for the appellants.

The Court took a recess at eleven thirty for the purpose of attending a joint session of Congress of the United States to hear the President's address on the State of the Union and reconvened at 2 o'clock.

No. 236. William Evans, etc., et al., appellants, *v.* Tillye Cornman et al. Argument continued by Mr. Robert F. Sweeney for the appellants and concluded by Mr. Richard Schifter for the appellees.

Adjourned until Monday, January 26, 1970, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

William Lee Whittaker, of Denver, Colo., Preston B. Lewis, Jr., of Waynesboro, Ga., John S. Detlor, of Seattle, Wash., and Robert Wayne Nuckles, of Hampton, Va., on motion of Mr. Louis Fenner Claiborne; Albert Randolph Hausauer, of Bismarck, N. Dak., and Hugh John Kelly, of Washington, D.C., on motion of Mr. Quentin N. Burdick; Dean R. Dalke, of Beatrice, Nebr., on motion of Mr. Carl T. Curtis; William Henry Huber, of Cleveland, Ohio, Sheldon R. Jaffery, of Cleveland, Ohio, Paul G. Klein, of Cleveland, Ohio, Norman E. McIntyre, of Cleveland, Ohio, and George C. Zucco, of Cleveland, Ohio, on motion of Mr. Charles A. Vanik; James Covington Parham, Jr., of Greenville, S.C., and C. Thomas Wyche, of Greenville, S.C., on motion of Mr. James R. Mann; Kennett Hobbs, of Lubbock, Tex., on motion of Mr. George Mahon; Mitchell J. NewDelman, of Phoenix, Ariz., on motion of Mr. John J. Rhodes; Richard Earl Griffin, of Crossett, Ark., on motion of Mr. William Vollie Alexander, Jr.; Charles F. Kelley, of Lansing, Mich., on motion of Mr. Wilbur D. Sparks; Carol Grace Crissman, of Cedar Rapids, Iowa, on motion of Mr. William W. Crissman; Walter E. Graham, of Arlington, Va., on motion of Mr. Vincent W. Ambrose; Richard G. Randolph, of San Mateo, Calif., on motion of Mr. David St. John Brown; Mathias E. Mone, of New York, N.Y., and Lawrence Evans Scott, of Los Angeles, Calif., on motion of Mr. Donald J. Mulvihill; George Flynn Bowie, of Columbia, S.C., on motion of Mr. Daniel Lewis; Joseph M. Shortall, of Hartford, Conn., on motion of Mr. Paul Arthur Nejelski; Walbert H. Kennedy, of Decaturville, Tenn., on motion of Mr. Paul H. Cullinan; Donald C. Stevens, of Fairfax, Va., on motion of Mr. Dexter S. Odin; Roger M. Fritchie, of Baton Rouge, La., on motion of Mr. Joseph M. Kittner.

James L. Neustadt, of Washington, D.C., on motion of Mr. Raymond J. Malloy; Robert Van Raalte Dalenberg, of Chicago, Ill., and L. Bow Pritchett, of Chicago, Ill., on motion of Mr. Thomas Richard Phillips; George Frederick Baum, Jr., of Dallas, Tex., and Fredric J. Zisk, of New York, N.Y., on motion of Mr. Robert Stephen Chamblee; Daniel Francis Minahan, of Arcadia, Calif., and William J. O'Keefe, of New Haven, Conn., on motion of Mr. Eugene Adams Keeney; and Anthony J. Bonfanti, Sr., of New Orleans, La., Mary Lou Bosiljevac, of Omaha,

Nebr., Bart J. Carroll, Jr., of Chicago, Ill., Kenneth Charles Crawford, of Charlottesville, Va., William G. Eckhardt, of Charlottesville, Va., Terry E. Devlin, of Bismarck, N. Dak., Herbert M. Flemming, of Dallas, Tex., David Alan Fontanella, Sr., of Stafford Springs, Conn., Leroy F. Foreman, of Omaha, Nebr., James H. Granger, of Austin, Tex., Rupert Plaster Hall, of Sinton, Tex., Walter Eugene Herkenhoff, of Los Alamos, N. Mex., Richard G. Mann, of Holliday, N. Dak., John J. Martens, of Hooker, Okla., Joe Dixon Miller, of Concord, N.C., Charles H. Mitchell, of Orange, Tex., Ralph D. Pinto, of New York, N.Y., Leonard R. Piotrowski, of Cleveland, Ohio, Thomas McCargo Rankin, of Reidsville, N.C., Paul H. Ray, of Fayetteville, N.C., Stanley David Ross, of Columbus, Ohio, John T. Sherwood, Jr., of Fort Lauderdale, Fla., Daniel Wayne Shimek, of Two Rivers, Wisc., and Carroll Jay Tichenor, of Salem, Oreg., on motion of Mr. Kenneth J. Hodson, were admitted to practice.

OPINIONS

No. 66. Anghel Goldstein aka Andrei Pietrararu et al., appellants, *v.* Joseph A. Cox et al. Appeal from the United States District Court for the Southern District of New York. Appeal dismissed for want of jurisdiction. Opinion by Mr. Justice Marshall. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Black joins.

No. 60. E. S. Evans et al., petitioners, *v.* Guyton G. Abney et al. On writ of certiorari to the Supreme Court of Georgia. Judgment affirmed. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Brennan. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 65. Timothy J. Breen, petitioner, *v.* Selective Service Local Board No. 16, Bridgeport, Connecticut, 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 for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Harlan. Concurring opinion by Mr. Justice Brennan. Opinion by Mr. Justice Stewart with whom Mr. Chief Justice Burger joins concurring in part.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 743. Maurice H. Sigler, Warden, petitioner, *v.* Darrel F. Parker. On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Petition for writ of certiorari

granted, judgment vacated, and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. *Opinion per curiam*. Dissenting opinion by Mr. Justice Black with whom Mr. Chief Justice Burger joins. Dissenting opinion by Mr. Justice Douglas.

No. 805. Bernard Shapiro, Commissioner of Welfare, State of Connecticut, appellant, *v.* Jane Doe. Appeal from the United States District Court for the District of Connecticut. The motion of appellee for leave to proceed *in forma pauperis* is granted. The motion to dismiss is granted and the appeal is dismissed for failure to docket the case within the time prescribed by Rule 13. *Opinion per curiam*. Dissenting opinion by Mr. Justice Black with whom Mr. Justice Douglas joins.

ORDERS IN PENDING CASES

No. —. Delwright T. Dyman, petitioner, *v.* United States. The application for bail presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. —. Arsenio Augusto Araya-Murchio, petitioner, *v.* United States. The application for reduction in bail pending trial presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. 387. California, petitioner, *v.* John Anthony Green. The motion of the respondent for the appointment of counsel is granted, and it is ordered that E. Barrett Prettyman, Jr., Esquire, of Washington, D.C., 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. 445. Standard Industries, Inc., petitioner, *v.* Tigrett Industries, Inc., et al. The motion of respondents to remove this case from the summary calendar is denied.

No. 944. Robert Carter et al., petitioners, *v.* West Feliciana Parish School Board et al.; and

No. 972. Derek Jerome Singleton et al., petitioners, *v.* Jackson Municipal Separate School District et al. The motion of the Governor of the State of Florida for leave to intervene and to recall the judgments is denied.

CERTIORARI DENIED

No. 687. Ralph Ginzburg et al., petitioners, *v.* Barry M. Goldwater. 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. The Chief Justice took no part in the consideration or decision of this petition.

No. 798. Louis Edelman, 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. **944**. Robert Carter et al., petitioners, *v.* West Feliciana Parish School Board et al.; and

No. **1003**. West Feliciana Parish School Board et al., petitioners, *v.* Robert Carter et al. Petition for rehearing denied.

No. **972**. Derek Jerome Singleton et al., petitioners, *v.* Jackson Municipal Separate School District et al. Petitions for rehearing of The Board of Public Instruction of Alachua County, Florida, and The Board of Public Instruction of Bay County, Florida, denied.

RECESS ORDER

The order as to sessions entered January 19, 1970, is amended to provide that the Court will take a recess from Monday, January 26, 1970, until Monday, February 2, 1970, and from that date until Monday, February 24, 1970.

Adjourned until Monday, February 2, 1970, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

ORDERS IN PENDING CASES

No. —. Joseph Arthur Zicarelli and Robert Basile Occhipinti, petitioners, *v.* New Jersey; and

No. —. Anthony Russo, petitioner, *v.* New Jersey. The applications for stay presented to Mr. Justice Douglas, and by him referred to the Court, are denied.

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SUPREME COURT OF THE UNITED STATES

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

OPINION PER CURIAM

No. 37, **Original**. State of Florida, plaintiff, *v.* State of Alabama et al. On motion for leave to file bill of complaint. The motion to accelerate the time for filing responses is denied. The motion for leave to file the bill of complaint is denied. Opinion *per curiam*.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

Ivor Lusty, of Seattle, Wash., on motion of Mr. Solicitor General Erwin N. Griswold; Miriam Naveira-De Rodon, of San Juan, P.R., on motion of Mr. John T. Rigby; Harold Gordon Trabold, of Jamaica, N.Y., on motion of Mr. George J. McCartin; Howard S. Sussman, of New York, N.Y., on motion of Mr. Lloyd D. Young; Robert Theodore Clark, Jr., of Chicago, Ill., and John Trimmer Weise, of Chicago, Ill., on motion of Mr. Robert M. Scott; and Gerald Horace Manges, of New York, N.Y., on motion of Mr. Robert Jordan Wager, were admitted to practice.

OPINIONS

No. 42. Howard Ross and Bernard Ross, as Trustees for Lena Rosenbaum, petitioners, *v.* Robert A. Bernhard 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 for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Stewart with whom Mr. Chief Justice Burger and Mr. Justice Harlan join.

No. 28. United States, appellant, *v.* Interstate Commerce Commission et al.;

No. 38. Charles E. Brundage et al., appellants, *v.* United States et al.;

No. 43. City of Auburn, appellant, *v.* United States et al.; and

No. 44. Livingston Anti-Merger Committee, appellant, *v.* Interstate Commerce Commission et al. Appeals from the United States District Court for the District of Columbia. Judgment affirmed. The stay heretofore granted by this Court pending disposition of these appeals is vacated. Opinion by Mr. Chief Justice Burger. Mr. Justice Douglas took no part in the decision of these cases.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 214. TV PIX, Inc., et al., appellants, *v.* Reese H. Taylor, Jr., et al. Appeal from the United States District Court for the District of Nevada. Motion of the National Association of Regulatory Utility Commissioners for leave to file a brief, as *amicus curiae*, granted. Motion for leave to file motion to dismiss or affirm granted. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*.

No. 832. Harry E. Johnson et al., appellants, *v.* Daniel H. Wasserman et al. 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. 836. Deborah Dickey Kirk, appellant, *v.* The Board of Regents of the University 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. 854. Yale Stein, appellant, *v.* Martin G. Luken, etc., et al. Appeal from the Supreme Court of Illinois. The appeal is dismissed for failure to docket the case within the time prescribed by Rule 13. Opinion *per curiam*.

No. 919. Providence and Worcester Company, appellant, *v.* United States et al. Appeal from the United States District Court for the Southern District of New York. Judgment affirmed. Opinion *per curiam*. Mr. Justice Marshall took no part in the consideration or decision of this case.

ORDERS IN PENDING CASES

No. —. Robert F. Cullen, petitioner, *v.* Howard Yeager. The application for bail presented to Mr. Justice Brennan, and by him referred to the Court, is denied.

No. 477. Atlantic Coast Line Railroad Company, petitioner, *v.* Brotherhood of Locomotive Engineers et al. An additional thirty minutes is allotted to each side in this case. Mr. Justice Marshall took no part in the consideration or decision of this matter.

APPEALS—JURISDICTION NOTED OR POSTPONED

No. 513. In the Matter of Dan A. Spencer, appellant. Appeal from the Supreme Court of Louisiana. Motion of appellee, Judge R. B. Williams, to file additional record granted. Further consideration of the question of jurisdiction postponed to the hearing of the case on the merits.

No. **915**. The New York, New Haven and Hartford Railroad Company First Mortgage 4% Bondholders Committee, appellant, *v.* United States et al.;

No. **917**. Manufacturers Hanover Trust Company, etc., appellant, *v.* United States et al.; and

No. **921**. The Chase Manhattan Bank, N. A., etc., appellant, *v.* United States et al. Appeals from the United States District Court for the Southern District of New York; and

No. **914**. The New York, New Haven and Hartford Railroad Company First Mortgage 4% Bondholders Committee, Petitioner, *v.* Richard Joyce Smith, etc., et al.;

No. **916**. Manufacturers Hanover Trust Company, etc., petitioner, *v.* United States et al.;

No. **920**. The Chase Manhattan Bank, N. A., etc., petitioner, *v.* Penn Central Company et al.;

No. **1038**. Penn Central Company, petitioner, *v.* Manufacturers Hanover Trust Company, etc., et al.; and

No. **1057**. United States et al., petitioners, *v.* The New York, New Haven and Hartford Railroad Company First Mortgage 4% Bondholders Committee et al. Motion to expedite granted. In Nos. **915**, **917**, and **921** probable jurisdiction noted. In Nos. **914**, **916**, **920**, **1038**, and **1057**, petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit granted. Cases consolidated and a total of three hours allotted for oral argument. The bondholders and the New Haven trustee shall file their main briefs by February 26, 1970, and the briefs of Penn Central, the United States, the Interstate Commerce Commission, and the States of Connecticut and New York shall be filed by March 18, 1970. Mr. Justice Marshall took no part in the consideration or decision of these matters.

CERTIORARI DENIED

No. **753**. Louis A. Sabatino, etc., petitioner, *v.* Curtiss National Bank of Miami Springs; and

No. **959**. Curtiss National Bank of Miami Springs, petitioner, *v.* Louis A. Sabatino, etc. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **813**. Rose Ellen Schroeder, petitioner, *v.* The Prudential Insurance Company of America. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **815**. Morgan L. McCabe, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **816**. Lodges 1746 and 743, International Association of Machinists and Aerospace Workers, AFL-CIO, petitioners, *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. **817**. Domenic N. Mastroppolito, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **819**. William Edward Ware et al., petitioners, *v.* Royal Indemnity Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **821**. Melvin Willis Hargrave, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **827**. The Cherokee Laboratories, Inc., et al., petitioners, *v.* Ruby Pierson, etc. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **831**. Lawrence Zirinsky, petitioner, *v.* James L. Sheehan et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **834**. Sidney A. Grayson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **838**. Lindsey J. Williams et al., petitioners, *v.* Wisconsin Barge Line, Inc.; and

No. **839**. Wisconsin Barge Line, Inc., petitioner, *v.* Lindsey J. Williams et al. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **840**. Seymour J. Lacob, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **849**. Harry Brook, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **850**. C & P Plaza Department Store, Division of C & P Shopping Center, Inc., petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **855**. Louisiana and Arkansas Railway Company, petitioner, *v.* Missouri Pacific Railroad Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **857**. Isaac T. Mitchell 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. **811.** Lloyd Nelson, petitioner, *v.* United States. Motion of petitioner to file a supplemental exhibit granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **818.** Hawaiian Oke and Liquors, Ltd, petitioner, *v.* Joseph E. Seagram and Sons, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice White are of the opinion that certiorari should be granted.

No. **820.** The New York State Broadcasters Association, Inc., et al., petitioners, *v.* United States et al. 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. **823.** Linda Williams et al., petitioners, *v.* George Kimbrough 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. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **824.** Angela Walker, etc., et al., petitioners, *v.* County School Board of Brunswick County, Virginia, et al. 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. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **841.** Sylvania Electric Products, Inc., petitioner, *v.* County Broadcasting System. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Mr. Justice White is of the opinion that certiorari should be granted.

No. **846.** Don Weston et al., petitioners, *v.* United States. 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. **918.** Providence and Worcester Company, petitioner *v.* Richard Joyce Smith, etc. 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 PETITION FOR WRIT OF MANDAMUS DENIED

No. **1197, Misc.** Adam Clayton Powell, petitioner, *v.* George L. Hart, Jr. Motion for leave to file petition for writ of mandamus denied. The Chief Justice took no part in the consideration or decision of this motion.

REHEARINGS DENIED

No. 1121, **October Term, 1967.** Leonard A. Peto, petitioner, *v.* Madison Square Garden Corporation et al. Motion for leave to file second petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this motion.

No. 576. John J. Fahey, petitioner, *v.* United States;

No. 599. New Orleans Chapter, Associated General Contractors of America, Inc., appellant, *v.* United States;

No. 618. Clifford Gowdy, petitioner, *v.* United States;

No. 360, **Misc.** Joseph H. Gerardi, petitioner, *v.* Carolyn and Sarah Sipos;

No. 517, **Misc.** Franklin Nial Castle, petitioner, *v.* United States; and

No. 772, **Misc.** Nancy Jewell Cross, petitioner, *v.* John A. Bruning, County Clerk, et al. Petition for rehearing denied.

OPINIONS PER CURIAM

No. 38, **Original.** State of Alabama, plaintiff, *v.* Robert Finch, in his capacity as Secretary of the United States Department of Health, Education and Welfare, and John N. Mitchell, in his capacity as Attorney General of the United States. On motion for leave to file bill of complaint. The motion for leave to file bill of complaint is denied. Opinion *per curiam*.

No. 39, **Original.** State of Mississippi, plaintiff, *v.* Robert Finch, individually and in his capacity as Secretary of United States Department of Health, Education and Welfare, and John N. Mitchell, individually and in his capacity as Attorney General of the United States. On motion for leave to file bill of complaint. The motion for leave to file bill of complaint is denied. Opinion *per curiam*. Mr. Justice Harlan took no part in the consideration or decision of this motion.

ORDERS IN PENDING CASES

No. ——. Edgar D. Whitcomb, Governor of the State of Indiana, appellant, *v.* Patrick Chavis et al. The emergency application for a stay of the judgment of the United States District Court for the Southern District of Indiana presented to Mr. Justice Marshall, and by him referred to the Court, is granted pending the timely filing and disposition of an appeal.

No. 1136. Deborah A. Northcross et al., petitioners, *v.* Board of Education of the Memphis, Tennessee, City Schools, et al. The motion to advance is granted and the brief or briefs opposing the petition for writ of certiorari shall be filed on or before February 16, 1970.

CERTIORARI GRANTED

No. **963, Misc.** Joseph Elkanich, 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, placed on the summary calendar, and set for oral argument immediately following No. 269.

Adjourned until Tuesday, February 24, 1970, until 10 o'clock.

The day call for Tuesday, February 24, 1970, will be as follows:
Nos. **606, 153,** and **413.**

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SUPREME COURT OF THE UNITED STATES

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

ORDERS IN PENDING CASES

No. —. Francis Albert Sinatra, petitioner, *v.* New Jersey State Commission of Investigation et al. The application for stay pending appeal to the United States Court of Appeals is denied. Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Marshall are of the opinion that the application should be granted. Mr. Justice Brennan took no part in the consideration or decision of this application.

No. —. First National Bank of Cornelia, Cornelia, Georgia, petitioner, *v.* W. M. Jackson, Superintendent of Banks of Georgia, et al. The application for stay of the order of the United States District Court for the Northern District of Georgia, presented to Mr. Justice Black and by him referred to the Court, is denied.

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SUPREME COURT OF THE UNITED STATES

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

ORDERS IN PENDING CASES

No. —. School District of Greenville County, etc., et al., petitioners, *v.* Elaine Whittenberg et al. The application for a temporary stay presented to the Chief Justice, and by him referred to the Court, is denied.

No. —. Edgar D. Whitcomb, Governor of the State of Indiana, appellant, *v.* Patrick Chavis et al. The emergency motion to vacate or modify the stay order of February 2, 1970, is denied. The motion to advance is denied without prejudice to its renewal following the filing of the statement as to jurisdiction. Mr. Justice Douglas dissenting from the denial of the motion to vacate or modify the stay order of February 2, 1970:

“After a trial on June 17 and 18, 1969, a three-judge District Court entered an order on July 28, 1969, in which it held the multi-member districting provisions of the present Indiana apportionment statutes unconstitutional as they applied to Marion County, Indiana. The State was given until October 1, 1969, to enact statutes redistricting the State so as to correct the constitutional infirmity. Upon the State’s failure to enact such statutes, the District Court, on December 15, 1969, entered an order establishing legislative districts in the State. This Court, on February 2, 1970, granted a stay of the District Court’s December 15 order pending the filing and disposition of an appeal from that order.

“The appellees have now filed a motion to vacate the stay. I would grant the motion. The constitutionality of the present Indiana apportionment scheme was thoroughly briefed and argued in the three-judge District Court below. There is no reason to disturb the order of that court pending the disposition of the appeal by this Court. The date for the commencement of filing for the November 1970 election to the General Assembly is February 24, 1970. The State contends that without a stay it will be forced to conduct the forthcoming election under the reapportionment plan of the District Court. By granting the stay, however, this Court has equally forced the appellees to go through the election under the present scheme which was held uncon-

stitutional by the District Court. Under these circumstances, I see no reason to stay the order of the District Court.”

No. 1142. Joseph Elkanich, petitioner, *v.* United States. It is ordered that Charles A. Miller, 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.

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SUPREME COURT OF THE UNITED STATES

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

ORDERS IN PENDING CASES

No. ———. School District of Darlington County et al., petitioners, *v.* Theodore Whitmore Stanley et al. The application for a temporary stay, presented to the Chief Justice and by him referred to the Court, is denied.

No. ———. In the Matter of the Application of Francis N. Rosenbaum, Jane C. Rosenbaum, and Goodwin, Rosenbaum & Meacham. The application for a stay, presented to the Chief Justice and by him referred to the Court, is denied.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Clarence H. Featherson, of Washington, D.C., William P. Ryan, of Springfield, Ill., Robert L. Freedman, of Potomac, Md., David Hackett Souter, of Weare, N.H., Pat Richard Mercurio, of North Valley Stream, N.Y., Joseph Russell Cruciana, of Charlotte, N.C., Henry Valdespino, of San Antonio, Tex., and Charles E. White, of River Falls, Wisc., on motion of Mr. Louis Fenner Clairborne; Beresford Lee Church, Jr., of Little Rock, Ark., Harry B. Colay, of Magnolia, Ark., David Loy Hale, of Little Rock, Ark., and James R. Howard, of Little Rock, Ark., on motion of Mr. David H. Pryor; John J. Dunn, of El Cerrito, Calif., on motion of Mr. Jerome Russell Waldie; Carl V. Bruggeman, of Toledo, Ohio, and James M. Tuschman, of Toledo, Ohio, on motion of Mr. Thomas Ludlow Ashley; Leo Freedman, of Pasadena, Tex., on motion of Mr. Reginald C. Harmon; William Pollack, of Passaic, N.J., on motion of Mr. Max Kampelman; Roland S. Barcume, of Newport Beach, Calif., on motion of Mr. Rufus King; Paul W. Wildman, of Los Angeles, Calif., on motion of Mr. St. John Barrett; Williard I. Silverberg, of Hagerstown, Md., on motion of Mrs. Elizabeth S. Denny; Lawrence A. Porcari, of Yonkers, N.Y., on motion of Mr. Francis C. Reed; William C. Donnino, of New York, N.Y., Lewis Richard Friedman, of New York, N.Y., and Bennett Lewis Gershman, of New York, N.Y., on motion of Mr. Michael Robin Juviler; William Yates Farnsworth, of Alexandria, Va., and Glen Richard Goodsell, of Alexandria, Va., on motion of Mr. Noel Thompson; John J. Carmody, Jr., of Washington, D.C., and Donald L. Herskovitz, of Washington, D.C., on motion of Mr. John J. Carmody.

C. Carleton Frederici, of Des Moines, Iowa, on motion of Mr. David Kammerman; W. Bitner Browne, of Springfield, Ohio, on motion of Mr. John A. McIntire; Gordon David Coplein of New York, N.Y., on motion of Mr. Jay Morton Cantor; Thomas More McCulloch, of Wheeling, W. Va., on motion of Mr. Weston Harris Grimsley; H. Reed Harris, of Chicago, Ill., on motion of Mr. Joel Flaum; John G. Gill, Jr., of Washington, D.C., on motion of Mr. John Alfred Terry; Milton A. Levenfeld, of Chicago, Ill., and Rich-

rd M. Kates, of Chicago, Ill., on motion of Mr. Gary Nathan Calkins, Jr.; Donald P. Cooney, of Dubuque, Iowa, on motion of Mr. Lawrence Bernard, Jr.; Jack N. Shears, of Ponca City, Okla., on motion of Mr. William A. Mikesell, Jr.; John Butler Hirsch, of Chicago, Ill., on motion of Mr. Morton Harrison Wilner; and Philip L. Burton, of Seattle, Wash., Harry Dreis, of St. Thomas, Virgin Islands, Neil J. Herring, of Los Angeles, Calif., Alan L. Hirshman, of New York, N.Y., Ralph H. Johansen, of Berkeley, Calif., James A. King, of Honolulu, Hawaii, Irving Meyers, of Chicago, Ill., Eric W. Schmidt, of New York, N.Y., Rudolph Schware, of Denver, Colo., Herbert Arnold Schwartz, of Carmel, Calif., and Carol Krauthamer Smith, of Los Angeles, Calif., on motion of Mrs. Doris Brin Walker, were admitted to practice.

OPINIONS

No. 234. Henry J. Czosek et al., petitioners, *v.* John R. O'Mara et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed. Opinion by Mr. Justice White. Mr. Chief Justice Burger would dismiss the writ as improvidently granted.

No. 87. United States, petitioner, *v.* Lelord Kordel and Alfred Feldten. On writ of certiorari to the United States Court of Appeals for the Sixth 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 Stewart. Mr. Justice Black took no part in the decision of this case.

No. 88. United States, petitioner, *v.* W. G. Reynolds et ux. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment vacated and case remanded to the United States District Court for the Western District of Kentucky for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Black joins.

No. 731. Kenneth R. Jones, petitioner, *v.* State Board of Education of and for the State of Tennessee et al. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Writ dismissed as improvidently granted. Opinion *per curiam* announced by Mr. Chief Justice Burger. Mr. Justice Black, for the reasons set out in the opinion and others stated in his dissent in *Tinker et al. v. Des Moines Independent Community School District et al.*, 393 U.S. 503, 515-526, would affirm the judgment below. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Brennan joins.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 70. Rolf J. Kolden, petitioner, *v.* Selective Service Local Board No. 4, Beltrami County, Minnesota. On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit;

No. 73. George M. Chaikin, petitioner, *v.* Selective Service System Local Board No. 66, et al. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit;

No. 164. Lawrence R. Faulkner, petitioner, *v.* Melvin R. Laird, as Secretary of Defense, et al. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit;

No. 183. David Osher, petitioner, *v.* Selective Service Local Board No. 6, Valley Stream, New York, et al. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit;

No. 331. Michael J. Kraus, petitioner, *v.* Selective Service System Local 25 et al. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit; and

No. 449. Marc Belding Anderson et al., petitioners, *v.* Lewis B. Hershey, National Director, Selective Service System, et al. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Petitions for writs of certiorari granted, judgments vacated and cases remanded to the respective Court of Appeals for further consideration in light of *Breen v. Selective Service Board*, 396 U.S. 460. Opinion *per curiam*. Mr. Justice Harlan would reverse judgments and remand on the basis of his separate opinion in *Breen v. Selective Service Board*, 396 U.S. 468, and the Court's opinion in *Gutknecht v. United States*, 396 U. S. 295.

No. 226. Bernard V. Sussman, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Court of Appeals for further consideration in light of *Turner v. United States*, 396 U.S. 398. Opinion *per curiam*.

No. 623. David Barner Troutman, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Gutknecht v. United States*, 396 U.S. 295. Opinion *per curiam*.

No. 411, Misc. John Wesley Battiste, 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 *Gutknecht v. United States*, 396 U.S. 295. Opinion *per curiam*.

No. 861. United States, petitioner, *v.* Efrain Santos et al.; On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. The motion of respondent Ward for leave to proceed *in forma pauperis* is granted. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Court of Appeals for further consideration in light of *Buie v. United States*, 396 U.S. 87. Opinion *per curiam*.

No. 873. United States, petitioner, *v.* Sheldon G. Perlman. 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 Court of Appeals for further consideration in light of *Buie v. United States*, 396 U.S. 87. Opinion *per curiam*.

No. 864. Robert P. Burruss et al., appellants, *v.* Woodrow W. Wilkerson, State Board of Election, et al. Appeal from the United States District Court for the Western District of Virginia. 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 and the case set for oral argument.

No. 866. George K. Wyman, Individually and as Commissioner of the State of New York, Department of Social Services, appellant, *v.* Ossie Bowens et al. Appeal from the United States District Court for the Northern District and the Southern District of New York; and

No. 874. John Lascaris, Individually and as Commissioner of the Onondaga County Department of Social Services, appellant, *v.* Ossie Bowens etc. Appeal from the United States District Court for the Northern District of New York. The motion of the appellees for leave to proceed *in forma pauperis* is granted. The motions to affirm are granted and the judgments are affirmed. Opinion *per curiam*. The Chief Justice, Mr. Justice Black, and Mr. Justice Harlan are of the opinion that probable jurisdiction should be noted and the cases set for oral argument.

No. 880. Chemical Leaman Tank Lines, Inc., et al., appellants, *v.* United States et al. Appeal from the United States District Court for the Southern District of Mississippi. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*.

No. **912.** Contractors Cargo Co., appellant, *v.* United States et al. Appeal 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*.

No. **937.** United States, appellant, *v.* James William Wiernick. Appeal from the United States District Court for the Northern District of Illinois. Judgment vacated and case remanded to the United States District Court for the Northern District of Illinois for further consideration in light of *Buie v. United States*, 396 U.S. 87. Opinion *per curiam*.

No. **982.** Robert W. Turner et al., appellants, *v.* Cecil D. Clay et al. Appeal from the Supreme Court of South Carolina. The motions to dismiss are granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. **988.** Pre-Fab Transit Co., appellant *v.* United States et al. Appeal from the United States District Court for the Southern District of Illinois. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*.

No. **997.** Associated Truck Lines, Inc., et al., appellants, *v.* United States et al. Appeal from the United States District Court for the Western District of Michigan. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*.

No. **1008.** Clifford J. Locke, 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. **1009.** Corlon C. Keller, appellant, *v.* Department of Alcoholic Beverage Control of the State of 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. **1022.** United States, appellant, *v.* Donald Joseph Cotton et al. Appeal from the United States District Court for the Eastern District of Wisconsin. The motion of the appellee for leave to proceed *in forma pauperis* is granted. The motion to dismiss is granted and the appeal is dismissed for failure to docket the case within the time prescribed by Rule 13. Opinion *per curiam*. Mr. Justice Douglas dissents.

No. **1077.** James P. Kelly et ux., appellants, *v.* Mountain States Telephone & Telegraph Company. Appeal from the Supreme Court of Idaho. 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.—. John K. Snyder, petitioner, *v.* Edwon O. Ware, III. The application for injunction is denied.

No. 75. In the Matter of the Application of Martin Robert Stolar, petitioner. The motion of the petitioner to remove this case from the summary calendar is denied.

No. 241. Margaret Curry, etc., petitioner, *v.* P. D. Marchessini, Inc., et al. The motion to substitute Sidney L. Raskin, Executor of the Estate of Margaret Curey, deceased, in place of Margaret Curry, as the party petitioner is granted.

No. 476. Sears, Roebuck and Co., petitioner, *v.* Carpet, Linoleum, Soft Tile and Resilient Floor Covering Layers, Local Union No. 419, AFL-CIO, et al. The motion of the respondent Union for leave to participate in the oral argument is granted and a total of one and one half hours is allotted for oral argument for the entire case.

No. 595. Louis S. Nelson, Warden, petitioner, *v.* John Edward George. The motion of the respondent for the appointment of counsel is granted and it is ordered that George A. Cumming, Jr., Esquire, of San Francisco, California, be, and he is hereby, appointed to serve as counsel for the respondent in this case.

No. 696. Law Students Civil Rights Research Council, Inc., et al. *v.* Lowell Wadmond et al. The motion of the appellants to remove this case from the summary calendar is denied.

No. 829. Genever Lewis et al., appellants, *v.* Robert Martin, Director of the State Department of Social Welfare of State of California, et al. The motion of the Center on Social Welfare Policy and Law et al. for leave to file a brief, as *amici curiae*, is granted.

No. 927. Johnny Williams, petitioner, *v.* Florida. The motion of Virgil Jenkins for leave to participate in the oral argument, as *amicus curiae*, is denied.

APPEALS—JURISDICTION NOTED

No. 670. Ernest Perkins et al., appellants, *v.* L. S. Matthews, Mayor of the City of Canton, et al. Appeal from the United States District Court for the Southern District of Mississippi. In this case probable jurisdiction noted and case placed on the summary calendar.

No. 1066. City of Phoenix, Arizona, et al., appellants, *v.* Emily Kolodziejski. Appeal from the United States District Court for the District of Arizona. In this case probable jurisdiction noted and case placed on the summary calendar.

No. 896. George K. Wyman, etc., et al., appellants, *v.* Edna Rothstein et al. Appeal from the United States District Court for the Southern District of New York. Motion of appellees for leave to proceed *in forma pauperis* granted. In this case probable jurisdiction noted and case placed on the summary calendar.

No. 977. George K. Wyman, Individually and as Commissioner of the State of New York, Department of Social Services, appellant, *v.* Barbara James, etc. Appeal from the United States District Court for the Southern District of New York. Motion of appellee for leave to proceed *in forma pauperis* granted. In this case probable jurisdiction noted and case placed on the summary calendar. Application for stay denied. The Chief Justice and Mr. Justice Black are of the opinion that the stay should be granted.

CERTIORARI GRANTED

No. 891. Monitor Patriot Co., et al., petitioners, *v.* Roselle A. Roy, et al. Petition for writ of certiorari to the Supreme Court of New Hampshire granted and case placed on the summary calendar.

No. 947. George A. Rosenbloom, petitioner, *v.* Metromedia, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted and case placed on the summary calendar.

No. 1033. Samuel J. Abate, etc., et al., petitioners, *v.* Paul F. Fundt et al. Petition for writ of certiorari to the Court of Appeals for New York granted and case placed on the summary calendar.

No. 388. United States, petitioner, *v.* Roosevelt Hudson Harris. Motion to dispense with printing brief for 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. 557. National Labor Relations Board, petitioner, *v.* Local 825, International Union of Operating Engineers, AFL-CIO; and

No. 570. Burns and Roe, Inc., et al., petitioners, *v.* Local 825, International Union of Operating Engineers, AFL-CIO. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit granted. Cases consolidated and a total of one and one half hours allotted for oral argument.

No. 642. Lawrence E. Wilson, Warden, petitioner, *v.* Veron Atchey. 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.

CERTIORARI DENIED

No. 95. Peter D. Schweitzer et al., petitioners, *v.* Clerk for the City of Plymouth et al. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 235. Ricardo Perez Goitia, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 321. Wilma DiBello Giddens, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 358. James Riley, Jr., and Frank Marshall, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 411. Carlton Draper, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 746. Donald Lester James et al., petitioners, *v.* United States; and

No. 851. Harvey Hutton Hutchins, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 845. Woodrow Yokum, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 848. Ronald Ames Mayersohn, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 852. Hyman Sternman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 853. Federal Trade Commission, petitioner, *v.* Columbia Broadcasting System, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 858. George O. Downes, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 859. Historic Smithville Inn et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 860. Russell Morton Brown, petitioner, *v.* Edward Oliver Lamb and Dispatch, Inc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **862.** J. D. Cox, Superintendent of the Virginia State Penitentiary, petitioner, *v.* Joseph P. Wood. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **865.** Hun Chak Sun, aka Jack Sun, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **867.** Theodore R. Mowen, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. **868.** Connell Rice & Sugar Co., Inc., petitioner, *v.* Houston Belt & Terminal Railway Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **869.** Felix Walls, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **871.** Norman F. Dacey, petitioner, *v.* The Florida Bar, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **872.** Quality Chevrolet Company, Inc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **875.** Johnny B. Dapper, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. **876.** James Campione, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **877.** Tampa Phosphate Railroad Company, petitioner, *v.* Seaboard Coast Line Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **878.** Joe M. Crevasse, Jr., Sheriff of Alachua County, Florida, petitioner, *v.* Carol W. Thomas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **883.** Harry J. Coman, petitioner, *v.* Chief Counsel of the Judicial Inquiry on Professional Conduct, Nassau County. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. **884.** Philip Berrigan et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **885.** Mary Moylan et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 887. Salvadore Joseph Ferino, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 888. Thomas Edward Hanley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 890. Jerome B. Bluhm, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 892. Magna Oil Corporation et al., petitioners, *v.* Philip B. Bateson; and

No. 926. Dudley E. Binyon, petitioner, *v.* Philip B. Bateson. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 894. Mose Reed, petitioner, *v.* M/V Foylebank, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 898. Francis D. White et ux., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 899. Community Funding Corporation, petitioner, *v.* Superior Court of California for the County of Los Angeles. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 901. United Bonding Insurance Company, petitioner, *v.* Ashwood Construction Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 903. Bernard Food Industries, Inc., petitioner, *v.* The Dietene Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 904. Continental Oil Company et al., petitioners, *v.* The London Steam-Shipowners' Mutual Insurance Association, Ltd. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 906. Sara Blum, petitioner, *v.* Tenth District Committee of the Virginia State Bar. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 908. Mary Green et al., petitioners, *v.* The American Tobacco Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 909. John M. Holahan, petitioner, *v.* Albert G. Reynolds, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 910. Ernest Edwin Stone, petitioner, *v.* North Dakota et al. Petition for writ of certiorari to the Supreme Court of North Dakota denied.

No. 913. Earl Missler, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 925. Morton Globus et al., petitioners, *v.* Law Research Service, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 930. Franklin W. Baumgartner et al., petitioners, *v.* Gulf Oil Corporation. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 931. Martin Lemlich, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 934. Wylie Manufacturing Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 935. The Riverside Press, 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. 940. Stephen J. Olah, petitioner, *v.* Garvis L. Sams et al. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 941. Wilbert H. Friend and Friend and Company, petitioners, *v.* H. A. Friend and Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 943. Continental Can Company, Inc., petitioner, *v.* Crown Cork & Seal, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 946. Barbara Sellars, etc., petitioner, *v.* Logan Towing Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 948. Jim Fair, petitioner, *v.* Fred O. Dickinson, Jr., as Comptroller of the State of Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 950. Russell Hamlett, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division denied.

No. 951. James C. Hawkins and Raymond Melvin Shelby, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 953. Sears, Roebuck and Company, et al., petitioners, *v.* James R. Horton et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 954. John A. Hutter, Jr., et al., petitioners, *v.* City of Chicago. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 957. Eugenio Hernandez, petitioner, *v.* New York, Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 958. S. E. Nichols-Dover, Inc., et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 962. South Bay Daily Breeze, 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. 969. Irvin Rapoport, petitioner, *v.* Rose Rapoport aka Joan Sirott. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 970. Neeta Webb, petitioner, *v.* Robert E. Nolan. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 971. California, petitioner, *v.* Leon Phillip Belous. Petition for writ of certiorari to the Supreme Court of California denied.

No. 973. Oil, Chemical and Atomic Workers International Union AFL-CIO, 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. 975. Operating Engineers Local Union No. 3, et al., petitioners *v.* B. R. Burroughs. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 976. Saul Shapiro, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Los Angeles, denied.

No. 978. M. S. Chambliss, petitioner, *v.* Coca-Cola Bottling Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 979. Fred W. Phelps, petitioner, *v.* State Board of Law Examiners. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 983. Edwin Harling, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 986. Fred Joseph White, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. **987**. Alabama-Tennessee Natural Gas Company, petitioner, Federal Power Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **989**. Sol Siegel et ux., petitioners, *v.* City of Los Angeles. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **990**. Henry Dutra George, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. **993**. Thomas Piccini, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **994**. Seymour Pollack, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **996**. PSG Co. et al., petitioners, *v.* Merrill Lynch, Pierce, Fenner & Smith, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1000**. Noble Drilling Corporation et al., petitioners, *v.* Versie Imble. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1004**. A. C. Suhren et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1005**. Zayre of Georgia, Inc., et al., petitioners, *v.* City of Marietta et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1007**. 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.

No. **1013**. James C. Winston, petitioner, *v.* Prudential Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1014**. Owen B. Lampman et al., petitioners, *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. **1015**. Local 189, United Papermakers and Paperworkers, FL-CIO, CLC, et al., petitioners *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1018. Robert G. Gordon, petitioner, *v.* Shephard A. Spunt. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 1019. George Bravos et al., petitioners, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 1024. Cimarron Coal Corporation, petitioner, *v.* District No. 23, United Mine Workers of America, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1025. The Laidlaw 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. 1028. SCM Corporation, petitioner, *v.* Advance Business Systems & Supply Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1034. William Cahn, District Attorney for Nassau County, New York, et al., petitioners, *v.* Bethview Amusement Corp. et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1039. Local 300, United Industrial Workers of America, etc., petitioner, *v.* Marriott In-Flite Services Division of Marriott Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1065. Allen Levair Jordan and Alvina Lajan Johnson, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 96. Joe A. Trujillo, 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. Mr. Justice Black and Mr. Justice Harlan would grant the petition of certiorari, vacate the judgment of the Court of Appeals and remand to that court for further consideration in light of *Leary v. United States*, 395 U.S. 6 (1969). See *Street v. New York*, 394 U.S. 576, 586 (1969); *Stromberg v. California*, 283 U.S. 359 (1931).

No. 573. James A. Watts and Walter B. Blue, petitioners, *v.* Seward School Board et al. Motion to dispense with printing the petition and to use record in No. 325, Oct. Term, 1967, granted. Petition for writ of certiorari to the Supreme Court of Alaska denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 694. Carmine Panico and Carlie DiPietro, 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 of decision of this petition.

No. 725. Joseph F. Schipani, 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. 886. Raymond A. O'Connor et ux., petitioners *v.* Commissioner of Internal Revenue. Motion to substitute John K. O'Connor, Executor of the Estate of Raymond A. O'Connor, deceased, in place of Raymond A. O'Connor, as a party petitioner, granted. Petition for writ of Certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 897. Walter A. Younge, petitioner, *v.* State Board of Registration for the Healing Arts. 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. 923. James Lee Hilgeneck, 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. 932. National Association of Theatres Owners et al., petitioners, *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 Douglas is of the opinion that certiorari should be granted.

No. 933. Russell Troutman et al., petitioners, *v.* Donald Rumsfeld, Director, Office of Economic Opportunity, 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. 955. David Goldwasser, petitioner, *v.* Robert C. Seamans, Jr., Secretary of the Air Force, 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. 985. Stephen Dennison, 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. 1001. Auther Larnce King and James Albert King, petitioners, *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. 1016. Evening News Association et al., petitioners, *v.* Patricia Arber et al.; and

No. 1021. John H. Stahlin and Paul D. Bagwell, petitioners, *v.* Patricia Arber et al. Petitions for writs of certiorari to the Supreme Court of Michigan denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. ~~1301~~¹⁰³¹. Air Line Pilots Association, International et al., petitioners, *v.* Northwest Airlines, Inc. 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. 1079. Grover G. Alexander, 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. 924. Levisa Stone Corporation et al., petitioners, *v.* Elkhorn Stone Company, Inc. 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 and the judgment reversed. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 939. Robert L. Wagner, 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. 1006. Cecil R. Reed, petitioner, *v.* Walter J. Hickel, Secretary of the Department of the Interior, 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.

No. 952. Pennsylvania, petitioner, *v.* Jon E. Yount. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 968. Howard D. Yeager, Warden, petitioner, *v.* Herbert James Daley. 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. 1047. Daniel McMann, Warden, petitioner, *v.* Joel Smith. 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 Second Circuit denied.

No. 1074. Daniel McMann, Warden, petitioner, *v.* Leroy Vanderhorst. 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 Second Circuit denied.

No. 995. Air Line Pilots Association, International, petitioner, *v.* Piedmont Aviation, Inc. Petition for writ of certiorari to the United

States Court of Appeals for the Fourth Circuit denied. Mr. Justice Black and Mr. Justice White are of the opinion that certiorari should be granted.

No. 1023. United States, petitioner, *v.* Myron L. Gordon, United States District Judge for the Eastern District of Wisconsin. Motion of respondents Cotton et al. for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. The Chief Justice and Mr. Justice Stewart are of the opinion that certiorari should be granted.

No. 19, Misc. Horace Eugene Turner, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 24, Misc. William Taylor, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 28, Misc. Joe R. Cortez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 34, Misc. Hilton Shilow, petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 37, Misc. Kenneth Jordan Brown, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

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

No. 79, Misc. Elba Luisa Morales, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 89, Misc. Jose Felix Nandin, petitioner, *v.* United States; and

No. 125, Misc. Jose Cazares-Ramirez, petitioner, *v.* United States. Petitions for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 116, Misc. Fred Davis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 347, Misc. Fairley Blakney, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 450, Misc. Alejo Matos, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 488, **Misc.** James Ballentine, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 547, **Misc.** Lonzo Nutter, petitioner, *v.* United States. Petition for writ of certiorari to the United States of Appeals for the Ninth Circuit denied.

No. 915, **Misc.** Chin Dan Fook, aka George Yount, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 980, **Misc.** Albert Arciniaga, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1341, **Misc.** Raymond LeRoy Rolling, petitioner, *v.* United States. Petition for writ of certiorari to the United States of Appeals for the Fifth Circuit denied.

No. 23, **Misc.** Webster Bivens, 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 PETITION FOR WRIT OF MANDAMUS DENIED

No. 1492, **Misc.** Joseph F. Schipani, petitioner, *v.* United States. Motion for leave to file petition for writ of mandamus, prohibition, and for other relief denied. Mr. Justice Marshall took no part in the consideration or decision of this motion.

REHEARINGS DENIED

No. 344, **October Term, 1963.** John Ormento, petitioner, *v.* United States. Motion for leave to file petition for rehearing denied. The Chief Justice and Mr. Justice Marshall took no part in the consideration or decision of this motion.

No. 1109, **October Term, 1968.** Edna Weed, petitioner, *v.* Owen Bilbrey, Sr., et al. Motion for leave to file second petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this motion.

No. 9. Nacirema Operating Co., Inc., et al., petitioners, *v.* William H. Johnson et al.; and

No. 16. John P. Traynor and Jerry C. Oosting, Deputy Commissioners, petitioners, *v.* William H. Johnson et al.;

No. 32. National Labor Relations Board, petitioner, *v.* J. H. Rutter-Rex Manufacturing Company, Inc., et al.;

No. 458. Charles Johnson et al., petitioners, *v.* Massachusetts;

- No. 591. Roy Curtis Cleveland, petitioner, *v.* Illinois;
- No. 592. John R. Floyd, petitioner, *v.* City of Rockford, Illinois;
- No. 625. Reuben Carlton et al., appellants, *v.* Doyle Conner, as Commissioner of Agriculture, State of Florida; and
- No. 640. John J. Scarselletti, petitioner, *v.* Aetna Casualty & Surety Company. Petitions for rehearing denied.
- No. 240. Joseph Covello, petitioner, *v.* United States. Petition for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.
- No. 613. John C. Van Houten, petitioner, *v.* Ray Arthur Ralls et al. Motion to dispense with printing motion for leave to file petition for rehearing granted. Motion for leave to file petition for rehearing denied.
- No. 1476, **Misc. October Term, 1967.** Angel Mora Zaragoza, petitioner, *v.* United States. Petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this petition.
- No. 224, **Misc. October Term, 1968.** Frank Sturm, petitioner, *v.* California Adult Authority et al. Motion for leave to file second petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this motion.
- No. 172, **Misc.** Joseph P. Gerardi, petitioner, *v.* United States;
- No. 173, **Misc.** Joseph P. Gerardi, petitioner, *v.* Secretary of Health, Education and Welfare;
- No. 536, **Misc.** Ralph C. Mathewson, petitioner, *v.* Henry C. McGrath, Trustee;
- No. 888, **Misc.** Andrew Green, petitioner, *v.* Frank J. Pate, Warden;
- No. 979, **Misc.** Jose Manuel, petitioner, *v.* Isabel C. Manuel;
- No. 986, **Misc.** Nathan Elmont Eli, petitioner, *v.* California;
- No. 1003, **Misc.** Philip B. Chambers and Gladys Chambers, petitioners, *v.* Colonial Pipeline Company;
- No. 1084, **Misc.** George G. Gross, petitioner, *v.* Walter E. Craven, Warden; and
- No. 1153, **Misc.** Henry A. Parrish, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petitions for rehearing denied.
- No. 812, **Misc.** Cleveland Stuart, petitioner, *v.* Coral Gables Federal Savings & Loan Association. Motion for leave to file petition for rehearing denied.
- No. 896, **Misc.** Norvin G. Maloney, Jr., petitioner, *v.* E. I. duPont de Nemours & Co., Inc. Petition for rehearing denied. Mr. Justice Stewart and Mr. Justice White took no part in the consideration or decision of this petition.

ORAL ARGUMENT

No. **606**. Illinois, petitioner, *v.* William Allen. Argued by Mr. Joel M. Flaum for the petitioner and by Mr. H. Reed Harris for the respondent.

No. **153**. Daniel McMann, Warden et al., petitioners, *v.* Willie Richardson et al. Two hours allowed for oral argument. Argued by Miss Brenda Soloff for the petitioners, by Mr. Michael R. Juviler or the District Attorney of New York County, as *amicus curiae*, by special leave of Court, and by Mrs. Gretchen White Oberman for the respondents.

No. **413**. Greenbelt Cooperative Publishing Association, Inc., et al., petitioners, *v.* Charles S. Bresler. Argument commenced by Mr. Roger L. Clark for the petitioners.

Adjourned until tomorrow at 10 o'clock.

The day call for Wednesday, February 25, 1970, will be as follows: Nos. **413, 403, 369** (and **382**), and **412**.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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 S. Kingdon, of Bethesda, Md., Wayne W. Freeman, of Mayfield, Ky., Theodore I. Smolker, of New York, N.Y., Joseph Michael Quinlan, of Hempstead, N.Y. William Walter Rittenhouse of Borger, Tex., Craig G. Davis, of Bellingham, Wash., and Donald J. Horowitz, of Seattle, Wash., on motion of Mr. Solicitor General Erwin N. Griswold; Richard H. Hoch, of Nebraska City, Nebr., Miles W. Johnston, Jr., of Lincoln, Nebr., and William A. Wilson of Lincoln, Nebr., on motion of Mr. Carl T. Curtis; Robert H. Macy, of Springfield, Va., on motion of Mr. Page Belcher; William S. Fly, of Victoria, Tex., on motion of Mr. John Young; Thomas Cameron, of Waco, Tex., and Ferdinand Peter Herff II, of San Antonio, Tex., on motion of Mr. O. C. Fisher; John Sidney White, Jr., of Baton Rouge, La., on motion of Mr. Patrick T. Caffery; Zbigniew Stanley Rozbicki, of Hartford, Conn., on motion of Mr. Thomas J. Meskill; Richard Lee Slater, of Athens, Ohio, on motion of Mr. Vincent W. Ambrose; Stephen Charles Shamberg, of Chicago, Ill., on motion of Mr. Seymour Guthman; James Oliver Burnett, of Fayetteville, Ark., on motion of Mr. Floyd Lee Williams; Nick L. Laird, of Fort Worth, Tex., on motion of Mr. Richard A. Bartl; Charles Saxon Ausley, of Tallahassee, Fla., and Charles Graham Carothers, of Tallahassee, Fla., on motion of Mr. D. Frederick McMullen; Frank A. Wilkinson, of Orlando, Fla., on motion of Mr. Curtis B. Goff; Charles E. Carrell, of Rapid City, S. Dak., on motion of Mr. Harold O. Lovre, and C. Martin Berman, of Lewiston, Maine, on motion of Mr. Norman L. Meyers, were admitted to practice.

OPINIONS

No. 108. The Colonnade Catering Corp., petitioner, *v.* United States. 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 for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Chief Justice Burger with whom Mr. Justice Black and Mr. Justice Stewart join. Dissenting opinion by Mr. Justice Black with whom Mr. Chief Justice Burger and Mr. Justice Stewart join.

No. **185**. Augie Reetz, Commissioner of Fish and Game for Alaska, et al., appellants, *v.* John Bozanich et al. Appeal from the United States District for the District of Alaska. Judgment vacated and case remanded to the United States District Court for the District of Alaska for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas.

No. **37**. Della Hadley et al., appellants, *v.* The Junior College District of Metropolitan Kansas City, Missouri, et al. Appeal from the Supreme Court of Missouri. Judgment reversed and case remanded to the Supreme Court of Missouri for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Harlan with Mr. Chief Justice Burger and Mr. Justice Stewart join. Dissenting opinion by Mr. Chief Justice Burger.

No. **33, Original**. State of Arkansas, plaintiff, *v.* State of Tennessee. On bill of complaint. Exceptions of the State of Arkansas overruled and the Report of the Special Master adopted. Hon. Gunnar H. Nordbye is appointed Commissioner in this case with power to engage and supervise a competent surveyor, or surveyors, to survey the boundary line as recommended in the Master's Report. Opinion *per curiam* announced by Mr. Chief Justice Burger. Decree entered.

ORAL ARGUMENT

No. **413**. Greenbelt Cooperative Publishing Association, Inc., et al., petitioners, *v.* Charles S. Bresler. Argument continued by Mr. Abraham Chasanow for the respondent and concluded by Mr. Roger A. Clark for the petitioners.

No. **403**. United States, petitioner, *v.* Gerritt Johannes Van Leeuwen. Argued by Mr. Solicitor General Griswold for the petitioner and by Mr. Craig G. Davis for the respondent.

No. **369**. American Farm Lines, appellant, *v.* Black Ball Freight Service et al.; and

No. **382**. Interstate Commerce Commission, appellant, *v.* Black Ball Freight Service et al. One hour and forty minutes allowed for oral argument. Argued by Mr. Joseph A. Califano, Jr., for appellant American Farm Lines, by Mr. Arthur J. Cerra for appellants Interstate Commerce Commission and the United States and by Mr. William H. Dempsey, Jr., for the appellees.

Adjourned until tomorrow at 10 o'clock.

The day call for Thursday, February 26, 1970, will be as follows:
Nos. **412, 528, 127, and 440.**

SUPREME COURT OF THE UNITED STATES

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

The Chief Justice said:

"Before addressing ourselves to the regular duties of the Court, I have a privilege accorded me by my colleagues, or I should say six of them, and it is a privilege which gives me a great, great pleasure.

"This Court commonly does not take note of birthdays of Justices, but our Brother, Justice Hugo Black, is a very uncommon man. Therefore, we will break whatever precedents may be in the way to note today the birthday he will have tomorrow.

"There is no need, of course, to speak of the work of Justice Black as a member of this Court or his impact on our times and on our country. That record is written in very nearly 100 volumes of this Court's United States Reports.

"Today we simply wish to take note, so that it may be recorded on the journal of the Court of the profound esteem and the very deep and warm affection that each of us bears for this very remarkable American.

"We wish you, Mr. Justice Black, many, many more years of the kind of health and vigor and wisdom with which the Lord so richly endowed you.

"In short, Happy Birthday, Sir. And, I may add, I am authorized by the Court to say this is unanimous; there are no dissents."

ADMISSIONS TO THE BAR

Sherman Unger, of Cincinnati, Ohio, on motion of Mr. Richard G. Kleindienst; Robert J. Stamps, of New Orleans, La., on motion of Mr. Hale Boggs; Burton M. Apker, of Phoenix, Ariz., on motion of Mr. John J. Rhodes; Scott Edward Jarvis, of Topeka, Kans., on motion of Mr. Joe Skubitz; Robert E. Kopp, of Washington, D.C., on motion of Judge Arnold Raum; Darryl B. Deaktor, of Philadelphia, Pa., Archibald Kreiger, of Paterson, N.J., Herman Gordon, of Houston, Tex., James Robert McKissick, of Houston, Tex., and John William Kercheval, II, of Fairfax, Va., on motion of Mr. Anthony G. Amsterdam; Jerry S. Cohen, of Washington, D.C., on motion of Mr. Wilbur D. Sparks; Richard Nichols, of Miami, Fla., on motion of Mr. Warren E. Miller; Ralph A. Real, of Deal Park, N.J., on mo-

tion of Mr. Samuel J. L'Hammedieu, Jr.; Seymour H. Patt, of Reno, Nev., on motion of Mr. James H. Duffy; E. Leonard Kane, of Lexington, Mass., and Alfred C. Phillips, of Lexington, Mass., on motion of Mr. Charles H. Resnick; J. Glenn Hahn, of Kansas City, Mo., on motion of Mr. David Richmond; John B. Speight, of Cheyenne, Wyo., on motion of Mr. Richard Arnold Mullens; Robert P. Baine, Jr., of St. Louis, Mo., and John P. Ossenfort, of St. Louis, Mo., on motion of Mr. John B. Busch; William B. Irvin, of Los Angeles, Calif., on motion of Mr. Gerard D. Reilly; Rollin Khoury, of Waco, Tex., on motion of Mr. John F. O'Neill; George Maywood Scott, of Spencer, W. Va., on motion of Mr. Gordon P. MacDougall; Kermit Murl Beal, of Lawrence, Kans., on motion of Mr. John Wayland Cooper; Robert Thomas Cunningham, Jr., of Washington, D.C., on motion of Mr. J. Ralph King; Raymond P. Neal, of San Francisco, Calif., on motion of Mr. Claude Leon Callegary; Peter Anthony Greene, of Washington, D.C., on motion of Mr. Donald Macleay; Chester G. Ball, Jr., of Arlington, Tex., on motion of Mr. Frank E. Schwelb; Marvin H. Dukes, of Beaufort, S.C., on motion of Mr. William Meriwether Bowen; and Harvey Black, of Washington, D.C., on motion of Mr. Milton I. Lewis, were admitted to practice.

ORAL ARGUMENT

No. 412. Fred W. Woodward et al., petitioners, *v.* Commissioner of Internal Revenue. Argued by Mr. Donald P. Cooney for the petitioners and by Mr. Johnnie McK. Walters for the respondent.

No. 528. United States, petitioner, *v.* Hilton Hotels Corporation. Argued by Mr. Johnnie McK. Walters for the petitioner and by Mr. Milton A. Levenfeld for the respondent.

No. 127. William Monks, petitioner, *v.* New Jersey. Argued by Mr. Anthony G. Amsterdam for the petitioner and by Mr. Archibald Kreiger for the respondent.

No. 440. National Labor Relations Board, petitioner, *v.* Raytheon Company et al. Argued by Mr. Richard G. Kleindienst for the petitioner and by Mr. Charles H. Resnick for the respondents.

Adjourned until Monday, March 2, 1970, at 10 o'clock.

The day call for Monday, March 2, 1970, will be as follows: Nos. 445, 729, and 477.

SUPREME COURT OF THE UNITED STATES

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

OPINIONS PER CURIAM

No. 515. United States et al., petitioners, *v.* Gifford-Hill-American, Inc., et al. On writ of certiorari to the United States Courts of Appeals for the Fifth Circuit. Judgment vacated and case remanded to the Court of Appeals with instructions to dismiss the mandamus proceedings as moot. Opinion *per curiam*.

No. 992. New York Feed Company, Inc., et al., appellants, *v.* Howard R. Leary, etc., et al.; and

No. 998. Milky Way Productions, Inc., et al., appellants, *v.* Howard R. Leary, etc., et al. Appeals from the United States District Court for the Southern District of New York. The motions to affirm are granted and the judgments are affirmed. Opinion *per curiam*. Mr. Justice Douglas is of the opinion that probable jurisdiction should be noted and cases set for oral argument.

No. 1062. Robert Durham et ux., appellants, *v.* Independence Homes, Inc. Appeal from the Supreme Court 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. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Opinion *per curiam*.

No. 1218. Ralph Moody Hall, appellant, *v.* Elmer C. Baum, etc. Appeal from the Supreme Court of Texas. The appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 200, Misc. Elias Lujan, appellant, *v.* California. Appeal from the Supreme Court of California. 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. 535, Misc. C. T. Shaffer, appellant, *v.* Claude Lee Bridges, etc. Appeal from the United States District Court for the Southern

District of Mississippi. The motion of the appellant for leave to proceed *in forma pauperis* is granted. The motion to dismiss is granted and the case is dismissed as moot. Opinion *per curiam*.

No. 579, Misc. Oran Murray Young, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Eighth 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 Appeal for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*. The Chief Justice is of the opinion that certiorari should be denied.

No. 992, Misc. Susan Marie Parker, petitioner, *v.* United States. 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 with instructions to dismiss the appeal as moot. Opinion *per curiam*.

No. 1225, Misc. Ethel Mae Matthews et al., appellants, *v.* J. J. Little, City Clerk of the City of Atlanta. Appeal from the United States District Court for the Northern District of Georgia. The motion for leave to proceed *in forma pauperis* is granted. The motion to dismiss is granted and the appeal is dismissed as moot. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. —. Richard P. Mucie, petitioner, *v.* Missouri. The application for bail presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. —. Harvey Lee Davis, petitioner, *v.* Selective Service Board Number 30 of Texas. The application for stay of induction presented to Mr. Justice Black, and by him referred to the Court, is denied.

No. 36, Original. State of Texas, plaintiff, *v.* State of Louisiana. The motion for leave to file a bill of complaint is granted and the State of Louisiana is allowed sixty days to answer.

No. 74. Clifford Taggart et al., petitioners, *v.* Weinacker's, Inc. The motion for leave to file a supplemental brief, after argument, is granted.

No. 1147. H. Neil Kelley, Jr., petitioner, *v.* United States. The application for bail presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. 1192. Joseph Arthur Zicarelli, appellant, *v.* The New Jersey State Commission of Investigation. The application for bail is denied. Mr. Justice Brennan took no part in the consideration or decision of this application.

APPEAL—JURISDICTION NOTED

No. 1093. United States, appellant, *v.* Phillipsburg National Bank and Trust Company et al. Appeal from the United States District Court for the District of New Jersey. The motion to strike references to agency reports and to order clerk to redeliver material not in evidence which has been lodged with the court and the motion to advance are denied. In this case probable jurisdiction noted and case placed on the summary calendar.

CERTIORARI GRANTED

No. 675. Joseph Charles Usner, petitioner, *v.* Luckenbach Overseas Corporation 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. 942. Kevin L. Donaldson fka Merton H. Sweet, petitioner, *v.* United States 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. 630, Misc. Ralph Piccirillo, 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.

No. 665, Misc. Isiah Relford, petitioner, *v.* Commandant, U.S. Disciplinary Barracks, Ft. Leavenworth, Kansas. 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 limited to retroactivity and scope of *O'Callahan v. United States*, 395 U.S. 258. Case transferred to the appellate docket and placed on the summary calendar. docket

CERTIORARI DENIED

No. 856. Carl A. Vergari, District Attorney of Westchester County, New York, petitioner, *v.* 208 Cinema, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 928. Louis J. Gnotta, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 929. John Robert Tucker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1020. Gershon L. Lewis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1030. Hugh H. Wilson Corporation, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1035. Keith McCormick, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 1044. Georgia Highway Express, Inc., 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. 1048. Murray Friedlander, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1050. Lee E. Tarvestad and George A. Wyum, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1052. Groendyke Transport, 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. 1056. Stuart Scherr and Steven Goodman, petitioners, *v.* Universal Match Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1103. American Steamship Owners Mutual Protection and Indemnity Association, Inc., petitioner, *v.* Arthur L. Liman, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1106. Dymo Industries, Inc., et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1124. Betty Pittman Warwick, petitioner, *v.* Barry S. Segan. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 736. V. Lee Bounds, Commissioner of Correction, petitioner, *v.* Marion Frank Crawford. 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. 762. United States, petitioner, *v.* Tommy Hiatt. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Stewart and Mr. Justice White are of the opinion that certiorari should be granted.

No. 999. Carl Reynolds Shelton, 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. 1061. Floyd Featherston, petitioner, *v.* John Mitchell, Attorney General of the United States, 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. 1010. Jim A. Phipps et ux., petitioners, *v.* United States. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1045. The Jupiter Corporation, petitioner, *v.* Federal Power Commission et al. 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. 1054. Tidewater Construction Corporation, etc., et al., petitioners, *v.* Edward E. Duke. Motion of respondent to dispense with printing brief in opposition granted. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 137, Misc. William Hemphill, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 148, Misc. Robert Jewell Landman, Sr., petitioner, *v.* Virginia Board of Welfare and Institutions. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 152, Misc. Leland Ferree, petitioner, *v.* Max P. Frye, Warden. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 197, Misc. Harold Lloyd, petitioner, *v.* Frank J. Pate, Warden. Petition for writ of certiorari to the United States Court of Appeals for Seventh Circuit denied.

No. 220, Misc. Earnest Norman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 260, Misc. Louis Ludwik Furtak, petitioner, *v.* New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 263, Misc. Francis S. Caha, petitioner, *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

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

No. 266, Misc. Emmett Henry, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 269, **Misc.** David Robinson, petitioner, *v.* Patrick N. Bolsinger, Prothonotary. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 276, **Misc.** Anna Louise Daugherty, etc., petitioner, *v.* Seaboard Coast Line Railway Company, etc. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 280, **Misc.** Charles Kenny, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 283, **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. 286, **Misc.** Joseph Cerrato, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 326, **Misc.** Ronald Jerome Redding, petitioner, *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 328, **Misc.** Pearly Wilson, petitioner, *v.* Paul J. Gernert, Chairman, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 341, **Misc.** Malcolm R. Schlette, petitioner, *v.* California Adult Authority et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 345, **Misc.** David C. Gibbs, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 357, **Misc.** Claude Johnson, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 405, **Misc.** Anthon Jay Rodgers, petitioner, *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 417, **Misc.** Albert H. Carter, petitioner, *v.* Robert Seamans, Jr., Secretary of the Air Force. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 457, **Misc.** Kenneth Webb, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 462, **Misc.** Caswell Lathan, Jr., 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. 463, **Misc.** Jesse M. Cummings, petitioner, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 472, **Misc.** Andres Gonzalez, petitioner, *v.* Harold V. Field. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 477, **Misc.** Robert K. Bennett, petitioner, *v.* United States District Court, Eastern District of Michigan. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 500, **Misc.** Jack Luckey, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 512, **Misc.** Robert Flores, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 528, **Misc.** Lorenzo Catanzaro, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 529, **Misc.** Robert Lee Gawne and William Thomas Banks, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 568, **Misc.** John J. Pepitone, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 570, **Misc.** Ernest J. Bolognese, petitioner, *v.* Joseph F. Mazurkiewicz, Superintendent, State Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 575, **Misc.** Eugene Johnson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 577, **Misc.** George Vasquez, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 640, **Misc.** James T. Kearney, Jr., petitioner, *v.* John W. Macy, Jr., etc. et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 674, **Misc.** In the Interest of L. G., a minor child, petitioner. Petition for writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied.

No. 679, **Misc.** Roy Alphonso Smith, petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 724, **Misc.** Joseph Bernard Morse, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 737, **Misc.** Francisco S. A. Ignacio and Antonio S. A. Ignacio, petitioners, *v.* People of the Territory of Guam. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 753, **Misc.** Ell Johnson, Jr., etc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 766, **Misc.** Joseph Garcia, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 768, **Misc.** Emmett W. Sapp, petitioner, *v.* California Adult Authority et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 769, **Misc.** Ismael Perea, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 792, **Misc.** Norman Dale Callison, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 802, **Misc.** Malcolm R. Schlette, petitioner, *v.* California Adult Authority et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 813, **Misc.** Paul Banks, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 916, **Misc.** Linwood Gray, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 921, **Misc.** Connie Harris, petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 923, **Misc.** Paul Edward Anderson, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 927, **Misc.** Lonnei James Fry, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 940, **Misc.** Thomas Graves, petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 941, **Misc.** Dennis Glenn Scanlan, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 944, **Misc.** John Junior Amsley, petitioner, *v.* West Virginia Racing Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 945, **Misc.** Robert H. Toulson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 946, **Misc.** Jimmy Snowden et al., petitioners, *v.* United States;
No. 1000, **Misc.** Billy Wayne Posey and Cecil Ray Price, petitioners, *v.* United States; and

No. 1021, **Misc.** Sam Holloway Bowers, Jr., petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 950, **Misc.** Harry E. Carey, petitioner, *v.* Alfred T. Rundle, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 953, **Misc.** George Herbert, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 958, **Misc.** Darrell James Brown, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 970, **Misc.** Robert Michael Brigante, petitioner, *v.* Superior Court of California for the County of Los Angeles. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 976, **Misc.** Roosevelt Stevenson, 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. 1018, **Misc.** Madison Stein, petitioner, *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 1020, **Misc.** Charles A. Buhl, 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. 1027, **Misc.** Fred M. Chamberlain, petitioner, *v.* Michigan. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 1035, **Misc.** Robert F. Urbano, petitioner, *v.* Board of Managers of the New Jersey State Prison. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1037, **Misc.** Gerald Jennes Emerson, petitioner, *v.* Minnesota. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. **1038, Misc.** Jerry Erving, Sr., petitioner, *v.* Maurice Sigler, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **1061, Misc.** James Nelson Coleman, petitioner, *v.* Marion J. Koloski, Superintendent, Chillicothe Correctional Institute. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1076, Misc.** John J. Pepitone, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1078, Misc.** Robert Francis Urbano, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. **1079, Misc.** Leon Morris Hendrix, petitioner, *v.* City of Seattle et al. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. **1080, Misc.** James Maxey, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. **1091, Misc.** In the Matter of the Application of Ronald L. Reece, petitioner. Petitioner for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1094, Misc.** Rubin Carter and John Artis, petitioners, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. **1097, Misc.** Eugene Lee Bell, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. **1107, Misc.** James T. LeVier, petitioner, *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. **1108, Misc.** Margie Alvarez, petitioner, *v.* Immigration and Naturalization Service; and

No. **1129, Misc.** Ligaya de Guzman, petitioner, *v.* Immigration and Naturalization Service;

No. **1139, Misc.** Rosita R. Ceballos, petitioner, *v.* Immigration and Naturalization Service; and

No. **1140, Misc.** Carmela de Ramos, petitioner, *v.* Immigration and Naturalization Service. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1147, Misc.** Lee Bradford Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1150, Misc.** Robert Roberts, petitioner, *v.* Joseph L. Carter, Judge, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1151, Misc.** Ronny L. Bryan, petitioner, *v.* Liberty Mutual Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1156, Misc.** Herbert A. Thompson, petitioner, *v.* Warden, Maryland Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1164, Misc.** Frank Llanusa, 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. **1166, Misc.** Walter Weems, Jr., petitioner, *v.* H. W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1168, Misc.** Charles W. Pope, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **1169, Misc.** Glenn R. Bryant, petitioner, *v.* Walter E. Craven et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1174, Misc.** Alvin Richards, Jr., petitioner, *v.* California Adult Authority. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1175, Misc.** Martin B. Zide, petitioner, *v.* Louie L. Wainwright, Director, Division of Corrections. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. **1186, Misc.** Jorge Humberto Bastidas Castro, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **1187, Misc.** Earl F. Mink, petitioner, *v.* Michigan Department of Corrections. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. **1190, Misc.** Cruz Ramirez, petitioner, *v.* Frank A. Eyman, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1191, Misc.** Cecilla Ylagen, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1192, Misc.** Leonor V. Matutina, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1193, Misc.** Sinclair Johnson, petitioner, *v.* Lamont Smith, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1194, *Misc.* Toribio Salazar, petitioner, *v.* California Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1198, *Misc.* Charles Joseph, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1199, *Misc.* Dawn Elaine Brown et al., petitioners, *v.* Dixie Herlong Chastain et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1204, *Misc.* Ronald Keith George, petitioner, *v.* Lake F. Russell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1205, *Misc.* Robert S. Kelem, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1207, *Misc.* William Dorris Rogers, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1218, *Misc.* George Lebosky, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1220, *Misc.* Edward M. Sturgis, petitioner, *v.* Warden, Maryland Penitentiary. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 1221, *Misc.* William J. Sanders, petitioner, *v.* United States; and

No. 1223, *Misc.* Joseph Russell Buschkotter, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1222, *Misc.* Lawrence Rensing, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1226, *Misc.* Herbert Ely, petitioner, *v.* Nelson Rockefeller, Governor, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1227, *Misc.* Carl Clark, petitioner, *v.* George A. Kropp, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1228, *Misc.* Harold Bryan Johnson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **1231, Misc.** Calvin C. Campbell, 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. **1234, Misc.** James Henry, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1235, Misc.** Jose Antonio Roybal, petitioner, *v.* G. P. Lloyd, Superintendent, California Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1236, Misc.** Bishop Williams, petitioner, *v.* John T. Deegan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1237, Misc.** James Mueller, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1239, Misc.** Weldon Walter Norman, petitioner, *v.* Raymond K. Procnier, Director, Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1261, Misc.** Leslie M. Phillips, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1262, Misc.** Minnie D. Craig, petitioner, *v.* Robert H. Finch, Secretary of Health, Education, and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1263, Misc.** Joseph Purcell Hunt, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1266, Misc.** Jerald Dee Sartain, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1268, Misc.** Israel Fersner, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1269, Misc.** Terrance Michael Sanchez, petitioner, *v.* Iowa State Parole Board et al. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. **1270, Misc.** Earl F. Mink, petitioner, *v.* Howard T. Ziel, Clerk, U.S. District Court. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1275, *Misc.* Cresencio Sanchez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1278, *Misc.* Earl F. Mink, petitioner, *v.* Raymond J. Buchkoe, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1280, *Misc.* Thomas J. Flint, 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. 1281, *Misc.* Sherman H. Skolnick, petitioner, *v.* Mayor and City Council of Chicago et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1287, *Misc.* Everett George Fritzberg, 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. 1290, *Misc.* Ralph Bowers Baxter, Jr., petitioner, *v.* Hawaii. Petition for writ of certiorari to the Supreme Court of Hawaii denied.

No. 1297, *Misc.* Oscar Shipp, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1311, *Misc.* Leroy Hood, petitioner, *v.* Harold V. Field. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1317, *Misc.* Jerome B. Freeman, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 1320, *Misc.* Robert G. Paluch, 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. 1335, *Misc.* William A. Burke, petitioner, *v.* John F. Sharkey, Acting Warden. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 1364, *Misc.* Albert Sumner Tucker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1375, *Misc.* Robert Allen Walton, 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. 1401, *Misc.* Louis Ludwik Furtak, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1408. Jacob J. Gordon, petitioner, *v.* National Broadcasting Co., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1432, *Misc.* James E. Wallace, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1441, *Misc.* Richard Watts, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1443, *Misc.* Dominick Saffioti, petitioner, *v.* Martin P. Catherwood, Industrial Commissioner of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1457, *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. 1475, *Misc.* Clarence Brown, petitioner, *v.* Roger B. Copinger, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1483, *Misc.* Thelma Retha Bills, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1508, *Misc.* William Wayne Hammond, petitioner, *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 1529, *Misc.* Robert Simpson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 145, *Misc.* Anthony Bruno, petitioner, *v.* Ross E. Herold, Director, Dannemora State Hospital. 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. 1196, *Misc.* Francis Henry Bloeth, petitioner, *v.* J. Edwin LaVallee, Warden. 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. 1230, *Misc.* Charles Tomaiolo, 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. 183, *Misc.* Freddie Jackson, Jr., petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 254, *Misc.* Charles E. Thomas, petitioner, *v.* Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 484, *Misc.* Charles J. Crosby, 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. 808, *Misc.* Gonzalo R. Reyes, petitioner, *v.* Richard Kelly, as Judge of the Circuit Court of the Sixth Judicial Circuit in and for Pasco County, Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 1030, *Misc.* Delbert Winston Jones, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 1144, *Misc.* John Paul Anderson, petitioner, *v.* South Carolina. Motion to defer consideration denied. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 1015, *Misc.* James W. Dawson, petitioner, *v.* Harold V. Field, Superintendent, California Men's Colony;

No. 1296, *Misc.* Carlton H. Lester, petitioner, *v.* Georgia; and

No. 1324, *Misc.* Joseph White, petitioner, *v.* Harold J. Cardwell, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 290, *Misc.* Richard Keith Chance and Gary Dell Banta, petitioners, *v.* United States District Court for the District of Arizona, et al.;

No. 333, *Misc.* James W. Dawson, petitioner, *v.* Harry W. Kerr, Chairman, Adult Authority of California, etc.; and

No. 1126, *Misc.* Pearly Louis Wilson, petitioner, *v.* William J. Nealon, United States District Judge for the Middle District of Pennsylvania. Motions for leave to file petitions for writs of mandamus denied.

REHEARINGS DENIED

No. **190**. James Turner, petitioner, *v.* United States;

No. **656**. American Smelting and Refining Company, appellant, *v.* The County of Contra Costa et al.;

No. **657**. Fred N. Acker, petitioner, *v.* United States;

No. **681**. Jerome Fishkin et al., appellants, *v.* United States Civil Service Commission et al.;

No. **20, Misc.** Robert L. Smith, petitioner, *v.* United States;

No. **918, Misc.** Thomas Owen Norman, Jr., petitioner, *v.* United States; and

No. **931, Misc.** Edward Ray Stacy, petitioner, *v.* Charles Van Curen, Superintendent, Lebanon Correctional Institution. Petitions for rehearing denied.

No. **602, Misc.** Robert Summers Neely, Jr., petitioner, *v.* United States. Motion for leave to file second petition for rehearing denied.

No. **744, Misc.** Bernard Joseph Birbeck, petitioner, *v.* California. Motion for leave to file petition for rehearing denied.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Gilbert Howard Carter, of Nevada, Mo., Michael Charles Farrar, of Waterbury, Conn., Eugene Brian McCarthy, of Scarsdale, N.Y., Edward Samuel Christenbury, of Washington, D.C., and Mark W. Perrin, of Cameron, Tex., on motion of Mr. Solicitor General Erwin N. Griswold; Stewart Mills Duff, of Swarthmore, Pa., John William Kane, Jr., of Thornton, Pa., Kenneth Norman Thompson, of Paoli, Pa., and Joseph L. Cox, of Mission, Kans., on motion of Mr. Hugh D. Scott, Jr.; Allan A. Rubin, of Bethesda, Md., on motion of Mr. Marx Leva; Jay S. Linderman, of San Francisco, Calif., on motion of Mr. Daniel A. Rezneck; Peter H. Gerns, of Charlotte, N.C., on motion of Mr. Hugh Q. Alexander; Paul H. DeLaney, Jr., of Pompano Beach, Fla., on motion of Mr. George D. Webster; Robert J. Eck, of St. Louis, Mo., on motion of Mr. Ralph W. Kalish; John P. Everett, Jr., of New Orleans, La., on motion of Mr. John J. Flynn; Burton Alan Amernick, of Rockville, Md., on motion of Mr. William D. Hall; Jerry Kronenberg, of Chicago, Ill., on motion of Mr. Lawrence M. Cohen; Henry Michael Kelleher of Scituate, Mass., and Daniel E. Matthews, of Buffalo, N.Y., on motion of Mr. Thomas W. Kennedy; Lewis A. Hurwitz, of Midford, Conn., Martin L. McKeever, of Milford, Conn., William J. Meuser, of Milford, Conn., and John J. Ronan, of Milford, Conn., on motion of Mr. Robert M. Glennon; and Richard H. Stern, of Washington, D.C., on motion of Mr. Lawrence Gerald Wallace, were admitted to practice.

OPINIONS

No. 301. Loren J. Pike, etc., appellant, *v.* Bruce Church, Inc. Appeal from the United States District Court for the District of Arizona. Judgment affirmed. Opinion by Mr. Justice Stewart.

No. 230. H. K. Porter Company, Inc., etc., petitioner, *v.* National Labor Relations Board 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 further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Harlan.

Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Stewart joins. Mr. Justice White took no part in the decision of this case. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 441. Robert I. Toussie, petitioner, *v.* United States. 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 for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice White with whom Mr. Chief Justice Burger and Mr. Justice Harlan join.

The Chief Justice said :

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

OPINIONS PER CURIAM

No. 68. Harry Laikind, appellant, *v.* Attorney General of the State 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 final judgment. Opinion *per curiam*. Mr. Justice Douglas is of the opinion that further consideration of the question of jurisdiction should be postponed to the hearing of the case on the merits.

No. 1069. Thomas K. Gilhool et al., appellants, *v.* Chairman and Commissioners, Philadelphia County Board of Elections, et al. Appeal from the United States District Court for the Eastern District of Pennsylvania. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*.

No. 1087. Bruce Kozerowitz, appellant. *v.* A. J. Stack et al. 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. 1181. Lester G. Maddox et al., appellants, *v.* Ben W. Fortson, Jr., et al. Appeal from the Supreme Court of Georgia. 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*.

ORDERS IN PENDING CASES

No. 18, Original. State of Illinois, plaintiff, *v.* State of Missouri. The Report of the Special Master is received and ordered filed. Except-

tions, if any, with supporting briefs may be filed on or before June 1, 1970. Reply briefs, if any, to such exceptions may be filed on or before July 15, 1970.

No. 18, Misc. Leo Robert Forcella and Victor R. Funicello, petitioners, *v.* New Jersey. The motion to dismiss the petition for writ of certiorari as to the deceased petitioner, Forcella, is granted.

APPEALS—JURISDICTION NOTED

No. 788. Winton M. Blount, Postmaster General of the United States, et al., appellants, *v.* Tony Rizzi d/b/a The Mail Box. Appeal from the United States District Court for the Central District of California. In this case probable jurisdiction noted and case placed on the summary calendar.

No. 782. Phillip Morris et al., appellants, *v.* Hiram Schoonfield, Warden, et al. Appeal from the United States District Court for the District of Maryland. In this case probable jurisdiction is noted. Case placed on the summary calendar and set for oral argument immediately following No. 1089.

No. 812. United States et al., appellants, *v.* The Book Bin. Appeal from the United States District Court for the Northern District of Georgia. In this case probable jurisdiction noted. Case placed on the summary calendar and set for oral argument immediately following No. 788.

CERTIORARI GRANTED

No. 1058. Ida Phillips, petitioner, *v.* Martin Marietta Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and case placed on the summary calendar.

CERTIORARI DENIED

No. 870. Anthony DeLyra, petitioner, *v.* United States;

No. 966. Frank Lloyd Parks, petitioner, *v.* United States;

No. 980. Frank Crisona, petitioner, *v.* United States; and

No. 981. John DeLyra, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 945. Claude S. Gossett et al., petitioners, *v.* United States; and

No. 991. Edward M. Claridge et al., petitioners, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 949. John Patrick Dunn, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit Denied.

No. **961**. Russell Deal et al., petitioners, *v.* Milo W. Nelson et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. **964**. Randolph Erwin Rosenson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **967**. Estate of Hutchen Upshaw, Ardenia Upshaw, Administratrix, etc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1012**. Serbian Eastern Orthodox Congregation of "St. George", Elizabeth, N.J., et al., petitioners, *v.* Serbian Eastern Orthodox Congregation of "St. George," Elizabeth, N.J. (Diocese for Eastern States of America and Canada), et al. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. **1053**, E. K. Bearden and Ernest W. Crumb, petitioners, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. **1059**. Bernard J. Chubet, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **1060**. Fishel Products Co., etc., petitioner, *v.* Commodity Credit Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1063**. Charles E. Burns, Jr., et al., petitioners, *v.* Board of Supervisors of Fairfax County, Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. **1071**. Harold Konigsberg, petitioner, *v.* Pasquale J. Ciccone, Director of Medical Center, Springfield, Mo., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **1085**. Columbia Broadcasting System, Inc., petitioner, *v.* Omer Poos, Chief Judge of the United States District Court for the Southern District of Illinois. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1091**. Avern Trust et al., petitioners, *v.* John W. Clarke, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1102**. Loyd C. Yeargin, petitioner, *v.* Hamilton Memorial Hospital et al. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 1116. E. M. Whittenton, Inc., et al., petitioners, *v.* Paul W. Neighbors, Jr., et al. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 1126. Universal Marine Corporation et al., petitioners, *v.* Encyclopaedia Britannica Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1131. Strick Chambers, petitioner, *v.* Road District No. 505 of Tangipahoa Parish, Louisiana, et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 1139. Harold Konigsberg, petitioner, *v.* New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1152. 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. 1163. United Mine Workers of America, petitioner, *v.* Tennessee Consolidated Coal Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 907. United States, petitioner, *v.* 959.68 Acres of Land in Mercer County, Pennsylvania. 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. 1067. Philip W. Wright, 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. 1064. General Electric Company, 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. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 1078. John T. McClain, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Black, Mr. Justice Harlan, and Mr. Justice Brennan would grant petition for certiorari, vacated judgment of the Court of Appeals and remand to that Court for further consideration in light of *Leary v. United States*, 395 U.S. 6 (1969). See *Street v. New York*, 394 U.S. 576, 586 (1969); *Stromberg v. California*, 283 U.S. 359 (1931).

No. 625, Misc. Gilberto Lugo-Baez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1132, **Misc.** Robert Gary Dessureault, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 1154, **Misc.** Charles T. McCaulley, petitioner, *v.* California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1158, **Misc.** Lloyd R. Travnikoff, petitioner, *v.* Roland Wood, Superintendent, California Rehabilitation Center. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1161, **Misc.** LeRoy Towles, petitioner, *v.* Frederick G. Reincke, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1163, **Misc.** Melvin Daniel, petitioner, *v.* John L. Zelker, Acting Warden. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1185, **Misc.** Betti Jane Newhouse, petitioner *v.* John Misterly, Sheriff. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1212, **Misc.** Thomas E. Jones, petitioner, *v.* James M. Hare, Secretary of State of Michigan, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1219, **Misc.** Jerome Gore, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Appeals of Alabama denied.

No. 1286, **Misc.** Charlie Collins, petitioner, *v.* L. M. White Contracting Co. et al. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 1302, **Misc.** Eulogio Ramiro Clausell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1305, **Misc.** Calvin Barnes, petitioner, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 1333, **Misc.** Frank Di Filippo, 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. 1334, **Misc.** William E. Knuckles, petitioner, *v.* Joseph R. Brierley, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1337, **Misc.** L. C. Berry, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1389, **Misc.** Donald L. McEntire, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1392, **Misc.** Frank Marrone, petitioner, *v.* Alaska. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 1395, **Misc.** Wayne Edward Butler, petitioner, *v.* David P. Henry, Administrator. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1407, **Misc.** Frank De Clara, petitioner, *v.* William C. Johnston, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1414, **Misc.** James Jackson, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 1422, **Misc.** Frank Tornabene and Sam Elia, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1428, **Misc.** John A. Dominguez, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1439, **Misc.** Gus Feist, 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. 1444, **Misc.** Leon A. Jasko, petitioner, *v.* Director, Patuxent Institution. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1459, **Misc.** James Robert Cook, petitioner, *v.* Superintendent of the Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1473, **Misc.** Anastacio Calmenate, petitioner, *v.* Frank S. Hogan et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1474, **Misc.** Mayo Goff, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 1476, **Misc.** James T. Carter, 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. 1477, **Misc.** Sally D. Dear, petitioner, *v.* Ralph C. Dear. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 1479, **Misc.** Leslie Edward Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1481, Misc.** Alexander Plasencia and Manuel Gomez, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1486, Misc.** Gerald Pops Brown, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. **1487, Misc.** Elmer C. Davis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1488, Misc.** Bert Daniel Stark, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1491, Misc.** Henry P. Bryant, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1285, Misc.** Vincent Joseph O'Connor, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **1330, Misc.** Fred Harris Brooks, 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. **1482, Misc.** Donathan Garvin Kemp, 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. **1614, Misc.** Crispin Santos, 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. **1390, Misc.** Hotel, Motel and Club Employees Union Local 6, petitioner, *v.* George P. Shultz, Secretary of Labor. 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 PETITION FOR WRITS OF HABEAS CORPUS DENIED

No. **1517, Misc.** David Dennis, petitioner, *v.* L. L. Wainwright, Director, Florida Division of Corrections; and

No. **1518, Misc.** Walter Scott Dinkins, petitioner, *v.* Olin G. Blackwell, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

REHEARINGS DENIED

No. **1256**, Misc. October Term, 1968. Sadie L. Campbell, petitioner, *v.* United States. Motion for leave to file second petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this motion.

No. **805**. Barnard Shapiro, Commissioner of Welfare, State of Connecticut, appellant, *v.* Jane Doe. Petition for rehearing denied.

No. **631**. David Carliner et al., petitioners, *v.* Commissioner of the District of Columbia et al. Motion for leave to file petition for rehearing denied.

No. **928**, Misc. Ronald Lee Smith, petitioner, *v.* Georgia. Petition for rehearing denied.

RECESS ORDER

The Court will take a recess from Monday, March 9, 1970, until Monday, March 23, 1970.

ORAL ARGUMENT

No. **445**. Standard Industries, Inc., petitioner, *v.* Tigrett Industries, Inc., et al. Two hours allowed for oral argument. Argued by Mr. I. Walton Bader for the petitioner, by Mr. Lawrence G. Wallace for the United States, as *amicus curiae*, by special leave of Court, by Mr. Ralph W. Kalish for the respondents and by Mr. Sidney Neuman for the American Patent Law Association, as *amicus curiae*.

No. **729**. Donald Bachellar et al., petitioners, *v.* Maryland. Argued by Mr. Anthony G. Amsterdam for the petitioners and by Mr. H. Edgar Lentz for the respondent.

No. **477**. Atlantic Coast Line Railroad Company, petitioner, *v.* Brotherhood of Locomotive Engineers et al. Argument commenced by Mr. Frank X. Friedmann, Jr., for the petitioner and continued by Mr. Dennis G. Lyons for the petitioner.

Adjourned until tomorrow at 10 o'clock.

The day call for Tuesday, March 3, 1970, will be as follows: Nos. **477**, **476**, and **829**.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

A. G. Shone, of Butte, Mont., on motion of Mr. Arnold H. Olsen; E. Patricia Herron, of Richmond, Calif., on motion of Mr. Jerome R. Waldie; J. Montjoy Trimble, of Lexington, Ky., on motion of Mr. John C. Watts; Mack Gerald Fleming, of Anderson, S.C., on motion of Mr. Phil M. Landrum; John Ward Boulton, of Tampa, Fla., and Dewey R. Villareal, Jr., of Tampa, Fla., on motion of Mr. Cody Fowler; Lloyd B. Hamilton, of Placerville, Calif., on motion of Mr. Brice Wilson Rhyne; Peter Frese Rousselot, of Washington, D.C., and Richard B. Ruge, of Washington, D.C., on motion of Mr. E. Barrett Prettyman, Jr.; Vincent J. Apruzzese, of Newark, N.J., on motion of Mr. Dominick Manoli; John H. Whatley, of Pasadena, Calif., on motion of Mr. Robert C. Mardian; Elsa R. Kaufman, of Bethesda, Md., Richard David Kaufmann, of Washington, D.C., and Jeffrey Mark Glosser, of Washington, D.C., on motion of Mr. N. Alfred Pasternak; Lawrence T. Hoyle, Jr., of Philadelphia, Pa., on motion of Mr. Aaron M. Fine; Lawrence Irwin Ferguson, of Dallas, Tex., on motion of Mr. Graham W. McGowan; David C. G. Kerr, of Tampa, Fla., on motion of Mr. Robert A. Saltzstein; and Lawrence Baruch Dvores, of Elizabeth, N.J., on motion of Mrs. Barbara A. Bowman, were admitted to practice.

OPINIONS

No. 63. United States, petitioner, *v.* W. M. Webb, Incorporated, et al. 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.

No. 85. Association of Data Processing Service Organizations, Inc., et al., petitioners, *v.* William B. Camp, Comptroller of the Currency of the United States 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 District of

Minnesota for a hearing on the merits. Opinion by Mr. Justice Douglas. Opinion by Mr. Justice Brennan with whom Mr. Justice White joins concurring in the result but dissenting from the Court's treatment of the question of standing to challenge agency action, in this case and in No. 249, *post*.

No. 249. Clemon Barlow et al., petitioners, *v.* B. L. Collins, etc., et al. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgments of the Court of Appeals and of the United States District Court for the Middle District of Alabama vacated and case remanded to the United States District Court for the Middle District of Alabama for a hearing on the merits. Opinion by Mr. Justice Douglas. Opinion by Mr. Justice Brennan with whom Mr. Justice White joins concurring in the result but dissenting from the Court's treatment of the question of standing to challenge agency action, in this case and in No. 85, *ante*.

ORAL ARGUMENT

No. 477. Atlantic Coast Line Railroad Company, petitioner, *v.* Brotherhood of Locomotive Engineers et al. Argument continued by Mr. Dennis G. Lyons for the petitioner, by Mr. Allan Milledge for the respondents and concluded by Mr. Dennis G. Lyons for the petitioner.

No. 476. Sears, Roebuck and Co., petitioner, *v.* Carpet, Linoleum, Soft Tile and Resilient Floor Covering Layers, Local Union No. 419, AFL-CIO, et al. Argued by Mr. Gerard C. Smetana for the petitioner, by Mr. Dominick L. Manoli for respondent National Labor Relations Board and by Mr. David S. Barr for respondent Union.

No. 829. Genever Lewis et al., appellants, *v.* Robert Martin, Director of the State Department of Social Welfare of State of California, et al. One and one half hours allowed for oral argument. Argument commenced by Mr. Anthony G. Amsterdam for the appellants and continued by Mr. Francis X. Beytagh for the United States, as *amicus curiae*, by special leave of Court.

Adjourned until tomorrow at 10 o'clock.

The day call for Wednesday, March 4, 1970, will be as follows: Nos. 829, 927, 175, and 727.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Jesse J. McCrary, Jr., of Miami, Fla., on motion of Mr. Earl Faircloth; Harold B. Judell, of New Orleans, La., on motion of Mr. Daniel L. O'Connor; Floyd Leon Reed, of Heber Springs, Ark., on motion of Mr. John Patrick Baker; Marshall Medoff, of Boston, Mass., on motion of Mr. Francis Xavier McLaughlin; and Shelia Hermes Marshall, of New York, N.Y., and James O'Malley, Jr., of New York, N.Y., on motion of Mr. Leonard Morse Trosten, were admitted to practice.

ORAL ARGUMENT

No. **829**. Genever Lewis et al., appellants, *v.* Robert Martin, Director of the State Department of Social Welfare of State of California, et al. Argument continued by Mr. Francis X. Beytagh for the United States, as *amicus curiae*, by special leave of the Court, and concluded by Mr. Jay S. Linderman for the appellees.

No. **927**. Johnny Williams, petitioner, *v.* Florida. Argued by Mr. Richard Kanner for the petitioner and by Mr. Jesse J. McCrary, Jr., for the respondent.

No. **175**. Petsonella Moragne, etc., petitioner, *v.* States Marine Lines, Inc., et al. One and one half hours allowed for oral argument. Argued by Mr. Charles Jay Hardee, Jr., for the petitioner, by Mr. Louis F. Claiborne for the United States, as *amicus curiae*, by special leave of Court, and by Mr. Dewey R. Villareal, Jr. and Mr. David C. G. Kerr for the respondents.

No. **727**. Donald J. Vale, appellant, *v.* Louisiana. Argument commenced by Mr. Eberhard P. Deutsch for the appellant and continued by Mrs. Louise Korns for the appellee.

Adjourned until tomorrow at 10 o'clock.

The day call for Thursday, March 5, 1970, will be as follows: Nos. **727**, **41** (and **59**), and **103**.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Elmer O. Friday, Jr., of Fort Myers, Fla., and Carl F. Ellwanger, of Stuart, Fla., on motion of Mr. Paul G. Rogers; Harold L. Summerfield, of Chicago, Ill., and John A. Summerfield, of Chicago, Ill., on motion of Mr. Abner Joseph Mikva; John W. Sturgis, of Portland, Maine, on motion of Mr. Peter N. Kyros; Robert L. McCurley, Jr., of Gadsden Ala., on motion of Mr. Tom Vevill; John L. Cravens, of Oklahoma City, Okla., Timothy Dwight Leonard, of Oklahoma City, Okla., and James E. Slater, of Oklahoma City, Okla., on motion of Mr. George Tony Blankenship; Alpheus Varner, of Poteau, Okla., and John Edward Van Eschen, of Greene, Iowa, on motion of Mr. Earl Boyd Pierce; William John Goldenblum, of New York, N.Y., on motion of Mr. Steven Arthur Winkelman; Clarence R. Harris, of Indianapolis, Ind., and James E. McDonald, Jr., of Columbia, S.C., on motion of Mr. Daniel O. Omer; Henry James McCluskey, Jr., of Dallas, Tex., on motion of Miss Sarah Eleanor Brown; Malin E. McAmis, of New York, N.Y., on motion of Mr. Edwin E. McAmis; Otto Joseph Hetzel, of Washington, D.C., on motion of Mr. William H. Brown III; William L. Kaplan, of Silver Spring, Md., on motion of Mr. Karl George Feissner; Jay Wilson Maynard, of Bronxville, N.Y., on motion of Mr. Robert Laurie Mitchell; William John Janklow, of Flandreau, S. Dak., and James G. Abourezk, of Rapid City, S. Dak., on motion of Mr. Thomas G. Shack, Jr., and Jerrold A. Fadem, of Los Angeles, Calif., on motion of Mr. Frank Cummings, were admitted to practice.

ORAL ARGUMENT

No. **727**. Donald J. Vale, appellant, *v.* Louisiana. Argument continued by Mrs. Louise Korns for the appellee and concluded by Mr. Eberhard P. Deutsch for the appellant.

No. **103**. United States, appellant, *v.* Armour & Company et al. Argued by Mr. James van R. Springer for the appellant and by Mr. Herbert A. Bergson for the appellees.

No. **41**. The Choctaw Nation and the Chickasaw Nation, petitioners, *v.* Oklahoma et al.; and

No. 59. The Cherokee Nation or Tribe of Indians in Oklahoma, petitioner, *v.* Oklahoma et al. One and one-half hours allowed for oral reargument. Reargued by Mr. Lon Kile and Mr. Peyton Ford for the petitioners, by Mr. Louis F. Claiborne for the United States, as *amicus curiae*, by special leave of Court, and by Mr. G. T. Blankenship and Mr. M. Darwin Kirk for the respondents.

Adjourned until Monday, March 9, 1970, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: 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

D. Joseph Spada, of Los Angeles, Calif., Allen H. McCreight, of Meridian, Miss., Winston Vaughan Morrow, Jr., of Garden City, N.Y., Frierson M. Graves, Jr., of Memphis, Tenn., Jimmy Leroy Tallant, of Springfield, Va., Christopher Tappan Bayley, of Seattle, Wash., and Keith Chunn, Jr., of Houston, Tex., on motion of Mr. Solicitor General Erwin N. Griswold; Melvin Shinn, of Honolulu, Hawaii, on motion of Mr. Hiram L. Fong; Finis E. St. John, Jr., of Cullman, Ala., on motion of Mr. Tom Bevill; Richard F. Patton, of Bay Village, Ohio, on motion of Mr. William E. Minshall; William Lacey Mauck, of Springfield, Mo., and Michael W. Hodges, of St. Louis, Mo., on motion of Mr. Peter N. Kyros; James R. White, of New Castle, Ind., on motion of Mr. David W. Dennis; Gary J. Greenberg, of New York, N.Y., on motion of Mr. William Ramsey Clark; Richard Gordon Kinney, of Chicago, Ill., on motion of Mr. Peter N. Chumbris; Timothy J. Healey, of New York, N.Y., Irene Balogh Smart, of Canton, Ohio, Charles E. Smart, of Canton, Ohio, and Borden Bowne Price, of Berkeley, Calif., on motion of Mr. Samuel J. L'Hommedieu, Jr.; Tidal B. Henry, Jr., of New York, N.Y., and John Nielsen, of Port Chester, N.Y., on motion of Mr. C. Frank Reifsnnyder; George Poindexter Hewes, III, of Jackson, Miss., on motion of Mrs. Elizabeth S. Denny; C. Lacey Compton, Jr., of Woodbridge, Va., on motion of Mr. John K. Meagher; David E. Gebhart, of Cincinnati, Ohio, and Abraham D. Goldberg, of Cincinnati, Ohio, on motion of Mr. Robert Stephen Chamblee; James F. Shumate, Jr., of Falls Church, Va., on motion of Mr. George L. J. Dalferes; Frank Dawson Hall, of Miami, Fla., on motion of Mr. George F. Smith, Jr.; Francis Ralph Matera, of New York, N.Y., on motion of Mr. Donald Cefaratti, Jr.; Charles Patrick Revoile, of Kensington, Md., on motion of Mr. Stephen E. Fleck;

Victor W. Ewen, of Louisville, Ky., and William A. MacKenzie, of Louisville, Ky., on motion of Mr. James Francis Gordy; Grover Johnson Gregory, of Clifton Forge, Va., on motion of Mr. Robert F. Guthrie; John Pasquale Bruno, of Phoenix, Ariz., on motion of Mr. Ronald Earl Madsen; James Hugh Martin, of New Orleans, La., on motion of Mr. Clarence J. Martin; Ben C. White, of Arlington, Va., on

motion of Mr. Thomas R. Harrison; Robert Kenneth Mihalek, of Cleveland, Ohio, on motion of Mr. George Raymond Jones; Parker M. Nielson, of Salt Lake City, Utah, on motion of Mr. John M. Bradley; Stephen Jones, of Enid, Okla., on motion of Mr. J. Mark Trice; Leo E. Green, of Bowie, Md., on motion of Mr. James John Stapleton; and Francis H. Allenza, of Washington, D.C., John A. Bell, Jr., of Washington, D.C., Arthur P. Byrne, of Washington, D.C., Ethel C. Ellison, of Washington, D.C., Robert B. Lucas, of Washington, D.C., Joseph H. White, of Washington, D.C., Charles J. Bartlett, of Silver Spring, Md., Paul R. Boesch, of Bethesda, Md., Chaim David Goldberg, of Silver Spring, Md., Libby P. Grossman, of Bowie, Md., Sondra René Linden, of Bethesda, Md., Herbert E. Muse, of Baltimore, Md., David F. Polatsek, of Silver Spring, Md., Richard B. Talley, of Silver Spring, Md., Sanford A. Witkowski, of Chevy Chase, Md., June W. Auerbach, of Arlington, Va., Louise B. Crosby, of Herndon, Va., Tom L. Davis, of Springfield, Va., William Edward Grossman, of Springfield, Va., Frederick W. Mowatt, of Arlington, Va., Lewis Edward Berry, Jr., of Houston, Tex., Martha Florence Day Burks, of Tuscaloosa, Ala., Leslie J. Carson, Jr., of Philadelphia, Pa., Jean Margaret Cookingham, of Ithaca, N.Y., Newton S. Davidow, of Boston, Mass., Donald M. Day, of Council Bluffs, Iowa, Carmine Fiorentino, of Atlanta, Ga., Paul I. Grady, of Boston, Mass., William T. Graham, of Winston Salem, N.C., Willie Earl Griggs, of Fort Worth, Tex., Robert S. Kenison, of Manchester, N.H., Thomas P. Loftus, of New York, N.Y., Daniel F. Martini, of Shamokin, Pa., and Norman C. Roettger, Jr., of Fort Lauderdale, Fla., on motion of Mr. Sherman Unger, were admitted to practice.

OPINIONS

No. **231**. International Longshoremen's Association, Local 1416, AFL-CIO, petitioner, *v.* Ariadne Shipping Company, Limited, et al. On writ of certiorari to the District Court of Appeal of Florida, Third District. Judgment reversed and case remanded to the District Court of Appeal of Florida, Third District, for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Brennan. Concurring opinion by Mr. Justice White with whom Mr. Chief Justice Burger and Mr. Justice Stewart join.

No. **395**. United States, petitioner, *v.* M. O. Seckinger, Jr., etc. 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 Southern District of Georgia for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brennan. Dissenting opinion by Mr. Justice Stewart with whom Mr. Chief Justice Burger and Mr. Justice Douglas join. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 74. Clifford Taggart et al., petitioners, *v.* Weinacker's, Inc. On writ of certiorari to the Supreme Court of Alabama. Writ dismissed as improvidently granted. Opinion *per curiam* announced by Mr. Justice Black. Mr. Justice Black and Mr. Justice Harlan would hold under *San Diego Building Trades Council v. Garmon*, 359 U.S. 236, that the State's jurisdiction in this case is pre-empted by the National Labor Relations Board's primary jurisdiction over labor disputes. Concurring opinion by Mr. Chief Justice Burger. Separate memorandum by Mr. Justice Harlan.

Mr. Justice Black said:

"Today's orders of the Court have been certified by Mr. Justice Black, filed with the Clerk, and will not be announced orally."

CERTIORARI DENIED

No. 814. Richard D. Irwin et ux., petitioners, *v.* Dempsey-Tegeler & Co., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 833. Eugene Hairston, 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. 847. Arthur Acunto, et al., petitioners, *v.* United States; and

No. 902. Dominick DiNorscio and Ralph Masciloa, petitioners, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 963. District Counsel of Painters No. 16 of Alameda, Marin, Contra Costa, Napa, Solano, Yolo, Placer, Sacramento, Nevada, El Dorado and Sierra Counties, petitioner, *v.* Painters Union Local 127 et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1043. Paul Barsaloux, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1073. Ford M. MacElvain and Robert C. MacElvain, etc., petitioners, *v.* Securities and Exchange Commission. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1084. Robert Gabler, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 1086. City of Miami Beach, petitioner, *v.* Nathan N. Manilow et al. Petition for writ of certiorari to the Supreme Court of Florida and the District Court of Appeal of Florida, Third District, denied.

No. **1088**. Theresa Leah Thompson et al., petitioners, *v.* Edward J. Boyle, Judge, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1092**. Ron Paul, petitioner, *v.* Colorado State Board of Law Examiners. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. **1096**. Robert Irving McWilliams, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **1097**. John J. Torello, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. **1098**. Louis Parker, petitioner, *v.* Cargill, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1108**. Penelope E. Chart, etc., et al., petitioners, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. **1110**. Clover Company, Inc., et al., petitioners, *v.* General Agency, Inc., of Penna., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1119**. Carmen O. Herrero et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1147**. H. Neil Kelly, 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. **1154**. Earl Larsen Kesler, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Los Angeles, denied.

No. **159, Misc.** George Albert Curry, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **168, Misc.** Charles Broeckel, petitioner, *v.* LaMoyne Green, Superintendent, Marion Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **351, Misc.** Thomas Jackson, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. **655, Misc.** Donald Barnes Bradley, petitioner, *v.* Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 969, *Misc.* Sam E. Hibbitt, petitioner, *v.* New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1170, *Misc.* Emily McLaughlin, petitioner, *v.* Massachusetts et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 1173, *Misc.* Charles Major Wilson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1217, *Misc.* Fernando Escarcega, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1224, *Misc.* Alfred Gonzague, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1243, *Misc.* Evoy Lee Grant, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1245, *Misc.* Frank Timothy Collins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1247, *Misc.* Loamont Allman, petitioner, *v.* Harry Silberglitt, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1252, *Misc.* Willie Charles Hill, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1254, *Misc.* Nicholas Guido, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1283, *Misc.* Francisco Cepero Alers, petitioner, *v.* Municipality of San Juan. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 1288, *Misc.* Phillip Joseph Hanig, petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1292, *Misc.* Henry B. Gilmore, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1294, *Misc.* Dana Dodrill, petitioner, *v.* West Virginia. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1307, **Misc.** Jay Burton Jones, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1319, **Misc.** Richard Lee Trevathan, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1348, **Misc.** John B. Sanders, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1393, **Misc.** Edward F. Baker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1434, **Misc.** Frank Moore, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 1495, **Misc.** Louie Chacon, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1540, **Misc.** Josh McDaniels, petitioner, *v.* Peter J. Pitchess, Sheriff, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1558, **Misc.** Auther G. Barkley, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1206, **Misc.** Margaret E. Gruver, petitioner, *v.* Secretary of Health, Education, and Welfare. 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. 1303, **Misc.** Joseph S. Robinson, petitioner, *v.* United States. 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. 1448, **Misc.** Gussie Goldsmith, petitioner, *v.* United States. 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. 1506, **Misc.** Linton K. Mordecai, Jr., petitioner, *v.* United States. 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.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 1400, **Misc.** Joseph E. Edge, petitioner, *v.* S. Lamont Smith, Warden; and

No. **1585, Misc.** Everett Shepherd, Jr., petitioner, *v.* John W. Wingo, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. **1314, Misc.** Johnnie Clifford McDowell, petitioner, *v.* Nathan J. Paulson, Clerk. Motion for leave to file petition for writ of mandamus denied.

REHEARINGS DENIED

No. **1285, October Term, 1968.** Detroit Vital Foods, Inc., petitioner, *v.* United States; and

No. **687.** Ralph Ginzburg et al., petitioners, *v.* Barry M. Goldwater. Petitions for rehearing denied. The Chief Justice took no part in the consideration or decision of these petitions.

No. **714.** Jack R. Swain et al., appellants, *v.* Board of Adjustment of the City of University Park, Texas, et al. Petition for rehearing denied.

Adjourned until Monday, March 23, 1970, at 10 o'clock.

OPINION PER CURIAM

No. **1136.** Deborah A. Northcross et al., petitioners, *v.* Board of Education of the Memphis, Tennessee, City Schools, et al. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Petition for writ of certiorari granted. Holding that the Court of Appeals erred in the respects listed in the opinion, the Court of Appeals' order of remand of December 19, 1969, is affirmed with directions that the District Court proceed promptly to consider the issues before it and to decide the case consistently with *Alexander v. Holmes County Board*, and the case remanded to the United States District Court for the Western District of Tennessee for that purpose. The order of the Court of Appeals of January 12, 1970, denying injunctive relief is affirmed. The motion for injunction pending certiorari in this Court is denied. The judgment shall issue forthwith. Opinion *per curiam*. Opinion by Mr. Chief Justice Burger concurring in the result. Mr. Justice Marshall took no part in the consideration or decision of this case.

ORDER IN PENDING CASE

No. — The Upjohn Co., petitioner, *v.* Robert H. Finch, Secretary of Health, Education, and Welfare, et al. The application for a stay, presented to Mr. Justice Stewart and by him referred to the Court, is denied. Mr. Justice Stewart took no part in the consideration or decision of this application.

SUPREME COURT OF THE UNITED STATES

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

OPINIONS PER CURIAM

No. **679**. Jonathan O. Cole, Superintendent, Boston State Hospital, et al., appellants, *v.* Lucretia Peteros Richardson; and

No. **774**. Lucretia Peteros Richardson, appellant, *v.* Jonathan O. Cole, Superintendent, Boston State Hospital, et al. Appeals from the United States District Court for the District of Massachusetts. Judgment vacated and cases remanded to the United States District Court for the District of Massachusetts to determine whether these cases have become moot. Opinion *per curiam*. Opinion by Mr. Justice Harlan concurring in the result with whom The Chief Justice joins. Dissenting opinion by Mr. Justice Douglas.

No. **737**. United States, appellant, *v.* Paul Ogle. Appeal from the United States District Court for the Southern District of Indiana. Judgment dismissing Count 1 of the indictment under 26 U.S.C. § 4742(a) reversed and as to Count 2 of the indictment under 26 U.S.C. § 4744(a)(1) affirmed and case remanded to the United States District Court for the Southern District of Indiana for trial on Count 1. Opinion *per curiam*.

No. **1046**. Edmond J. Hamilton and John L. Datenhoff, appellants, *v.* John J. McKeithen, Governor of Louisiana. Appeal from the Supreme Court of Louisiana. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. **1090**. Arnold Paul Tryon, appellant, *v.* Iowa. Appeal from the Supreme Court of Iowa. 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. **1100**. Northern Freight Lines, Inc., et al., appellants, *v.* United States et al. Appeal from the United States District Court for the Northern District of Georgia. The motions to affirm are granted and the judgment is affirmed. Opinion *per curiam*.

No. **1121**. City of New York, appellant, *v.* United States et al.; and

No. **1122**. Marshall B. Grossman et al., appellants, *v.* Automobile Manufacturers Association, Inc., et al. Appeals from the United States District Court for the Central District of California. In No. **1121**, the motion to affirm is granted and the judgment is affirmed. In No. **1122**, the motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Opinion *per curiam*.

No. **1360, Misc.** Anthony R. Martin-Trigona, appellant, *v.* State Board of Law Examiners of 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*.

No. **1391, Misc.** Michael E. Bratcher, petitioner, *v.* Melvin S. Laird, Secretary of Defense, et al. 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 Court of Appeals for further consideration in conformity with the opinion of this Court. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. ———. James E. Swann et al., petitioners, *v.* Charlotte-Mecklenburg Board of Education et al. The motion to vacate the order of the United States Court of Appeals for the Fourth Circuit and to reinstate the order of the United States District Court for the Western District of North Carolina presented to Mr. Chief Justice Burger, and by him referred to the Court, is denied.

No. ———. Shaw International Theatres, Inc., petitioner, *v.* Municipal Court for the San Jose-Milpitas Judicial District, County of Santa Clara, State of California et al. The application for a stay of the action by the Municipal Court for the San Jose-Milpitas Judicial District, presented to Mr. Justice Douglas and by him referred to the Court, is denied.

No. **1210**. South Hill Neighborhood Association, Inc., et al., petitioners, *v.* George Romney, Secretary of United States Department of Housing and Urban Development, et al. The application for an injunction, presented to Mr. Justice Stewart, and by him referred to the Court, is denied.

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 for leave to file a reply brief, after argument, is granted.

APPEALS—JURISDICTION NOTED

No. **735**. Edgar D. Whitcomb, Governor of the State of Indiana, appellant, *v.* Patrick Chavis et al.;

No. **761**. John C. Ruckelshaus et al., appellants, *v.* Patrick Chavis et al.; and

No. **1198**. Edgar D. Whitcomb, Governor of the State of Indiana, appellant, *v.* Patrick Chavis et al. Appeals from the United States District Court for the Southern District of Indiana. In these cases probable jurisdiction noted. Cases consolidated and a total of one and one half hours allotted for oral argument.

CERTIORARI GRANTED

No. **1117**. Zenith Radio Corporation, petitioner, *v.* Hazeltine Research, Inc. Motion to use record in No. **49, October Term, 1968**, granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted and case placed on the summary calendar.

CERTIORARI DENIED

No. **882**. Boston & Providence Railroad Development Group, petitioner, *v.* Charles W. Bartlett, Trustee, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **1095**. Richard B. Mensen, petitioner, *v.* Baltimore & Ohio Railroad Company. Petition for writ of certiorari to the Supreme Court of Illinois denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion that certiorari should be granted.

No. **1111**. Augustine L. Ranjel et al., petitioners, *v.* City of Lansing 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. **1296**. Palmer W. (Pete) Norris et al., petitioners, *v.* Alabama Republican State Executive Committee et al. Motion to expedite consideration of the petition for certiorari granted. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. **784, Misc.** George Cuadrado, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1006, Misc.** Gilbert M. Palos, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1137, Misc. Irving Jones, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 261, Misc. Thomas H. Enneking and Theodore J. Helfenbein, petitioners, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

ASSIGNMENT ORDER

An order of the Chief Justice designating and assigning Mr. Justice Reed (Retired) to perform judicial duties in the United States Court of Claims beginning March 12, 1970, and ending March 12, 1970, and for such further time as may be required to complete unfinished business, pursuant to 28 U.S.C. § 294(a), is ordered entered on the minutes of this Court, pursuant to 28 U.S.C. § 295.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Arnold S. Malter, of Los Angeles, Calif., Francis B. Boone, of San Francisco, Calif., William H. Pivar, of Lancaster, Calif., Jasio Spiegelman, of Los Angeles, Calif., John Aubrey Mann, of Jacksonville, Ill., Joel S. Greenberg, of Pittsfield, Mass., Walker B. Comegys, of Wenham, Mass., Sigmune A. Beras, of Southfield, Mich., Alexander D. Perinoff, of Southfield, Mich., Peter T. Straub, of St. Louis, Mo., Phillipe E. Shapiro, of New York, N.Y., James Ross Haffey, Jr., of Cleveland, Ohio, Donald Nolan Jaffe, of Cleveland, Ohio, David Lee Hobson, of Springfield, Ohio, William J. Quackenbush, of Waco, Tex., Robert Edward Goodman, of El Paso, Tex., James Thomas Pinto, of Houston, Tex., Cecil Eugene Reinke, of Galveston, Tex., Bernard Echt, of Los Angeles, Calif., Sydney Halem, of Los Angeles, Calif., and Giedon Kanner, of Los Angeles, Calif., on motion of Mr. Solicitor General Erwin N. Griswold; Terence Hanley, of Bremerton, Wash., Bruce Gene Martin, of Bremerton, Wash., and Harding Thomas Roe, of Tacoma, Wash., on motion of Mr. Henry M. Jackson; Kingsley A. Jarvis, of Norristown, Pa., on motion of Mr. Hugh D. Scott, Jr.; Raymond H. Thornton, Jr., of Sheridan, Ark., Emon A. Mahony, of El Dorado, Ark., and Emon A. Mahony, Jr., of El Dorado, Ark., on motion of Mr. John L. McClellan; James Wayland Markel, of Winter Park, Fla., and Fred Anderson Vaught, Jr., of Winter Park, Fla., on motion of Mr. Louis Frey, Jr.; Randall Avon Buice, of Perry, Ga., Roy Newton Coward, of Warner Robins, Ga., Tom W. Daniel, of Perry, Ga., and David P. Hulbert, of Perry, Ga., on motion of Mr. Jack Thomas Brinkley; Robert Quentin Keith, of Beaumont, Tex., on motion of Mr. Jack Brooks; Edward A. Hoffman, of Beverly Hills, Calif., on motion of Mr. Richard T. Hanna. Alden J. Fulkerson, of San Diego, Calif., on motion of Mr. Charles E. Wiggins; Monroe Silverman, of Stamford, Conn., on motion of Mr. Thomas J. Meskell; Herbert Karl Sloane, of Salt Lake City, Utah, and James Hardy Payne, of Stamford, Tex., on motion of Mr. Alexander J. Palenscar, Jr.; Andrew Stephen Krulwich, of Washington, D.C., on motion of Mr. Daniel A. Rezneck; Richard F. Runkle, of Los Angeles, Calif., on motion of Mr. R. Harrison Pledger, Jr.; Fred

L. Johnston, Jr., of Hanford, Calif., on motion of Mr. Harlan Hagen; T. Lindsay Moore, Jr., of Miami, Fla., and William H. Traylor, of Atlanta, Ga., on motion of Mr. Lawrence Speiser; John Roderick Heller III, of Washington, D.C., and Howard Gerson Kristol, of New York, N.Y., on motion of Mr. John H. Pickering; John E. Cassidy, Jr., of Peoria, Ill., and John Galvin, of Chicago, Ill., on motion of Mr. Daniel L. O'Connor; Elihu William Goldin, of Middlesex, N.J., on motion of Mr. Stephen Joel Paradise; Mary Ellen Crowley, of Cheyenne, Wyo., and Tosh Suyematsu, of Cheyenne, Wyo., on motion of Mr. William Henry Harrison; Tommy Hawk, of Portland, Oreg., on motion of Mr. Harold S. Larsen; Grover Aubret Gore, of Shallotte, N.C., on motion of Mr. Hugh Alexander; Donald Ray Overton, of Normal, Ill., on motion of Mr. Charles C. Collins; John E. Nolan, of Oakland, Calif., on motion of Mr. Cecil A. Beasley, Jr.; Robert L. Chase, of New York, N.Y., and Ridgeway Whittemore, of La Jolla, Calif., on motion of Mr. Philip J. Yazbeck; Samuel H. Sherman, of Los Angeles, Calif., on motion of Mr. Donald Statland; Edward Joseph McArdle, of Saginaw, Mich., on motion of Mr. Robert P. McArdle; Marvin G. Goldman, of New York, N.Y., on motion of Mr. Richard M. Merriman; Francis R. Stradling, of Santa Ana, Calif., on motion of Mr. David Warner; William Carleton Gifford, of Alexandria, Va., on motion of Mr. John Charles Reid; Paul Taylor, of Binghamton, N.Y., on motion of Mr. Sylman I. Euzent; Emery H. Rosenbluth, Jr., of Orlando, Fla., on motion of Mr. Walter A. Nice-wicz; Kirby Ensign Brant, of Milwaukee, Wis., and Donald Ross Patterson, of Overton, Tex., on motion of Mr. Emory C. Smith.

John G. Poles, of New York, N.Y., and Christ Stratakis, of New York, N.Y., on motion of Mr. Stanley O. Sher; Elihu Inselbuch Leifer, of Washington, D.C., on motion of Mr. Laurence J. Cohen; Charles H. McLaughlin, Jr., of Chambersburg, Pa., on motion of Mr. Mauel Davis; Richard Bernard Levitt, of Los Angeles, Calif., on motion of Mr. Lyman Guettel Friedman; Robert E. Meldman, of Milwaukee, Wis., on motion of Mr. Louis L. Meldman; Donald Taylor Senterfitt, of Orlando, Fla., on motion of Mr. Clark Crane Vogel; Stephen J. Werber, of New York, N.Y., on motion of Mr. Ephraim Jacobs; and Benjamin Friedler, of Long Beach, N.Y., Sydney Friedler, of Island Park, N.Y., David Thomas Gray, of Portsmouth, N.H., Francis W. Joynt, of Cornwall-on-Hudson, N.Y., John Kenyon McQuirk, of Cornwall, N.Y., Enoch M. Overby, III, of Hattiesburg, Miss., Placido Frank Pappalardo, of Rochester, N.Y., Richard Arthur Peterson, of Stillwater, Minn., Robert Thomas Pope, of Decatur, Ga., and James Hartman Watz, of Buffalo, N.Y., on motion of Mr. Gustave F. Jacob, were admitted to practice.

OPINIONS

No. 104. United States, petitioner, *v.* Estate of Thomas S. Donnelly, Sr., et al. On writ of certiorari to the United States Court of Appeals for the Sixth 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 Marshall. Concurring opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Brennan and Mr. Justice Stewart join.

No. 282. United States, petitioner, *v.* Maclin P. Davis et ux. 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 dismissal of the complaint. Opinion by Mr. Justice Marshall. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Brennan joins.

No. 62. 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. Judgment affirmed. Opinion by Mr. Justice Brennan. Dissenting opinion by Mr. Chief Justice Burger with whom Mr. Justice Black joins in this case and in No. 14, *post*. Dissenting opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice Stewart in this case and in No. 14, *post*.

No. 14. Mae Wheeler et al., appellants, *v.* John Montgomery, etc., et al. Appeal from the United States District Court for the Northern District of California. 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 by Mr. Justice Brennan. Mr. Justice Black, for the reasons set forth in his dissenting opinion in No. 62, *ante*, dissents and would affirm the judgment below. Dissenting opinion by Mr. Chief Justice Burger with whom Mr. Justice Black joins in this case and in No. 62, *ante*. Dissenting opinion by Mr. Justice Stewart in this case and in No. 62, *ante*.

No. 403. United States, petitioner, *v.* Gerritt Johannes Van Leeuwen. 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 Douglas.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 128. Arnold Tours, Inc., et al., petitioners, *v.* William B. Camp et al. On petition for writ of certiorari to the United States Court of Appeals for the First Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in conformity with the opinion of this Court. Opinion *per curiam*.

No. 347. David G. Cain et al., appellants, *v.* Kentucky. Appeal from the Court of Appeals of Kentucky. Judgment reversed and case remanded to the Court of Appeals of Kentucky for further consideration not inconsistent with the opinion of this Court. Opinion *per curiam*. Dissenting opinion by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Harlan.

No. 922. Makah Indian Tribe, etc., appellant, *v.* Washington. 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. 1055. Earl V. Hogan, appellant, *v.* Lloyd E. James, Sr., et ux. 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*.

No. 1107. Burton Marks, appellant, *v.* Chief of Police of 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 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. 1130. Capital Southwest Corporation et al., appellants *v.* Robert S. Calvert, Comptroller of Public Accounts of the State of Texas, et al. Appeal from the Court of Civil Appeals of Texas, Third Supreme Judicial District. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 1137. Louis L. Freidman, appellant, *v.* 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 substantial federal question. Opinion *per curiam*.

No. 1182. Morton K. Ohlson et al., appellants, *v.* Kenneth Phillips et al. Appeal from the United States District Court for the District of Colorado. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*.

No. **943, Misc.** Luis Felipe Sanchez, 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* granted. Petition for writ of certiorari granted, insofar as it seeks review of the judgment of the Court of Appeals affirming petitioner's conviction on Count 3 of the indictment charging a violation of 26 U.S.C. § 4704. Judgment with respect to Count 3 vacated and case remanded to the United States District Court for the Southern District of Florida with directions to dismiss Count 3 of the indictment. Petition for writ of certiorari is otherwise denied. Opinion *per curiam*.

No. **1374, Misc.** George L. Ginger, appellant, *v.* Frank J. Kelley, Attorney General of Michigan, et al. Appeal from the United States Court of Appeals for the Sixth 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. **1403, Misc.** Genevieve Fullerton Nieder, appellant, *v.* Helen M. Fullerton et al. Appeal from the Supreme Court of New Jersey. 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. —. John Richard Haag, et al., petitioners, *v.* Frank M. Jordan, Secretary of State, California, et al. The application for a temporary injunction presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. —. Bernard Spindel, petitioner, *v.* J. Edwin LaVallee, Warden. The application for bail presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. **565.** Frank Dyson, Chief of Police, City of Dallas, et al., appellants, *v.* Brent Stein. The motion of Stanley Fleishman for leave to participate in the oral argument, as *amicus curiae*, is denied.

No. **696.** Law Students Civil Rights Research Council, Inc., et al., appellants, *v.* Lowell Wadmond et al. The motion of the appellants for permission for two attorneys to participate in the oral argument and for additional time for oral argument is denied.

No. **726.** Charyene Mitchell et al., appellants, *v.* Joseph L. Donovan, etc., et al. The motion of the appellants to remove this case from the summary calendar is granted and 45 minutes is allotted to each side.

No. **735.** Edgar D. Whitcomb, Governor of the State of Indiana, appellant, *v.* Patrick Chavis et al. ;

No. **761.** John C. Ruckelshaus et al., appellants, *v.*, Patrick Chavis et al.; and

No. **1198.** Edgar D. Whitcomb, Governor of the State of Indiana, appellant, *v.* Patrick Chavis et al. The order of the Court of March 16, 1970, is revoked. In No. **1198** probable jurisdiction is noted and the case is placed on the summary calendar.

No. **1093.** United States, appellant, *v.* Phillipsburg National Bank and Trust Company et al. The motion of the appellees to remove this case from the summary calendar is granted.

No. **1142.** Joseph Elkanich, petitioner, *v.* United States. The motion of the petitioner to enlarge the record is granted.

No. **1382, Misc.** In the Matter of the Disbarment of William D. Edwards.

It having been reported to the Court that William D. Edwards of Columbus, Ohio, has been disbarred from the practice of law by the Supreme Court of Ohio, and this Court, by order of December 8, 1969, having suspended the said William D. Edwards 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 and no return to the rule having been filed;

It is ordered that the said William D. Edwards 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.

APPEALS—JURISDICTION NOTED OR POSTPONED

No. **900.** United States, appellant, *v.* Fred Fancher. Appeal from the United States District Court for the District of South Dakota. In this case probable jurisdiction noted and the case placed on the summary calendar.

No. **905.** Grove Press, Inc., et al., appellants, *v.* Maryland State Board of Censors. Appeal from the Court of Appeals of Maryland. In this case probable jurisdiction noted and case placed on the summary calendar.

No. **1221.** Wisconsin, appellant, *v.* Norma Grace Constantineau. Appeal from the United States District Court for the Eastern District of Wisconsin. In this case probable jurisdiction noted and case placed on the summary calendar.

No. **1082.** United States, appellant, *v.* Thomas William Weller. Appeal from the United States District Court for the Northern District of California. The motion to remand is denied. Further con-

sideration of the question of jurisdiction in this case postponed to the hearing of the case on the merits and case placed on the summary calendar.

No. 1149. Garrett H. Byrnes, etc., et al., appellants, *v.* Serafim Karalexis et al. Appeal from the United States District Court for the District of Massachusetts. The motion to vacate the order of this Court of December 15, 1969, is denied. Mr. Justice Douglas is of the opinion that the motion should be granted. In this case probable jurisdiction noted. Case placed on the summary calendar and set for oral argument immediately following No. 905.

CERTIORARI GRANTED

No. 835. National Association of Securities Dealers, Inc., petitioner, *v.* Securities and Exchange Commission 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. The Chief Justice took no part in the consideration or decision of this petition.

No. 843. Investment Company Institute et al., petitioners, *v.* William B. Camp, Comptroller of the Currency, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted. Case placed on the summary calendar and set for oral argument immediately following No. 835. The Chief Justice took no part in the consideration or decision of this petition.

No. 1125. Clarence Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted. Case placed on the summary calendar and set for oral argument immediately following No. 1142.

CERTIORARI DENIED

No. 129. Industrial National Bank of Rhode Island, petitioner, *v.* The Wingate Corporation; and

No. 225. William B. Camp, Comptroller of the Currency, petitioner, *v.* The Wingate Corporation. Petitions for writs of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 794. Fred W. Burdette, Sr., petitioner, *v.* Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Middle Division, denied.

No. 1017. Raymond Alfred Beaudine, petitioner, *v.* United States. Petition for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1036**. Baker Commodities, Inc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1037**. Likins-Foster Honolulu Corp., et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1051**. Cullen Huckaby, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1094**. Russell Harold Sitton et ux., petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1112**. Chestnut Hill Company et al., petitioners, *v.* City of Snohomish. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. **1120**. Associated Pipeline Contractors, Inc., et al., petitioners, *v.* Alvin E. Davis. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1123**. McEwen Manufacturing Company, 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. **1132**. Nebel Towing Company, Inc., et al., petitioners, *v.* Olympic Towing Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1133**. Earl Larsen Kesler, petitioner, *v.* Department of Motor Vehicles, State of California. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1135**. Victor Muscat and R. L. Huffines, Jr., petitioners, *v.* Norte & Co. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1138**. Thomas B. McGuire and Andrew Pogan, petitioners, *v.* William E. Schuyler, Jr., Commissioner of Patents. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. **1143**. Midwestern United Life Insurance Company, petitioner, *v.* Tora C. Brennan. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1144**. Thomas G. Somlo et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1146. American Art Industries, 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. 1148. Richard Blair, petitioner, *v.* City of Fargo et al. Petition for writ of certiorari to the Supreme Court of North Dakota denied.

No. 1150. Maggie Mae Green et al., petitioners, *v.* Chris L. Wheeler, State Engineer for State of Oregon. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 1156. Glenn W. Hall, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1160. L. B. Foster 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. 1162. Richard Mather Boardman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 1197. Nolan Carter, Jr., Trustee in Bankruptcy, petitioner, *v.* Commercial Bank of Middlesboro, Kentucky. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1204. Leon Madole, petitioner, *v.* Oklahoma ex rel. Department of Highways of the State of Oklahoma. Petition for writ of certiorari to the Supreme Court of Oklahoma denied.

No. 1206. William Minor Patrum, Jr., petitioner, *v.* City of Greensburg, Kentucky. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 475. George Jones, Jr., petitioner, *v.* Jesse Victor Hopper, etc., et al. Motion of the National Education Association for leave to file a brief, *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Douglas and Mr. Justice Brennan are of the opinion that certiorari should be granted.

No. 732. Catherine Johnson, 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. 974. United States, petitioner, *v.* Michael Francis Agius. 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. The Chief Justice, Mr. Justice Stewart

and Mr. Justice White are of the opinion that certiorari should be granted.

No. 1080. James Edward Jones, petitioner, *v.* James E. Gierach. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1104. In the Matter of Neil S. Mackay, petitioner. 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 Douglas is of the opinion that certiorari should be granted.

No. 237, Misc. Gordon James Moses, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 306, Misc. Herbert D. Stevens, petitioner, *v.* H. V. Field, Superintendent, California's Men's Colony. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 435, Misc. James T. Pope, petitioner, *v.* City and County of Philadelphia et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 499, Misc. Clarence Commander, petitioner, *v.* H. V. Field. Petition for writ of certiorari to the Supreme Court of California denied.

No. 581, Misc. Walter H. Daniels, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 607, Misc. Thomas Keller White, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 721, Misc. David T. Felton, petitioner, *v.* Alfred T. Rundle, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 779, Misc. Fernando Serrano, petitioner, *v.* New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 824, Misc. Donald Carroll Peters, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 838, Misc. Roy Griffin, Jr., petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 865, Misc. James L. Stewart, petitioner, *v.* Lou V. Brewer, Warden. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 942, **Misc.** Ivy Dell Crockrell, petitioner, *v.* Iverna Carter. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1045, **Misc.** Hugh R. Conway and George M. Lebosky, petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1085, **Misc.** Lowell LeRoy Early, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1092, **Misc.** Thomas Pearson and Jimmy Thornell, petitioners, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 1149, **Misc.** Joseph John Jakubiak, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1159, **Misc.** Waymon Austin Wynn, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1211, **Misc.** Paul Lorenzo Hernandez Castillo, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1215, **Misc.** Joyce L. Talley et al., petitioners, *v.* A & M Construction Co., Inc. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 1246, **Misc.** Silas Elwood York, petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1250, **Misc.** Jerome Blair Freeman, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 1256, **Misc.** Howard Merle, petitioner, *v.* The North Carolina Mutual Life Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1259, **Misc.** Roger M. Williams, 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. 1265, **Misc.** Gladys Perez Malo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1284, **Misc.** Theodore James Weinreich, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1298, Misc.** Thomas Neil Mundy, petitioner, *v.* C. Murray Henderson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1299, Misc.** Robert Watson, petitioner, *v.* Common Pleas Court, Philadelphia. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1300, Misc.** Donald Ray Bennett, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1315, Misc.** Ben Rasnick, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. **1327, Misc.** Douglas Stiltner, petitioner, *v.* B. J. Rhay, Superintendent, Washington State Penitentiary, et al. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. **1328, Misc.** Don Finis Chandler et al., petitioners, *v.* Martha Gummer Massa et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1329, Misc.** Owen Maxwell Frye, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1332, Misc.** David Michael Rehfield, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1339, Misc.** Robert G. Feldt, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1340, Misc.** Jack Virgil Caffey, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. **1343, Misc.** Lawrence C. Pope, petitioner, *v.* Clarence Ferguson, District Judge, et al. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. **1346, Misc.** John Christopher Lynch, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **1349, Misc.** Danny Ray Owens, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1350, Misc.** Jerry Spencer Diamond, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1351, Misc.** Leroy Williams, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1353, Misc.** Robert F. Freeman, petitioner, *v.* George A. Kropp, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1354, Misc.** John Allen, petitioner, *v.* California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1355, Misc.** Levi Gill, petitioner, *v.* James D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1356, Misc.** Eddie Pool, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **1359, Misc.** Robert Fukumoto, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1361, Misc.** Harold Brown, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1362, Misc.** William D. Cardenas, petitioner, *v.* California Adult Authority. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1363, Misc.** Albert Earl Moodyes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **1372, Misc.** Douglas Stiltner, petitioner, *v.* B. J. Rhay, Superintendent, Washington State Penitentiary, et al. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. **1373, Misc.** Joseph Grant, Jr., petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1376, Misc.** James Junior Sullivan, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. **1377, Misc.** Thomas Norman Bradley, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1378, Misc.** Julius Dwaine Perry, Sr., petitioner, *v.* James E. (Bill) Decker, Sheriff, Dallas County, Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1384, **Misc.** William Walter Rosse, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1386, **Misc.** Lumumba Abdul Shakur et al., petitioners, *v.* George F. McGrath, Commissioner of Correction. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1387, **Misc.** Calvin Snipe, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1404, **Misc.** Jesse W. Connor, petitioner, *v.* Louie L. Wainwright, Director, Florida Division of Corrections. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied.

No. 1405, **Misc.** William Leon McClure, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1426, **Misc.** Frank J. Brown, Jr., petitioner, *v.* Lewis J. Charles, etc. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 1446, **Misc.** George Alexander Shorts, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1447, **Misc.** Wilbur Carter, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1453, **Misc.** George Jacob Hess, petitioner, *v.* Frank A. Eymann, Warden, et al. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 1455, **Misc.** Walter Manier, petitioner, *v.* William S. Neil, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1458, **Misc.** Robert C. Woods, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 1480, **Misc.** Rawlin Galloway, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1484, **Misc.** Lindsey Stewart, petitioner, *v.* Chicago Housing Authority. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1493, **Misc.** George Williams, petitioner, *v.* Iowa State Board of Parole et al. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 1499, **Misc.** Kelsey D. Bartlett, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 1501, **Misc.** Eugene M. Palumbo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1502, **Misc.** Vincent Cerullo, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1505, **Misc.** James Brook, petitioner *v.* Family Court of the State of New York, County of Broome. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1511, **Misc.** Louis Damien Hughes, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1527, **Misc.** Eddie Gene Dilworth, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fifth Appellate District, denied.

No. 1550, **Misc.** Billy Austin Bryant, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1559, **Misc.** Joseph Coast, 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. 1583, **Misc.** Edward Dunning, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1603, **Misc.** Hubert Dale Smith, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 1604, **Misc.** James Michael Grimm, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 1613, **Misc.** Herschel W. Bohannon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1636, **Misc.** Richard Browne, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania denied.

No. 1663, **Misc.** Felix Rosario, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 589, **Misc.** Clarence Trammell, petitioner *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York de-

nied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 1593, Misc. George Combs, petitioner, *v. J. E. LaVallee, 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. 1630, Misc. Hallie Robinson, 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. 1019, Misc. Howard C. Good, petitioner, *v. United States*. Motion for leave to amend petition or in the alternative to file a supplemental brief granted. Petition for writ of certiorari to the United States Court Appeals for the Fifth Circuit denied.

LEAVE TO FILE PETITION FOR WRIT OF CERTIORARI DENIED

No. 1607, Misc. Time, Inc., petitioner, *v. Vial J. Blanke, Sr.* Motion for leave to file petition for writ of certiorari denied. Mr. Justice Douglas is of the opinion that the motion for leave to file should be granted.

LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. 420, Misc. Anderson B. Norsworthy, petitioner, *v. H. V. Field, Superintendent*;

No. 429, Misc. Victor Frank Szijarto, petitioner, *v. Elmer J. Oberhauser et al.*

No. 1547, Misc. Eugene Virgil Hunt, petitioner, *v. Walter E. Craven, Warden*;

No. 1596, Misc. Larry Warren Jackson and Santa A. Liberatore, petitioners, *v. Edward Sheya, Judge, et al.*; and

No. 1625, Misc. A. Z. Handsford, petitioner, *v. Olin G. Blackwell, Warden*. Motions for leave to file petitions for writs of habeas corpus denied.

LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 1260, Misc. Louis C. White, petitioner, *v. Barbara Padula, Deputy Probation Officer, et al.* Motion for leave to file petition for writ of mandamus denied.

REHEARINGS DENIED

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

denied. The Chief Justice took no part in the consideration or decision of this motion.

No. **808**. Edward L. Blincoe et ux., appellants, *v.* Philip E. Watson, Assessor, et al.;

No. **818**. Hawaiian Oke and Liquors, Ltd., petitioner, *v.* Joseph E. Seagram and Sons, Inc., et al.;

No. **834**. Sidney A. Grayson, petitioner, *v.* United States;

No. **840**. Seymour J. Jacob, petitioner, *v.* United States;

No. **854**. Yale Stein, appellant, *v.* Martin G. Luken, etc., et al.;

No. **1014**. Owen B. Lampman et al., petitioners, *v.* United States District Court for the Central District of California et al.;

No. **1020**. Gershon L. Lewis, petitioner, *v.* United States;

No. **559, Misc.** C. F. Pruess, Sr., Executor, et al., petitioners, *v.* Walter Hickel, Secretary of the Interior;

No. **947, Misc.** Mike Serrato Cuevas, petitioner, *v.* California;

No. **1036, Misc.** Frances O. Warriner, petitioner, *v.* Marilyn Fernandez, etc., et al.;

No. **1212, Misc.** Thomas E. Jones, petitioner, *v.* James M. Hare, Secretary of State of Michigan, et al.; and

No. **1364, Misc.** Albert Sumner Tucker, petitioner, *v.* United States. Petitions for rehearing denied.

No. **610**. Neil S. Mackay, petitioner, *v.* Buell A. Nesbett et al. Motion to dispense with printing petition granted. Motion for leave to file petition for rehearing denied. Mr. Justice Douglas is of the opinion that the motion for leave to file should be granted.

No. **23, Misc.** Webster Bivens, petitioner, *v.* United States. Petition for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **235, Misc.** York Porter, petitioner, *v.* California. Motion for leave to file petition for rehearing denied.

No. **1124, Misc.** Jesse Eugene Dearing, petitioner, *v.* United States. Motion for leave to file petition for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of this motion.

RECESS ORDER

The Court will take a recess from today until Monday, March 30, 1970.

The day call for Monday, March 30, 1970, will be as follows: Nos. **914** (through **917, 920, 921, 1038** and **1057**) and **595**.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Maynard D. Davis, of Los Angeles, Calif., Donald L. King, of Beverly Hills, Calif., Robert M. Takasugi, of Los Angeles, Calif., Kenneth C. Deacon, Jr., of St. Petersburg, Fla., William L. Penrose, of St. Petersburg, Fla., LeRoy C. Hobbs, of Atlanta, Ga., Robert A. Navid, of Park Forest, Ill., Gerald Richard Slutsky, of Skokie, Ill., Murray Westler, of Chicago, Ill., Paul O. Hertwig, of Terre Haute, Ind., David English Carmack, of Brunswick, Md., F. Allen Graham, of Detroit, Mich., D. J. Watters, Jr., of Detroit, Mich., James A. Curley, of Arlington, Va., John J. Burke, of San Juan, P.R., Robert R. Lavercombe, of Cincinnati, Ohio, James W. Casner, of North Canton, Ohio, Gustave W. Zielasko, of Canton, Ohio, and Palma King Huggins, of Conway, S.C., on motion of Mr. Solicitor General Erwin N. Griswold; Neil Sutherland Mackay, of Anchorage, Alaska, on motion of Mr. Howard W. Pollock; Horace J. McAfee, of New York, N.Y., on motion of Mr. Whitney North Seymour; Mitchell Dean Franks, of Sarasota, Fla., James C. Lane, Jr., of Honolulu, Hawaii, John J. Pallam, of Cleveland, Ohio, and Charlie C. Watkins, of Manassas, Va., on motion of Mr. Joseph E. Donahue; Mayme F. Spencer, of Evanston, Ill., and Eugene Crane, of Evanston, Ill., on motion of Mr. Reginald B. Jackson; David Nicholls Montague, of Hampton, Va., on motion of Mr. E. Sclater Montague; Martin A. Beatty, of Winona, Minn., on motion of Mr. Lloyd L. Duxbury, Jr.

Joseph F. Dugan, of Providence, R.I., on motion of Mr. DaCosta V. Mason; Morton Herbert, of Hollywood, Calif., on motion of Mr. Robert Ira Waxman; Bertil O. Nygaard, of Minneapolis, Minn., on motion of Mr. John J. Flynn; Harvey J. Goldschmid, of New York, N.Y., on motion of Mr. Roswell B. Perkins; William Edward Searson III, of Boston, Mass., on motion of Mr. Walter H. Mayo III; Robert S. Cushman, of Chicago, Ill., on motion of Miss Any Ruth Mahin; Cherie A. Gaines, of San Francisco, Calif., on motion of Mr. E. Clinton Bamberger, Jr.; Kenneth Richard Sommer, of Buffalo, N.Y., on motion of Mr. George A. Garvey; Frederick H. Rosenfeld, of Phoenix, Ariz., on motion of Mr. Paul G. Rosenblatt; Herbert Joseph Bell, of Downers Grove, Ill., on motion of Mr. John Philip Carlson; David

Ross Pitkin, of San Diego, Calif., on motion of Mr. Thomas Leo Stapleton; Herman Fisher, of Charleston, S.C., on motion of Mr. George Norris, Jr.; John P. Kurtock, of Normal, Ill., on motion of Mr. Charles C. Collins; C. Alex Rose, of Louisville, Ky., on motion of Mr. Edward M. Steutermann; Elmer E. Johnston, Jr., of Everett, Wash., on motion of Mr. Thomas F. Field; Frederica Koller Lombard, of Philadelphia, Pa., and Arthus Jan Lombard, of New York, N.Y., on motion of Mr. Joseph Laurent Scharff; Anthony U. Leitner, of North Hollywood, Calif., and Alan Kalker, of Berkeley, Calif., on motion of Mr. Lawrence Speiser; Eugene Chovanes, of Philadelphia, Pa., Ronald Ervais, of Philadelphia, Pa., Louis William Fryman, of Philadelphia, Pa., Sidney B. Klovsy, of Philadelphia, Pa., Benjamin Kuby, of Philadelphia, Pa., Paul N. Minkoff, of Philadelphia, Pa., and Elias Magil, of Philadelphia, Pa., on motion of Mr. Harry S. Wender, were admitted to practice.

OPINION

No. 402. United States, petitioner, *v.* Sheldon A. Key, Trustee. On writ of certiorari to the United States Court of Appeals for the Seventh 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 Marshall. Concurring opinion by Mr. Justice Douglas.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 718, Misc. Peter Craycroft, petitioner, *v.* William E. Farrell, etc., et al. 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 conformity with the opinion of this Court. Opinion *per curiam*.

No. 1381, Misc. Robert Ritchie Johnston, Jr., and Ralph Eugene Fuller, appellants, *v.* Hawaii. Appeal from the Supreme Court of Hawaii. 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*.

a substantial federal question.

ORDERS

Amendments to Subdivisions (a) and (c) of Rule 30 and subdivision (a) of Rule 31 of the Federal Rules of Appellate Procedure, ordered and the Chief Justice authorized to transmit the amendments to the Congress. Amendments to subdivision (a) of Rule 5, subdivision (h) of Rule 9 and Rules 26, 29, 30, 31, 32, 33, 34, 35, 36 and 37, and subdivision (d) of Rule 45, subdivision (a) of Rule 69, and Form 24 of the Rules of Civil Procedure for the United States District Courts, ordered and the Chief Justice authorized to transmit the amendments to the Congress.

MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS disapprove of the Amendments to the Federal Rules of Civil Procedure relating to Discovery, and dissent from the action of the Court in transmitting them to the Congress.

ORDERS IN PENDING CASES

No. ——. Donald E. Harris, petitioner, *v.* United States. The application for bail is denied.

No. **628**. Daniel Jay Schacht, petitioner, *v.* United States. The motion of the respondent for additional time for oral argument is granted and 45 minutes is allotted to each side. The motion of David H. Berg for leave to argue *pro hac vice* is granted.

No. **670**. Ernest Perkins et al, appellants, *v.* L. S. Matthews, Mayor of the City of Canton, et al. The motion of the appellants to advance oral argument is denied.

No. **1066**. City of Phoenix, Arizona, et al., appellants, *v.* Emily Kolodziejski. The motion to dispense with printing *amici curiae* brief by Elizabeth M. Axtell et al. is granted.

No. **1922, Misc.** In the Matter of Disbarment of Earl W. Allison. It is ordered that Earl W. Allison of Columbus, Ohio, be suspended from the practice of law in this Court and that 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.

APPEAL—JURISDICTION NOTED

No. **1325, Misc.** Caesario Jimenez et al., appellants, *v.* Eugene Naff, Yakima County Auditor, et al. Appeal from the United States District Court for the Eastern District of Washington. 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. 1072. Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, etc., et al., petitioners, *v.* Wilson P. Lockridge. Petition for writ of certiorari to the Supreme Court of Idaho granted and case placed on the summary calendar.

No. 1178. United States, petitioner, *v.* District Court in and for the County of Eagle and State of Colorado et al. Petition for writ of certiorari to the Supreme Court of Colorado granted and case placed on the summary calendar.

No. 1179. George Ramsey and Leon Nunley, dba Leon Nunley Coal Company, 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 granted and case placed on the summary calendar.

CERTIORARI DENIED

No. 1105. ABC Air Freight Company, Inc., et al, petitioners, *v.* Civil Aeronautics Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1109. Mary Virginia Slade, General Guardian of Robert Elkins and Mark David Brooks, petitioner, *v.* Louisiana Power and Light Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1129. Mark E. Stoffel, Administrator of the Estate of Bernard J. Stoffel, et al., petitioners, *v.* Robert Slater et al. Petition for writ of certiorari to the Appellate Court of Indiana denied.

No. 1134. Darwin Earl Schultz, petitioner, *v.* Melvin R. Laird, Secretary of Defense, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1140. King Radio Corporation, 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. **1153.** Samuel C. Cashio, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1157.** J. D. Cox, Superintendent of the Virginia State Penitentiary, petitioner, *v.* Russell Judas Nelson. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1159.** Carl J. Simon et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1164.** Eldridge Pete Bishop, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1165.** Johnson E. Fomby and Harold White, petitioners, *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. **1166.** Wendell Carter, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. **1167.** George J. Roux, petitioner, *v.* New Orleans Police Department. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. **1168.** Gerald E. Signorelli, petitioner, *v.* Andrew T. Malleck, Lt. Commander. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1173.** United Marine Division, Local 333, National Maritime Union, 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. **1174.** Elder-Beerman Stores Corp., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1175.** The Founding Church of Scientology, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. **1177**. Geraldine Dufon, petitioner, *v.* Wilbur Curtis Company, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1180**. Todd Shipyards Corporation, petitioner, *v.* Mastan Company, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1183**. Isidore Engelman, petitioner, *v.* William Cahn, as District Attorney of the County of Nassau, State of New York, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1185**. John Meredith Tayler, petitioner, *v.* Thessa Marie Tayler. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. **1186**. Southfield Police Officers Association et al., petitioners, *v.* City of Southfield et al. Petition for writ of certiorari to the Supreme Court of Michigan and the Court of Appeals of Michigan denied.

No. **1193**. Harold L. Burke et al., petitioners, *v.* Thomas C. Hunt, Conservator and Trustee of North Central Fire & Casualty Co. et al. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. **1220**. Mat Cumic, petitioner, *v.* Wayne Harold Knott et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **889**. Kenneth L. Hardy et al., petitioners, *v.* Roland E. Matthews, Jr. 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 District of Columbia Circuit denied. The Chief Justice, Mr. Justice Stewart, and Mr. Justice White are of the opinion that certiorari should be granted.

No. **1076**. Shirley I. McBride, Administrator, petitioner, *v.* United States. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. **1194**. John C. Stewart, petitioner, *v.* Waterman Steamship Corporation et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1158**. Thomas F. Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice White and Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 1201. George William Crocker, 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. 274, *Misc.* George C. Riley, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 425, *Misc.* Melvin L. Burnett, petitioner, *v.* Sherman H. Crouse, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 747, *Misc.* Michael Williams, 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. 790, *Misc.* Louis D. Ponce, petitioner, *v.* California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 934, *Misc.* Paul Linwood Napper, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 1010, *Misc.* William W. Thompson, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 1034, *Misc.* Carlos Ortiz, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1059, *Misc.* Gerald Thomas Casper, petitioner, *v.* Lillie C. Huber et al. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 1064, *Misc.* James Austin Brown, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the Supreme Court of California, denied.

No. 1118, *Misc.* John van Geldern, petitioner, *v.* Superior Court of the County of Ventura. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1146, *Misc.* LeRoy L. Early, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1165, *Misc.* Alfredo Ortiz, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1167, *Misc.* Marion Parker Duke, petitioner, *v.* John W. Wingo, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1180, Misc.** James Bullock, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1184, Misc.** Powell Johnson, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1208, Misc.** Ozzie Jamerson, petitioner, *v.* William F. Delhey et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1229, Misc.** Harry A. Young, petitioner, *v.* United States Bureau of Prisons et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1248, Misc.** Charles Francis Frazier, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1301, Misc.** Everett W. Gross and L. Mary Gross, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **1352, Misc.** Eugene Frank Irons, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1357, Misc.** Orlando C. Alexander, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1365, Misc.** Robert Lee Minchew, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1370, Misc.** James Edward Sutton, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1371, Misc.** Steve Lawrence Stevenson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **1380, Misc.** Robert W. Jackson, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. **1383, Misc.** Earvin S. Wright, petitioner, *v.* Sherman H. Crouse, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1396, Misc.** George William Bruton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1410, **Misc.** Kenneth Sailer, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1412, **Misc.** Tony Valdez, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1417, **Misc.** Aubrey Clark Baker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1430, **Misc.** John C. Wagner, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1433, **Misc.** Lawrence Jack Williamson, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 1435, **Misc.** Robert F. Urbano, petitioner, *v.* News Syndicate Co., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1437, **Misc.** Rudolph Taylor, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1440, **Misc.** Alfred James Gary, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1490, **Misc.** Arden Renee Cale, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1503, **Misc.** Augustus Hunt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1512, **Misc.** Lloyd Leon Davis, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 1516, **Misc.** Phillip Ralph Segura, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1520, **Misc.** In the Matter of Pinney Realty Co., Inc.. Bankrupt—Jacob J. Gordon, petitioner. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 1532, **Misc.** Ruchell Magee, petitioner, *v.* D. Whittaker, Sheriff, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1533, **Misc.** Elijah Richardson, 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. 1552, **Misc.** Willie D. Heard, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1557, **Misc.** John Williams, petitioner, *v.* Harold V. Field, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1578, **Misc.** Earl F. Mink, petitioner, *v.* James Hare, Secretary of State of Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 1582, **Misc.** Douglas Stiltner, petitioner, *v.* B. J. Rhay, Superintendent of the Washington State Penitentiary et al. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 1609, **Misc.** Abner Blaine Colangelo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1645, **Misc.** John L. Edwards, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1662, **Misc.** Eugene Carter, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1677, **Misc.** Clifton Leon King, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1689, **Misc.** James William Saunders, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1388, **Misc.** Francis T. Lemieux, petitioner, *v.* Allan L. Robbins, Warden. 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.

REHEARINGS DENIED

No. 731. Kenneth R. Jones, petitioner, *v.* State Board of Education of and for the State of Tennessee et al.;

No. 897. Walter A. Younge, petitioner, *v.* State Board of Registration for the Healing Arts;

No. **933**. Russell Troutman et al., petitioners, *v.* Donald Rumsfeld, Director, Office of Economic Opportunity, et al.;

No. **978**. M. S. Chambliss, petitioner, *v.* Coca-Cola Bottling Company et al.;

No. **1001**. Auther Larnce King and James Albert King, petitioners, *v.* United States;

No. **1065**. Allen Levair Jordan and Alvina Lajan Johnson, petitioners, *v.* United States;

No. **1079**. Grover G. Alexander, petitioner, *v.* Maine; and

No. **1175, Misc.** Martin B. Zide, petitioner, *v.* Louie L. Wainwright, Director, Division of Corrections. Petitions for rehearing denied.

No. **602, Misc.** Robert Summers Neely, Jr., petitioner, *v.* United States. Motion for leave to file third petition for rehearing denied.

RECESS ORDER

The Court will take a recess from Tuesday, March 31, 1970, until Monday, April 6, 1970, on which date it will recess until Monday, April 20, 1970.

ORAL ARGUMENT

Nos. **914, 915, 916, 917, 920, 921, 1038, and 1057**. New Haven Inclusion Cases. Three hours allowed for oral argument. Argued by Mr. Whitney North Seymour for the Manufacturers Hanover Trust Company, by Mr. Lester C. Migdal for the First Mortgage 4% Bondholders Committee, by Mr. Joseph Auerbach for Richard Joyce Smith, Trustee of the Property of the New York, New Haven and Hartford Railroad Company, et al., by Mr. Leonard S. Goodman for the United States and the Interstate Commerce Commission and by Mr. Hugh B. Cox for the Penn Central Company.

Adjourned until tomorrow at 10 o'clock.

The day call for Tuesday, March 31, 1970, will be as follows: Nos. **595, 628, and 1066**.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

William Boone Eley, of Riverside, Calif., on motion of Mr. Solicitor General Erwin N. Griswold; John M. Heeter, of Indianapolis, Ind., on motion of Mr. Abner Joseph Mikva; Roland J. Duguay, of St. Johns, Mich., on motion of Mr. Lewis George Meader; Reid Franklin Holbrook, of Kansas City, Kans., on motion of Mr. James F. Senechal; Robert Joseph Backstein, of Phoenix, Ariz., and Alan Knight Polley, of Phoenix, Ariz., on motion of Mr. Rex E. Lee; Fred C. Fenton, of Los Angeles, Calif., and Donald R. Luckham, of Los Angeles, Calif., on motion of Mr. Jerome Ian Chapman; Sandra Gayle Nye, of Oak Park, Ill., and Stephen C. Haas, of Evansville, Ind., on motion of Mr. Robert Jay Nye; and Alan Grindberg, of Bismarck, N. Dak., on motion of Mr. Hugh John Kelly, were admitted to practice.

OPINIONS

No. 778. In the Matter of Samuel Winship, appellant. 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 Brennan. Concurring opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Chief Justice Burger with whom Mr. Justice Stewart joins. Dissenting opinion by Mr. Justice Black.

No. 606. Illinois, petitioner, *v.* William Allen. On writ of certiorari to the United States Court of Appeals for the Seventh 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 Black. Concurring opinion by Mr. Justice Brennan. Separate opinion by Mr. Justice Douglas.

ORAL ARGUMENT

No. 595. Louis S. Nelson, Warden, petitioner, *v.* John Edward George. Argued by Mrs. Louise H. Renne for the petitioner and by Mr. George A. Cumming, Jr., for the respondent.

No. 628. Daniel Jay Schacht, petitioner, *v.* United States. One and one half hours allowed for oral argument. Argued by Mr. David H. Berg for the petitioner, *pro hac vice*, by special leave of Court, and by Mr. Solicitor General Griswold for the respondent.

No. 1066. City of Phoenix, Arizona, et al., appellants, *v.* Emily Kolodziejski. Argued by Mr. Rex E. Lee for the appellants and by Mr. Fred H. Rosenfeld for the appellee.

Adjourned until Monday, April 6, 1970, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

ORDERS IN PENDING CASES

No. ——. Board of Public Instruction, Manatee County, Florida, et al., appellants, *v.* Caroline Harvest et al. The application for a stay and for other relief, presented to the Chief Justice and by him referred to the Court, is denied.

No. ——. Louisville & Nashville Railroad Company, appellant, *v.* United States et al. The application for a stay of the order of March 19, 1970, of the United States District Court for the Northern District of Illinois pending appeal, presented to Mr. Justice Marshall and by him referred to the Court, is granted. Mr. Justice Douglas dissents from the grant of the stay of the District Court's order.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Stewart, Mr. Justice White, and Mr. Justice Marshall.

ADMISSIONS TO THE BAR

John Oscar Ostenso, of Washington, D.C., John R. Kinsinger, of Las Vegas, Nev., Frank J. Waldburger, of Fort Dodge, Iowa, Philip B. Austin, of Lexington, Ky., H. Philip Howorth, of Nashua, N.H., and Arnold K. Mytelka, of Milburn, N.J., on motion of Mr. Solicitor General Erwin N. Griswold; William Thomas Birmingham, of Phoenix, Ariz., on motion of Mr. Richard D. Kleindienst; Frank G. Cooley, of Meeker, Colo., Robert Lee Kessler, of Denver, Colo., and Richard Hege Simon, of Englewood, Colo., on motion of Mr. Gordon Allott; Louise Jayne, of Portland, Oreg., and Chester S. Kurzet, of Portland, Oreg., on motion of Mr. Robert W. Packwood; Stephen S. Boynton, of Falls Church, Va., on motion of Mr. Ernest F. Hollings; Robert W. Twigg, of Spokane, Wash., on motion of Mr. Thomas Stephen Foley; Kevin Patrick Connelly, of Wheaton, Ill., on motion of Mr. John N. Erlenborn; Gordon Lee Walgren, of Bremerton, Wash., on motion of Mr. Floyd V. Hicks; Thomas Lumbard, of Washington, D.C., on motion of Judge J. Edward Lumbard, Jr., Chester J. Halicki, of Chicago, Ill., and Edward P. Rice, of Albany, N.Y., on motion of Mrs. Jean Elyse Simpson; Henry A. Harmon, of Des Moines, Iowa, Lyle Lee Simpson, of Des Moines, Iowa, James David McNeill, III, of Baton Rouge, La., Thomas A. Luebbers, of Cincinnati, Ohio, and Louis L. Meier, Jr., of Bethesda, Md., on motion of Mr. Vincent W. Ambrose; Donald E. Cope, of Washington, D.C., on motion of Mr. Rufus King; James D. McKinney, of Memphis, Tenn., W. James McAnelly, Jr., of Dallas, Tex., and John H. Chiles, of Houston, Tex., on motion of Mr. John J. Flynn; William Huger Hardie, Jr., of Mobile, Ala., on motion of Mrs. Jessie H. Bartlett; Roderick Gregory McDougall, of Phoenix, Ariz., and James Robert Redpath, of Scottsdale, Ariz., on motion of Mr. Paul G. Rosenblatt.

Joseph Donald McCarty, of Shreveport, La., on motion of Mr. Francis H. Caskin 3rd; Thomas B. Thorpe, of Dallas, Tex., on motion of Mr. N. Alex Bickley; Barbara B. Gregg, of Syracuse, N.Y., on motion of Mr. Joel Joseph Rabin; Kenneth Leigh Parker, of Beaumont, Tex., on motion of Mr. Eugene Francis Peters; Joseph B. Donovan, of New York, N.Y., on motion of Mr. Paul A. Lenzini; Percy L. Julian, Jr., of Madison, Wisc., on motion of Mr. Robert

Bloom; Russell A. Garman, Jr., of Washington, D.C., on motion of Mr. John H. Quinn; William H. Smith, Jr., of Columbia, S.C., on motion of Mr. Stephen F. Owen, Jr.; Thomas Zack, of Vienna, Va., on motion of Mr. William R. Bauer; Carol Ruth Silver, of Berkeley, Calif., and Don. B. Kates, Jr., of Berkeley, Calif., on motion of Miss Cherie A. Gaines; Edward F. O'Keefe, of Pound Ridge, N.Y., and John Arthur Fridolin Feldmann, of Westport, Conn., on motion of Mr. Marshall J. Deutsch; William P. O'Mahoney, of Kokomo, Ind., on motion of Mr. Robert M. O'Mahoney; W. Dan Bretz, of Kokomo, Ind., James Robert Butcher, of Kokomo, Ind., John T. Grimes, of Kokomo, Ind., Ralph L. Helms, of Kokomo, Ind., Elwood Haynes Hillis, of Kokomo, Ind., George Arthur Hopkins, of Kokomo, Ind., Vernard Leonell Johnson, of Kokomo, Ind., Courtney Myron Kerwin, of Kokomo, Ind., Nick N. Kodrea, Jr., of Kokomo, Ind., Edward S. Mahoney, of Kokomo, Ind., Charles W. Newell, of Kokomo, Ind., Joseph J. Scionti, of Kokomo, Ind., Thomas J. Simmons, of Kokomo, Ind., Robert S. Whitehead, of Kokomo, Ind., and David Howard Williams, of Kokomo, Ind., on motion of Mr. William D. Ruckelshaus.

Leonard Flank, of Huntsville, Ala., Robert Sellers Smith, of Huntsville, Ala., Peter Hylen Smurr, of Sacramento, Calif., Thomas P. Murphy, of Norwalk, Conn., Kurt Berlin, of Washington, D.C., Don W. Crockett, of Washington, D.C., Vito Joseph DiPietro, of Washington, D.C., Rose F. Drucker, of Washington, D.C., Raymond P. Flynn, of Washington, D.C., David Lawrence Gibson, of Washington, D.C., Lester Herbert Goldberg, of Washington, D.C., William Grobman, of Washington, D.C., William W. Hancock, of Washington, D.C., Richard C. Hotvedt, of Washington, D.C., Louis S. Hillman, of Washington, D.C., Arthur Hintze, of Washington, D.C., Edward Lippert, of Washington, D.C., Robert J. Nealon, of Washington, D.C., Joseph J. Strassman, of Washington, D.C., Charles Norton Van Doren, of Washington, D.C., Thaddeus Van Ware, of Washington, D.C., John C. Wagner, of Washington, D.C., Franklyn C. Weiss, of Washington, D.C., Alan Lawrence Rolnick, of Atlanta, Ga., Tempa Marshall, of Honolulu, Hawaii, Leonard D. Charles, of Chicago, Ill., James Nicholas Gramenos, of Chicago, Ill., David W. Pelkey, of Chicago, Ill., Calvin S. Pfeffer, of Chicago, Ill., Lawrence E. Sheppard, of Overland Park, Kans., James R. Alliston, of New Orleans, La., Louise Dumas, of Lisbon Falls, Me., Gus Chambers, of Baltimore, Md., Stanley G. Feinstein, of Bowie, Md., Robert J. Freehling, of Bethesda, Md., Howard M. Friedman, of Silver Spring, Md., Joseph Gallo, of Rockville, Md., Arthur Greenberg, of Ellicott City, Md., John J. Grossbaum, of Bethesda, Md., Gerson B. Kramer, of Silver Spring, Md., Wm. Donald Moran, of Baltimore, Md., Jack C. Nielsen, of Rockville, Md., Sylvan H. Sack, of Baltimore, Md., Arnold Lee Sarasky, of Silver Spring, Md., Joseph R. Sesso, of Kensington,

Md., William Joseph Spotten, of Baltimore, Md., Robert W. Siegel, of Huntington Woods, Mich., Daniel Barber Bickford, of Boston, Mass., William A. Waldron, of Boston, Mass., Ernest Zanville Adelman, of Kansas City, Mo., Robert Chadwick, of Jackson, Miss., Carl Preston Rose, of Rocky Mount, N.C., James Clifford Adams, of New York, N.Y., Richard Adelman, of New York, N.Y., Richard B. Appleton, of New York, N.Y., Robert Lewis Forst, of New York, N.Y., Marilyn Mulcahy, of New York, N.Y., Margaret Elizabeth Demer, of Garfield Heights, Ohio, Milton Edwin Gilbert, of Dayton, Ohio, Robert Samuel Barker, of Pittsburgh, Pa., Dean J. Barron, of Malvern, Pa., Leonard M. Sagot, of Philadelphia, Pa., Frank P. Savoldi, of West Middlesex, Pa., George Lee Bensley, of Memphis, Tenn., Richard W. Buhrman, of Chattanooga, Tenn., Dale M. Quillen, of Nashville, Tenn., Ira Frank Simmons, of Halls, Tenn., Robert A. Gritta, of Fort Worth, Tex., Gary L. Christensen, of Alexandria, Va., James Coley Ethridge, of Arlington, Va., Barry D. Hersh, of Alexandria, Va., Frederick James Lees, of Alexandria, Va., Michael Andrew Reilly, of Arlington, Va., Joseph Reymann, Jr., of Alexandria, Va., Lester Strenger, of McLean, Va., Donald Roger Tindal, of Arlington, Va., Thomas Norman Tomashek, of Alexandria, Va., Noel E. Bergeron, Jr., of Chipewewa Falls, Wis., and John E. Stout, of St. Thomas, V.I., on motion of Mr. Solicitor General Erwin N. Griswold.

J. Howard McEniry, Jr., of Bessemer, Ala., Robert Allen Slonaker, of Phoenix, Ariz., Calrence Edward Blair, of Compton, Calif., Robert Allen Neher, of San Marino, Calif., Graham A. Ritchie, of Los Angeles, Calif., Samuel Siegel, of Paramount, Calif., John Spencer Thomas, Jr., of Fresno, Calif., Dean Andrews, of Fort Lauderdale, Fla., Joseph X. DuMond, Jr., of Orlando, Fla., James V. Davis, of Albany, Ga., Jack Holmes Usher, of Savannah, Ga., Paul Devens, of Honolulu, Hawaii, Louis Ancel, of Glencoe, Ill., James M. P. D'Amico, of Chicago, Ill., Marvin J. Glink, of Chicago, Ill., Ronald M. Glink, of Chicago, Ill., Sheldon W. Reagan, of Kankakee, Ill., Jack M. Siegel, of Wilmette, Ill., William H. Taube, of Kankakee, Ill., John S. Teschner, of Villa Park, Ill., George W. Unverzagt, of Villa Park, Ill., James Robert Arnold, of Fort Wayne, Ind., Donald L. Gray, of Whiting, Ind., John F. McKinney, Jr., of Des Moines, Iowa, James P. Buchele, of Topeka, Kans., John Dekker, of Wichita, Kans., Robert E. Dammeyer of Annapolis, Md., Martin Hertz, of Crofton, Md., Joseph W. Hoy, of Glen Burnie, Md., Phillip F. Scheibe, of Glen Burnie, Md., Ira J. Wagonheim, of Gambrills, Md., Cornelius T. Finnegan, Jr., of Lowell, Mass., and Harry Pavan, of Quincy, Mass., on motion of Mr. James Lee Rankin; Donald C. Neitzel, of Southgate, Mich., George Weible, of Grand Rapids, Mich., Robert E. Weiss, of Flint, Mich., George V. Johnson, of Minneapolis, Minn., Lawrence W. Boschert, of St. Charles, Md., James S. Cottingham, of Independence,

Mo., Herbert C. Hoffman, of Kansas City, Mo., Joseph B. Moore, of Clayton, Mo., John F. Nangle, of Clayton, Mo., Richard F. Provaznik, of Richmond Heights, Mo., Aaron A. Wilson, Jr., of Kansas City, Mo., Earl P. Gripentrog, of Las Vegas, Nev., Louis P. Caroselli of Jersey City, N.J., Lynn D. Smith, Jr., of Albuquerque, N. Mex., Oakley Gentry, Jr., of Freeport, N.Y., John A. Mastrella, of Rochester, N.Y., John R. Parrinello, of Rochester, N.Y., Charles L. Willis, of Rochester, N.Y., Robert F. Wood, of Rochester, N.Y., Darl L. Fowler, of Greensboro, N.C., Cicero P. Yow, of Wilmington, N.C., Donald Kennedy Barclay, of Cleveland Heights, Ohio, G. Del Bates, of Cleveland, Ohio, Harold J. Craig, of Lakewood, Ohio, Clarence Lewis James, Jr., of Cleveland, Ohio, Keith Lawrence, of Cleveland, Ohio, Francis Charles Restivo, of Toledo, Ohio, Curtis L. Culver, of Tulsa, Okla., Alexander Endy, of Coatesville, Pa., Morris D. Rosen, of Charleston, S.C., Jack L. Crellin, of Salt Lake City, Utah, Conrad Blount Mattox, Jr., of Richmond, Va., LaRue Van Meter, of Falls Church, Va., J. Mercer White, Jr., of Richmond, Va., John J. Fleming, of Milwaukee, Wis., Thomas Edward Hayes, Jr., of Milwaukee, Wis., Burton A. Scott, of Kenosha, Wis., John P. Harris, of Seattle, Wash., and Jack Dow Emery, of Casper, Wyo., on motion of Mr. Charles Sylvanus Rhyne.

Cyril Abramson, of Detroit, Mich., George B. Adastik, of Grand Rapids, Mich., Julius E. Allen, of Detroit, Mich., Steven N. Andrews, of Birmingham, Mich., Adam P. Angelas, of Detroit, Mich., Michael Batchik, of Pontiac, Mich., Frederick B. Bellamy, of Detroit, Mich., William E. Bolle, of Troy, Mich., David Bortman, of Detroit, Mich., Joel M. Boyden, of Grand Rapids, Mich., Wm. N. Bradford, Southfield, Mich., Joseph J. Burtell, of Dearborn, Mich., William L. Cahalan, of Detroit, Mich., W. Leo Cahalan, of Detroit, Mich., William O. Cain, of Detroit, Mich., Donald A. Campbell, of Detroit, Mich., Dominick R. Carnovale, of Detroit, Mich., Clinton C. Carter, of Detroit, Mich., Michael L. Carter, of Lapeer, Mich., Raymond R. Cashen, of Roseville, Mich., Dannis O. Cawthorne, of Manistee, Mich., Gerald T. Celeskey, of Detroit, Mich., Daniel M. Clark, of Detroit, Mich., Joseph B. Clark, Jr., of Lincoln Park, Mich., Joseph S. Cohen, of Southfield, Mich., Gerald J. Connolly, of Northville, Mich., Michael J. Connor, of Detroit, Mich., Richard E. Cooley, of Flint, Mich., William P. Cooney, of Detroit, Mich., Ronald L. Cornell, of Mount Clemens, Mich., H. Dale Cubitt, of Bad Axe, Mich., George H. Cully, of Trenton, Mich., Dale J. Devlin, of Detroit, Mich., Thomas A. Dinning, of Detroit, Mich., Luvenia D. Dockett, of Detroit, Mich., Jesse B. Eggleton, Jr., of Detroit, Mich., Catherine E. Emerson, of Detroit, Mich., Morton H. Eskin, of Southfield, Mich., James W. Francis, of Detroit, Mich., Kenneth P. Frankland, of Lansing, Mich., James N. Garber, of Plymouth, Mich., Motton C. Goldberg, of Livonia, Mich.,

Frederick B. Gold, of Detroit, Mich., Leo Gottfurcht, of Ferndale, Mich., Gerald Ward Groat, Jr., of Detroit, Mich., Kenneth S. Halsey, of Mount Clemens, Mich., Norman C. Harhat, of Lansing, Mich., Michael Charles Hechtman, of Oak Park, Mich., John J. Holden, of Detroit, Mich., Oskar M. Hornbach, of Lansing, Mich., Philip G. Ingraham, of Royal Oak, Mich., Ives Jackson, of Muskegon, Mich., J. Paul Janes, of Mt. Pleasant, Mich., Louis G. Jarboe, of Rogers City, Mich., George E. Jones, Jr., of Traverse City, Mich., David R. Kaplan, of Southfield, Mich., Peter Karapetian, of Detroit, Mich., Wilfred J. Kasko, of Birmingham, Mich., William Rufus Kelley, of Ann Arbor, Mich., William C. Kemper, of St. Johns, Mich., Earl F. Kotts, of Detroit, Mich., James E. Lacey, of Detroit, Mich., Donald I. Laskind, of Southfield, Mich., Clarence Laster, Jr., of Detroit, Mich., A. David Laudani, of Harper Woods, Mich., A. Bart Lewis, of Southfield, Mich., Robert B. Locke, of St. Joseph, Mich., Robert W. Luoma, of Lansing, Mich., Arthur G. Lyon, Jr., of Coldwater, Mich., Robert H. Martin, of Detroit, Mich., Thomas J. McCallum, of Mount Clemens, Mich., Charles T. McGorisk, of Detroit, Mich., Edward G. McNamara, Jr., of St. Ignace, Mich., William A. Meadlock, of Southfield, Mich., William C. Mikelaite, of Mt. Clemens, Mich., Morris Milmet, of Detroit, Mich., David Morris, of Kalamazoo, Mich., and John A. Mundell, Jr., of Detroit, Mich., on motion of **Mr. Philip A. Hart**.

Elbert E. Nance, Jr., of Detroit, Mich., Paul F. O'Connell, of Mt. Pleasant, Mich., Paul J. O'Reilly, of Mount Clemens, Mich., Richard J. Padzieski, of Dearborn, Mich., Tat Parish, of St. Joseph, Mich., Hyman Parker, of Detroit, Mich., Jeannette A. Paskin, of Detroit, Mich., Edward K. Pedersen, of Birmingham, Mich., Angelo A. Pentolino, of Detroit, Mich., Neill T. Peters, of Detroit, Mich., Joseph B. Pfister, of Detroit, Mich., Marcel C. Phillips, of Dearborn Heights, Mich., Robert Pisarski, of Grosse Pointe Park, Mich., Gerald A. Poehlman, of Detroit, Mich., John F. Potvin, of Grosse Pointe Park, Mich., Charles A. Pratt, of Kalamazoo, Mich., Harold M. Provizer, of Southfield, Mich., J. William Read, of Grosse Pointe Farms, Mich., Leroy M. Rebar, of Detroit, Mich., Robert A. Reuther, of Grosse Pointe Park, Mich., Thomas P. Rockwell, of Grosse Pointe Woods, Mich., Sydney L. Ruby, of Birmingham, Mich., Don G. Schatzberg, of Detroit, Mich., Carl F. Schier, of Detroit, Mich., Abe A. Schmier, of Detroit, Mich., Carl J. Schoemer, of Brighton, Mich., Eric H. Selby, of Grosse Ile, Mich., James V. Sheridan, of Roseville, Mich., Richard A. Shulaw, of Owosso, Mich., Charles E. Silky, Jr., of Muskegon, Mich., Michael F. Simon, of Southfield, Mich., Stanley H. Slazinski, of Detroit, Mich., Terry J. Smith, of Grand Lodge, Mich., Warren R. Snyder, of East Lansing, Mich., Vincent F. Stapley, of Jackson, Mich., Leonard Teicher, of Southfield, Mich., LeeRoy H. Temrowski, of Grosse Pointe, Mich., Norman H. Tendler, of Detroit, Mich., Joseph H. Thibodeau, of

Lansing, Mich., Robert R. Thompson, of Livonia, Mich., Joseph John Trogan, of Saginaw, Mich., Samuel A. Turner, of Detroit, Mich., Walter A. Urick, of Hart, Mich., Rex M. Valentine, of Detroit, Mich., Harold E. Vanden Bossche, of Detroit, Mich., Allan E. Vander Ploeg, of Whitehall, Mich., Irving M. Weiner, of Oak Park, Mich., David J. Wood, of Birmingham, Mich., William A. Wood, Jr., of Detroit, Mich., William P. Wright, of Paw Paw, Mich., Patrick H. Young, of Paulding, Ohio, Lawrence P. Zatkoff, of Grosse Pointe Woods, Mich., and Norman L. Zemke, of Detroit, Mich., on motion of Mr. Robert P. Griffin, were admitted to practice.

OPINIONS

No. 57. Bob Fred Ashe, petitioner, *v.* Harold R. Swenson, Warden. 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 Stewart. Concurring opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Harlan. Concurring opinion by Mr. Justice Brennan with whom Mr. Justice Douglas and Mr. Justice Marshall join. Dissenting opinion by Mr. Chief Justice Burger.

No. 131. Edmund P. Dandridge, Jr., Chairman of the Maryland State Board of Public Welfare, et al., appellants, *v.* Linda Williams et al. Appeal from the United States District Court for the District of Maryland. Judgment reversed and case remanded to the United States District Court for the District of Maryland for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart. Concurring opinion by Mr. Justice Black with whom Mr. Chief Justice Burger joins. Concurring opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Brennan joins.

No. 540. Julia Rosado et al., petitioners, *v.* George K. Wyman, etc., 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 for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Harlan. Concurring opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Black with whom Mr. Chief Justice Burger joins.

No. 24. Joseph Waller, Jr., petitioner, *v.* Florida. On writ of certiorari to the District Court of Appeal of Florida, Second District. Judgment vacated and case remanded to the District Court of Appeal of Florida, Second District, for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice

Burger. Mr. Justice Black joins the opinion of the Court, but nevertheless adheres to the views expressed in his dissenting opinion in *Bartkus v. Illinois*, 359 U.S. 121, 150 (1959), and *Abbate v. United States*, 359 U.S. 187, 201 (1959). Concurring opinion by Mr. Justice Brennan.

The Chief Justice said:

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

PER CURIAM OPINION

No. 1190. Madalyn Murray O'Hair et al., appellants, *v.* Thomas O. Paine et al. Appeal from the United States District Court for the Western District of Texas. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 1117. Zenith Radio Corporation, petitioner, *v.* Hazeltine Research, Inc. The motion to advance is denied.

No. 1250. Isiah Relford, petitioner, *v.* Commandant, U.S. Disciplinary Barracks, Ft. Leavenworth, Kansas. The motion of the petitioner for the appointment of counsel is granted and it is ordered that Judson W. Detrick, Esquire, of Denver, Colorado, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

No. 1905, Misc. W. H. Pat O'Bryan, petitioner, *v.* Frank J. Battisti, United States District Judge, etc. The application for a stay presented to Mr. Justice White, and by him referred to the Court, is denied. Mr. Justice Marshall took no part in the consideration or decision of this application.

CERTIORARI GRANTED

No. 1244. A. T. Gordon et al., petitioners, *v.* Granville H. Lance et al. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia granted and case placed on the summary calendar.

No. 657, Misc. Richard Mayberry, petitioner, *v.* Pennsylvania. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, granted. Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI DENIED

No. 1101. William Grasso, petitioner, *v.* United States; and

No. 1224. Ralph "Whitey" Tropiano, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1169.** Alfred S. Calabrese and John M. Delzoppo, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1184.** Lena S. Tunnell, Executrix, etc., petitioner, *v.* Edwardsville Intelligencer, Inc. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. **1187.** Frank A. Eyman, Warden, petitioner, *v.* Joseph Alvin Schantz. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1196.** William A. Porter et al., petitioners, *v.* W. Francis Wilson et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1203.** John Di Domenico, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1205.** Donald Bauer, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. **1207.** C. G. Willis, Inc., etc., petitioner, *v.* Latham B. Hewlett. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1209.** John L. Brown and Cleveland Johns, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1215.** James Rodney Jones, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1216.** Kenneth George Montos, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1222.** Matt Koehl et al., petitioners, *v.* Stanley R. Resor, Secretary of the Army, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1228.** W. R. Grimshaw Company, petitioner, *v.* Martin Wright Electric Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1229.** Harvey Franklin Farmer, petitioner, *v.* Superior Court of the State of California, in and for the County of Alameda (Great Northern Railway Company, real party in interest). Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 1238. Elam Reamuel Temple, petitioner, *v.* The North Carolina State Bar. Petition for writ of certiorari to the Court of Appeals of North Carolina denied.

No. 1240. Helen K. Groves, petitioner, *v.* J. Deaver Alexander. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 1242. Dennison Manufacturing 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. 1252. Chester D. Wyrick et al., petitioners, *v.* City of Maryville et al. Petition for writ of certiorari to the Supreme Court of Tennessee, Eastern Division, denied.

No. 1295. Daniel L. Kayser and Leighton W. Kayser, petitioners, *v.* The Cleveland Clinic Foundation. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 984. James Ray Love, petitioner, *v.* John Taylor et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. The Chief Justice is of the opinion that certiorari should be granted.

No. 1099. Bangor and Aroostook Railroad Company et al., petitioners, *v.* Brotherhood of Locomotive Firemen and Enginemen. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. The Chief Justice and Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 1202. James Harold Isenring, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 1210. South Hill Neighborhood Association, Inc., et al., petitioners, *v.* George Romney, Secretary of United States Department of Housing and Urban Development, et al. Motion of the National Trust for Historic Preservation in the United States 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. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 1223. Karl H. Meyer, petitioner, *v.* City of Chicago. Petition for writ of certiorari to the Supreme Court of Illinois denied. Mr. Justice Douglas, Mr. Justice Brennan and Mr. Justice Marshall are of the opinion that certiorari should be granted.

No. 140, Misc. Dwight DeWitt Robison, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 629, **Misc.** Richard Canales, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 692, **Misc.** James Charles Smith, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 789, **Misc.** Walter Ryan, petitioner, *v.* George A. Kropp, Warden. Petition for writ of certiorari to the United States Court of Appeals for the sixth Circuit denied.

No. 795, **Misc.** Richard R. Murillo, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 904, **Misc.** Vincent Raymond Sharpe, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1155, **Misc.** James Robert Blakley, petitioner, *v.* Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 1179, **Misc.** Sylvester G. Perez, petitioner, *v.* H. V. Field. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1203, **Misc.** Eugene Thurman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1282, **Misc.** George A. Schmid, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1308, **Misc.** Edward Polhill, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1309, **Misc.** Robert Blackman, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1331, **Misc.** Danny Mack Martin, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fifth Appellate District, denied.

No. 1366, **Misc.** Welton Vanhook, petitioner, *v.* Chief Justice Roger J. Traynor et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1367, **Misc.** Joseph Kauffman, petitioner, *v.* Joseph R. Brierley, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1369, **Misc.** Francis Hugh Larkin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **1394, Misc.** Richard B. Hendrickson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1398, Misc.** Ronald Huel Cole and Jerry Franklin Rollins, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1402, 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. **1415, Misc.** Cornelius Lucas, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1424, Misc.** Elijah Caudill, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1427, Misc.** William George Knaub, petitioner, *v.* R. W. Meier, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1431, Misc.** Claude Davis, 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. **1461, Misc.** Jo Ann Lyons, petitioner, *v.* Wilbur R. Johnson et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1469, Misc.** Thomas Norman Briggs, petitioner, *v.* Texas et al. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. **1470, Misc.** Jesse Lee Hollins, petitioner, *v.* Jeffie Biggs et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1472, Misc.** James Pecora, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. **1489, Misc.** Dovie Carl Mathis, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1494, Misc.** David F. Viands, Jr., petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1513, Misc.** Vincent R. Lynch, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1521, **Misc.** Delma Ray Perry, petitioner, *v.* C. Murray Henderson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1523, **Misc.** Mack Tarango Corral, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 1526, **Misc.** Willie Edmond Posey, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 1528, **Misc.** Joseph T. Servey, petitioner, *v.* Harry E. Russell, etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1535, **Misc.** James R. Alaway, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1537, **Misc.** Russell T. Halliday, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 1538, **Misc.** Boyd A. Veenkant, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1565, **Misc.** Martin Francis Xavier Casey et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1580, **Misc.** James Cansler, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1584, **Misc.** Angel Manuel Davila, 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. 1591, **Misc.** John W. Riley, petitioner, *v.* William D. McKesson. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1610, **Misc.** Cleon Robbins, petitioner, *v.* Illinois. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1626, **Misc.** Levigne Jernigan, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 1644, **Misc.** Louis DeBour, Jr., petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. **1661, Misc.** Ernest Esco Mooney, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **1686, Misc.** Clinton W. Delespine, 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. **1687 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. **1471, Misc.** Bill Smith, petitioner, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **1600, Misc.** Willard Wilson Wood, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth 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. **1498, Misc.** Robert Allen Ray, petitioner, *v.* United States District Court for the Western District of Pennsylvania;

No. **1500, Misc.** Arthur Odell Whiddon, petitioner, *v.* R. I. Moseley, Warden, et al.; and

No. **1651, Misc.** Harold D. McKee, petitioner, *v.* Michigan. Motion for leave to file petitions for writ of habeas corpus denied.

LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. **1634, Misc.** Harvey Franklin Farmer, petitioner, *v.* Superior Court of California, County of Alameda. Motion for leave to file petition for writ of mandamus denied.

REHEARINGS DENIED

No. **736.** V. Lee Bounds, Commissioner of Correction, petitioner, *v.* Marion Frank Crawford;

No. **845.** Woodrow Yokum, petitioner, *v.* United States;

No. **877.** Tampa Phosphate Railroad Company, petitioner, *v.* Seaboard Coast Line Railroad Company;

No. **894.** Mose Reed, petitioner, *v.* M/V Foylebank, etc., et al.;

No. **898.** Francis D. White et ux., petitioners, *v.* United States;

No. **994.** Seymour Pollack, petitioner, *v.* United States;

No. 1010. Jim A. Phipps et ux., petitioners, *v.* United States;

No. 1053. E. K. Bearden and Ernest W. Crumb, petitioners, *v.* Oklahoma;

No. 946, Misc. Jimmy Snowden et al., petitioners, *v.* United States;

No. 1000, Misc. Billy Wayne Posey and Cecil Ray Price, petitioners, *v.* United States; and

No. 1021, Misc. Sam Holloway Bowers, Jr., petitioner, *v.* United States;

No. 1144, Misc. John Paul Anderson, petitioner *v.* South Carolina;

No. 1190, Misc. Cruz Ramirez, petitioner, *v.* Frank A. Eyman, Warden;

No. 1283, Misc. Francisco Cepero Alers, petitioner, *v.* Municipality of San Juan;

No. 1297, Misc. Oscar Shipp, petitioner, *v.* Walter E. Craven, Warden;

No. 1443, Misc. Dominick Saffioti, petitioner, *v.* Martin P. Catherwood, Industrial Commissioner of New York; and

No. 1474, Misc. Mayo Goff, petitioner, *v.* United States. Petitions for rehearing denied.

No. 395. United States, petitioner, *v.* M. O. Seckinger, Jr., etc. Petition for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 766. Joseph P. Kauffman, petitioner, *v.* Secretary of the Air Force; and

No. 1044, Misc. Samuel Corrado and Dorothy Corrado, petitioners, *v.* Providence Redevelopment Agency et al. Motion for leave to file petitions for rehearing denied.

No. 1006. Cecil R. Reed, petitioner, *v.* Walter J. Hickel, Secretary of the Department of the Interior, et al. Motion to dispense with printing petition for rehearing granted. Petition for rehearing denied.

Adjourned until Monday, April 20, 1970.

The day call for Monday, April 20, 1970, will be as follows: Nos. 387, 655, 661, and 678.

ORDER IN PENDING CASE

No. 1387. David I. Wells, appellant, *v.* Nelson A. Rockefeller, Governor of the State of New York, et al. The motion to expedite and advance and for a temporary restraining order is denied.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Monte K. Marshall, of Sarasota, Fla., Philip Taliaferro, of Erlanger, Ky., Robert H. Quinn, of Boston, Mass., Natalia McLaughlin Koselka, of Adrain, Mich., Harvey A. Koselka, of Adrain, Mich., John A. Gale, of Omaha, Neb., Philip Allen Lacovara, of Cedar Grove, N.J., John C. Fleming, Jr., of New York, N.Y., Samuel Huntington, of Bethesda, Md., and Joseph Januszkiewicz, of Akron, Ohio, on motion of Mr. Solicitor General Erwin N. Griswold; John W. Byrnes, of Green Bay, Wisc., and Charles Ellis Kuehn, of Green Bay, Wisc., on motion of Mr. Vernon W. Thomson; Clarence Archie Decker, of Denver, Colo., on motion of Mr. Byron G. Rogers; Robert Paul Will, Jr., of Winthrop Harbor, Ill., on motion of Mr. Robert McClory; Joel J. Sprayregen, of Chicago, Ill., on motion of Mr. Abner Joseph Mikva; William H. Hedlund, of Portland, Oreg., on motion of Mr. Wendall Wyatt; Walter G. Arnold, of Jacksonville, Fla., on motion of Mr. Charles E. Bennett; Richard Floyd Davisson, of Anderson, Ind., on motion of Mr. David W. Dennis; C. George Deukmejian, of Long Beach, Calif., and Kenneth Duane Lyders, of Ventura, Calif., on motion of Mr. Paul N. McCloskey, Jr.; Francis Sarguis, of Santa Barbara, Calif., on motion of Mr. Thomas H. Kuchel; Vivian Sue Shields, of Sheridan, Ind., on motion of Mr. William D. Ruckelshaus; Harold I. Apolinsky, of Birmingham, Ala., and Joseph S. Bluestein, of Birmingham, Ala., on motion of Mr. Marx Leva; James Nelson Dearien, of Dallas, Tex., and John Lancaster Estes, of Dallas, Tex., on motion of Mr. Theodore George Gilinsky; Edward Vernon Sparer, of New York, N.Y., on motion of Mr. Peter Sheridan Smith; Roland Clovis Lewis, of Jackson, Miss., on motion of Mr. Wm. Ephraim Cresswell.

John Nelson Stafford, of Seattle, Wash., on motion of Mr. Frank A. Nelson; Robert F. Middleton, of Nevada, Mo., on motion of Mr. Charles Alvin Miller; Richard House Kyle, of White Bear Lake, Minn., John Robert McAllister III, of Arlington, Va., and Allan R. Plumley, Jr., of Arlington, Va., on motion of Mr. Reginald Harrison Pledger; Jerry Vanzant Walker, of Houston, Tex., on motion of Mr. John C. Wyatt; Clayton Theodore Hyman, of Allentown, Pa., on motion of Mr. Phil B. Hammond; Harvey Weissbard, of Orange, N.J., on motion of Mr. Daniel E. Isles; William Leonard Thompson, of Ra-

leigh, N.C., on motion of Mr. Hugh Alexander; James Kozelek, of Columbus, Ohio, on motion of Mr. Lawrence Speiser; Robert J. Leigh, of Washington, D.C., on motion of Mr. Byron Edward Harrison; Ronald A. Jensen, of Madison, N.J., on motion of Mr. Jack Schuman; H. Roger McPike, of San Francisco, Calif., on motion of Mr. Robert L. Maier; John Bowden Thomas, of Charleston, S.C., and Richard G. Dusenburg, of Florence, S.C., on motion of Mr. Stephen S. Boynton; James Moore Dort, of San Diego, Calif., on motion of Mr. Henri F. Rush, Jr.; Joseph Brandeis Stahl, of New Orleans, La., on motion of Mr. Leopold Stahl; Clarence Addison Brimmer, Jr., of Rawlins, Wyo., on motion of Mr. William Henry Harrison; Gerald J. Hennessy, of New York, N.Y., and Edwin K. Reid, of New York, N.Y., on motion of Mr. Anthony N. Zock; and Charles Robert Franzen, of Houston, Tex., and Timothy Thorne Templin, of Houston, Tex., on motion of Mr. G. Kibby Munson, were admitted to practice.

OPINIONS

No. 412. Fred W. Woodward et al., petitioners, *v.* Commissioner of Internal Revenue. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment affirmed. Opinion by Mr. Justice Marshall.

No. 528. United States, petitioner, *v.* Hilton Hotels Corporation. 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 with directions to dismiss the complaint. Opinion by Mr. Justice Marshall.

No. 729. Donald Bachellar et al., petitioners, *v.* Maryland. On writ of certiorari to the Court of Special Appeals of Maryland. Judgment reversed 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 Brennan.

No. 369. American Farm Lines, appellant, *v.* Black Ball Freight Service et al.; and

No. 382. Interstate Commerce Commission, appellant, *v.* Black Ball Freight Service et al. Appeals from the United States District Court for the Western District of Washington. Judgment reversed and cases 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 by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Stewart and Mr. Justice White join.

No. 829. Genever Lewis et al., appellants, *v.* Robert Martin, Director of the State Department of Social Welfare of State of California,

et al. Appeal from the United States District Court for the Northern District of California. 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 by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Black with whom Mr. Chief Justice Burger joins. Dissenting opinion by Mr. Chief Justice Burger.

No. 445. Standard Industries, Inc., petitioner, *v.* Tigret Industries, Inc., et al. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgments affirmed by an equally divided Court. Opinion *per curiam* announced by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Black with whom Mr. Justice Douglas joins.

The Chief Justice said :

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

OPINIONS PER CURIAM

No. 553. Burton G. Hackney, Commissioner of Public Welfare of Texas, et al., appellants, *v.* Margarita Machado et al. Appeal from the United States District Court for the Western District of Texas. Judgment vacated and case remanded to the United States District Court for the Western District of Texas for further consideration in conformity with the opinion of this Court. Opinion *per curiam*. The Chief Justice, Mr. Justice Black, and Mr. Justice Stewart dissent.

No. 742. United States, appellant, *v.* Donald Simon. Appeal from the United States District Court for the Western District of Wisconsin. Judgment vacated and case remanded to the United States District Court for the Western District of Wisconsin with instructions to reinstate count 1 of the indictment, charging a violation of 26 U.S.C. § 4742 (a). Opinion *per curiam*.

No. 828. John Montgomery et al., appellants, *v.* Ernestine Kaiser et al. Appeal from the United States District Court for the Northern District of California. Judgment vacated and case remanded to the United States District Court for the Northern District of California for further consideration in conformity with the opinion of this Court. Opinion *per curiam*. Mr. Justice Douglas, Mr. Justice Brennan, and Mr. Justice Marshall are of the opinion that the judgment should be affirmed.

No. 1002. George Rivera Satana, petitioner, *v.* Texas. On petition for writ of certiorari to the Supreme Court of Texas. Petition for writ of certiorari granted, judgment vacated, and case remanded to the

Supreme Court of Texas for further consideration not inconsistent with the opinion of this Court. Opinion *per curiam*. The Chief Justice and Mr. Justice Stewart dissent for the reasons set forth in the dissenting opinion of the Chief Justice in *In the Matter of Samuel Winship*, 397 U.S. 375. Mr. Justice Black dissents for the reasons set forth in his dissenting opinion in *In the Matter of Samuel Winship*, 397 U.S. 377.

No. 1049. George Gable, dba Book Sales Co., appellant, *v.* Herbert T. Jenkins, Chief of Police of the City of Atlanta. Appeal from the United States District Court for the Northern District of Georgia. Judgment affirmed. Opinion *per curiam*. Mr. Justice Black and Mr. Justice White are of the opinion that probable jurisdiction would be noted and the case set for oral argument. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 1225. John K. Snyder, appellant, *v.* Edwin O. Ware III et al. Appeal from the United States District Court for the Western District of Louisiana. Judgment affirmed. Opinion *per curiam*.

No. 1239. John Giagnocavo, appellant, *v.* Bucks County Commissioners, Joseph Canby, Walter Farley, Charles Meredith III. Appeal from the Supreme Court of Pennsylvania, Eastern District. Motion to dispense with printing jurisdictional statement granted. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 1255. Spartan's Industries, Inc., et al., appellants, *v.* Texas. Appeal from the Supreme Court of Texas. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 1271. Sundaco, Inc., et al., appellants, *v.* Texas et al. Appeal from the Court of Civil Appeals of Texas, Eleventh Supreme Judicial District. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 1335. Eugene Sand & Gravel, Inc., appellant, *v.* Raymond N. Lowe et al. Appeal from the Supreme Court of Oregon. The appeal is dismissed, it appearing that the judgment below rests upon an adequate state ground. Opinion *per curiam*.

No. 471, Misc. Clarence Jackson et al., appellants, *v.* Department of Public Welfare of the State of Florida et al. Appeal from the United States District Court of the Southern District of Florida. Motion for leave to proceed *in forma pauperis* granted. Judgment vacated and case remanded to the United States District Court for the Southern District of Florida for further consideration in conformity with the opinion of this Court. Opinion *per curiam*. The Chief Justice, Mr. Justice Black and Mr. Justice Stewart dissent.

No. 1478, Misc. Richard S., etc., appellant, *v.* City of New York. Appeal from the Court of Appeals of New York. Motion for leave to proceed *in forma pauperis* granted. Judgment vacated and case remanded to the Court of Appeals of New York for further consideration not inconsistent with the opinion of this Court. Opinion *per curiam*. The Chief Justice and Mr. Justice Stewart dissent for the reasons set forth in the dissenting opinion of the Chief Justice in *In the Matter of Samuel Winship*, 397 U.S. 375. Mr. Justice Black dissents for the reasons set forth in his dissenting opinion in *In the Matter of Samuel Winship*, 397 U.S. 377.

ORDERS IN PENDING CASES

No. ——. Claude R. Kirk, Jr., Governor, et al., appellants, *v.* United States and Caroline Harvest et al. The motion to transfer is denied.

No. ——. Angelo DeCarlo et al., petitioners, *v.* United States. The application for bail presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. 642. Lawrence E. Wilson, Warden, petitioner, *v.* Veron Atchley. The motion of the respondent for the appointment of counsel is granted, and it is ordered that Charles A. Legge, 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 respondent in this case.

No. 830. Frank Chambers, petitioner, *v.* James F. Maroney, Superintendent, State Correctional Institution. The motion of Carol Mary Los for leave to argue *pro hac vice* on behalf of the respondent is granted.

No. 1033. Samuel J. Abate, etc., et al., petitioners, *v.* Paul F. Mundt et al. The motion of the petitioners to remove this case from the summary calendar is granted and 45 minutes is allotted to each side for oral argument.

APPEAL—JURISDICTION NOTED

No. 1189. Alton J. Lemon et al., appellants, *v.* David H. Kurtzman, as Superintendent of Public Instruction of the Commonwealth of Pennsylvania, et al. Appeal from the United States District Court for the Eastern District of Pennsylvania. In this case probable jurisdiction is noted and the case is placed on the summary calendar. Mr. Justice Marshall took no part in the consideration or decision of this order.

CERTIORARI GRANTED

No. 1070. California, petitioner, *v.* Jonathan Todd Byers. Motion of the respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Supreme Court of California granted and case placed on the summary calendar.

No. 1251. Port of Boston Marine Terminal Association et al., petitioners, *v.* Rederiaktiebolaget Transatlantic. 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. 1289. Hazel Palmer et al, petitioners, *v.* Allen C. Thompson, Mayor, City of Jackson, et al. Motion of James Moore et al., for leave to file a brief, as *amici curiae*, granted. 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. 1302. Robert H. Finch, Secretary of Health, Education, and Welfare, petitioner, *v.* Pedro Perales. 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 granted and case placed on the summary calendar.

No. 1544, Misc. In re Barbara Burrus et al., petitioners. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of North Carolina granted. Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI DENIED

No. 1114. American Oil Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1118. Melvin Douglas Williams, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 1141. Neila A. Autenrieth et al., petitioners, *v.* Joseph M. Cullen, District Director of Internal Revenue Service et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1161. Nelson Lee Burnett, petitioner, *v.* City of Houston, Texas. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 1188. The Seeburg Corporation, petitioner, *v.* Jean J. Minthorne et ux.; and

No. **1235.** Jean J. Minthorne et ux., petitioners, *v.* The Seeburg Corporation et al. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1199.** Deep Welding, Inc., petitioner, *v.* Sciaky Bros., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1213.** United Bonding Insurance Company, petitioner, *v.* Norfolk Dredging Company, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1214.** Ralph F. DeLeo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **1219.** William A. Giordano, etc., petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **1226.** Ronald Belousek, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. **1227.** International Union of Operating Engineers, Local No. 12, et al., petitioners, *v.* Fair Employment Practice Commission of the State of California et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **1230.** Luke Thorington et al., petitioners, *v.* William E. Schuyler, Jr., Commissioner of Patents. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. **1231.** Henry William Saunders, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fifth Appellate District, denied.

No. **1232.** Staub Cleaners, 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. **1234.** General Foods Corporation, petitioner, *v.* Perk Foods Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1237.** Deerbourn Civic and Recreation Association et al., petitioners, *v.* City of Richmond. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. **1241.** Daniel Construction Company, 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. **1243.** Richard V. Caiello, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1246. James W. Rankin, petitioner, *v.* Florida et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1248. Maurice D. Carroll, petitioner, *v.* The New York, New Haven & Hartford Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 1256. Cincinnati Window Cleaning Company et al., petitioners, *v.* Thomas B. Walker, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1257. Richard L. Schlegel, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 1258. Robert Larry Adams, petitioner, *v.* Melvin R. Laird, Secretary of Defense. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1259. Harry W. Huck, petitioner, *v.* Berta Fossleitner. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 1260. Cone Mills Corporation, Union Bleachery Division, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1261. L. R. (Loren) Gajewski and Mervin Gajewski, petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1262. Carl Blum, petitioner, *v.* Great Lakes Carbon Corp. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1264. Yale Stein, etc., petitioner, *v.* Hugh E. McGuigan, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1265. Donald J. Angelini, etc., petitioner, *v.* Illinois Bell Telephone Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1266. Bernice H. Hughes, etc., petitioner, *v.* Great Northern Railway Company. Petition for writ of certiorari to the Supreme Court of Montana denied.

No. 1268. H. M. Silverstein and Continental Illinois National Bank and Trust Company, Co-Executors, etc., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1272. Cleveland Johns, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1275. Pacific Car and Foundry Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1279. John J. McGrath, petitioner, *v.* William J. Kirwan, Superintendent of the Division of New York State Police. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1280. Paul Gilliland, petitioner, *v.* William Koch, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1286. Robert Anthony Spicer and Joseph Hanion, petitioners, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 1293. Everett H. Reagon, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 1294. Farrell Lines Incorporated, petitioner, *v.* Titan Industrial Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1313. Subversive Activities Control Board, petitioner, *v.* Simon Boorda et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1318. Perfect Fit Industries, Inc., petitioner, *v.* Glen Mfg. Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1320. Mary Louise Gripkey, petitioner, *v.* Sisters of Charity of the Blessed Virgin Mary. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1336. Eugene Sand & Gravel, Inc., petitioner, *v.* Raymond N. Lowe et al. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 692. The Public Service Commission of Wyoming et al., petitioners, *v.* Tri-State Generation & Transmission Association, Inc. The motion of the National Association of Regulatory Utility Commissioners for leave to file a brief, as *amicus curiae*, is granted. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. The Chief Justice and Mr. Justice Stewart are of the opinion that certiorari should be granted.

No. 844. United States, petitioner, *v.* Henry Falk. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Black and Mr. Justice White are of the opinion that certiorari should be granted.

No. 1041. Hans Kramm, petitioner, *v.* Workmen's Compensation Appeals Board et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1292. Jose Cassiagnol et al., petitioners, *v.* United States. 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. 1172. New Mexico, petitioner, *v.* Paulina Paul. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Court of Appeals of New Mexico denied.

No. 1276. Saul I. Birnbaum, 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. 307, Misc. Jesus Mendibles Valenzuela, petitioner, *v.* Arizona. Petition for writ of certiorari to the Court of Appeals of Arizona denied.

No. 811, Misc. Curlee M. Thompson et al., petitioners, *v.* City of Athens, Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 930, Misc. Charles W. Dennis, petitioner, *v.* California et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1063, Misc. Elmo Williams, petitioner, *v.* L. J. Pope. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1202, Misc. Ernest Staten, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1210, Misc. William Philly Morgan, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1321, Misc. James Jackson Nailor, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1322, Misc. James Burney, petitioner, *v.* Edward Weinfeld, United States District Judge for the Southern District of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1323, Misc. Jack L. Dougherty, petitioner, *v.* Court of Appeal of California, First Appellate District, denied.

No. 1326, **Misc.** Raymond Dale Cameron, petitioner, *v.* Sherman H. Crouse, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1358, **Misc.** Howard Ellsworth Armpriester, aka Guy B. Armpriester, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1411, **Misc.** William A. Bram, 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. 1418, **Misc.** Benny Corpos, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 1420, **Misc.** Ralph Coolack, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 1421, **Misc.** Anthony Ellsworth Dearing, 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. 1423, **Misc.** Malcolm R. Schlette, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1429, **Misc.** Jack Edwin Leeper, Jr., petitioner, *v.* A. A. Birzgalis, etc. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 1436, **Misc.** Charles J. Juliano, petitioner, *v.* H. J. Cardwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1438, **Misc.** Ison Beams, Administrator, etc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1445, **Misc.** Aristomenis Theodore, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 1449, **Misc.** Nathaniel Goodwin, Jr., petitioner, *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 1456, **Misc.** John P. Hazel, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1462, **Misc.** Franklin Delano Wood, petitioner, *v.* H. S. Cardwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1464, **Misc.** Bernard Goloty, petitioner, *v.* Martin P. Catherwood, Industrial Commission. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 1466, **Misc.** James Edward Hinton, petitioner, *v.* Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 1485, **Misc.** Arthur Keller Wickware, petitioner, *v.* Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 1507, **Misc.** Jack D. McConnell, petitioner, *v.* Washington et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1509, **Misc.** Joseph Maniscalco, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1510, **Misc.** Edward Weis, 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. 1515, **Misc.** Marion Stevenson, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 1519, **Misc.** Marion Burton, petitioner, *v.* J. D. Cox. Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1522, **Misc.** Walter George Arnett, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 1524, **Misc.** Raymond D. Malak and William Yates, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1530, **Misc.** Ira Richard Lowe, Jr., petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1534, **Misc.** Theodore E. Lowe, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1542, **Misc.** Calvin Winston Jackson, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1546, **Misc.** David Cummings, 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. 1548, **Misc.** Walter L. Hangsleben, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1549, **Misc.** Willie R. Hardison, petitioner, *v.* Carl Hocker, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1551, **Misc.** Lillian Reis, petitioner, *v.* E. Wilson Purdy, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1553, **Misc.** Earl F. Mink, petitioner, *v.* Ralph M. Freeman, Judge, etc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1555, **Misc.** Frank Bendar, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 1560, **Misc.** Willie Williams, petitioner, *v.* Ohio et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 1561, **Misc.** Carthonia Crawford, petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1562, **Misc.** Norman Mastrian, petitioner, *v.* Minnesota. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 1566, **Misc.** Dale Joaquin Jennings, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1569, **Misc.** Paul E. Rhodes, petitioner, *v.* Norval Houston et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1570, **Misc.** Douglas R. Bailey, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 1581, **Misc.** Odis Vonn Baker, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 1588, **Misc.** Wade Ladd, petitioner, *v.* South Carolina et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1594, **Misc.** John J. White, petitioner, *v.* Maine et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 1595, *Misc.* William Guy King, petitioner, *v.* Ray H. Page, Warden. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 1597, *Misc.* Paul Grear, petitioner, *v.* Harold J. Cardwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1599, *Misc.* Albert Haykel, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 1605, *Misc.* James Barclay, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 1606, *Misc.* William R. Cinnamon, petitioner, *v.* X-Railway Express Co. et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1611, *Misc.* Phillip Edward Greene, 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. 1615, *Misc.* Edward H. Kerner et al., petitioners, *v.* Ciba Corporation. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 1617, *Misc.* Francis S. Carpentier, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1618, *Misc.* Daniel Ross, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 1621, *Misc.* Paul G. Fraser, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1622, *Misc.* John Oliver, 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. 1623, *Misc.* James Leak, petitioner, *v.* H. W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1624, *Misc.* Hershall A. Carroll, petitioner, *v.* Clerk of the Eighth Judicial District Court of Nevada et al. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. **1627, Misc.** Heyward Speaks, petitioner, *v.* Joseph R. Brierley, Superintendent, State Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1628, Misc.** Arthur Rumney, petitioner, *v.* New Hampshire. Petition for writ of certiorari to the Supreme Court of New Hampshire denied.

No. **1629, Misc.** Jessie Banks, petitioner, *v.* Ira M. Coiner, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1633, Misc.** Pearly Wilson, petitioner, *v.* Patrick N. Bolsinger, Prothonotary, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1637, Misc.** Thomas N. Cole, petitioner, *v.* New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1638, Misc.** George Taylor, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellant Division, denied.

No. **1639, Misc.** Reather Cummings, petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1640, Misc.** Carlos Lujan Chasco, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **1641, Misc.** Mickey H. Weiss, petitioner, *v.* Olin G. Blackwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1646, Misc.** John Patrick Haslam, III, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1648, Misc.** Cristobal Gonzales Castro, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1649, Misc.** John Paul Masters, Jr., petitioner, *v.* Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. **1650, Misc.** Robert Isaac Quinn, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1652, Misc.** Wigberto Carballo, 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. 1653, **Misc.** Joseph Caronia, petitioner, *v.* John T. Deegan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1655, **Misc.** John Kaup, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 1656, **Misc.** Judson Broadus-Bey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1657, **Misc.** Antonio Cavanillas Ponce, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 1659, **Misc.** Kathy Lou Evans, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 1660, **Misc.** William J. Maxwell, petitioner, *v.* Southern Christian Leadership Conference et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1664, **Misc.** Forrest Wayne Hayes, petitioner, *v.* Joseph F. Snyder. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1666, **Misc.** Thomas Mixon, petitioner, *v.* Penn Stevedores, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1667, **Misc.** Thomas F. Budd, petitioner, *v.* Frank I. Madigan, Sheriff. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1671, **Misc.** William F. Turpin, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 1672, **Misc.** David Herman Primous, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1675, **Misc.** James Mitchell, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 1676, **Misc.** Clifford E. Prewitt, petitioner, *v.* Arizona ex rel. Frank A. Eyman, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit, denied.

No. 1680, **Misc.** John Addison North, petitioner, *v.* Hoyt C. Cupp, Warden. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 1684, **Misc.** Kenneth Peebles, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1690, **Misc.** Leroy Nash, petitioner, *v.* Frederick Reincke, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1692, **Misc.** Anthony Schiro, petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1696, **Misc.** Maria Lento, petitioner, *v.* Delaware, Lackawanna & Western Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1699, **Misc.** Thomas H. Taylor, petitioner, *v.* Robert H. Finch, Secretary of Health, Education, and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1700, **Misc.** Ernest W. Laitinen, petitioner, *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 1701, **Misc.** Frank O'Connel, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1703, **Misc.** Anthony Cartano, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 1704, **Misc.** Raymond Carabello, petitioner, *v.* Parole Board of the State of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1706, **Misc.** Freddie R. Moore, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1707, **Misc.** Charles Daniels, 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. 1708, **Misc.** David Lyle Fryer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1710, **Misc.** Eugene Hopkins, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate, District, denied.

No. 1713, **Misc.** Charles R. Miller, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1714, **Misc.** Vincente Antonetty, 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. 1715, **Misc.** James Edward McGee, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 1720, **Misc.** William W. Stewart, petitioner, *v.* Department of Corrections et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1721, **Misc.** Richard J. Stuart, petitioner, *v.* H. Yeager, Principal Keeper, New Jersey State Prison, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1722, **Misc.** Marguerite Benson, petitioner, *v.* Prentice Hall, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1726, **Misc.** James Thomas Cox, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1727, **Misc.** James P. Rondinone, petitioner, *v.* Frederick G. Reincke, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1729, **Misc.** Johnnie L. Dalton, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1731, **Misc.** Raymond L. Tucker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1732, **Misc.** Clarence Sloan, petitioner, *v.* Louie L. Wainwright, Director, Florida Division of Corrections. Petition of writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied.

No. 1733, **Misc.** Jesse Samuels, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 1735, **Misc.** Troy Johnson, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1736, **Misc.** Michael J. McNamara, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **1738, Misc.** John B. Gordon, petitioner, *v.* Fred W. Bright et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1739, Misc.** Clarence Tate, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1740, Misc.** Henry E. Hansen, petitioner, *v.* Elmer O. Cady, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1765, Misc.** Paul DeMario, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. **1766, Misc.** Virginia L. Seipel, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied.

No. **1767, Misc.** Fred Williams, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. **1787, Misc.** Jacqueline Marie Terry, petitioner, *v.* Louise Keefe, Estate of Jacob H. Hotopp, deceased. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. **706, Misc.** Marco A. Orlando, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied. Mr. Justice Black is of the opinion that certiorari should be granted.

No. **1564, Misc.** Donovan Edward Ruby, 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. **1665, Misc.** Charles Evans, 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. **1575, Misc.** Carl D. Pettyjohn, petitioner, *v.* United States. 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. **1742, Misc.** Bobby Lewis, petitioner, *v.* United States. 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.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 1103, *Misc.* Richie Sonny Rando, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections;

No. 1598, *Misc.* Louis C. Bush, petitioner, *v.* Walter E. Craven, Warden;

No. 1616, *Misc.* Levie M. Burgess, petitioner, *v.* George A. Kropp, Warden;

No. 1619, *Misc.* Elmer A. Merrill, petitioner, *v.* Robert I. Moseley, Warden, et al.;

No. 1673, *Misc.* Gregory McFall, petitioner, *v.* Warden, Queens House of Detention for Men;

No. 1702, *Misc.* Cleophas Austin, petitioner, *v.* C. J. Fitzharris, Warden;

No. 1744, *Misc.* George A. P. Dunleavy, petitioner, *v.* Louie L. Wainwright, Director, Florida Division of Corrections;

No. 1761, *Misc.* Carl George Smith, Jr., petitioner, *v.* Charles M. Rodgers, Superintendent, District of Columbia Jail;

No. 1794, *Misc.* John Kaup, petitioner, *v.* Howard Comstock, Superintendent, Sierra Conservation Center;

No. 1810, *Misc.* Jesse Rodriguez, petitioner, *v.* Russell Lash, Warden;

No. 1880, *Misc.* Everett Shepherd, Jr., petitioner, *v.* John W. Wingo, Warden; and

No. 1883, *Misc.* Fred J. Wellnitz, petitioner, *v.* Ray H. Page, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 1556, *Misc.* Willie S. Lee, petitioner, *v.* Pomsette Circuit, Arkansas, et al. Motion for leave to file petition for writ of mandamus denied.

No. 1454, *Misc.* Bobby Lewis, petitioner, *v.* Chief Judge, United States Court of Appeals for the District of Columbia Circuit;

No. 1576, *Misc.* Carl D. Pettyjohn, petitioner, *v.* Edward A. Tamm et al.; and

No. 1620, *Misc.* Elroy Lewis, petitioner, *v.* United States. Motions for leave to file petitions for writs of mandamus denied. The Chief Justice took no part in the consideration or decision of these motions.

No. 1574, *Misc.* Douglas Stiltner, petitioner, *v.* Judges of the Supreme Court of Washington et al. Motion for leave to file petition for writ of mandamus and/or habeas corpus denied.

LEAVE TO FILE PETITION FOR WRIT OF PROHIBITION DENIED

No. 1712, **Misc.** Michael David Scott, petitioner, *v.* Indiana Parole Board et al. Motion for leave to file petition for writ of prohibition denied.

REHEARINGS DENIED

No. 964. Randolph Erwin Rosenson, petitioner, *v.* United States; No. 1012. Serbian Eastern Orthodox Congregation of "St. George," Elizabeth, N.J., et al., petitioners, *v.* Serbian Eastern Orthodox Congregation of "St. George", Elizabeth, N.J. (Diocese for Eastern States of America and Canada), et al.;

No. 1046. Edmond J. Hamilton and John L. Datenhoff, appellants, *v.* John J. McKeithen, Governor of Louisiana;

No. 1078. John T. McClain, petitioner, *v.* United States; and

No. 1111. Augustine L. Ranjel et al., petitioners, *v.* City of Lansing et al. Petitions for rehearing denied.

No. 1064. General Electric Company, petitioner, *v.* National Labor Relations Board et al. Petition for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 529, **Misc.** Robert Lee Gawne and William Thomas Banks, petitioners, *v.* United States;

No. 1161, **Misc.** LeRoy Towles, petitioner, *v.* Frederick G. Reincke, Warden;

No. 1205, **Misc.** Robert S. Kelem, petitioner, *v.* United States;

No. 1256, **Misc.** Howard Merle, petitioner, *v.* The North Carolina Mutual Life Insurance Company; and

No. 1483, **Misc.** Thelma Retha Bills, petitioner, *v.* United States. Petitions for rehearing denied.

No. 1041, **Misc.** Joseph Weldon Roberts, petitioner, *v.* Alaska; and

No. 1091, **Misc.** In the Matter of the Application of Ronald L. Reece, petitioner. Motions for leave to file petitions for rehearing denied.

ORAL ARGUMENT

No. 387. California, petitioner, *v.* John Anthony Green. Two hours allowed for oral argument. Argued by Mr. William E. James for the petitioner, by Mr. Solicitor General Griswold for the United States, as *amicus curiae*, by special leave of Court and by Mr. E. Barrett Prettyman, Jr. for the respondent.

No. 655. Joseph Thomas Mulloy, petitioner, *v.* United States. Argued by Mr. Robert Allen Sedler for the petitioner and by Mr. Joseph J. Connolly for the respondent.

Adjourned until tomorrow at 10 o'clock.

The day call for Tuesday, April 21, 1970, will be as follows: Nos. 661, 678, 726, and 768.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Ralph T. Smith, of Alton, Ill., Thomas J. Benda, of Lisle, Ill., and Edwin L. Douglas, of Wheaton, Ill., on motion of Mr. John N. Erlenborn; Robert T. Stafford, of Rutland, Vt., and Robert Edward West, of Rutland, Vt., on motion of Mr. Garner E. Shriver; Royden A. Keddy, of Portland, Me., on motion of Mr. William D. Hathaway; Robert C. Strodel, of Peoria, Ill., on motion of Mr. Thomas F. Railsback; Homer Arnett, of Kalamazoo, Mich., on motion of Mr. Edward Hutchinson; Geo. B. Culpepper, Jr., of Fort Valley, Ga., William Grady Morris, of Atlanta, Ga., and Terry Richard Hutchins, of Maxton, N.C., on motion of Mr. Matthew J. Zinn; Jay Harlan Davison, of Covina, Calif., on motion of Mr. Raymond F. Body; Bruce McLaughlin, of Miami, Fla., on motion of Mrs. Ellen Lee Park; Thomas Emmett Wilson, of Tucson, Ariz., on motion of Mr. Paul G. Rosenblatt; H. Ridgely Bullock, Jr., of New York, N.Y., and Peter Whitridge Williams, of New York, N.Y., on motion of Mr. Arthur M. Becker; Paul Eugene Miller, of Washington, D.C., on motion of Mr. Henry Halvor Jones, Sr., Ira Hersey Pearce, of Alexandria, Va., on motion of Mr. Frederic L. Pearce; John D. Maharg, of Los Angeles, Calif., on motion of Mr. Robert Putnam Will; Courtland Kennard Townsend, Jr., of Rockville, Md., on motion of Mr. John Palmer Arness; John Walter Rapp, Jr., of Mt. Carroll, Ill., on motion of Mr. Robert G. Mahony; Michael L. Glaser, of Potomac, Md., on motion of Mr. Donald E. Bilger; Arthur J. Prindle, of Nyack, N.Y., on motion of Mr. Julien Martin Cornell; Harry F. Day, Jr., of Arlington, Va., on motion of Mr. Donald H. Dalton; Jon S. Hanson, of Brookfield, Wisc., and William G. Walton, of Cheyenne, Wyo., on motion of Mr. Richard A. Edwards; and Robert M. Dohrmann, of Los Angeles, Calif., and Laurence David Steinsapir, of Los Angeles, Calif., on motion of Mr. Kenneth M. Schwartz, were admitted to practice.

ORAL ARGUMENT

No. **661**. Hellenic Lines Limited et al., petitioners, *v.* Zacharias Rhoditis. Argued by Mr. James M. Estabrook for the petitioners and by Mr. Joseph B. Stahl for the respondent.

No. **678**. James G. Nash et al., petitioners, *v.* United States. Argued by Mr. Harold I. Apolinsky for the petitioners and by Mr. Matthew J. Zinn for the respondent.

No. **726**. Charlene Mitchell et al., appellants, *v.* Joseph L. Donovan, etc., et al. One and one half hours allowed for oral argument. Argued by Mr. Lynn S. Castner for the appellants and by Mr. Richard H. Kyle for the appellees.

No. **768**. The 'Boys Markets, Inc., petitioner, *v.* Retail Clerk's Union, Local 770. Argument commenced by Mr. Joseph M. McLaughlin for the petitioner.

Adjourned until tomorrow at 10 o'clock.

The day call for Wednesday, April 22, 1970, will be as follows: Nos. **768, 1089, 782, 267, and 269.**

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Jo Betsy Lewallen, of Austin Tex., on motion of Mr. Justice Tom C. Clark; Stephen Charles Wolfe, of Tulsa, Okla., on motion of Mr. Page Belcher; William Clifford Rountree, of Washington, D.C., on motion of Mr. John Dellenback; Roy Prewitt, of Lonoke, Ark., S. David Rosenson, of Beverly Hills, Calif., and Jerry D. Barker, of Houston, Tex., on motion of Mr. Floyd Lee Williams; Samuel D. Dawkins, Jr., of Houston, Tex., on motion of Mr. Vincent M. Ambrose; Michael R. Klein, of Washington, D.C., on motion of Mr. Louis Oberdorfer; T. Thornton Murray, of Baltimore, Md., and Roger Curtis Duncan, of Baltimore, Md., on motion of Mr. George L. Russell, Jr.; Welton B. Whann, of La Jolla, Calif., and Gary H. Wiles, of La Jolla, Calif., on motion of Mr. George Cabell Busick; Frederick Lovell Bergert, of Springfield, Va., and James Nelson Dresser, of Fairfax, Va., on motion of Mr. W. Brown Morton, Jr.; William C. Brafford, Jr., of Dayton, Ohio, on motion of Mr. William T. Estabrook; Wm. Hammond Thomas, of Washington, D.C., on motion of Mr. Paul R. Webber III; James O. Ebbeson, of Sturgeon Bay, Wis., on motion of Mr. George Browning III; Norman Lefstein, of Washington, D.C., on motion of Mrs. Barbara A. Bowman.

Stephen Daily Susman, of Houston, Tex., on motion of Mr. Everett Hutchinson; Jane Adams Finn, of Chevy Chase, Md., on motion of Mr. Herbert E. Hoffman; Morton Efram Friedman, of Chicago, Ill., on motion of Mr. Joel M. Flaum; William Hale Merrill, of Bloomfield Hills, Mich., on motion of Mr. Philip F. Zeidman; Peter G. Rich, of Portland, Me., on motion of Mr. Bruce S. Lane; Thomas Rees Williams II, of Buffalo, N.Y., on motion of Mr. Michael J. McMorrow; William G. Reynolds, Jr., of Richmond, Va., on motion of Mr. Carl Stephen Rauh; Harvey Warren Levin, of Lynn, Mass., on motion of Mr. Reuben B. Robertson III; Paul Dominic Doherty, of Boston, Mass., on motion of Mrs. Rita Doherty Hornyak; Henry L. Bayles, of New York, N.Y., on motion of Mr. Sigmund Timberg; John M. Greaney, of Springfield, Mass., and George C. Keady, Jr., of Springfield, Mass., on motion of Mr. Richard Hildreth; Barbara Schneider Stokes, of New York, N.Y., and Richard H. Stokes, of New York,

N.Y., on motion of Mr. Walter J. Myskowski; Bernard Arluck, of Brooklyn, N.Y., Michael David Rose, of Cincinnati, Ohio, and Charles P. Barnes II, of Cape Elizabeth, Me., on motion of Mr. Eugene F. Bogan; William Carter Cowardin, Jr., of Newport News, Va., Mark Thomas Finch, of Gulfport, Miss., Christopher Lane, of Yonkers, N.Y., Robert Emmett McFarlane, Jr., of Kansas City, Mo., James F. Nooney, of Maumee, Ohio, and Marlin David Reid, Jr., of Dayton, Ohio, on motion of Mr. Gordon A. Ginsburg; and J. Lee Perry, of Atlanta, Ga., and John A. Sligh, Jr., of Atlanta, Ga., on motion of Mr. Mathew Robins, were admitted to practice.

ORAL ARGUMENT

No. 768. The Boys Markets, Inc., petitioner, *v.* Retail Clerk's Union, Local 770. Argument continued by Mr. Kenneth M. Schwartz for the respondent and concluded by Mr. Joseph M. McLaughlin for the petitioner.

No. 1089. Willie E. Williams, appellant, *v.* Illinois. Argued by Mr. Stanley A. Bass for the appellant and by Mr. James R. Thompson for the appellee.

No. 782. Phillip Morris et al., appellants, *v.* Hiram Schoonfield, Warden, et al. Argued by Mr. Robert G. Fisher for the appellants and by Mr. George L. Russell, Jr., for the appellees.

No. 267. Dennis Mullene Moon, petitioner, *v.* Maryland. Argued by Mr. Robert Anthony Jacques for the petitioner and by Mr. Edward F. Borgerding for the respondent.

Adjourned until Monday, April 27, 1970, at 10 o'clock.

The day call for Monday, April 27, 1970, will be as follows: Nos. 269, 830, 896, and 1093.

Supreme Court of the United States

Present: Mr. Chief Justice Burger, 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

Walter Victor Dorle, of St. Paul, Minn., Walter T. Thompson, of Chicago, Ill., William S. Little, Sr., of Baltimore, Md., Lawrence D. McGovern, of New York, N.Y., Michael G. Kelly, of Willows, Md., Joe Neal Cagle, of Hickory, N.C., Thomas J. Lombardi, Sr., of Canton, Ohio, William H. Candler, of Norfolk, Va., George I. Vogel, II, of Roanoke, Va., and James C. Morfitt, of Wilder, Idaho, on motion of Mr. Solicitor General Erwin N. Griswold; John Carroll Stophel, of Chattanooga, Tenn., on motion of Mr. Howard H. Baker, Jr.; Barry R. Weiss of Los Angeles, Calif., on motion of Mr. James C. Corman; Regina Lydia Whitaker, of Hot Springs, Ark., on motion of Mr. David H. Pryor; Peter J. Johnson, of Benton Harbor, Mich., on motion of Mr. Edward Hutchinson; Elmer Eugene Palmer, of Austin, Tex., on motion of Mr. Will Wilson; Virginia D. Fenton, of Newark, N.J., Thomas David Hogan, of Newark, N.J., and Michael S. Waters, of Newark, N.J., on motion of Mr. Robert B. Meyner; William Thomas Bodoh, of Cleveland, Ohio, Thomas G. Roderick, of Cleveland, Ohio, and David A. Thomas, of Cleveland Heights, Ohio, on motion of Mr. William M. Hoiles; Gerald Brissman, of New York, N.Y., on motion of Mr. Dominick Manoli; Herman S. Palarz, of Beverly Hills, Calif., on motion of Mr. Fulton M. Brylawski; William E. Butler, II, of Cambridge, Mass., on motion of Mr. Lorne Dale MacIver; Henry R. Barksdale, of Pensacola, Fla., and Henry Clay Mitchell Jr., of Pensacola, Fla., on motion of Mr. Richard R. Paradise; Patricia Horan Latham, of Washington, D.C., and Richard S. Seltzer, of Philadelphia, Pa., on motion of Mr. Philip Loomis.

Daniel M. Rosenblum, of New York, N.Y., on motion of Mr. Louis Rosenman; Sidney M. Bach, of New Orleans, La., on motion of Mr. Philip F. Zeidman; Richard H. Brown, Jr., of New York, N.Y., on motion of Mr. Russell Taylor Weil; Frank Hay Bass, Jr., of St. Petersburg, Fla., on motion of Mr. Stanley Albert Brandimore; Joseph O'Bryan Martin, Jr., of Nashville, Tenn., on motion of Mr. Stephen Deaderick Potts; George C. (Neil) Dixon, of Shreveport, La., and Herschel M. Downs, of Shreveport, La., on motion of Mr. Thomas L. C. Vail; Burton H. Patterson, of El Paso, Tex., on motion of

Mr. C. Frank Reifsnnyder; James L. Dow, of Carlsbad, N. Mex., on motion of Mr. James W. Knapp; John All Burgess, of Montpelier, Vt., on motion of Mr. Eugene A. Jenkins; Francis E. Hickey, of Rockford, Ill., on motion of Mr. John Philip Carlson; Alan L. Swartz, of Providence, R.I., on motion of Mr. James H. Duffy; Robert D. Patrick, of Evansville, Ind., on motion of Mr. William G. Greif; Clifford K. Thompson, Jr., of Piedmont, Calif., on motion of Mr. Albert W. Harris, Jr.; James Joseph McHugh, of Floral Park, N.J., on motion of Mr. Francis A. O'Connell; James Duncan O'Mara, of Washington, D.C., on motion of Mr. David Bennett; Elroy Harris Wolff, of Washington, D.C., on motion of Mr. John E. Robson; John J. McAleese, Jr., of Philadelphia, Pa., on motion of Mr. William J. Curtin; Richard M. Fishkin, of Hackensack, N.J., on motion of Mr. Jerrold M. Fleisher; Robert M. Wechsler, of Stamford, Conn., on motion of Mr. Robert Jordan Wager; Jason H. Floyd, of Gulfport, Miss., on motion of Mr. Peter McKenzie Stockett, Jr.; and Dean Ames McCallum, of Baltimore, Md., and Robert B. Seeley, of Baltimore, Md., on motion of Mr. Richard P. Delaney, were admitted to practice.

OPINIONS

No. 41. The Choctaw Nation and the Chickasaw Nation, petitioners, *v.* Oklahoma et al.; and

No. 59. The Cherokee Nation or Tribe of Indians in Oklahoma, petitioner, *v.* Oklahoma et al. On writs of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgments reversed and cases 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 Douglas. Dissenting opinion by Mr. Justice White with whom Mr. Chief Justice Burger and Mr. Justice Black join. Mr. Justice Harlan took no part in the consideration or decision of these cases.

No. 300. Julia Tooahnippah (Goombi), et al., petitioners, *v.* Walter J. Hickel, Secretary of the Interior for the United States, et al. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgments reversed and case remanded to the Court of Appeals with directions to reinstate the judgment of the United States District Court for the Western District of Oklahoma. Opinion by Mr. Chief Justice Burger. Mr. Justice Black would affirm the judgments below for the reasons set forth by Court of Appeals in this case, 407 F. 2d 394, and in *Heffelman v. Udall*, 378 F. 2d 109 (C.A. 10th Cir. 1967). Concurring opinion by Mr. Justice Harlan.

No. 82. Lee Arthur Hester, petitioner, *v.* Illinois. On writ of certiorari to the Supreme Court of Illinois. Writ of certiorari dis-

missed as improvidently granted. Opinion *per curiam* announced by Mr. Chief Justice Burger. Mr. Justice Douglas, Mr. Justice Brennan and Mr. Justice Marshall dissent.

No. 476. Sears, Roebuck and Co., petitioner, *v.* Carpet, Linoleum, Soft Tile and Resilient Floor Covering Layers, Local Union No. 419, AFL-CIO, et al. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment vacated and case remanded to the United States District Court for the District of Colorado with directions to dismiss the complaint as moot. Opinion *per curiam* announced by Mr. Chief Justice Burger.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 863. United States, petitioner, *v.* Howard Eugene Rowell. On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Buie v. United States*, 396 U.S. 87. Opinion *per curiam*.

No. 1171. The First National Bank of Santa Fe, appellant, *v.* The Commissioner of Revenue of the State of New Mexico. Appeal from the Court of Appeals of New Mexico. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*.

No. 1323. Garden State Transit Co., Inc., appellant, *v.* United States et al. Appeal from the United States District Court for the District of New Jersey. The motion to affirm is granted and the judgment is affirmed. Opinion *per curiam*.

No. 1112, Misc. Shirley Lampton and Luethel Williams, etc., appellants, *v.* Garland L. Bonin, etc., et al. Appeal from the United States District Court for the Eastern District of Louisiana. Motion for leave to proceed *in forma pauperis* granted. Judgment vacated and case remanded to the United States District Court for the Eastern District of Louisiana for further consideration in conformity with the opinion of this Court. Opinion *per curiam*. The Chief Justice and Mr. Justice Black dissent for the reasons set forth in Mr. Justice Black’s dissenting opinion in *Rosado v. Wyman*, 397 U.S. —.

ORDERS IN PENDING CASES

No. 21. A. L. Dutton, Warden, appellant, *v.* Alex S. Evans;
No. 50. North Carolina, appellant, *v.* Henry C. Alford;
No. 84. United States, appellant, *v.* Milton C. Jorn; and
No. 179. William P. Rogers, Secretary of State, appellant, *v.* Aldo Mario Bellei. These cases are restored to the calendar for reargument.

No. 300. James Tooahimpah Tate, et al., petitioners, *v.* Walter J. Hickel, Secretary of the Interior for the United States, et al. The motions to substitute Julia Tooahnippah (Goombi), Administratrix, in the place of James Tooahimpah Tate, deceased, former Administrator of Estate of Frankie Lee Tooahnippah, deceased, and Estate of Viola Atewoofakewa (Tate), deceased, as a party petitioner, are granted.

No. 905. Grove Press, Inc., et al., appellants, *v.* Maryland State Board of Censors. The motion of the International Film Importers & Distributors of American, Inc., for leave to file a brief, as *amicus curiae*, is granted. Mr. Justice Douglas took no part in the consideration or decision of this motion.

No. 1058. Ida Phillips, petitioner, *v.* Martin Marietta Corporation. The motion of the National Organization for Women for leave to file a brief, as *amicus curiae*, is granted.

No. 1149. Garrett H. Byrne, etc., et al., appellants, *v.* Serafim Karalexis et al. The motions of the National General Corp. et al.; and the American Civil Liberties Union et al., for leave to file briefs, as *amici curiae*, are granted. Mr. Justice Douglas took no part in the consideration or decision of these motions.

No. 1389. Richard Mayberry, petitioner, *v.* Pennsylvania. The motion of the petitioner for the appointment of counsel is granted, and it is ordered that Ralph S. Spritzer, 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.

APPEALS—JURISDICTION NOTED OR POSTPONED

No. 1155. United States, appellant, *v.* Milan Vuitch. Appeal from the United States District Court for the District of Columbia. Further consideration of the question of jurisdiction in this case is postponed to the hearing of the case on the merits.

No. 1270. Winton M. Blount, Postmaster General of the United States, appellant, *v.* National Association of Letter Carriers. Appeal from the United States District for the District of Columbia. In this case probable jurisdiction is noted and the case is placed on the summary calendar.

CERTIORARI ~~DENIED~~ GRANTED

No. 1309. Time, Incorporated, petitioner, *v.* Frank Pape. 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. 1468, Misc. Harold Whiteley, petitioner, *v.* Warden of the Wyoming State Penitentiary. 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 limited to the issue of the constitutionality of the arrest and search. Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI DENIED

No. 1151. James Buchanan Duke, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1200. Vincent Charles Teresa, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1212. Elmwood Properties, Inc., et al., petitioners, *v.* Murray Conzelman et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1233. Hutter Northern Trust et al., petitions, *v.* Milton Haen et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1236. Edward H. Montoney et al., petitioners, *v.* Russell Cramer, Zoning Inspector, et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 1263. John T. Smith, Jr., petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 1285. Jane W. Parham, petitioner, *v.* Barbara Lillian Georgia Kaiser, as Executrix of Estate of Henry J. Kaiser, Jr., et al. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 1300. Atomic Oil Company of Oklahoma, Inc., et al., petitioners, *v.* Bardahl Oil Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1303. Mary Louise Gripkey, petitioner, *v.* A. Gerty, M. D., et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1305. Clinton Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1306. William M. Damisch, petitioner, *v.* Dan B. Withers, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1307. New Orleans Stevedoring Company, etc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 1308. Philadelphia Local No. 8 of the International Alliance of Theatrical Stage Employes and Moving Picture Machine Operators of the United States and Canada, petitioner, *v.* Joseph P. Kelsey. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1312. Loctite Corporation, petitioner, *v.* Broadview Chemical Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1314. Thomas J. Haggerty, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1324. National Building Corporation, petitioner, *v.* Bendix Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1325. Harry Granader, etc., petitioner, *v.* Public Bank et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1332. Rexall Chemical Company, etc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1344. Nishan Paul and Irma Feder, petitioners, *v.* Dade County, Florida, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1245. School District of Greenville County, etc., et al., petitioners, *v.* Elaine Whittenberg et al. 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. 1287. William B. Aberson, 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 Marshall took no part in the consideration or decision of this petition.

No. 1298. Joan S. Neff, Administratrix, etc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. The Chief Justice took no part in the consideration or decision of this petition.

No. **1316**, **Misc.** Morris Berman, petitioner, *v.* Board of Elections, City of New York, et al. Motion of The Rabbinical Alliance of America 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.

No. **1176**, **Misc.** Robert Knox, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1293**, **Misc.** Rodney Huckabay, petitioner, *v.* Superior Court, Los Angeles County. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **1451**, **Misc.** Loren Blackwell, petitioner, *v.* Elmer O. Cady, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1452**, **Misc.** Benjamin Jerrel Brown, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1536**, **Misc.** Leo Glanders, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. **1539**, **Misc.** Fred Parshay, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. **1541**, **Misc.** Borbala Kerkai, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1601**, **Misc.** Donald Allen Kiger, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1608**, **Misc.** John O. Hunter, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1631**, **Misc.** Irving Eugene Ney, petitioner, *v.* California et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1632**, **Misc.** Perley Louis Wilson, petitioner, *v.* Secretary of the United States Navy. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1647**, **Misc.** Buddy R. Earnhart, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1674**, **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. 1679, **Misc.** Ramiro Hernandez Balderrama, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1682, **Misc.** Robert B. Wilkerson, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1691, **Misc.** Joseph Elmer Hammond, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1694, **Misc.** Bruce E. Miller, petitioner, *v.* Henry Wade et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1697, **Misc.** James X. Conway, petitioner, *v.* Raymond L. Procnier, Director of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1698, **Misc.** John Edward Daugherty, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1717, **Misc.** Vernon Murphree, petitioner, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 1718, **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. 1746, **Misc.** James Williams, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 1747, **Misc.** Henry Ruiz Martinez, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1749, **Misc.** Arnold Fernandez, petitioner, *v.* Harold V. Field, Superintendent, California Men's Colony. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1750, **Misc.** Teddy Patterson, petitioner, *v.* South Carolina et al. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 1751, **Misc.** Louis Zuckerman, petitioner, *v.* Rita L. Tatarian et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 1753, **Misc.** Pete G. Gallegos, petitioner, *v.* Arizona et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1754, Misc.** Tommy Glass, 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. **1755, Misc.** Barry Wayne Brown, petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1756, Misc.** Roland Davis, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1757, Misc.** David Norman Bushnell, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. **1758, Misc.** Lyman A. Moore, petitioner, *v.* Illinois. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1759, Misc.** Chester E. Baran, 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. **1760, Misc.** William C. Witherspoon, petitioner, *v.* Illinois et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1762, Misc.** Jerry L. Keane, petitioner, *v.* John D. Cucurello. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. **1763, Misc.** Richard A. Lauchli, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1769, Misc.** Ermal Brown, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. **1777, Misc.** Hazel Hood, petitioner, *v.* David F. Rice et al. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. **1780, Misc.** Fred Dale Cragg, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. **1795, Misc.** Margaret Walker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1823, Misc.** Clifford H. Middleton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1825, Misc.** Carl Lovano, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1838, Misc.** David W. Wion, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1852, Misc.** John McWilliams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

LEAVE TO FILE PETITIONS FOR WRITS OF CERTIORARI DENIED

No. **1985, Misc.** Cowles Communications, Inc., petitioner, *v.* Joseph L. Alioto and Judge Bruce R. Thompson. Motion for leave to file petitions for writs of certiorari denied. Mr. Justice Douglas took no part in the consideration or decision of this motion.

LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. **1939, Misc.** LeRoy Thomas Garrett, petitioner, *v.* Lou V. Brewer, Warden, et al. Motion for leave to file petition for writ of habeas corpus denied.

REHEARINGS DENIED

No. **282.** United States, petitioner, *v.* Maclin P. Davis et ux.;

No. **573.** James A. Watts and Walter B. Blue, petitioners, *v.* Seward School Board et al.;

No. **794.** Fred W. Burdette, Sr., petitioner, *v.* Tennessee;

No. **1208, Misc.** Ozzie Jamerson, petitioner, *v.* William F. Delhey et al.;

No. **1532, Misc.** Ruchell Magee, petitioner, *v.* D. Whittaker, Sheriff, et al.; and

No. **1661, Misc.** Ernest Esco Mooney, petitioner, *v.* United States. Petitions for rehearing denied.

No. **732.** Catherine Johnson, petitioner, *v.* United States. Petition for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **882.** Boston & Providence Railroad Development Group, petitioner, *v.* Charles W. Bartlett, Trustee, et al. Petition for rehearing and for other relief denied.

RECESS ORDER

The Court will take a recess from Monday, May 4, 1970, until Monday, May 18, 1970.

ORAL ARGUMENT

No. **269**. Earl Price, petitioner, *v.* Georgia. Argued by Mr. Allyn M. Wallace for the petitioner and by Mr. Mathew Robins for the respondent. Memorandum to come.

No. **830**. Frank Chambers, petitioner, *v.* James F. Maroney, Superintendent, State Correctional Institution. Argued by Mr. Vincent J. Grogan for the petitioner and by Miss Carol Mary Los for the respondent, *pro hac vice*, by special leave of Court.

No. **896**. George K. Wyman, etc., et al., appellants, *v.* Edna Rothstein et al. One hour and forty minutes allowed for oral argument. Argument commenced by Mr. Philip Weinberg for the appellants and continued by Mr. Edward Sparer for the appellees and by Mr. Peter L. Strauss for the United States, as *amicus curiae*, by special leave of Court.

Adjourned until tomorrow at 10 o'clock.

The day call for Tuesday, April 28, 1970, will be as follows: Nos. **896, 1093, 513, and 4.**

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

H. Jackson Sillocks, of New York, N.Y., on motion of Mr. Jacob Javits; Roger Henry Dusberger, of Western Springs, Ill., Stanley G. Mazaroff, of Washington, D.C., and Lee M. Miller, of Silver Spring, Md., on motion of Mr. Joseph Davies Tydings; Lawrence Peter Cohen, of Peabody, Mass., on motion of Miss Beatrice Rosenberg; John J. Gaudio, of Denver, Colo., on motion of Mr. Thomas M. Stewart; William M. Mufatti, of East Longmeadow, Mass., on motion of Mr. Frank L. Neuhauser; Irving Bilton, of Chicago, Ill., on motion of Mr. Dean H. Bilton; Richard R. G. Hobson, of Fairfax, Va., and Robert Dennis McArver, of Fairfax, Va., on motion of Mr. Arthur P. Scibelli; and Robert Jackson Russell, of Montgomery, Ala., on motion of Mr. Hall M. Christensen, were admitted to practice.

ORAL ARGUMENT

No. **896**. George K. Wyman, etc., et al., appellants, *v.* Edna Rothstein et al. Argument continued by Mr. Peter L. Strauss for the United States, as *amicus curiae*, by special leave of Court, and concluded by Mr. Philip Weinberg for the appellants.

No. **1093**. United States, appellant, *v.* Phillipsburg National Bank and Trust Company et al. Argued by Mr. Daniel M. Friedman for the appellant and by Mr. Philip L. Roache, Jr., and Mr. Robert B. Meyner for the appellees.

No. **513**. In the Matter of Dan A. Spencer, appellant. Argued by Mr. Melvin L. Wulf for the appellant and by Mr. Neil Dixon for the appellee.

Adjourned until tomorrow at 10 o'clock.

The day call for Wednesday, April 29, 1970, will be as follows: Nos. **4, 6, 11 (and 20), and 7.**

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Benjamin Novicoff, of Lincoln, Neb., on motion of Mr. Carl T. Curtis; Richard G. Wilson, of Long Beach, Calif., on motion of Mr. Craig Hosmer; Dallin H. Oaks, of Chicago, Ill., on motion of Mr. Francis X. Beytagh; David Robert Macdonald, of Chicago, Ill., on motion of Mr. Walter A. Slowinski; Harry Waldemar Dahl, of Des Moines, Iowa, on motion of Mr. David Kammerman; William R. Kennedy, of Monterey, Calif., on motion of Mr. Murdaugh Stuart Madden; Vincent F. De Cain, of Kensington, Md., on motion of Mr. James Hoagland French; Grady Harve Click, Jr., of Paris, Tex., on motion of Mr. John Michael Quinlan; George R. Baffa, of Falls Church, Va., on motion of Mr. St. John Barrett; George R. Nock III, of San Rafael, Calif., on motion of Mr. Albert W. Harris, Jr.; Monica Gallagher, of Washington, D.C., on motion of Mr. Frank E. Schwelb; Joseph J. Previto, of New York, N.Y., on motion of Mr. Albert Henry Kirchner; Frank P. Maggio, of Rockford, Ill., and Charles F. Thomas, of Rockford, Ill., on motion of Mr. John Duff Matthews; and Charles Rocco Laurie, of Cleveland, Ohio, on motion of Mr. Weston Harris Grimsley, were admitted to practice.

ORAL ARGUMENT

No. 4. Evelle J. Younger, appellant, *v.* John Harris, Jr., et al. Reargued by Mr. Albert W. Harris, Jr., for the appellant and by Mr. A. L. Wirin for the appellees.

No. 6. John S. Boyle, Chief Judge of the Circuit Court of Cook County, Illinois, et al., appellants, *v.* Lawrence Landry et al. Reargued by Mr. Dean H. Bilton for the appellants and by Mr. Ellis E. Reid for the appellees.

No. 11. George Samuels et al., appellants, *v.* Thomas J. Mackell, District Attorney, et al.; and

No. 20. Fred Fernandez, appellant, *v.* Thomas J. Mackell, District Attorney, et al. One and one half hours allowed for reargument. Re-

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. 7. Lester Gunn et al., appellants, *v.* University Committee to End the War in Viet Nam et al. Reargument commenced by Mr. David W. Louisell for the appellants.

Adjourned until tomorrow at 10 o'clock.

The day call for Thursday, April 30, 1970, will be as follows: Nos. 7, 565 and 1149.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

Ronald Ray Frauenshuh, of Paynesville, Minn., on motion of Mr. Clark MacGregor; Melvin Arnold Coffe, of Denver, Colo., on motion of Mr. Byron G. Rogers; E. Fulton Brylawski, of Washington, D.C., on motion of Mr. Fulton M. Brylawski; Herbert S. Swartz, of Brookline, Mass., on motion of Mr. Nathan Lewin; Merrill Shields Finnell, of Holliday, Tex., on motion of Mr. Ira Hersey Pearce; Richard M. Bertsch, of Cleveland, Ohio, and A. S. Johnston, III, of Biloxi, Miss., on motion of Mr. James J. Clancy; and Richard Stephen Arkow, of Bayside, N.Y., Gordon B. Fields, of Portland, Oreg., William C. Lanham, of Birmingham, Ala., Erik Christian Larsen, of Winter Park, Fla., Ronald L. Naquin, of New Orleans, La., Richard Paul Noland, of Houston, Tex., Robert Kelly Raulerson, of DuPont, Ga., and David W. Schoenberg, of Chicago, Ill., on motion of Mr. Robert Stephen Poydasheff, were admitted to practice.

ORAL ARGUMENT

No. 7. Lester Gunn et al., appellants, *v.* University Committee to End the War in Viet Nam et al. Reargument continued by Mr. David W. Louisell for the appellants, by Mr. Sam Houston Clinton, Jr., for the appellees and concluded by Mr. David W. Louisell for the appellants.

No. 565. Frank Dyson, Chief of Police, City of Dallas, et al., appellants, *v.* Brent Stein. Argued by Mr. Lonny F. Zweiner for the appellants and by Mr. David R. Richards for the appellee.

No. 1149. Garrett H. Byrne, etc., et al., appellants, *v.* Serafim Karalexis et al. One hour and forty minutes allowed for oral argument. Argued by Mr. Robert H. Quinn for the appellants, by Mr. Francis X. Beytagh for the United States, as *amicus curiae*, by special leave of Court, and by Mr. Nathan Lewis and Mr. Edward de Grazia for the appellees.

Adjourned until Monday, May 4, 1970, at 10 o'clock.

The day call for Monday, May 4, 1970, will be as follows: No. 13.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, 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

William Maston Boyd, of McKinney, Tex., and John Edward Gay, of McKinney, Tex., on motion of Mr. Justice Tom C. Clark; Mark L. Rosen, of Yonkers, N.Y., Joseph P. Pamela, Jr., of Springfield, Mass., Stanley M. Lewis, of Plainfield, N.J., Paul Christopher Saunders, of Washington, D.C., Joseph Leo Tierney, III, of West Islip, N.Y., William Johnson Waggoner, of Charlotte, N.C., Joel S. Moskowitz, of Cincinnati, Ohio, Richard Lawrence Norton, of Cincinnati, Ohio, Sylvan P. Reisenfeld, of Cincinnati, Ohio, and Udo H. Specht, of Pampa, Tex., on motion of Mr. Solicitor General Erwin N. Griswold; Clark R. Mollenhoff, of Washington, D.C., and Wm. C. Hemphill, of Clarinda, Iowa, on motion of Mr. Jack Miller; Thomas R. Bayless, of Lakeland, Fla., William Franklin Casler, of St. Petersburg, Fla., William E. Henson, Jr., of Tampa, Fla., Charles Parkhill Mays, Jr., of Lakeland, Fla., and Robert Perry Murray, of Lakeland, Fla., on motion of Mr. Spessard Holland; M. Marlene David, of Arlington, Va., on motion of Mr. Roman L. Hruska; Chilton Bryan, of Houston, Tex., on motion of Mr. Bob Casey; Frederic C. Tausend, of Seattle, Wash., on motion of Mr. Brock Adams; Willard D. Dover, of Fort Lauderdale, Fla., on motion of Mr. Louis Frey, Jr.; Guy Brinkley, of Piggott, Ark., on motion of Mr. William Vollie Alexander, Jr.; Larry Francis Hobbs, of Morrison, Colo., and Leonard Norton Waldbaum, of Denver, Colo., on motion of Mr. Donald G. Brotzman; Joseph Paul Des Pres, of Niagara Falls, N.Y., and Richard H. Scalzo, of Niagara Falls, N.Y., on motion of Mr. Henry P. Smith 3rd; Neil D. MacKerron, of Bridgton, Me., on motion of Mr. Peter N. Kyros; Arnold Taylor, of Covington, Ky., on motion of Miss Alice L. O'Donnell.

Marna Susan Tucker, of Washington, D.C., on motion of Mr. E. Barrett Prettyman, Jr.; John Charles Carlson, of Wenatchee, Wash., on motion of Mr. Stewart French; Willis Hannawalt, of San Francisco, Calif., and Vivian Hannawalt, of San Francisco, Calif., on motion of Mr. Noble McCartney; Robert Dean Smith, III, of Little Rock, Ark., on motion of Mr. Joe E. Purcell; Edward M. Borges, of San Juan, P.R., on motion of Mr. Walter A. Slowinski; William McDowell Hill, of Conroe, Tex., on motion of Mr. Fritz-Alan Korth;

George W. Ferguson, Jr., of Charlotte, N.C., on motion of Mr. Maitland Guy Freed; Barry I. Goldman, of Los Angeles, Calif., on motion of Mr. Plato E. Papps; William J. Bunch, of Aurora, Ill., and Stanley Ayers Weller, of Lisle, Ill., on motion of Mr. Stanton P. Sender; Don Michael Huckabay, of Little Rock, Ark., on motion of Mr. Thomas Jefferson Gentry; Thomas L. Zebert, of Jackson, Miss., on motion of Mr. Wm. Ephriam Cresswell; Philip Pickett Pendergrass, of Oakdale, Calif., on motion of Mr. Jack W. Bain; Vincent Raymond O'Neill, of Washington, D.C., on motion of Mr. John Damian Valenti; Raymond G. Leffler, of Briarcliff Manor, N.Y., on motion of Mr. Michael R. Klein; Allan R. Cole, of Cleveland, Ohio, and Stephen D. Kahn, of Washington, D.C., on motion of Mr. Jerry M. Hamovit; W. Preston Germain, of Pittsburgh, Pa., on motion of Mr. Ezra G. Benedict Fox; Richard E. Burns, of New York, N.Y., on motion of Mr. Bruce A. Burns; Donald Bryson Roe, of Oak Ridge, Tenn., on motion of Mr. Justinus Gould; Glen N. Armitage, of Ballston Lake, N.Y., on motion of Mr. Andrew J. McGarraghy; Emanuel Nadlin, of Dayton, Ohio, on motion of Mr. Franklin C. Salsbury; Richard E. Erwin, of Ventura, Calif., and Joseph G. Glass, of Louisville, Ky., on motion of Mr. Glen R. Murphy; Robert S. Beer, of Rochester, N.Y., on motion of Mr. Samuel Dash; Salem J. Rogers, of Fort Lauderdale, Fla., on motion of Mrs. Dorothy H. Moore; Sherman Peter Gorshel, of Lynnfield, Mass., on motion of Mr. Warren M. Davison; William Barnabas McHenry, of New York, N.Y., on motion of Mr. Conrad Kenneth Harper.

Wm. Jarrel Smith, Jr., of Pamap, Tex., on motion of Mr. John Page Marshall; Joseph Clinton Sumner, Jr., of Rome, Ga., on motion of Mr. John W. Davis; Golden W. Robbins, of Salt Lake City, Utah, on motion of Mr. William H. Henderson; Alan S. Goldberg, of Miami, Fla., Martin J. Harty, of Chicago, Ill., George Michael Rupert, of Arlington, Va., Thomas H. Kirkpatrick, of Washington, D.C., Albert James Riedinger, of Washington, D.C., Simon Littman, of Silver Spring, Md., Arthur Lowy, of Bethesda, Md., Floyd M. Phillips, of New Carrollton, Md., Barney Riley Putnam, Jr., of Columbia, Md., and Ronald Wartow, of Baltimore, Md., on motion of Mr. Paul Gerald Dembling; Mary Goeke Backsman, of Cincinnati, Ohio, Robert Louis Bucciere, of Cincinnati, Ohio, Joseph Edward Collins, of Cincinnati, Ohio, Richard Barry Dusterberg, of Cincinnati, Ohio, Aloysius J. Goeke, of Cincinnati, Ohio, Earl J. Goldsmith, Jr., of Cincinnati, Ohio, Emil Carl Farkas, of Cincinnati, Ohio, Albert R. Fingerman, of Cincinnati, Ohio, Peter J. McCarthy, Jr., of Cincinnati, Ohio, Vernon W. McDaniel, of Cincinnati, Ohio, Braden A. Mechley, of Cincinnati, Ohio, Mary Ann Overholt, of Cincinnati, Ohio, John Hall Rice, of Hamilton, Ohio, Robert L. Schwartz, of Cincinnati, Ohio, William Thomas Sheffield, of Cincinnati, Ohio,

Walter Francis Smith, of Cincinnati, Ohio, Eugene J. Utz, of Cincinnati, Ohio, Lee J. Vesper, of Cincinnati, Ohio, Harold Wagner, of Cincinnati, Ohio, Arthur Howard Williams, of Cincinnati, Ohio, and Martin Maurice Young, of Cincinnati, Ohio, on motion of Mr. Solicitor General Erwin N. Griswold; Richard C. Anthony, of Los Angeles, Calif., Peter Thomas Galiano, of Burlingame, Calif., Donald H. Wollett, of Davis, Calif., Martin A. Gould, of West Hartford, Conn., Theodore G. Frankel, of Atlanta, Ga., R. W. Deffenbaugh, of Springfield, Ill., Robert R. Arnold, of Wichita, Kans., Ward Dunham Martin, of Topeka, Kans., Frank G. Chapman, of Gardiner, Me., Robert H. Chanin, of Silver Spring, Md., Walter S. Levin, of Baltimore, Md., David Rubin, of Silver Spring, Md., Theodore W. Swift, of Lansing, Mich., Harvey I. Wax, of Southfield, Mich., Clinton J. Hall, of Minneapolis, Minn., Donald L. James, of St. Louis, Mo., Daniel T. Rabbitt, Jr., of St. Louis, Mo., Cassel R. Ruhlman, Jr., of Trenton, N.J., Jack B. Middleton, of Manchester, N.H., Richard R. Rowley, of Albany, N.Y., Daniel J. Chapman, of Bismarck, N. Dak., Lewis F. Adler, of Harrisburg, Pa., Clarence C. Morrison, of Harrisburg, Pa., Owens T. Cobb, Jr., of Columbia, S.C., Charles F. Burns, of Austin, Tex., James Edward Betts, of Richmond, Va., George M. Mack, of Seattle, Wash., Richard L. Cates, of Madison, Wis., Robert C. Kelly, of Madison, Wis., Richard Perry, of Milwaukee, Wis., and Charles E. Graves, of Cheyenne, Wyo., on motion of Mr. Robert P. Griffin.

Lawrence David Breck, of Pittsburgh, Pa. Marshall J. Conn, of Pittsburgh, Pa., Joseph Michael Coyle, of Pittsburgh, Pa., John Louis Doherty, of Pittsburgh, Pa., William J. Engel, of Pittsburgh, Pa., Marion K. Finkelhor, of Pittsburgh, Pa., Larry P. Gaitens, of Pittsburgh, Pa., Edward I. Goldberg, of Pittsburgh, Pa., Victor P. Gottschall, of Pittsburgh, Pa., Henry Gusky, of Pittsburgh, Pa., Edward A. Heights, of Pittsburgh, Pa., Charles W. Hergenroeder, Jr., of Pittsburgh, Pa., Thomas H. M. Hough, of Pittsburgh, Pa., Michael B. Kaleugher, Jr., of Pittsburgh, Pa., Leo J. Kelly, of Pittsburgh, Pa., Daniel Krause, of Pittsburgh, Pa., James Craighead Kuhn, Jr., of Pittsburgh, Pa., Alexander Heilman Lindsay, of Pittsburgh, Pa., Frank J. Lucchino, of Pittsburgh, Pa., Joseph Manion Ludwig, of Pittsburgh, Pa., Owen B. McManus, Jr., of Pittsburgh, Pa., William A. Meyer, Jr., of Pittsburgh, Pa., Howard A. Minsky, of Pittsburgh, Pa., John Howard Neely, of Pittsburgh, Pa., Maurice A. Nernberg, Jr., of Pittsburgh, Pa., Lawrence B. Niemann, of Pittsburgh, Pa., Daniel Patch, of Pittsburgh, Pa., Joseph S. Rosenbaum, of Pittsburgh, Pa., Robert Deane Rowley, Jr., of Pittsburgh, Pa., Richard C. Seamans, of Pittsburgh, Pa., Alan H. Sperling, of Pittsburgh, Pa., William G. Sutter, Jr., of Pittsburgh, Pa., William F. Swanson, Jr., of Pittsburgh, Pa., Benjamin E. Thomas, Jr., of Pittsburgh, Pa., Andrew C. Van Gorder, of Pittsburgh, Pa., James Victor Voss, of Pittsburgh,

Pa., George Michael Weis, of Pittsburgh, Pa., Nancy Welfer, of Pittsburgh, Pa., Thomas C. Wettach, of Pittsburgh, Pa., Joseph A. Williams, of Pittsburgh, Pa., and Lester E. Zittrain, of Pittsburgh, Pa., on motion of Mr. Solicitor General Erwin N. Griswold.

Miriam D. Balanoff, of Chicago, Ill., John J. Bresingham, of Oak Forest, Ill., Ronald Buikema, of South Holland, Ill., John R. Davis, of Chicago, Ill., Harry Edward De Bruyn, of Evergreen Park, Ill., Arthur E. Dillner, of Dolton, Ill., William F. Donahue, of Harvey, Ill., Cedric N. Forbes, of Harvey, Ill., Bruce G. Hillstrom, of Chicago, Ill., Michael Hinko, of South Holland, Ill., Daniel L. Hughes, of Flossmoor, Ill., Peter H. Huizenga, of Western Springs, Ill., Richard S. Jemilo, of Chicago Heights, Ill., Gerald Karwoski, of Glenwood, Ill., John R. Krupa, of Chicago Heights, Ill., Lawrence Lawless, of Park Forest, Ill., Anthony J. Lepore, of Hinsdale, Ill., Jeffrey Allan Malak, of Calumet City, Ill., George M. Marovich, of South Holland, Ill., Dwain D. Marsh, of Harvey, Ill., William K. Murphy, of Homewood, Ill., Frank M. Ozinga, of Evergreen Park, Ill., Richard J. Petrarca, of Chicago Heights, Ill., Henry C. Piel, of Harvey, Ill., Edwin J. Richardson, Jr., of Dolton, Ill., Maurino R. Richton, of Chicago Heights, Ill., John Franklin Rosch, of Hinsdale, Ill., Cheater J. Stasack, of Dolton, Ill., John Merrill Van Der AA, of South Holland, Ill., Stanley A. Wilczynski, Jr., of Chicago Heights, Ill., Quentin H. Wood, of Park Forest, Ill., and Ralph H. Young, of Riverdale, Ill., on motion of Mr. John N. Erlenborn; Joel Ronald Ax, of New York, N.Y., Irwin Bernstein, of New York, N.Y., Albert W. Cornachio, of New York, N.Y., Gene Crescenzi, of Bronx, N.Y., Irving Damast, of Spring Valley, N.Y., Dinah M. Davis, of New York, N.Y., Alfred F. M. de Prado, of Yonkers, N.Y., Frank J. Durkin, of Bronx, N.Y., Minna J. Edelman, of Bronx, N.Y., Samuel I. Edelman, of Bronx, N.Y., Herbert J. Feuer, of Bronx, N.Y., Joseph T. Flynn, of New York, N.Y., Harry Fogler, of New York, N.Y., Dimitrios C. Fotopoulos, of New York, N.Y., Abraham C. Frydman, of Scarsdale, N.Y., Gerald Philip Goldsmith, of New York, N.Y., Alfred Geisinger, of New Rochelle, N.Y., Erwin Greenwald, of New York, N.Y., Bernard Halfond, of Bronx, N.Y., Lawrence Halfond, of New York, N.Y., Stuart Halpern, of New York, N.Y., Norman Harris, of San Francisco, Calif., Julian M. Kleban, of New York, N.Y., Martin B. Klein, of Bronx, N.Y., Seymour Landau, of Bronx, N.Y., Arlindo D. Lenti, of New York, N.Y., Murray Richman, of Bronx, N.Y., Joaquin Rivera, of New York, N.Y., John B. Segall, of San Mateo, Calif., Alexander J. Severi, of Bronx, N.Y., Charles J. G. Spiegel, Jr., of New York, N.Y., Marvin Stillman, of Queens, N.Y., John J. Sulger, of New York, N.Y., and Samuel P. Tolisano, of Bronx, N.Y., on motion of Mr. Jacob H. Gilbert.

Michael Bard, of Marblehead, Mass., Leonard C. Jacques, of Detroit, Mich., Joel D. Landry, of Providence, R.I., Orville E. Pitts, of Milwaukee, Wis., Werner G. Puppa, of Union City, N.J., Michael A. Sileo, Jr., of Richardson, Tex., Frederick Bertram Haig Bartlett, of Washington, D.C., John V. P. Billings, of Wallingford, Conn., Donald Jules Boday, of Washington, D.C., Edward Calvin Golumbic, of Washington, D.C., Eileen Ardyce Hansen, of Washington, D.C., Erskine H. Hatfield, of Washington, D.C., Anthony C. Morella, of Washington, D.C., Anna Mary Paniczko, of Washington, D.C., Stephen J. Smith, of Washington, D.C., Gerald W. Vesper, of Washington, D.C., George H. Williams, of Washington, D.C., Stacy L. Williams, of Washington, D.C., John Edward Becker, of Takoma Park, Md., Abraham Brooks, of Silver Spring, Md., Bobby Ray Gay, of Oxon Hill, Md., Ronald G. Kane, of Rockville, Md., Harry Kranz, of Bethesda, Md., Bruce Magazine, of Silver Spring, Md., Stuart Irwin Schwartz, of Laurel, Md., Clarence J. Von Drehle, of Bethesda, Md., Daniel B. Wieggers, of Rockville, Md., John R. Barber, of Arlington, Va., John Chevalier, Jr., of Alexandria, Va., Thomas H. Dameron, of Alexandria, Va., Hampton Davis, of Vienna, Va., Brian Joseph Donnelly, of Arlington, Va., Martin Fogel, of Arlington, Va., Bonnie L. Gay, of McLean, Va., William Jan Gay, of McLean, Va., Clyde J. Hampton, Jr., of Alexandria, Va., Lee B. Holmes, of Springfield, Va., Virgil H. Jeffries, of Vienna, Va., William Russell Murphy, of Manassas, Va., Marion Parsons, Jr., of Springfield, Va., Richard A. Peterson, of McLean, Va., Wayne "B" Stone, Jr., of Arlington, Va., William T. Stone, of Williamsburg, Va., and Charles Edward Taylor, of Fairfax, Va., on motion of Mr. B. J. Tennery, were admitted to practice.

OPINIONS

No. 270. Robert M. Brady, 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 White. Mr. Justice Black, while adhering to his belief that *United States v. Jackson*, 390 U.S. 570, was wrongly decided, concurs in the judgment and in substantially all of the opinion in this case. Opinion by Mr. Justice Brennan with whom Mr. Justice Douglas and Mr. Justice Marshall join concurring in the result in this case and dissenting in **No. 268**, *post*.

No. 153. Daniel McMann, Warden, et al., petitioners, *v.* Willie Richardson et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgments vacated 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, while still adhering to his dissent in *Jackson v. Denno*, 378 U.S. 368, 401-423, concurs in the Court's opinion and judgment

in this case. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Douglas and Mr. Justice Marshall join.

No. **268.** Charles Lee Parker, petitioner, *v.* North Carolina. On writ of certiorari to the Court of Appeals of North Carolina. Judgment affirmed. Opinion by Mr. Justice White. Concurring opinion by Mr. Justice Black. Opinion by Mr. Justice Brennan with Mr. Justice Douglas and Mr. Justice Marshall join dissenting in this case and concurring in the result in No. **270**, *ante*.

No. **135.** Frederick Walz, appellant, *v.* Tax Commission of the City of New York. Appeal from the Court of Appeals of New York. Judgment affirmed. Opinion by Mr. Chief Justice Burger. Concurring opinion by Mr. Justice Brennan. Separate opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice Douglas.

No. **399.** Daniel Rowan, dba American Book Service, et al., appellants, *v.* United States Post Office Department et al. Appeal from the United States District Court for the Central District of California. Judgment affirmed. Opinion by Mr. Chief Justice Burger. Concurring opinion by Mr. Justice Brennan with whom Mr. Justice Douglas joins.

No. **513.** In the Matter of Dan A. Spencer, appellant. Appeal from the Supreme Court of Louisiana. Judgment affirmed by an equally divided Court. Opinion *per curiam* announced by Mr. Chief Justice Burger.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. **893.** Bell Lines, Inc., et al., appellants, *v.* United States et al. Appeal from the United States District Court for the Southern District of West Virginia. Judgment affirmed. Opinion *per curiam*.

No. **1288.** Tex Tan Welhausen Company et al., petitioners, *v.* National Labor Relations Board. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *H. K. Porter Co., Inc., v. National Labor Relations Board*, 397 U.S. 99. Opinion *per curiam*. Mr. Justice Douglas dissents to the remand.

No. **1379.** Nelson A. Rockefeller, Governor of the State of New York, et al., appellants, *v.* Catholic Medical Center of Brooklyn and Queens, Inc., Division of St. Mary's Hospital, et al. Appeal from the

United States District Court for the Eastern District of New York. Judgment vacated and case remanded to the United States District Court for the Eastern District of New York so that it may enter a fresh decree from which timely appeal may be taken to the Court of Appeals. Opinion *per curiam*. Mr. Justice Douglas concurs in the result.

No. 1345, Misc. Ruth J. Jefferson et al., appellants, *v.* Burton G. Hackney, Commissioner of the State Department of Public Welfare, et al. Appeal from the United States District Court for the Northern District of Texas. Motion for leave to proceed *in forma pauperis* granted. Judgment vacated and case remanded to the United States District Court for the Northern District of Texas for further consideration in light of *Rosado v. Wyman*, 397 U.S. 397. Opinion *per curiam*.

ORDERS IN PENDING CASES

No. 1033. Samuel J. Abate, etc., et al., petitioners, *v.* Paul F. Mundt et al. The motion to advance is denied.

No. 1058. Ida Phillips, petitioner, *v.* Martin Marietta Corporation. The motion of Human Rights for Women, Inc., for leave to file a brief, as *amicus curiae*, is granted.

APPEAL—JURISDICTION NOTED

No. 134, Misc. James Palmer, appellant, *v.* City of Euclid, Ohio. Appeal from the Supreme Court of Ohio. 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. 1373. Ocala Star-Banner Company et al., petitioners, *v.* Leonard Damron. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, granted. Case placed on the summary calendar and set for oral argument immediately following **No. 891**.

No. 1383. William Ward Ehlert, 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. 380, Misc. Eugene Griffin, etc., et al., petitioners, *v.* Lavon Breckenridge 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. **1284**. Sidney Fleck et al., petitioners, *v.* Cleveland Bar Association. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1319**. Albert Shlom, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1321**. Nathan Greenberg, petitioner, *v.* Anna Shirley Burglass Dunker. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. **1327**. Joyce Cordner Olpin et al., petitioners, *v.* Ideal National Insurance Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1328**. The Belt & Terminal Realty Company et al., petitioners, *v.* John B. Hopkins et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. **1329**. G. Wray Gill et al., petitioners, *v.* Edwin B. Duncan et al. Petition for writ of certiorari to the Court of Appeal of Louisiana, Fourth Circuit, denied.

No. **1333**. Reuben Lenske et al., petitioners, *v.* Sidney Steinberg et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1334**. Erich O. Grunebaum et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1337**. Bernard M. Decker, United States District Judge, et al., petitioners, *v.* Harper & Row Publishers, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1339**. Nancy Tomakin Copeland, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1352**. Walter V. Tyminski, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1354**. Fred E. Vyse and William Krolick, petitioners, *v.* Robert O. Lowery, as Fire Commissioner of the Fire Department of the City of New York, et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. **1366**. Michael Porter Leavy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1254**. E. B. & A. C. Whiting Company, petitioner, *v.* Gilbert Shaw et al. Petition for writ of certiorari to the United States of Appeals for the Second Circuit denied. Mr. Justice Black, Mr. Justice Douglas and Mr. Justice White are of the opinion that certiorari should be granted.

No. **1322**. Mesilla Valley Flying Service, Inc., petitioner, *v.* Cessna Finance Corporation. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. **1326**. Alaska, petitioner, *v.* Walter J. Hickel, Secretary of the Interior, et al. Motion of The Alaska Federation of Natives for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **830, Misc.** Richard Logan McFarland, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1200, Misc.** Francis Marino, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. **1244, Misc.** Edward Herman Smith, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. **1497, Misc.** Roy Marx, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1568, Misc.** William Howard Woods, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. **1709, Misc.** Earl F. Mink, petitioner, *v.* The Upjohn Company. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. **1719, Misc.** Thomas Clayton McMurry, petitioner, *v.* Kentucky et al. Petition or writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1723, Misc.** James W. Strickland, petitioner, *v.* North Carolina et al. Petition for writ of certiorari to the United States Court of Appeals for Fourth Circuit denied.

No. **1725, Misc.** Roberta E. Nissley, Administratrix of the Estate of Kenneth N. Nissley, deceased, petitioner, *v.* The Pennsylvania Railroad Company. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 1734, **Misc.** Eugene Lassiter, petitioner, *v.* United States Postal Department et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1737, **Misc.** Thomas Frank Carroll, petitioner, *v.* William S. Neil, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1745, **Misc.** Edward James Durham, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1748, **Misc.** Robert L. Wilson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1770, **Misc.** Robert C. Harris, petitioner, *v.* P. J. Ciccone, Director, Medical Center for Federal Prisoners. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1771, **Misc.** Robert O. Gilmore, Jr., petitioner, *v.* California et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1774, **Misc.** Richard Richeson, petitioner, *v.* Sheriff of Coles County, Illinois, et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1781, **Misc.** Raymond W. Epperson, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 1790, **Misc.** Bernard Stroble, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1791, **Misc.** John W. Shuford, petitioner, *v.* Stenographer Clerk, City of Buffalo. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 1807, **Misc.** Dale W. DeMille, petitioner, *v.* Phyllis Erickson. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. 1811, **Misc.** Jerry Spencer Diamond, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1812, **Misc.** Sammy Carrillo, petitioner, *v.* New Mexico. Petition for writ of certiorari to the Court of Appeals of New Mexico denied.

No. 1813, **Misc.** Arthur E. Small, Jr., petitioner, *v.* United States Board of Parole. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1814, *Misc.* Anthony Alfredo Reserva, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 1815, *Misc.* John F. Beltowski, petitioner, *v.* Jack G. Young, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1817, *Misc.* Victor D. Vaughn, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 1833, *Misc.* Roger Johnson, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 1843, *Misc.* Harry A. Lehman, III, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 1845, *Misc.* William Francis Collins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1850, *Misc.* Noel Windle Holt Alexander, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1854, *Misc.* Larry Edward Stead, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1856, *Misc.* John Beckett, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 1858, *Misc.* Luis Morales, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1860, *Misc.* Thomas Sherrod, petitioner, *v.* Warden, Maryland House of Correction. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1863, *Misc.* Francisco Guerrero, 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. 1865, *Misc.* Donald Wayne Dishman, petitioner, *v.* C. J. Fitzharris, Superintendent, California Training Facility, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1868, *Misc.* Michael George Vladika, petitioner, *v.* Paul J. Gernert, etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1879, *Misc.* Rosa Reyes-Mezo DePolanco, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. **1189, Misc.** Freddie Lee Pitts and Wilbert (Slingshot) Lee, petitioners *v.* Louie L. Wainwright, Director, Florida Division of Corrections, et al.; and

No. **1861, Misc.** Anderson B. Norsworthy, petitioner, *v.* Harold V. Field, Superintendent. Motions for leave to file petitions for writs of habeas corpus denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. **1797, Misc.** L. G. Ruderer, petitioner, *v.* James H. Meredith, Judge; and

No. **1862, Misc.** L. G. Ruderer, petitioner, *v.* Roy W. Harper, Judge; and

No. **1808, Misc.** Gerald Setzer, petitioner, *v.* United States District Court for the Eastern District of Pennsylvania. Motions for leave to file petitions for writs of mandamus denied.

REHEARING DENIED

No. **1328, October Term, 1968.** Betty Levin et al., petitioners, *v.* Missouri Pacific Railroad Company; and

No. **1333, October Term, 1968.** Rose Slayton et al., petitioners, *v.* Missouri Pacific Railroad Company. Motion for leave to file petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this motion.

No. **1900, Misc., October Term, 1968.** Salvatore Rispo, Jr., petitioner, *v.* Pennsylvania. Motion for leave to file a second petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this motion.

No. **347.** David G. Cain et al., appellants, *v.* Kentucky;

No. **852.** Hyman Sternman, petitioner, *v.* United States;

No. **1182.** Morton K. Ohlson et al., appellants, *v.* Kenneth Phillips et al.;

No. **1204.** Leon Madole, petitioner, *v.* Oklahoma ex rel. Department of Highways of the State of Oklahoma; and

No. **1238.** Elam Reamuel Temple, petitioner, *v.* The North Carolina State Bar. Petitions for rehearing denied.

No. **825.** Harry P. Hutul, petitioner, *v.* United States. Motion for leave to file petition for rehearing denied.

No. **1332, Misc.** David Michael Rehfield, petitioner, *v.* United States. Petition for rehearing denied.

ORDER

It is ordered that the call for the calendar, except for special assignments, be suspended for the term upon the conclusion of the arguments in the case listed for hearing this week.

ORAL ARGUMENT

No. 13. William L. Maxwell, petitioner, *v.* O. E. Bishop, Superintendent, Arkansas State Penitentiary. Two hours allowed for reargument. Reargued by Mr. Anthony G. Amsterdam for the petitioner, by Mr. Don Langston for the respondent and by Mr. Albert W. Harris, Jr., for the State of California, as *amicus curiae*, by special leave of Court.

ORDER

No. 1337. Bernard M. Decker, United States District Judge, et al., petitioners, *v.* Harper & Row, Publishers, Inc., et al. The order entered today denying certiorari is hereby, revoked. The petition for a writ of certiorari to the United States Court of Appeals for the Seventh Circuit is granted and the case is placed on the summary calendar.

Adjourned until Monday, May 18, 1970, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

ORDER

No. ——. Garrett H. Byrne, petitioner, *v.* P.B.I.C., Inc., et al. The stay heretofore issued by the United States District Court for the District of Massachusetts staying its injunction dated May 6, 1970, is extended through May 22, 1970.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, and Mr. Justice White.

OPINIONS

No. 440. National Labor Relations Board, petitioner, *v.* Raytheon Company et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgments reversed and case remanded to the Court of Appeals for consideration of the petition for enforcement on its merits. Opinion by Mr. Justice Marshall announced by Mr. Justice Stewart.

No. 413. Greenbelt Cooperative Publishing Association, Inc., et al., petitioners, *v.* Charles S. Bresler. 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 Stewart. Concurring opinion by Mr. Justice White. Mr. Justice Black with whom Mr. Justice Douglas joins, concurs in the judgment of the Court for the reasons set out in Mr. Justice Black's concurring opinion in *New York Times Co. v. Sullivan* 376 U.S. 254, 293 (1964), in his concurring and dissenting opinion in *Curtis Publishing Co. v. Butts*, 388 U.S. 130, 170 (1967), and in Mr. Justice Douglas' concurring opinion in *Garrison v. Louisiana*, 379 U.S. 64, 80 (1964).

No. 678. James G. Nash et al., petitioners, *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 Douglas. Dissenting opinion by Mr. Justice Black with whom Mr. Justice Stewart joins.

The Chief Justice said:

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

APPEALS—DISMISSALS AND AFFIRMANCES

No. 1145. Joseph Inzitari, appellant, *v.* Connecticut. Appeal from the Supreme Court of Connecticut. The appeal in this case is dismissed

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

No. 1338. James Franklin, appellant, *v.* S. George Fukuoka, Judge. Appeal from the Supreme Court of Hawaii. The appeal in this case is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 1343. Edward L. Blincoe et ux., appellants, *v.* Jean F. Forsythe. Appeal from the Court of Appeal of California, Second Appellate District. Motion to dispense with printing jurisdictional statement granted. The appeal in this case is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 1828, Misc. Genevieve Fullerton Nieder, appellant, *v.* Helen M. Fullerton et al. Appeal from the Supreme Court of New Jersey. The appeal in this case is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 1387. David I. Wells, appellant, *v.* Nelson A. Rockefeller, Governor of the State of New York, et al. Appeal from the United States District Court for the Southern District of New York. The judgment in this case is affirmed.

ORDERS IN PENDING CASES

No. 1302. Robert H. Finch, Secretary of Health, Education and Welfare, petitioner, *v.* Pedro Perales. The motion of the respondent for the appointment of counsel is granted, and it is ordered that Richard Tinsman, Esquire, of San Antonio, Texas, 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. 1389. Richard Mayberry, petitioner, *v.* Pennsylvania. The order of this Court dated April 27, 1970, appointing Ralph S. Spritzer, as counsel for the petitioner in this case is hereby revoked. It is ordered that Curtis R. Reitz, 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.

APPEALS—JURISDICTION NOTED

No. 1083. Atlantic City Electric Company et al., appellants, *v.* United States et al. Appeal from the United States District Court for the Southern District of New York; and

No. 1283. Alabama Power Company et al., appellants, *v.* United States et al. Appeal from the United States District Court for the

District of Columbia. In these cases probable jurisdiction is noted. Cases consolidated and a total of one and one half hours allotted for oral argument. Mr. Justice Douglas took no part in the consideration or decision of this order.

No. **1370**. Dennis Coates et al., appellants, *v.* City of Cincinnati. Appeal from the Supreme Court of Ohio. In this probable jurisdiction noted and case placed on the summary calendar.

CERTIORARI DENIED

No. **1282**. The Rodeo Cowboys Association, Inc., et al., petitioners, *v.* Robert Wegner. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1290**. James A. Murray and Edith B. Murray, Partners, dba Nassau China Company, petitioners, *v.* Roy W. Harper, Judge, etc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **1291**. Billy G. Sayne, petitioner, *v.* Eugene S. Shipley, Chief, Police Division, Canal Zone Government. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1297**. Emerson Electric Co., et al., petitioners, *v.* J. R. Fulton et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1299**. In the Matter of Philip Weinstein, petitioner. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. **1341**, Ray H. Page, Warden, petitioner *v.* Frank Naceo Martin. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1342**. Yakima Tribal Court et al., petitioners, *v.* Alvin Settler et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1345**. James D. Sullivan, petitioner, *v.* Edward J. Choquette et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **1349**. William Simon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1350**. Edward E. Matosky, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1355. John V. Wademan, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 1357. Frank Lindsey, petitioner, *v.* New Mexico. Petition for writ of certiorari to the Court of Appeals of New Mexico denied.

No. 1360. Shearn Moody, Jr., petitioner, *v.* Flying Saucers, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1363. Peter Niven Kiger, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1365. John Lookretis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1368. Harold Konigsberg, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1372. Leo Feist, Inc., et al., petitioners, *v.* Apollo Records N. Y. Corp. et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1374. Martin A. Beatty, petitioner, *v.* Ranolph K. Ellings et al. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 1378. Bishop Processing Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1381. Clarence W. Hendrickson, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 1382. William C. Dean, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1384. Butell Robinson et al., petitioners, *v.* Transcontinental Gas Pipeline Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1386. Donald J. Miller, petitioner, *v.* New York Stock Exchange et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1388. Wheaton Glass Company, petitioner, *v.* George P. Shultz, Secretary of Labor, United States Department of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1393**. D. H. Overmyer Warehouse Company, Inc., petitioner, *v.* Max L. Kuniansky. Petitioner for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1402**. Preferred Risk Mutual Insurance Company, petitioner, *v.* Lydia Martin et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. **1403**. Edward Bruske, petitioner, *v.* Judith A. Arnold. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. **1413**. Costas Theodoropoulos et al., petitioners, *v.* Thompson-Starrett Company, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1433**. Nathan Zusman, petitioner, *v.* Oregon. Petition for writ of certiorari to the Court of Appeals of Oregon denied.

No. **601**. Donald L. Warner, etc., et al., petitioners, *v.* Kewanee Machinery & Conveyor Co. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Dissenting opinion by Mr. Justice Black with whom Mr. Justice Douglas joins.

No. **1304**. Darlington County School District et al., petitioners, *v.* Theodore Whitmore Stanley et al. 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. **1377**. Annette Hartmann et vir, petitioners, *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. **1331**. California, petitioner, *v.* Kenneth T. McGrew. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1415**. George J. Beto, Director, Texas Department of Corrections, petitioner, *v.* Leport Walton. Motion for 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. **1351**. Deering Milliken, Inc., petitioner, *v.* Koratron Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas took no part in the consideration or decision of this petition.

No. **1361**. National Capital Airlines, Inc., petitioner, *v.* Civil Aeronautics Board et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Douglas took no part in the consideration of decision of this petition.

No. **136, Misc.** Earnest Meadows, petitioner, *v.* North Carolina. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 400, *Misc.* Booker T. Hillery, 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. 954, *Misc.* Robert E. O'Connell, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 1240, *Misc.* Willie Lee Williams, petitioner, *v.* James D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1531, *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. 1573, *Misc.* Clifford D. Tedder, petitioner, *v.* Ray H. Page, Warden. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 1705, *Misc.* Joseph T. Kelley, petitioner, *v.* Daniel McMann, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1772, *Misc.* Barney McKnight, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 1778, *Misc.* Esther Austin, petitioner, *v.* City and County of Denver, Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 1784, *Misc.* Wayne Douglas Stork, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1796, *Misc.* James Henry Green et al., petitioners, *v.* Alaska. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 1798, *Misc.* Alexander J. Muszalski, petitioner, *v.* Harold V. Field, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1799, *Misc.* Philip M. Rice, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1800, *Misc.* Elias Favela, petitioner, *v.* United States Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1802, *Misc.* James Frederick Jones, petitioner, *v.* Lake F. Russell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1804, **Misc.** Bert C. Cushway, petitioner, *v.* State Bar of Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 1805, **Misc.** Joseph E. Faustin, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1816, **Misc.** John A. Rutkowski, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1824, **Misc.** Clarence N. Cline, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 1831, **Misc.** Glenn Leroy Miller, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1832, **Misc.** William Stanbridge, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1834, **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. 1837, **Misc.** William Tahl, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1840, **Misc.** Lloyd Lancaster, Jr., petitioner, *v.* Carl Hocker, Warden. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 1842, **Misc.** Willie C. Moore, petitioner, *v.* James D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1847, **Misc.** Marion Stevenson, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 1853, **Misc.** Joe Stallings, petitioner, *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 1855, **Misc.** James Alvin Brooks, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1864, **Misc.** Gerard Peabody, petitioner, *v.* George H. Boldt, United States District Judge. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1866, Misc.** Thomas M. Lutz, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1867, Misc.** William Sonny Thompson, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. **1870, Misc.** Lula Stevens, Administratrix, et al., petitioners, *v.* Midwest Emery Freight Systems, Inc. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. **1871, Misc.** Richard Gerzin, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. **1872, Misc.** Porter D. White, petitioner, *v.* Dorothy Hegerhorst et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1877, Misc.** Richard Lee Parks, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1881, Misc.** Patricia Carnegie, petitioner, *v.* Ellis C. MacDougall, Commissioner of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1884, Misc.** Phillip E. Duckett, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **1885, Misc.** James S. Stinson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1887, Misc.** Lawrence Braico and Ronald Routa, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1888, Misc.** Peter P. DeCesare, petitioner, *v.* New Jersey et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1890, 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. **1894, Misc.** Gail Hendrickson, petitioner, *v.* Washington. Petition for writ of certiorari to the Court of Appeals of Washington, Division III, denied.

No. **1895, Misc.** Walter W. Nugent, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1897, *Misc.* Charles Edward Harmon, petitioner, *v.* Maryland. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1898, *Misc.* Alvin P. Schwarts, petitioner, *v.* Montana Board of Pardons. Petition for writ of certiorari to the Supreme Court of Montana denied.

No. 1899, *Misc.* Calvin Robinson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fifth Appellate District, denied.

No. 1900, *Misc.* Eugene Mitchell Price, petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1901, *Misc.* Milton Jerome Willard, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1902, *Misc.* Robert Dee Moore, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 1908, *Misc.* Clarence Wasser, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 1910, *Misc.* Robert L. Cowan, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1911, *Misc.* Benedetto Romeo, petitioner, *v.* Daniel McMann, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1912, *Misc.* Tommy Leroy Bacon, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1915, *Misc.* Ellis Salem George, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1917, *Misc.* Louis G. Ruderer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 1920, *Misc.* Nelson Crespo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1924, *Misc.* Adolph Joseph Olinde, petitioner, *v.* United States; and

No. 1931, **Misc.** Ramon Zatrain Vasquez, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1929, **Misc.** Roy Braswell Sherman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1934, **Misc.** Daniel Olson, petitioner, *v.* California Adult Authority. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1936, **Misc.** Frank G. Kaupp, petitioner, *v.* J. R. Kennedy, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1962, **Misc.** Francis E. Young, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1982, **Misc.** Ronald E. Dale, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Military Appeals denied.

No. 52, **Misc.** Jerry Lee Steinhauer, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Mr. Douglas is of the opinion that certiorari should be granted.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 912, **Misc.** James Brooke, petitioner, *v.* James T. Foley, Chief Judge, United States District Court for the Northern District of New York;

No. 1782, **Misc.** Lane Dell Daniels, petitioner, *v.* Richard H. Chambers, Judge, et al.; and

No. 1869, **Misc.** Thomas Theodore Smith, petitioner, *v.* Supreme Court of Ohio et al. Motions for leave to file petitions for writs of mandamus denied.

LEAVE TO FILE PETITION FOR WRIT OF PROHIBITION DENIED

No. 1905, **Misc.** W. H. Pat O'Bryan, petitioner, *v.* Frank J. Battisti, United States District Judge, etc. Motion for leave to file petition for writ of prohibition and/or mandamus denied.

REHEARINGS DENIED

No. 24. Joseph Waller, Jr., petitioner, *v.* Florida;

No. 131. Edmund P. Dandridge, Jr., Chairman of the Maryland State Board of Public Welfare, et al., appellants, *v.* Linda Williams et al.;

No. 606. Illinois, petitioner, *v.* William Allen; and

No. 1223. Karl H. Meyer, petitioner, *v.* City of Chicago. Petitions for rehearing denied.

No. 995. Air Line Pilots Association, International, petitioner, *v.* Piedmont Aviation, Inc. Motion for leave to file petition for rehearing denied.

No. 528, *Misc.* Lorenzo Catanzaro, petitioner, *v.* Vincent R. Mancusi, Warden;

No. 904, *Misc.* Vincent Raymond Sharpe, petitioner, *v.* United States;

No. 1103, *Misc.* Richie Sonny Rando, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections;

No. 1309, *Misc.* Robert Blackman, petitioner, *v.* Pennsylvania;

No. 1435, *Misc.* Robert F. Urbano, petitioner, *v.* News Syndicate Co., Inc.;

No. 1494, *Misc.* David F. Viands, Jr., petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary;

No. 1552, *Misc.* Willie D. Heard, petitioner, *v.* United States; and

No. 1676, *Misc.* Clifford E. Prewitt, petitioner, *v.* Arizona *ex rel.* Frank A. Eyman, Warden, et al. Petitions for rehearing denied.

No. 435, *Misc.* James T. Pope, petitioner, *v.* City and County of Philadelphia et al. Motion for leave to file petition for rehearing denied.

No. 1390, *Misc.* Hotel, Motel and Club Employees Union Local 6, petitioner, *v.* George P. Shultz, Secretary of Labor. Motion for leave to file petition for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of this motion.

No. 1443, *Misc.* Dominick Saffioti, petitioner, *v.* Martin P. Catherwood, Industrial Commissioner of New York. Motion for leave to file second petition for rehearing denied.

RECESS ORDER

The Court will take a recess from today until Monday, May 25, 1970.

ADMISSIONS TO THE BAR

James A. Carey, of Chicago, Ill., Albin Dommermuth, of Naperville, Ill., Joseph D. Gannon, of Chicago, Ill., William H. Leigh, of Chicago, Ill., William J. Walsh, of Chicago, Ill., Bernard F. Conway, of Morristown, N.J., Francis J. Rudolph, of New York, N.Y., Monte Angler of New Rochelle, N.Y., Patricia A. Vance, of Akron, Ohio, Charles O. Ham, Jr., of Oklahoma City, Okla., Robert E. Hoblit, of Odessa, Tex., William A. Imhoff, of Arlington, Va., and Frederick

O. Frederickson, of Seattle, Was., on motion of Mr. Solicitor General Erwin N. Griswold; Larry Michael VanHoozer, of Memphis, Tenn., D. Calvin Sincock of Pekin, Ill., and David Andrew Dycus, of Washington, D.C., on motion of Mr. Howard H. Baker, Jr.; Francis A. Danahy, of Arlington, Mass., on motion of Mr. Charles McCurdy Mathias; Jerard S. Weigler, of Portland, Oreg., on motion of Mr. Robert W. Packwood; William Prospere DeMoulin, of Denver, Colo., on motion of Mr. Byron G. Rogers; Oliver Wendell Hall, Jr., of Benton, Ark., on motion of Mr. David Pryor; John Preston Ward, of Indianapolis, Ind., on motion of Mr. Andrew Jacobs, Jr.; James E. Hunter, of Phoenix, Ariz., on motion of Mr. John J. Rhodes; Leo K. Foran, of Dearborn Heights, Mich., on motion of Mr. William D. Ford; Melvin M. Engel, of Houston, Tex., on motion of Mr. Bob Casey; Jerold Ira Horn, of Peoria, Ill., on motion of Mr. Thomas F. Railsback; William D. Gagley, of Cheyenne, Wyo., on motion of Mr. Spark M. Matsunaga; Richard Dorwyn Greene, of Denver, Colo., on motion of Mr. Donald G. Brotzman; Victor D. Goering, of Hutchinson, Kans., on motion of Garner E. Shriver; Thomas Abell Collins, of Lexington, Ky., on motion of Mr. John C. Watts; Delno Gene Kanode, of Cypress, Calif., on motion of Mr. Charles Edward Wiggins; Stephen Morton Seelig, of Stamford, Conn., on motion of Mr. Norvell P. Weicker, Jr.; Thomas Paul Joseph, Jr., of Portland, Oreg., and Robert W. McMenamin, of Portland, Oreg., on motion of Mr. Wendell Wyatt.

John Hugh Caress, of Indianapolis, Ind., Hymen A. Cohen, of Indianapolis, Ind., William Crips Moore, of Indianapolis, Ind., Jeremiah E. Murphy, Jr., of Indianapolis, Ind., G. Richard Pile, of Rushville, Ind., Joseph Rabb, of Indianapolis, Ind., and David A. Steckbeck, of Indianapolis, Ind., on motion of Mr. William D. Ruckelshaus; James Vincent Carroll, III, of Houston, Tex., James O. Newman, of Cincinnati, Ohio, and Charles Andrew Graham, of Topeka, Kans., on motion of Mr. Vincent W. Ambrose; James Clark Henry, of Lakewood, Colo., David Lee Morton, of Loganport, Ind., Charles Edwin Hammond, of Osage City, Kans., Dennis Lynn Olson, of Albert Lea, Minn., Anthony P. Ingrao, of Bellerose, N.Y., and Joe Ramirez, of Robstown, Tex., on motion of Mr. Gordon A. Ginsburg; John Alfred Bremer, of Shelbyville, Ind., Charles Talmadge Rose, of Ft. Worth, Tex., and Peter A. Quist, of Bismarck, N. Dak., on motion of Mr. Ira Pearce; Gerald Lewis McVey, of San Francisco, Calif., on motion of Mr. David Carliner; R. Mitchell S. Boyd, of San Francisco, Calif., on motion of Mr. Alan Cowan Furth; John Andrew Koskinen, of New Haven, Conn., on motion of Mr. Robert Jordon Wages; William Shores Price, of Houston, Tex., on motion of Mr. Everett Hutchinson; Mary Louise Berry of Los Angeles, Calif., and Robert Emmett Mur-

ray, of Santa Ana, Calif., on motion of Mr. Robert W. Berry; William Joseph Howder, of Alexandria, Va., on motion of Mr. Earl H. Davis; Clifford Lincoln Sadler, of Grosse Pointe Shores, Mich., on motion of Mr. Robert Vincent Sloan; Thomas B. Sumrall, of Gulfport, Miss., on motion of Mr. Wm. Ephriam Cresswell; John P. Keegan, of Newark, N.J., on motion of Mr. Paul R. Dean; Richard R. Edmister, of Arlington, Va., on motion of Mr. Warren Daley Quenstedt; Robert Dale Jones, of Austin, Tex., on motion of Mr. John Rowland Cook; Stephen W. Porter, of Washington, D.C., on motion of Mr. Richard B. Ruge; Roger B. Sledd, of Lexington, Ky., on motion of Mr. Paul F. Douglass; Mervin Norman Glow, of Los Angeles, Calif., on motion of Mr. George Kaufman.

Bruce P. Saypol, of Brooklyn, N.Y., and David Ira Goldblatt, of New York, N.Y., on motion of Mr. Arthur M. Saypol; Herman M. Braude, of Washington, D.C., and Francis J. Pelland, of Springfield, Va., on motion of Mr. Marvin P. Sadur; Henry J. Savelkoul, of Albert Lea, Minn., on motion of Mr. Lloyd L. Duxbury, Jr.; John M. Court, of Harwood, Md., on motion of Mr. Thomas M. Raysor; William Louis Atteberry, of Springfield, Ohio, on motion of Mr. William McHenry Hoiles; Patsy Caples Abelle, of New York, N.Y., on motion of Mr. Alva Jerry Butler; Frank F. Flegal, of Glendale, Calif., on motion of Mr. David I. Shapiro; Charles S. Desmond, of Buffalo, N.Y., on motion of Mr. J. David Mann, Jr.; LeRoy M. Rice, of Minneapolis, Minn., on motion of Mr. Marcus B. Finnegan; Paul E. O'Connell, Jr., of New York, N.Y., and Lawrence F. Scinto, of New York, N.Y., on motion of Mr. Charles B. Cannon; Edison Jerome Nunez, Jr., of Alexandria, Va., on motion of Mr. Edward Scheidenhelm; Harold Stanford Yost, of Paden City, W. Va., on motion of Mr. John L. Finn; John Carl Smuck, of Washington, D.C., on motion of Mr. Cecil A. Beasley, Jr.; Manny Pokotilow, of Philadelphia, Pa., on motion of Mr. Donald Allen Kaul; Donald C. Dahlgren, of Seattle, Wash., on motion of Mr. Henry Cashen; Frederick E. Moss, of Jackson, Miss., on motion of Mr. Robert E. Bateman; William Cecil Townsend, of Washington, D.C., on motion of Mr. James J. Shanley; David S. Lake, of Washington, D.C., and Martin A. Levitin, of Scarsdale, N.Y., on motion of Mr. Paul G. Zurkowski; William E. Scent, of Paducah, Ky., and Dandridge F. Walton, of Paducah, Ky., on motion of Mr. Robert Dolon Peloquin; Larry Alster Pulkrabek, of Lancaster, Pa., and Alpha Earl Mays, of Lancaster, Pa., on motion of Mr. Robert Stark Trigg; Arthur J. Blank, Jr., of New York, N.Y., and Alexander E. Rugani, of New York, N.Y., on motion of Mr. Russell Taylor Weil.

Thomas J. Brady, of Livonia, Mich., Charles W. Chandler, of Livonia, Mich., David E. Chapper, of Detroit, Mich., Owen J. Cummings, of Livonia, Mich., Loren P. Goodman, of Livonia, Mich., Eu-

gene S. Hoiby, of Livonia, Mich., John J. McCann, of Livonia, Mich., Bernard Patrick McClorey, of Livonia, Mich., Jerry Raymond, of Livonia, Mich., Bill J. Robbins, of Detroit, Mich., and Russel C. Wells, of Birmingham, Mich., on motion of Mr. Philip A. Hart; Irvin Becker, of Torrance, Calif., Richard S. Beske, of Belleville, Ill., James M. Bryne, of St. Louis, Mo., Edward C. Cody, of St. Louis, Mo., Donald A. Doheny, of St. Louis, Mo., Harold C. Gaebe, Jr., of St. Louis, Mo., Juaquin Gallego, of Troy, Mo., Richard Andrew Gephardt, of St. Louis, Mo., David Haskin, of St. Louis, Mo., William Robert Hirsch, of St. Louis, Mo., Robinson M. Jordan, of St. Louis, Mo., Vernon T. Kelly, of St. Louis, Mo., Charles E. Kopman, of Richmond Heights, Mo., James J. Milligan, of St. Louis, Mo., John T. Murphy, Jr., of St. Louis, Mo., Robert Douglas Pickle, of St. Louis, Mo., David L. Rapp, of St. Louis, Mo., Francis L. Ruppert, of St. Louis, Mo., Donald L. Schlapprizzi, of St. Louis, Mo., Anthony J. Sestric, of St. Louis Mo., John P. Sullivan, of St. Louis, Mo., William Franklin Trent, Jr., of St. Louis, Mo., Robert W. Van Dillen, of St. Louis, Mo., Lawrence O. Willbrand, of St. Louis, Mo., Herbert Wolkowitz, of St. Louis, Mo., and Marvin O. Young, of St. Louis, Mo., on motion of Mr. William Leonard Hungate; Christ A. Anagnost, of Saginaw, Mich., William S. Bovill, of Saginaw, Mich., Robert E. Bright, of Saginaw, Mich., Robert G. Chaklos, of Saginaw, Mich., Richard Clifford, of Chesaning, Mich., Donald E. Cline, of Saginaw, Mich., Robert B. Currie, of Saginaw, Mich., John Davidson, of Saginaw, Mich., Francis B. Drinan, of Saginaw, Mich., Stuart E. Fox, of Saginaw, Mich., William E. Jungerheld, of Saginaw, Mich., William C. Hoffmann, of Saginaw, Mich., Jack E. Kerr, of Saginaw, Mich., Leonard H. LeFevre, of Saginaw, Mich., Fred Martin, Jr., of Saginaw, Mich., Harold W. Martin, of Saginaw, Mich., Gary R. McDonald, of Saginaw, Mich., Joseph R. McDonald, of Saginaw, Mich., Robert J. Moskal, of Saginaw, Mich., Achilles J. Tarachas, of Saginaw, Mich., Fred G. Theuer, of Saginaw, Mich., and Maurice L. van Benschoten, of Saginaw, Mich., on motion of Mr. James Harvey.

George F. Adams, of New York, N.Y., Oleg Edward Alber, of New York, N.Y., Edward B. Alderman, of Syracuse, N.Y., Murray Aaron Appel, of New York, N.Y., Barry S. Augenbraun, of New York, N.Y., Richard J. Barber, Jr., of Rye, N.Y., Marvin R. Baum, of Buffalo, N.Y., William P. Bellas, of Buffalo, N.Y., Raphael Berger, of Brooklyn, N.Y., Vincent G. Berger, Jr., of Hauppauge, N.Y., Howard Edwin Berman, of Yonkers, N.Y., George G. Bernhard, of Pawling, N.Y., Frederic Martin Bowne, of New York, N.Y., William B. Braatz, of Cold Spring, N.Y., Harold D. Brathwaite, of Bronx, N.Y., Folger Brink, of New York, N.Y., Harry L. Brown, of Warsaw, N.Y., Ronald Wayne Bullock, of Greene, N.Y., Edward O. Burke, of Phoenix,

Ariz., Alan S. Burstein, of Syracuse, N.Y., John R. Carey, of New York, N.Y., Frank O. Casaceli, of Rochester, N.Y., John J. Ceparano, of East Setauket, N.Y., Anthony J. Cerrato, Jr., of Yonkers, N.Y., Angelo Victor Chini, of Syracuse, N.Y., Carolyn Mary Chini, of Syracuse, N.Y., John P. Chwalek, of Oswego, N.Y., Roy E. Colicchio, of Rochester, N.Y., Seymour L. Colin, of New York, N.Y., Anthony F. Correrri, of Mineola, N.Y., John R. Coughlin, of New York, N.Y., Charles Raymond Cuddy, of Mattituck, N.Y., Wilbur Kramer Cuddy III, of Corning, N.Y., Cecelia B. Cutler, of New York, N.Y., Kenneth B. Cutler, of New York, N.Y., Andrew P. Dachnowicz, of New York, N.Y., Thomas Victor Dadey, of Syracuse, N.Y., Alfonse J. Damico, of Syracuse, N.Y., Albert D'Antoni, of New York, N.Y., Irwin Nat Davis, of Buffalo, N.Y., Peter F. DeGaetano, of New York, N.Y., James R. Digby, of Syracuse, N.Y., David M. Dobin, of Lawrence, N.Y., John Sewall Donovan, of Syracuse, N.Y., Richard B. Dopkins, of Buffalo, N.Y., Seymour Dubbs, of New City, N.Y., Stephen V. Dubin, of Bellmore, N.Y., Sidney Eagle, of N.Y., David Effron, of Poughkeepsie, N.Y., Eugene Eisenberg, of Merrick, N.Y., Anthony Frank Endieveri, of Syracuse, N.Y., Elliott M. Epstein, of Jericho, N.Y., Harvey A. Eysman, of New York, N.Y., Michael A. Feit, of Schenectady, N.Y., Stanley G. Fields, of New York, N.Y., James Joseph Finnerty, Jr., of New York, N.Y., William James Florence, Jr., of Yorktown Heights, N.Y., George Hamilton Forman, of Buffalo, N.Y., Neil M. Frank, of New York, N.Y., Paul Friedman, of New York, N.Y., Jay D. Harris, of New York, N.Y., Thomas Laverne, of Rochester, N.Y., Francis Edward O'Brien, of Suffolk, N.Y., John E. Philippone, of Rochester, N.Y., and Richard M. Rosenbaum, of Rochester, N.Y., on motion of Mr. George C. Coughlin.

Paul R. Frank, of New York, N.Y., Gary B. Franklin, of Copiague, N.Y., B. Walter Freeman, of New York, N.Y., Mark G. Fresco, of New York, N.Y., Harvey K. Friedland, of Brooklyn, N.Y., Alan G. Friedman, of New York, N.Y., Joseph N. Friedman, of Jamaica, N.Y., Stephen A. Fritz, of St. James, N.Y., Murry P. Gaiman, of Woodridge, N.Y., Frances C. Galloway, of Scarsdale, N.Y., John H. Galloway, III, of Scarsdale, N.Y., William H. Gardner, of Buffalo, N.Y., Bernard Garfinkel, of Rochester, N.Y., Gerald J. Garner, of Harrison, N.Y., Jack L. Gardner, of Jersey City, N.J., Joseph Gelb, of Newlett, N.Y., Paul A. Germain, of Manlius, N.Y., Anthony R. Giambalvo, of Syosset, N.Y., Egidio R. Giuntini, of White Plains, N.Y., Leo Glass, of Monticello, N.Y., John W. Glavin, of Rochester, N.Y., Jack D. Glazer, of Copiague, N.Y., John E. Glenn, of Albany, N.Y., Harold W. Goble, of Amagansett, N.Y., Abraham Goldes, of New York, N.Y., William Goldman, of Auburn, N.Y., Gerald Gordon, of New York, N.Y., Leon Greenberg, of South Fallsburg, N.Y., Hugh C. Gregg II,

of Syracuse, N.Y., Jon Michael Grogan, of Evanston, Ill., Gerald J. Grossman, of Mamaroneck, N.Y., Joseph S. Guadagnino, of Rochester, N.Y., Frank A. Gulotta, Jr., of Woodbury, N.Y., William C. Halter, Jr., of New York, N.Y., James R. Harvey, of Canadaigua, N.Y., Robert J. Hecker, of White Plains, N.Y., Patrick W. Hennessey, of Wantagh, N.Y., Israel Hoffman, of New York, N.Y., Peter A. Hopkins, Jr., of Syracuse, N.Y., Rubin Huffman, of New York, N.Y., David Norman Hurd, of Rome, N.Y., Jacob G. Israel, of Buffalo, N.Y., Ronald H. Jensen, of Buffalo, N.Y., David Brian Julie, of New York, N.Y., John B. Justice, of Albany, N.Y., Stuart J. Justice, of Albany, N.Y., F. Warren Kahn, of Niagara Falls, N.Y., Richard S. Kahn, of Westfield, N.J., Melvin M. Kazdin, of New York, N.Y., John M. Keegan, of Garden City, N.Y., Thomas William Keegan, of Albany, N.Y., John T. Kerrigan, of New York, N.Y., George H. Kingsley, Jr., of Norwood, N.J., Bengt H. Kjellgren, of New York, N.Y., Gerald M. Kleinbaum, of New York, N.Y., Paul Kramer, of Soyosset, N.Y., Jesse I. Krauss, of Brooklyn, N.Y., Joseph W. Kiefer, of Santurce, P.R., and Herbert Kronish, of New York, N.Y., on motion of Mr. Harold Tompkins.

Stuart Carl Kruter, of New York, N.Y., Robert Krutman, of Woodridge, N.Y., George R. LaCava, of Rochester, N.Y., Marvin S. Lava, of Commack, N.Y., Joseph J. Lawton, Jr., of Syracuse, N.Y., Burton Ledina, of Monticello, N.Y., Hugh J. Leitch, of Babylon, N.Y., Richard W. Lent, of New Paltz, N.Y., Gerald Peter Lepp, of New York, N.Y., Arthur Lawrence Lessler, of East Brunswick, N.J., Hubert Levy, of Port Jervis, N.Y., Joel F. Levy, of Spring Valley, N.Y., Robert G. Leyden, of Albany, N.Y., Richard Morton Lieb, of New York, N.Y., Martin I. Lipnack, of Monticello, N.Y., Emmanuel J. Lotato, of Yonkers, N.Y., Lucian L. Lodestro, of Falconer, N.Y., Joseph P. Lombardi, of Mount Vernon, N.Y., William E. Lotz, of Mineola, N.Y., Robert G. Lucas, of Hollis Park Gardens, N.Y., William F. Lynn, of Syracuse, N.Y., John S. Manley, of Ilion, N.Y., Charles Marks, of New York, N.Y., Elliott Fred Marinstein, of Troy, N.Y., Raymond F. Marinelli, of Albany, N.Y., Elihu Saul Massel, of New York, N.Y., Richard N. Matties, of Binghamton, N.Y., Sheldon May, of Brooklyn, N.Y., Martin J. Mayblum, of Forest Hills, N.Y., Edmund A. McCarthy, of Little Falls, N.Y., John F. McDonough, Jr., of Liverpool, N.Y., William Frank McGowan, of Geneva, N.Y., James P. McGrath, of Oswego, N.Y., David L. McIntyre, of Lockport, N.Y., Roger R. McKay, of New York, N.Y., Edward F. McLaughlin, of Rome, N.Y., Francis X. McNelis, of New York, N.Y., Bernard J. Meislin, of New York, N.Y., Julius H. Michaels, of Rochester, N.Y., Regina R. Moore, of Tarrytown, N.Y., Jeffrey B. Morris, of New York, N.Y., Arthur Morrison, of New York, N.Y., William J. Mullins,

Jr., of Buffalo, N.Y., Marvin A. Newman, of Monticello, N.Y., C. Burton Newman, of Lyons, N.Y., Henry C. Nickelsen, Jr., of Smithtown, N.Y., Anthony C. Noto, of Rochester, N.Y., Edwards C. O'Boyle, Jr., of Mount Kisco, N.Y., Ann Lovvett O'Connor, of Monsey, N.Y., Donald J. O'Connor, of Binghamton, N.Y., Frederick J. O'Donnell, of Ilion, N.Y., John O'Keefe, of Nassau, N.Y., Gary Flanner Olsen, of Mattituck, N.Y., Thomas A. Palmer, of Bellmore, N.Y., Frank R. Parlato, of Buffalo, N.Y., Raymond J. Pauley, of Rochester, N.Y., Martin F. Payson, of New York, N.Y., Perry Pazer, of New York, N.Y., Eli A. Pearson, of Syracuse, N.Y., David C. Pelton, of Rochester, N.Y., Herbert C. Pentz, of Pelham, N.Y., Russell T. Perla, of Amherst, N.Y., Elmer D. Pette, of New York, N.Y., Seymour Pienkny, of North Babylon, N.Y., Edward K. Pincus, of New York, N.Y., John A. Porco, of Carmel, N.Y., Zamira Evalyn Portnoy, of New York, N.Y., David A. Pravda, of New York, N.Y., Edward O. Provenzano, of Rochester, N.Y., John Francis Rausch, of Albany, N.Y., Arthur Rathjen, of Rochester, N.Y., George J. Razis, of Flushing, N.Y., James B. Reap, of White Plains, N.Y., Herschel L. Reingold, of Buffalo, N.Y., Jerome L. Reinstein, of New York, N.Y., Wilfrid E. Rhodes, of Elmira, N.Y., James W. Richards, of Rush, N.Y., Carl Rosen, of New York, N.Y., Harold Rosen, of New York, N.Y., Robert F. Rosen, of New York, N.Y., Alexander Myers Rosenfeld, of Brooklyn, N.Y., Benjamin Rubenstein, of Yorktown Heights, N.Y., Joel Henry Sachs, of New York, N.Y., Linnel Sacks, of Albany, N.Y., Charles B. Sakofsky, of South Fallsburg, N.Y., Eleanor Thomas Schacht, of New York, N.Y., Stanley J. Scher, of New York, N.Y., Joseph T. Schmidt, of Woodhaven, N.Y., Henry Schneider, of New York, N.Y., Willard Schop, of Monticello, N.Y., Richard B. Schwartz, of Mineola, N.Y., Raymond L. Sciarrino, of Mount Morris, N.Y., Richard Shapiro, of White Plains, N.Y., Norman Shaw, of New York, N.Y., Barry M. Shulman, of Syracuse, N.Y., Peter Lewis Sill, of New York, N.Y., Robert Thomas Skipworth, of Rochester, N.Y., Herbert T. Slade, of Camillus, N.Y., John G. Smith, of Oneida, N.Y., David A. Solomon, of Schenectady, N.Y., Anthony M. Sortino, of Rochester, N.Y., Edward J. Spires, of Rochester, N.Y., William B. Stammer, of New York, N.Y., Stanley Stein, of New York, N.Y., William J. Steinbrecher, of Garden City, N.Y., Alfred L. Streppa, of Rochester, N.Y., David Suarez, of New York, N.Y., Mortimer A. Sullivan, Jr., of Buffalo, N.Y., Thomas C. C. Sung, of New York, N.Y., Raymond J. Sweeney, Jr., of Syracuse, N.Y., Sheldon Tabak, of New York, N.Y., Stanley Tarnell, of Bronx, N.Y., Sydney L. Teibel, of Buffalo, N.Y., Peter T. Tierney, of New York, N.Y., Ferdinand Tremiti, of Oswego, N.Y., Patrick Lawrence Vaccaro, of New York, N.Y., and William L. Vondohlen, of Rochester, N.Y., on motion of Mr. Richard A. Barber.

Joseph Abraham, of Buffalo, N.Y., Charles Zachary Abuza, of New York, N.Y., John E. Adamson, Jr., of Buffalo, N.Y., Lewis E. Alperin, of Mount Vernon, N.Y., Robert Anthoine, of New York, N.Y., Anthony O. Arcuni, of Chappaqua, N.Y., Jeffrey A. Austin, of Menands, N.Y., Ian Cameron Baillie, of New York, N.Y., August J. Bardo, Jr., of Katonah, N.Y., William C. Barrett, of Ithaca, N.Y., Patrick J. Barton, of Babylon, N.Y., Sigmund Bass, of Patchogue, N.Y., Gerrard Bennett, of Garden City, N.Y., Paul M. Bernstein, of New York, N.Y., Bruce H. Berry, of New York, N.Y., James W. Better, of Niverville, N.Y., Daniel W. Bishara, of Lewiston, N.Y., Isaac Blachor, of West Hempstead, N.Y., Warren J. Black, of New York, N.Y., Alvin Brent Blacksburg, of Flushing, N.Y., John Iverson Boswell, of New York, N.Y., Deyan Ranko Brashich, of New York, N.Y., David H. Brind, of Geneva, N.Y., William A. Brownjohn, of Whitestone, L.I., N.Y., Frederick A. Burke, of West Seneca, N.Y., Robert L. Burkwit, of Rochester, N.Y., John J. Caslin, Jr., of New York, N.Y., William F. Cavanagh, Jr., of Westbury, N.Y., James E. Cheeks, of New York, N.Y., Stanley A. Cohen, of New York, N.Y., Bernadette Coomaraswamy, of Sharon, Conn., Raymond J. Cothran, of Londonville, N.Y., William E. Crosby, III, of New York, N.Y., Sheldon Cutler, of Poughkeepsie, N.Y., John Burnette Dawson, Jr., of Mineola, N.Y., Norman Delman, of Staten Island, N.Y., William A. De Ponceau, of Kenmore, N.Y., Robert H. Diedolf, of Patchogue, N.Y., Richard A. Dienst, of New York, N.Y., Walter J. Donovan, of Woodhaven, N.Y., Carroll Edward Dubuc, of Port Washington, N.Y., George Thomas Dunn, of Syracuse, N.Y., Peter L. Durk, of New York, N.Y., Saul L. Eagle, of Bronx, N.Y., Charles S. Edwards, of Fayetteville, N.Y., Thomas J. Egan, of Central Valley, N.Y., Lester Esterman, of Greenwich, Conn., Jacob J. Epstein, of Jeffersonville, N.Y., Philip A. Erickson, of Jamestown, N.Y., Marilyn Walsh, of New York, N.Y., Thomas Michael Ward, of Buffalo, N.Y., Edwin A. Waszkiewicz, of Utica, N.Y., Stephen Aaron Weingrad, of New York, N.Y., William J. Weiss, Jr., of Buffalo, N.Y., Samuel R. Whiting, of Delmar, N.Y., Sidney H. Willig, of Staten Island, N.Y., Joseph Worona, of Poughkeepsie, N.Y., and Henry L. Zweig, of New York, N.Y., on motion of Mr. Harold Tompkins.

Harry A. Ezratty, of San Juan, P.R., Arthur Fein, of New York, N.Y., John J. Ferguson, of White Plains, N.Y., Kenneth Joel Finger, of New York, N.Y., William L. Finger, of New York, N.Y., John W. Finely, Jr., of New York, N.Y., Francis X. Flannery, of Bronxville, N.Y., Neal Forman, of Brooklyn, N.Y., Paul F. Frank, of Springville, N.Y., Richard G. Freidin, of New York, N.Y., John William Fulreader, of Rochester, N.Y., David Fund, of New York, N.Y., Robert Edward Gale, of Syracuse, N.Y., Anthony John Garramone, of Utica,

N.Y., Joseph C. Genovese, of Brewster, N.Y., Jacob Gerstein, of New York, N.Y., Joel Charles Glanstein, of New York, N.Y., Burnett C. Gladstone, of Rockville Center, N.Y., Bernard Goldberg, of New York, N.Y., Gerald N. Goldberg, of New York, N.Y., Alfred Sherman Goldfield, of New York, N.Y., Marshall S. Goldman, of White Plains, N.Y., Richard Goldsweig, of Bronxville, N.Y., Donald Grajales, of New York, N.Y., Norman W. Grant, of Hastings-on-Hudson, N.Y., George R. Grasser, of Buffalo, N.Y., D. Mordecai Greenberg, of Rochester, N.Y., Donald E. Greenholz, of Armonk, N.Y., Edwin Torrey Grimes, of New York, N.Y., Joseph Richard Guardino, of New York, N.Y., Melvyn Henry Halper, of New York, N.Y., William N. Hart., of New York, N.Y., Joel Curtis Herge, of New York, N.Y., Thomas George Hertel, of New York, N.Y., Neil Hesson, Jr., of Round Lake, N.Y., John E. Higgiston, Jr., of Manhasset, N.Y., Lyle B. Himebaugh, Jr., of Jamestown, N.Y., Richard David Huttner, of New York, N.Y., Roy S. Israel, of Bronx, N.Y., Melvyn L. Jacoby, of Patchogue, N.Y., E. Stewart Jones, Jr., of Troy, N.Y., Franklin A. Josef, of Manlius, N.Y., Alan H. Joseph, of Kew Gardens, N.Y., John Joseph Joyce, of New York, N.Y., Martin D. Joyce, of Richmond Hill N.Y., Diran M. Kaloostian, of New York, N.Y., Martin David Kane, of New York, N.Y., Norman Donald Kantor, of New York, N.Y., Alvin I. Kaplan, of San Francisco, Calif., Carl Eliot Kaplan, of New York, N.Y., Francis W. Keane, of New York, N.Y., Michael S. Keiser, of Livingston Manor, N.Y., Norman Kellar, of Kingston, N.Y., Roy Wheatley King, of Rochester, N.Y., Eugene F. Kingston, of Hampton Bays, N.Y., Richard Martin Klein, of Huntington, N.Y., and Sergel Nicholas Klimow, of Binghamton, N.Y., on motion of Mr. Richard A. Barber.

William Robert Kohler, of Garrison, N.Y., Stuart R. Kramer, of Rego Park, N.Y., Sanford C. Kulick, of Buffalo, N.Y., Howard L. Kushner, of Niagara Falls, N.Y., Mortimer M. Lerner, of New York, N.Y., Stanley J. Levy, of New York, N.Y., Bruce R. Lieberman, of New York, N.Y., Albert Palmer Leoning, Jr., of New York, N.Y., Ira D. London, of Cedarhurst, N.Y., George Henry Lowe, of New York, N.Y., John William Lyttle, Jr., of New York, N.Y., Joseph Bruce MacDonald, of Schenectady, N.Y., Carl P. Maltese, of Com-mack, N.Y., Joel Eugene Marans, of New York, N.Y., Martin Marcus, of Poughkeepsie, N.Y., Thomas M. Marshall, of New York, N.Y., Armour Emerson Martin, of New York, N.Y., Louis J. Martine, of New York, N.Y., Francis E. Martin, of New York, N.Y., John T. McLoughlin, of White Plains, N.Y., Harold Messing, of New York, N.Y., Stanley Messinger, of Mount Vernon, N.Y., Peter J. Michel, of New York, N.Y., Daniel W. Millman, of Roslyn, N.Y., James R. Moffatt, of Mineola, N.Y., Edward F. Mullaney, of Mahopac, N.Y.,

Nancy K. Munson, of Huntington, N.Y., Daniel Maurice Murphy, of New York, N.Y., Casear J. Naples, of Albany, N.Y., Howard Natter, of New York, N.Y., Robert S. Newman, of New York, N.Y., George Henry Nicols, of Brooklyn, N.Y., Joseph A. Nitti, of Great Neck, N.Y., Maurice F. O'Connell, of Irvington, N.Y., Irving Olaik, of Brooklyn, N.Y., Edward A. Onders, of Westbury, N.Y., Gerald Orseck, of Liberty, N.Y., Philip J. O'Shea, of Buffalo, N.Y., Arthur L. Penzel, of New Rochelle, N.Y., Bernard Perlman, of New York, N.Y., Arcangelo J. Petricca, of Lackawanna, N.Y., Robert G. Pierce, of New York, N.Y., Albert H. Pinsky, of Rochester, N.Y., William F. Plunkett, Jr., of Tarrytown, N.Y., Emmett W. Poindexter, of New York, N.Y., Ronald W. Pott, of Syracuse, N.Y., Robert S. Raum, of New York, N.Y., John H. Reilly, Jr., of New York, N.Y., Stanley B. Reiter, of Binghamton, N.Y., E. Allan Riebesehl, of New York, N.Y., Charles Rindner, of Levittown, N.Y., Vincent R. Rippa, of New York, N.Y., Gerald A. Robbie, of New York, N.Y., Thomas J. Romans, of New York, N.Y., Daniel M. Rosen, of Briarcliff Manor, N.Y., Marvin J. Rosenthal, of Rochester, N.Y., Herbert Rosenstein, of New York, N.Y., Christopher T. W. Ross, of Buffalo, N.Y., Milton Ross, of Albertson, N.Y., Robert A. Rubin, of New York, N.Y., Joseph Michael Ryan, of New York, N.Y., Kenneth W. Salaway, of Kew Gardens, N.Y., Alan Leslie Schlang, of Flushing, N.Y., Paul R. Scott, of New York, N.Y., Allan S. Sexter, of Hewlett, N.Y., Joel A. Sharon, of San Mateo, Calif., Robert Sharon, of New York, N.Y., Donald P. Sheldon, of Buffalo, N.Y., Heywood Shelley, of New York, N.Y., Stuart S. Sherman, of New York, N.Y., Howard A. Sieven, of Armonk, N.Y., Robert Silk, of New York, N.Y., Bernard S. Silverman, of Bay Shore, N.Y., Sidney B. Silverman, of New York, N.Y., Philip I. Silverstein, of New York, N.Y., Andrew J. Simons, of Westbury, N.Y., Theodore Smolar, of Bronx, N.Y., Arthur Herbert Sobel, of Lawrence, N.Y., Steven R. Sosnov of New York, N.Y., William V. Spelman, of Yorktown Heights, N.Y., Edward H. Spencer, of New York, N.Y., Jack Stein, of Holliswood, N.Y., Robert Joseph Stein, of Buffalo, N.Y., Dennis Strom, of New York, N.Y., Michael J. Suhalla, of Buffalo, N.Y., Eric P. Sullivan, of Rockville Centre, N.Y., John Joseph Sutter, of Mineola, N.Y., Harold Sussman, of Liberty, N.Y., Jerome Thier, Newtonville, N.Y., John K. Thompson, of New York, N.Y., Milton Tischler of Monroe, N.Y., Dominic A. Tortorice, of New York, N.Y., Thomas F. Tracy, of Albany, N.Y., Gerard Trippe, of Brooklyn, N.Y., Robert Ross Troup, of Pleasantville, N.Y., Frederick G. Turner, of Clinton, N.Y., Arthur F. Vedder, of East Syracuse, N.Y., John D. Viener, of New York, N.Y., Alfred A. Volkman, of Patchogue, N.Y., Leonard Wacksman, of New York, N.Y., Sydney Clarence Waldecker, of New York, N.Y., Monroe M. Wallace, of New York, N.Y., Morton Werbel, of Brooklyn, N.Y., James Keith Weeks, of Syracuse,

N.Y., David Charles Weisberg, of Patchogue, N.Y., Daniel A. Whalen, of Albany, N.Y., Harry E. White, Jr., of New York, N.Y., Theodore F. Whitmarsh, of New York, N.Y., Stephen L. Wilson, of Mineola, N.Y., Frederick E. Winkler, of New York, N.Y., Donald J. Wisner, of Rochester, N.Y., Jack Wohl, of New York, N.Y., Stuart Malcolm Wolf, of New York, N.Y., Philip C. Wood, of Syracuse, N.Y., Frank E. Yannelli of Mineola, N.Y., Stanley N. Young, of New York, N.Y., and Hyman J. Zacks, of New York, N.Y., on motion of Mr. Harold Tompkins.

Andrew H. Avedisian, of Paducah, Ky., Robert L. Beck, of Cincinnati, Ohio, Joel C. Bender, of New York, N.Y., Frank J. Bennardo, of Yonkers, N.Y., Charles Thomas Bistany, of Yonkers, N.Y., Irene Borys, of New York, N.Y., Herbert E. Cohen, of Albany, N.Y., J. Neil Devine, of Potsdam, N.Y., Kevin C. Feury, of Baltimore, Md., Bartley F. Flaherty, of Floral Park, N.Y., Ira H. Freeman, of New Rochelle, N.Y., Moey Leo Friedman, of Schroon Lake, N.Y., Michael H. Fury, of Pearl River, N.Y., Herbert L. Gatewood, of Elnora, N.Y., Arthur L. Gellert, of Poughkeepsie, N.Y., Harvey M. Greene, of New York, N.Y., Norman Greenberg, of New York, N.Y., Joseph W. Greenberger, of New York, N.Y., Robert Alan Hufjay, of Eastchester, N.Y., Wayne C. Jaeschke, of Ossining, N.Y., Joseph A. Kennedy, of Pearl River, N.Y., Francis C. LaVigne, of Massena, N.Y., Stanley Leyden, of Kingston, N.Y., John Lezdey, of Washington, D.C., William R. Mackey, of Marblehead, Mass., Robert L. Maider, of Gloversville, N.Y., Jean Matusinka, of Los Angeles, Calif., Leonard J. McCue, of Newburgh, N.Y., Anthony J. Monteleone, of Ardsley, N.Y., Francis H. Neverett, of Chazy, N.Y., Francis J. O'Connor, of Monsey, N.Y., Russell H. Perry, of Dallas, Tex., Paul William Pickell, of New York, N.Y., Edward Rappaport, of Gloversville, N.Y., David L. Riebel, of Waterford, N.Y., Martin Satloff, of Brooklyn, N.Y., Alvin J. Schiffrin, of New York, N.Y., H. Andrew Schlusberg, of Gloversville, N.Y., Roger A. Schultz, of New York, N.Y., Stanley J. Silverberg, of Great Neck, N.Y., Alfred Sklaver, of Yorktown Heights, N.Y., Howard R. Slonim, of New York, N.Y., Joel David Tenenbaum, of Brooklyn, N.Y., Thomas Benbow Trumpy, of Providence, R.I., Amedeo H. Volpe, of Schenectady, N.Y., William M. Westhoff, of Wayne, Pa., Gary Yeldezian, of Upper Saddle River, N.J., Arnold N. Zelman, of Buffalo, N.Y., Irwin Zemen, of Santurce, P.R., Marvin Zevin, of Mineola, N.Y., George M. Zimmerman, of Buffalo, N.Y., Martin H. Zuckerman, of Forest Hills, N.Y., David G. Zuckerman, of Forest Hills, N.Y., and Victor Zuckerman, of Voorheesville, N.Y., on motion of Mr. Richard A. Barber, were admitted to practice.

Adjourned until Monday, May 25, 1970, at 10 o'clock.

SUPREME COURT OF THE UNITED STATES

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

ORDER

No. —. Garrett H. Byrne, petitioner, *v.* P.B.I.C., Inc., et al. The application for a stay is denied by an equally divided Court. The Chief Justice, Mr. Justice Black, Mr. Justice Harlan and Mr. Justice Stewart would grant the stay.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, and Mr. Justice White.

The Chief Justice said:

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

OPINION PER CURIAM

No. 1211. David L. Daniel, Director, Cook County Department of Public Aid, et al., appellants, *v.* Clara Goliday et al. Appeal from the United States District for the Northern District of Illinois. Judgment vacated 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 *per curiam*. The Chief Justice, Mr. Justice Black and Mr. Justice Stewart dissent.

APPEALS—DISMISSALS

No. 1267. Janet Stotland et al., appellants *v.* Pennsylvania. Appeal from the Superior Court of Pennsylvania, Philadelphia District. The appeal is dismissed for want of a substantial federal question. Dissenting opinion by Mr. Justice Douglas. Mr. Justice Brennan took no part in the consideration or decision of this case.

No. 1449. Samuel Cohen et ux, appellants, *v.* Wilmington Housing Authority. Appeal from the Supreme Court of Delaware. 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.

No. 1776, Misc. Reies Lopez Tijerina et al., appellants, *v.* Virgil Henry et al. Appeal from the United States District Court for the District of New Mexico. The appeal is dismissed. Dissenting opinion by Mr. Justice Douglas. The Chief Justice took no part in the consideration or decision of this case.

ORDERS IN PENDING CASES

No. **1058**. Ida Phillips, petitioner, *v.* Martin Marietta Corporation. The motion of The American Civil Liberties Union for leave to file a brief, as *amicus curiae*, is granted.

No. **1405**. Willie S. Griggs et al., petitioners, *v.* Duke Power Company. The Solicitor General is invited to file a brief expressing the views of the United States. Mr Justice Brennan took no part in the consideration or decision of this order.

CERTIORARI GRANTED

No. **1392**. International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers, AFL-CIO, petitioner, *v.* George W. Hardeman. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted limited to Questions 1 and 3 presented by the petition which read as follows:

"1. Whether a federal court in a Section 102 proceeding reviewing an expulsion of a member by a union may apply a standard of review whereby the court substitutes its own factual findings and interpretations of the union's constitution and by-laws for those of the union.

"3. Whether the National Labor Relations Act, as amended, preempts an action brought under Section 102 of the Labor-Management Reporting and Disclosure Act wherein a former union member, claiming wrongful expulsion, does not seek restoration of membership rights but claims damages for an alleged loss of employment due to the union's alleged failure to refer him to employers." Case placed on the summary calendar.

CERTIORARI DENIED

No. **1127**. Leo Weiss and Fifi Belondon, petitioners, *v.* Wyoming ex rel. G. Joseph Cardine, etc. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. **1128**. Fifi Belondon, petitioner, *v.* City of Casper. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. **1253**. Joseph Ferrara, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. **1340**. Herman Gordon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1346.** Lanrao, Inc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1375.** Texas Eastern Transmission Corporation, petitioner, *v.* Federal Power Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1395.** The Detroit and Toledo Shore Line Railroad Company, petitioner *v.* Brotherhood of Locomotive Firemen and Enginemen. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1396.** Allan Maurice Glazerman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1397.** 677.50 Acres of Land in Marion County, Kansas, et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1398.** Aloe Creme Laboratories, Inc., petitioner, *v.* Milsan, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1399.** Richard M. Brough, petitioner, *v.* The Board of Education of Millard County School District et al. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. **1401.** Betty Jean Pingatore et vir, petitioners, *v.* Montgomery Ward and Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1404.** Tennessee Corporation, petitioner, *v.* Seaboard Coast Line Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1410.** Moultrie Manufacturing Company et al., petitioners, *v.* Tennessee Fabricating Company dba TFC Co. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1412.** Indiana General Corporation, petitioner, *v.* Krystinel Corporation; and

No. **1423.** Krystinel Corporation, petitioner, *v.* Indiana General Corporation. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1420.** Joseph F. Young, petitioner, *v.* Ada M. Scott, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1424. Aloe Creme Laboratories, Inc., petitioner, *v.* American Aloe Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1447. Terrell Machine Co., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1473. Monogram Models, 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. 1474. Benjamin H. Adamowski et al., petitioners, *v.* George W. Jayne. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 1400. Edward L. Cofone et al., petitioners, *v.* United States. 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. 1406. Norman F. Dacey, etc., petitioner, *v.* New York County Lawyers' Association. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas took no part in the consideration or decision of this petition.

No. 1500. Walter E. Craven, Warden, petitioner *v.* Forrest Silva Tucker. 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 denied.

No. 31, **Misc.** Louis McCloud, 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. 77, **Misc.** Oscar Leon Rosen, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 231, **Misc.** Nelson Canady, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 556, **Misc.** Calvin Ray Reed, petitioner, *v.* Harold V. Field, Superintendent, California Men's Colony. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1306, **Misc.** George Taylor, petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari

to the United States Court of Appeals for the Fourth Circuit denied.

No. 1586, Misc. Virgil L. Limbaugh, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Appeals of Alabama denied.

No. 1589, Misc. Manuel Rolon, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 1654, Misc. Hugh P. Nicholson, petitioner, *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 1685, Misc. Virgil Lee Evans, petitioner, *v.* City of Detroit et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1695, Misc. George Edward Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1724, Misc. Edward 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. 1728, Misc. Jo Ann Downs, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Appeals of Alabama denied.

No. 1818, Misc. William McHenry, petitioner, *v.* Michigan State Parole Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1820, Misc. Ralph Thompson, 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. 1821, Misc. David F. Viands, Jr., petitioner, *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. 1822, Misc. Albert Leroy Peterson, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 1827, Misc. Ernest F. Williams, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 1839, Misc. Virge Bolden, petitioner, *v.* R. I. Moseley, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1841, Misc. Robert McClendon, petitioner, *v.* Jacob J. Parker. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1844, *Misc.* Eugene H. Tinsley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1849, *Misc.* James Davis, petitioner, *v.* Walter E. Craven. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1859, *Misc.* Bobby Frank Cannon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1875, *Misc.* Robert Fullen, 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. 1876, *Misc.* Jerome Rosenberg, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1878, *Misc.* Joseph Jerome Koebrich, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1914, *Misc.* John Joseph O'Connor, petitioner, *v.* J. Elwood Clement, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1927, *Misc.* Guiseppe Lasalandra, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1935, *Misc.* Clarence Clayton Goff, petitioner, *v.* James F. Pfau, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1943, *Misc.* Vivian Wycliff Buie, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1950, *Misc.* Jesse James Cantrell, petitioner, *v.* California Adult Authority. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1973, *Misc.* Don B. Cook, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1975, *Misc.* Eddie Anthony Lloyd, Jr., petitioner, *v.* Nevada. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 1990, *Misc.* Robert A. Grimes, petitioner, *v.* United States. Pe-

tion for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **2033, Misc.** Sherill E. Penney and George C. Hendricks, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. **1979, Misc.** Joe Allen Payne, petitioner, *v.* Carl Hocker, Warden;

No. **2067, Misc.** Charles Eugene McCartney, petitioner, *v.* Superior Court, San Bernardino County, California, et al.; and

No. **2109, Misc.** Carl David Gardner, petitioner, *v.* California et al. Motions for leave to file petitions for writs of habeas corpus denied.

REHEARINGS DENIED

No. **1436, Misc.** Charles J. Juliano, petitioner, *v.* H. J. Cardwell, Warden;

No. **1615, Misc.** Edward H. Kerner et al., petitioners, *v.* Ciba Corporation;

No. **1738, Misc.** John B. Gordon, petitioner, *v.* Fred W. Bright et al.; and

No. **1823, Misc.** Clifford H. Middleton, petitioner, *v.* United States. Petitions for rehearing denied.

Except for Nos. **1211, 1267, 1392** and **1776, Misc.**, Mr. Justice Marshall took no part in the consideration or decision of the matters on this order list.

ASSIGNMENT ORDERS

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 Seventh Circuit beginning May 26, 1970, and ending May 28, 1970, 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 October 13, 1970, and ending October 16, 1970, 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.

RECESS ORDER

The Court will take a recess from today until Monday, June 1, 1970.

ADMISSIONS TO THE BAR

Francis B. Toler, Jr., of Compton, Calif., Emile Grossman, Berkeley, Calif., Ralph Wilson Nimmons, Jr., of Jacksonville, Fla., Everett Royce Richardson, of Jacksonville, Fla., Ronald Glenn Hagstrom, of Oak Park, Ill., William Judson Doss, of Monticello, Ill., Richard B. Sadler, III, of Alexandria, La., Peter A. Ciambotti, of Lake Charles, La., Joseph R. Nolan, of Boston, Mass., Seymour Tillman, of Springfield, Mass., George A. Penry, of Alexandria, Va., Benjamin S. Horack, of Charlotte, N.C., Niki Z. Schwartz, of Cleveland, Ohio, Larry G. Montague, of Los Angeles, Calif., and Thomas F. Ging, of Arlington, Va., on motion of Mr. Solicitor General Erwin N. Griswold; Alfred S. Cox, of Phoenix, Ariz., and Donald Frederick Daughton, of Phoenix Ariz., on motion of Mrs. Lorna E. Lockwood; John Winslow Thatcher, of Portsmouth, Ohio, on motion of Mr. William B. Saxbe; Donald Alexander Browne, of Bridgeport, Conn., and Joseph T. Gromley Jr., of Monroe, Conn., on motion of Mr. Lowell P. Weicker, Jr.; Ronald Edward Luna, of Bay City, Tex., on motion of Mr. John Young; Kenneth Ziffren, of Los Angeles, Calif., on motion of Mr. James C. Corman; Evan E. James, of Buffalo, N.Y., on motion of Mr. Eugene Gressman; Gilberto M. Cardenas, of Washington, D.C., on motion of Mr. Walter A. Slowinski; Marvin S. Davis, of Washington, D.C., James F. Whitescarver, Jr., of Annandale, Va., Franz F. Opper, of Washington, D.C., and Nelson Shechtel, of Bowie, Md., on motion of Mr. Alexander J. Brown, Jr.; Edward Berman, of Honolulu, Hawaii, on motion of Mr. David S. Nahm; Ephraim Margolin, of San Francisco, Calif., on motion of Mr. Lawrence Speiser; Elliott J. Cherry, of Philadelphia, Pa., on motion of Mr. George N. Van Fleet, Jr.; Billy Jenkins Jordan, of Columbus, Miss., on motion of Mr. Peter McKenzie Stockett, Jr.; Donald A. Gralla, of Los Angeles, Calif., and Martin C. Pachter, of Beverly Hills, Calif., on motion of Mr. George Miron; John L. Keller, of Harrodsburg, Ky., on motion of Mr. Arther L. Quinn; Tamara J. Wall, of Washington, D.C., on

motion of Mr. Hugh John Kelly; Norman Krivosha, of Lincoln, Neb., on motion of Mr. Lee C. White; Moreland G. Smith, Jr., of Arlington, Va., on motion of Mr. Alexander Akerman, Jr.

Alfred L. Capra, of Denver, Colo., on motion of Mr. Jason Dryer; Robert Frederick Kneipp, of Washington, D.C., on motion of Mr. Hubert B. Pair; James J. Cromwell, of Rockville, Md., on motion of Mr. John P. Arness; Leslie Lawrence Ogg, of Washington, D.C., on motion of Mr. Timothy Geddes Greene; John C. Bartlett, of Reno, Nev., on motion of Mr. Michael Klein; Wayne J. Davies, of Seattle, Wash., on motion of Mr. Edward H. McDermott; Robert E. Duncan, of Kensington, Md., on motion of Mr. Albert L. Berman; Paul J. Polking, of Breda, Iowa, on motion of Mr. Harry D. Kemples; Bruce F. Fein, of Chevy Chase, Md., on motion of Mr. Aaron R. Fodiman; Joseph Lane Morthland, of Yakima, Wash., on motion of Mr. Charles M. Soller; Barry Nakell, of Chapel Hill, N.C., on motion of Mr. Hugh Q. Alexander; Herminoe K. Brown, of Los Angeles, Calif., on motion of Mr. Louis M. Brown; Belden G. Bly, Jr., of Saugus, Mass., on motion of Mr. George Kaufmann; William J. Cunningham, Jr., of Buffalo, N.Y., on motion of Mr. John C. Harrington; James G. Sampas, of Chevy Chase, Md., on motion of Mrs. Betty Murphy; Marian P. Opala, of Oklahoma City, Okla., and Samuel A. Townley, of Oklahoma City, Okla., on motion of Mr. DeVere Pierson; Edwin K. Kline, Jr., of Allentown, Pa., on motion of Mr. Herbert Sharfman; Richard Hugh Goldwyn, of Tulsa, Okla., on motion of Mr. Sol F. Goldwyn; Thomas L. Freytag, of Washington, D.C., on motion of Mr. Nick Dane Hansen; George H. Hartman, of Brooklyn, N.Y., and Aaron Weitz, of New York, N.Y., on motion of Mr. Charles Koozman; Joseph Donald Cummings, of New Carrollton, Md., and Lawrence Mitchell Whitfield, of Falls Church, Va., on motion of Mr. Robert G. Rue.

Gilbert Abramson, of Philadelphia, Pa., Charles Hillel Baron, of Philadelphia, Pa., Harry P. Begier, Jr., of Philadelphia, Pa., Jerome N. Berenson, of Philadelphia, Pa., Albert C. Braslow, of Philadelphia, Pa., Peter W. Brown, of Charlestown, Pa., Allen L. Feingold, of Philadelphia, Pa., Samuel Walter Foulkrod III, of Media, Pa., Charles Winslow Frampton, of Philadelphia, Pa., Mayer Horwitz, of Philadelphia, Pa., Sheridan Philip Hunt, Jr., of Philadelphia, Pa., William Morris Labkoff, of Philadelphia, Pa., Melvin Lashner, of Philadelphia, Pa., Paul Maleson, of Philadelphia, Pa., John Henderson McNeill, of Bryn Mawr, Pa., Philip C. Patterson, of Philadelphia, Pa., Joan B. Duncan Riley, of Philadelphia, Pa., Joseph Roehm

Siegert, Jr., of Philadelphia, Pa., Alan David Silverman, of Philadelphia, Pa., Robert Silverman, of Philadelphia, Pa., Arthur Sonstein, of Philadelphia, Pa., Burton K. Stein, of Philadelphia, Pa., Jacob Trachtman, of Philadelphia, Pa., Walter B. Udell, of Philadelphia, Pa., Anthony F. Visco, Jr., of Philadelphia, Pa., Lewis A. Walder, of Philadelphia, Pa., Joel Weisberg, of Philadelphia, Pa., David S. Winston, of Philadelphia, Pa., and Morris H. Wolff, of Philadelphia, Pa., on motion of Mr. Solicitor General Erwin N. Griswold.

Alvin I. Apfelberg, of New York, N.Y., Louis Davenport Bailey, of New York, N.Y., Saul Bershadker, of New York, N.Y., Edna Janet Berry, of New York, N.Y., Neil A. Boyer, of Washington, D.C., Michael Barry Dickman, of Chevy Chase, Md., Melvin Dubinsky, of New York, N.Y., Frances G. Eisenstein, of Washington, D.C., Ernest R. Field, of Great Neck, N.Y., Stanley Fremont, of Grand View-on-Hudson, N.Y., Irving Gerstman, of Brooklyn, N.Y., Harold Paul Goldman, of New York, N.Y., Thomas B. Graham, of New York, N.Y., Eleanor Greenwald, of Jenkintown, Pa., Harold Goldfarb, of New York, N.Y., John A. Guy, of Adamstown, Md., Henry M. Hafer, of New York, N.Y., Harry E. Hoffman, of Teaneck, N.J., Leo Howard, of New York, N.Y., Asa W. Jennings, of Darien, Conn., Bernard S. Kanton, of New York, N.Y., Sidney S. Korzenik, of New York, N.Y., Joseph Meyers, of San Francisco, Calif., Dorothy Gilson Morris, of Chevy Chase, Md., Stanley Newman, of Reston, Va., Bernard Oxman, of Washington, D.C., Stewart G. Pollock, of Mendham, N.J., Donald Lloyd Roth, of Potomac, Md., Forrest E. Stewart, of Washington, D.C., Eleanor R. Schwartz, of Arlington, Va., on motion of Mr. Robert W. Packwood; and Robert Bolon Barnhouse, of Baltimore, Md., John H. Crabb, of Washington, D.C., Julia S. Graham, of Scarsdale, N.Y., Gerald W. Keil, of West Orange, N.J., Barrett G. Kreisberg, of White Plains, N.Y., Andrew L. Levy, of Croton-on-Hudson, N.Y., Melvin Geoffrey Luce, of North Babylon, N.Y., Wallace S. Nathan, of New York, N.Y., Renee Modry, of New York, N.Y., Marcia K. Marshall, of New York, N.Y., Arnold Marshall, of New York, N.Y., Vincent A. Marsicano, of New York, N.Y., Norman C. Morse, of Staten Island, N.Y., Matthew G. Nizza, of Garden City, N.Y., Joseph Pomeranz, of New York, N.Y., Lloyd I. Roos, of New York, N.Y., Sall J. Sidoti, of West Hempstead, N.Y., Simon Silver, of New York, N.Y., Melvin R. Simensky, of Brooklyn, N.Y., Gertrude Caminez Solez, of Bronxville, N.Y., Joseph Stern, of Montclair, N.J., Arthur J. Stevens, of New York, N.Y., John M. Stolfi, of Massapequa, N.Y., Howard Jesse Weiss, of New York, N.Y., and Seymour C. Yuter, of Briarcliff

Manor, N.Y., on motion of Mr. Jacob Javits, were admitted to practice.

OPINIONS

No. **628**. Daniel Jay Schacht, 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 Black. Concurring opinion by Mr. Justice Harlan. Opinion by Mr. Justice White with whom Mr. Chief Justice Burger and Mr. Justice Stewart join concurring in the result.

No. **728**. Robert Dean Dickey, petitioner, *v.* Florida. 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, with directions to vacate the judgment appealed from and discharge petitioner from custody and from further proceedings arising out of the charges on which that judgment was based. Opinion by Mr. Chief Justice Burger. Concurring opinion by Mr. Justice Harlan. Concurring opinion by Mr. Justice Brennan with whom Mr. Justice Marshall joins.

No. **127**. William Monks, petitioner, *v.* New Jersey. On writ of certiorari to the Superior Court of New Jersey, Appellate Division. Writ dismissed as improvidently granted without prejudice to any further appropriate proceedings below. Opinion *per curiam* announced by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Douglas joins.

ORDER

No. **1472**. Nationwide Theatres Investment Co., et al., petitioners, *v.* James E. Thompson et al. The application for a stay presented to Mr. Chief Justice Burger, and by him referred to the court, is denied. Mr. Justice Marshall took no part in the consideration or decision of this application.

Adjourned until Monday, June 1, 1970, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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

ORDER

No. 2263, Misc. Hugh J. Addonizio, petitioner, *v.* George H. Barlow, Judge of the United States District Court for the District of New Jersey. The application for a stay presented to Mr. Justice Brennan, and by him referred to the Court, is denied. Mr. Justice Black and Mr. Justice Marshall took no part in the consideration or decision of this application.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, and Mr. Justice White.

ADMISSIONS TO THE BAR

Gavin D. Litwiller, of Rifle, Colo., Fred Warren Bennett, of Washington, D.C., John O. Harper, of Washington, D.C., James M. Meade, of Orlando, Fla., George Don Ritter, of Ocala, Fla., Albert G. Ingram, of Augusta, Ga., Jerry Pech, of Chicago, Ill., William Alan Bean, of Elmhurst, Ill., Richard Henry Goss, of Chicago, Ill., Jonathan Thomas Howe, of Chicago, Ill., Richard F. Hahn, of Indianapolis, Ind., Martin E. Greenblatt, of Boston, Mass., Vernon J. Andrews, of Lansing, Mich., William J. Stapleton, of Lansing, Mich., Lawrence M. Magdovitz, of Clarksdale, Miss., Louis O. Nelson, of Kansas City, Mo., Jerry J. Kaufman, of Las Vegas, Nev., Edwin F. Delano, of New York, N.Y., Andrew L. Sichenze, of Brooklyn, N.Y., John Eugene, of Metuchen, N.J., James William Jordan, of Columbus, Ohio, William Monteith O'Bryan, of Kingstree, S.C., Carl Joseph Roof, of Columbia, S.C., Donald M. Barnett, of Houston, Tex., Brent Lawrence Burg, of Houston, Tex., John Gano, of Houston, Tex., Joseph D. Jamail, of Houston, Tex., Richard P. Hogan, of Houston, Tex., Arthur E. Moers, Jr., of Houston, Tex., Joseph Hastings Schley, Jr., of Amarillo, Tex., William J. Stradley, of Houston, Tex., Thomas A. Tarpey, of Houston, Tex., Jack R. Clanton, of Richmond, Va., William A. Dervishian, of Richmond, Va., Pano J. Liatos, of Richmond, Va., Alexander Zaharias Matzianias, of Richmond, Va., Lewis T. McDaniel, of Richmond, Va., Demitrios Basiliou Pantele, of Richmond, Va., Walter J. Scott, of Annandale, Va., and Richard R. Smause, of Richmond, Va., on motion of Mr. Justice Tom C. Clark.

Jack Irving Esensten, of Palos Verdes Estates, Calif., Allan Bruce Streller, of Los Angeles, Calif., William F. Blews, of St. Petersburg, Fla., Thomas John Moriarty, of Springfield, Mass., Edward R. Reichek, of Cleveland, Ohio, Thomas H. Denney, of Salem, Oreg., Gary L. Boland, of Guymon, Okla., and Alexander B. Cook, of Alexandria, Va., on motion of Mr. Erwin N. Griswold; Jim K. Choate, of Dallas, Tex., and James Otis Kelly, III, of Dallas, Tex., on motion of Mr. Ralph W. Yarborough; James Richard Calloway, of New Castle, Del., and Russell M. Coombs, of Silver Spring, Md., on motion of Mr. John L. McClellan; Richard L. Schultz, of Topeka, Kans., Daniel Ray Ferry, of Nevada, Mo., and Stephen H. Romines, of

Arlington, Va., on motion of Mr. Richard H. Ichord; Ronald P. Alwin, of Chicago, Ill., and Melvin Bert Goldberg, of Chicago, Ill., on motion of Mr. Abner Joseph Mikva; William M. Brinton, of San Francisco, Calif., on motion of Mr. Godfrey L. Munter; Robert C. Huntley, Jr., of Pocatello, Idaho, on motion of Mr. John A. Carver, Jr.; Robert B. Clarke, of Two Rivers, Wis., on motion of Mr. Joseph E. Donahue; Robert T. Finn, of Lincoln, Nebr., on motion of Mr. Peter N. Chumbris; Roger V. Barth, of Buffalo, N.Y., on motion of Mr. Johnnie M. Walters; James Lloyd Davis, Jr., of Jackson, Miss., and Robert J. Murphy, Jr., of Louisville, Ky., on motion of Mr. Roy R. Bartlett; John T. Abernethy, of Washington, D.C., on motion of Mrs. Alice Brandeis Popkin; Edward L. Leavitt, of San Diego, Calif., and Joseph William Blocker, of Placentia, Calif., on motion of Mr. Michael Patrick Murray; Samuel Philip Gunther, of New York, N.Y., on motion of Mr. Abraham M. Stanger; Edward Louis Stock Arkema, of Chicago, Ill., on motion of Mr. Joseph L. Nellis; James Michael O'Neill, of Washington, D.C., on motion of Mr. William E. O'Neill; Hans W. E. Seltmann, of White Plains, N.Y., on motion of Mr. William F. Kelly; Benjamin S. Kalnick, of New York, N.Y., and Michael Charles Kalnick, of New York, N.Y., on motion of Mr. Albert E. Arent.

Walter L. Williamson, of Flemington, N.J., on motion of Mr. Nicholas A. Addams; John Leonard Hay, of Phoenix, Ariz., on motion of Mr. James J. Bierbower; Douglas M. Moore, Jr., of San Francisco, Calif., on motion of Mr. Joe L. Johnson; Claude L. Beaudoin, of Wilmington, Del., on motion of Mr. James T. Corle; Mervyn Loenell Young, of Washington, D.C., on motion of Mr. Michael Haley Bader; Norton J. Cohen, of Detroit, Mich., on motion of Mr. George Kaufmann; Helen Jacobs McDade, of DeKalb, Miss., on motion of Mr. Wm. Ephraim Cresswell; James L. Crates, of Kenton, Ohio, Charles Hopkins Welles IV, of Scranton, Pa., and William Calvin Chesnut Barnes, of Baltimore, Md., on motion of Mr. Reid Franklin Holbrook; Sherman E. Hollingsworth, of San Diego, Calif., Robert A. Lawrence, of Fairfax, Va., Rodney Dale Parrott, of Houston, Tex., Peter M. Sfikas, of Chicago, Ill., and Robert Dale Wootton, of Dallas, Tex., on motion of Mr. Robert E. Redding; and Richard A. Block, of Philadelphia, Pa., Dennis J. Carlin, of Washington, D.C., J. Edward Friedland, of Cleveland, Ohio, Charles Battle Lewis, Jr., of Stone Mountain, Ga., William Glenn Prather, of Vienna, Va., William A. Reutemann, Jr., of Wheaton, Md., Norman A. Segal, of Old Bridge, N.J., Jerome D. Sekula, of Alexandria, Va., Walter Preston White, Jr., of Atlanta, Ga., and Frank E. Wrenick, of Cleveland, Ohio, on motion of Mr. K. Martin Worthy, were admitted to practice.

OPINIONS

No. 768. The Boys Market, Inc., petitioner, *v.* Retail Clerk's Union, Local 770. 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 with directions to enter a judgment affirming the order of the United States District Court for the Central District of California. Opinion by Mr. Justice Brennan. Concurring opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice Black. Dissenting opinion by Mr. Justice White. Mr. Justice Marshall took no part in the decision of this case.

No. 79. Sandra Adickes, petitioner, *v.* S. H. Kress and Company. 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 for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Harlan. Opinion by Mr. Justice Black concurring in the judgment. Opinion by Mr. Justice Brennan concurring in part and dissenting in part. Opinion by Mr. Justice Douglas dissenting in part. Mr. Justice Marshall took no part in the decision of this case.

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. On motion for leave to file petition for writ of prohibition and/or mandamus. Motion for leave to file petition for writ of prohibition and/or mandamus denied. Opinion by Mr. Chief Justice Burger. Opinion by Mr. Justice Harlan concurring in the denial of an extraordinary writ. Dissenting opinion by Mr. Justice Black with whom Justice Douglas joins. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Black joins. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 13. William L. Maxwell, petitioner, *v.* O. E. Bishop, Superintendent, Arkansas State Penitentiary. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment vacated 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 *per curiam* announced by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Black. Mr. Justice Marshall took no part in the decision of this case.

No. 103. United States, appellant, *v.* Armour & Company et al. Appeal from the United States District Court for the Northern District of Illinois. Judgment vacated and case remanded to the United States District Court for the Northern District of Illinois with instructions to dismiss the case as moot. Opinion *per curiam* announced by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice

Douglas. Mr. Justice Black took no part in the consideration or decision of this case. Mr. Justice Marshall took no part in the decision of this case.

No. 896. George K. Wyman, etc., et al., appellants, *v.* Edna Rothstein et al. Appeal from the United States District Court for the Southern District of New York. Judgment vacated and case remanded to the United States District Court for the Southern District of New York for an opportunity to pass on the propriety of granting interim relief in accordance with conventional equitable principles on the basis of appellees' statutory claims, or, if the question is reached, continuing the present injunction in light of this Court's decision in *Dandridge v. Williams*, — U.S. — (1970). Opinion *per curiam* announced by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Black with whom the Chief Justice joins. Mr. Justice Marshall took no part in the decision of this case.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 1347. Floyd Bloss et al., petitioners, *v.* Steven L. Dykema, etc. On petition for writ of certiorari to the Supreme Court of Michigan. Petition for writ of certiorari granted, judgment reversed, and case remanded to the Supreme Court of Michigan for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam*. The Chief Justice and Mr. Justice White are of the opinion that certiorari should be denied. Dissenting opinion by Mr. Justice Harlan. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 1394. Harold W. Follette, Warden, petitioner, *v.* Felix Comacho. On petition for writ of certiorari to the United States Court of Appeals for the Second 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 *McMann v. Richardson*, decided May 4, 1970. Opinion *per curiam*. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 1426. Leitchfield Manufacturing Company, Inc., et al., appellants, *v.* United States et al. Appeal from the United States District Court for the Western District of Kentucky. Judgment vacated and case remanded to the United States District Court for the Western District of Kentucky for redetermination upon the basis of the record of the Interstate Commerce Commission proceedings. Opinion *per*

curiam. Mr. Justice Douglas and Mr. Justice Harlan would affirm. Mr. Justice Black would note probable jurisdiction and set case for argument. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 1183, Misc. Lynn Roy Higgins, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Second 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 *Gutknecht v. United States*, 396 U.S. 295. Opinion *per curiam*. Mr. Justice Marshall took no part in the consideration or decision of this case.

APPEALS—DISMISSALS

No. 1267, Misc. Erma Jean Thomas et al., appellants, *v.* William H. Burson, Director of the Georgia Department of Family and Children Services. Appeal from the United States District Court for the Middle District of Georgia. The appeal is dismissed for want of jurisdiction.

No. 1409, Misc. Thais Harris, appellant, *v.* City of Houston et al. Appeal from the District Court of Harris County, 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.

ORDERS IN PENDING CASES

No. ——. California ex rel. Nathan S. Smith, petitioner, *v.* United States et al. The motion for leave to file an original action is denied.

No. 36, Original. State of Texas, plaintiff, *v.* State of Louisiana. The motion for the appointment of a Special Master is granted. It is ordered that the Honorable Robert Van Pelt, Senior Judge of the United States District Court for the District of Nebraska be, and he is hereby, appointed Special Master in this case with authority to fix the time and conditions for the filing of additional pleadings and to direct subsequent proceedings, and with authority 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. 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 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. 179. William P. Rogers, Secretary of State, appellant, *v.* Aldo Mario Bellei. The motion of the appellee to remove this case from the summary calendar is granted, and a total of one and one half hours is allotted for oral argument.

No. 977. George K. Wyman, Individually and as Commissioner of the State of New York, Department of Social Services, appellant, *v.* Barbara James, etc. The application to remove seal from the record or permit reference in briefs to sealed material is granted.

No. 1058. Ida Phillips, petitioner, *v.* Martin Marietta Corporation. The motion of Air Line Stewards and Stewardesses Association, Local 550, etc., for leave to file a brief, as *amicus curiae*, is granted.

CERTIORARI GRANTED

No. 486, Misc. Dennis Councle McGautha, petitioner, *v.* California. Motion for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Supreme Court of California granted limited to Question 1 presented by the petition which reads as follows:

"1. Does California's practice of allowing capital trial juries absolute discretion, uncontrolled by standards or directions of any kind, to impose the death penalty upon a defendant convicted of the crime of murder violate the Due Process Clause of the Fourteenth Amendment?"

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

No. 709, Misc. James Edward Crampton, petitioner, *v.* Ohio. Motion for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to Supreme Court of Ohio granted limited to Questions 2 and 3 presented by the petition which read as follows:

"2. Whether the Ohio statute which provides that the trier of fact shall determine both guilt and punishment in a single verdict in cases of murder in the first degree violates petitioner's right to be free from self-incrimination.

"3. Whether the Ohio statute which provides that the trier of fact may grant or withhold a recommendation of mercy in cases of murder in the first degree, and which provides no standards or criteria to assist the trier of fact in making such determination, violates petitioner's right to due process and equal protection of the law."

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

No. 780, Misc. John Harry Bruno, petitioner, *v.* Pennsylvania. Motion for leave to proceed *in forma pauperis* and petition for writ

of certiorari to the Supreme Court of Pennsylvania, Eastern District, granted. Case transferred to the appellate docket and placed on the summary calendar.

No. **1022, Misc.** Viven Harris, 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. **1274.** William C. Kahl, petitioner, *v.* Thomas Breen, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1301.** Marion Edward Williams, petitioner, *v.* Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. **1330.** K. O. Sibley et al., petitioners, *v.* Rural Electrification Administration et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1348.** Pacific National Insurance Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1409.** Meilah Bell, petitioner, *v.* Government of the Virgin Islands. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1411.** Runette Turner, petitioner, *v.* Ronnie Thompson et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1416.** In the Matter of Bedford Aviation, Inc., Bankrupt, petitioner. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **1417.** Stanley Terry, petitioner, *v.* Williard K. Martin. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. **1418.** Arthur Vasquez, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **1419.** Daniel A. O'Brien, Superintendent of Massachusetts Correctional Institution at Warwick, petitioner, *v.* Anthony G. Saville. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **1421.** Iowa, petitioner, *v.* Bennett Cullison, Judge of the Fifteenth Judicial District of Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. **1422**. Weltronic Company, petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1425**. Broadriver, Incorporated, petitioner, *v.* City of Stamford et al. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. **1428**. Anthony M. Puchalski, petitioner, *v.* New Jersey State Parole Board. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. **1431**. William Corwin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1436**. Carter-Wallace, Inc., petitioner, *v.* Robert H. Finch, Secretary of Health, Education and Welfare, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1437**. Richard P. Mucie, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. **1438**. Crown Central Petroleum Corporation, petitioner, *v.* Myrtle Lucille Goodman Trexler, Administratrix of the Estate of Robert W. Trexler, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1439**. Central Gulf Steamship Corporation, petitioner, *v.* Grace Line, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1442**. Dean Foods Company, 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. **1443**. Robert Costa, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1445**. Insurance Company of North America, petitioner, *v.* The First National Bank of Decatur, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1450**. A/S J. Ludwig Mowinckels Rederi, petitioner, *v.* Dow Chemical Company et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. **1457**. Northern Acceptance Trust 1065 by C. Jon Handy, Trustee, et al., petitioners, *v.* William P. Gray, United States District Judge, Central District of California, et al. Petition for writ of

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

No. 1476. Margaret Wright, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Los Angeles, denied.

No. 1495. Anthony Joseph Cimini, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1380. James Horelick and Sandra Adickes, petitioners, *v.* New York. Motion to dispense with printing petition granted. 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. 1391. Russell Lash, Warden, petitioner, *v.* Roy Jacey Evans. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1430. Terry George, petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied. Mr. Justice Black is of the opinion that certiorari should be granted.

No. 1469. Time, Inc., petitioner, *v.* Jack Wasserman. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion that certiorari should be granted.

No. 1490. Time, Inc., petitioner, *v.* Mary Alice Firestone. 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. 229, Misc. Frederick Gray, petitioner, *v.* Harold V. Field. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 383, Misc. James Leroy Tyler, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 582, Misc. James Winton, petitioner, *v.* H. V. Field. Petition for writ of certiorari to the Supreme Court of California denied.

No. 827, Misc. Dewayne D. Wyant, petitioner, *v.* Lou V. Brewer, Warden. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 881, *Misc.* Michael Killean, petitioner, *v.* Louis S. Nelson, Warden; and

No. 937, *Misc.* Thomas Joseph Leahy, petitioner, *v.* Walter E. Craven, Warden. Petitions for writs for certiorari to the Supreme Court of California denied.

No. 1133, *Misc.* Clifford Hundley, 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. 1258, *Misc.* Anthony Charles Durham, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1344, *Misc.* James William Zitzer, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1460, *Misc.* Samuel E. Bynes, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 1579, *Misc.* Curtis Abbott, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 1801, *Misc.* James Frederick Jones, petitioner, *v.* United States District Court, Eastern District of Tennessee. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1846, *Misc.* Joseph DeBlasio, petitioner, *v.* John T. Deegan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1919, *Misc.* George Michael Weldon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1921, *Misc.* Kenneth Frank Potts, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1923, *Misc.* Bertha Mae Brown, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1926, *Misc.* Manuel Luis Cordova, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1932, **Misc.** Millard V. Dedmon, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1937, **Misc.** Herbert Boyd Hayes, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1940, **Misc.** Gilbert Edward Adams, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1942, **Misc.** Ray Beckman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1951, **Misc.** William J. Leventhal, petitioner, *v.* John A. Gavin, Commissioner, Department of Corrections, Massachusetts. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 1952, **Misc.** Howard Walter Williams, petitioner, *v.* Lake F. Russell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1954, **Misc.** Michael Biancofiore, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1959, **Misc.** Johnny Lee Harris, petitioner, *v.* Louie L. Wainwright, Director, Division of Corrections, Florida. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1961, **Misc.** Joseph Maggio, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1963, **Misc.** Raymond Eugene Huffman, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 1970, **Misc.** Frederick Graham, petitioner, *v.* C. J. Fitzharris, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1972, **Misc.** Thomas Henry Robinson, Jr., petitioner, *v.* Olin G. Blackwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1976, **Misc.** George Anderson Hall, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1977, *Misc.* Albert Demeter, petitioner, *v.* Howard Yeager, Principal Keeper, New Jersey State Prison. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1983, *Misc.* Xavier De La Cruz Bellinger, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1988, *Misc.* Juan Jose Lopez, petitioner, *v.* New Mexico. Petition for writ of certiorari to the Court of Appeals of New Mexico denied.

No. 1994, *Misc.* Charlotte Milstead Carson, petitioner, *v.* Frances S. Elrod, Superintendent, Department of Public Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1997, *Misc.* Joseph Bertone, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 1999, *Misc.* Robert E. Benson, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 2008, *Misc.* Elton M. Brevik, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 2011, *Misc.* Tommy Lee Holt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 2014, *Misc.* Robert Benson, petitioner, *v.* Frank A. Eyman, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 2022, *Misc.* William Vitoratos, petitioner, *v.* William A. Morris, Judge. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 2024, *Misc.* Lewis Andrew Flagler, 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. 2025, *Misc.* Felton F. Stemley, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 2028, *Misc.* Charlotte R. Hurd, petitioner, *v.* Robert S. Hurd et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 2058, *Misc.* Donald Bowman, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 431, *Misc.* Robert Earl Williams, petitioner, *v.* Louie L. Wainwright, Director, Division of Corrections, Florida. 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. 1635, *Misc.* Calvin Hudson, 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. 1957, *Misc.* Roy Jacey Evans, petitioner, *v.* Russell Lash, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

LEAVE TO FILE PETITION FOR WRIT OF CERTIORARI DENIED

No. 2031, *Misc.* Time, Inc., petitioner *v.* Mary Alice Firestone. Motion for leave to file petition for writ of certiorari denied. Mr. Justice Black and Mr. Justice Douglas are of the opinion that certiorari should be granted.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 2007, *Misc.* Arthur Meyer, petitioner, *v.* H. V. Field; and

No. 2174, *Misc.* Franklin Delano Wood, petitioner, *v.* M. J. Koloski, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 1896, *Misc.* Angel Roberto Millan-Diaz, petitioner, *v.* Anthony T. Augelli, United States District Judge, etc.; and

No. 1956, *Misc.* Robert Montague, petitioner, *v.* Robert T. Hunter, Chief Justice of the Supreme Court of Washington. Motions for leave to file petitions for writs of mandamus denied.

REHEARINGS DENIED

No. 502, *Misc.* October Term, 1967. William Epton, petitioner, *v.* New York; and

No. 771, *Misc.* October Term, 1967. William Epton, appellant, *v.* New York. Motion for leave to file second petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this motion.

No. **445**. Standard Industries, Inc., petitioner, *v.* Tigrett Industries, Inc., et al.;

No. **1146**. American Art Industries, Inc., petitioner, *v.* National Labor Relations Board;

No. **1256**. Cincinnati Window Cleaning Company et al., petitioners, *v.* Thomas B. Walker, Trustee;

No. **1276**. Saul I. Birnbaum, petitioner, *v.* United States;

No. **1279**. John J. McGrath, petitioner, *v.* William J. Kirwan, Superintendent of the Division of New York State Police;

No. **1303**. Mary Louise Gripkey, petitioner, *v.* A. Gerty, M.D., et al.;

No. **1320**. Mary Louise Gripkey, petitioner, *v.* Sisters of Charity of the Blessed Virgin Mary;

No. **1335**. Eugene Sand & Gravel, Inc., appellant, *v.* Raymond N. Lowe et al.;

No. **1336**. Eugene Sand & Gravel, Inc., petitioner, *v.* Raymond N. Lowe et al.;

No. **1112**, **Misc.** Shirley Lampton and Luethel Williams, etc., appellants, *v.* Garland L. Bonin, etc., et al.;

No. **1200**, **Misc.** Francis Marino, petitioner, *v.* Pennsylvania;

No. **1244**, **Misc.** Edward Herman Smith, petitioner, *v.* Florida;

No. **1248**, **Misc.** Charles Francis Frazier, petitioner, *v.* United States;

No. **1639**, **Misc.** Reather Cummings, petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary;

No. **1666**, **Misc.** Thomas Mixon, petitioner, *v.* Penn Stevedores, Inc.;

No. **1706**, **Misc.** Freddie R. Moore, petitioner, *v.* United States et al.;

No. **1710**, **Misc.** Eugene Hopkins, petitioner, *v.* California;

No. **1726**, **Misc.** James Thomas Cox, petitioner, *v.* United States;

No. **1747**, **Misc.** Henry Ruiz Martinez, petitioner, *v.* California;

No. **1762**, **Misc.** Jerryl L. Keane, petitioner, *v.* John D. Cucurello;

No. **1815**, **Misc.** John F. Beltowski, petitioner, *v.* Jack G. Young, Warden. Petitions for rehearing denied.

No. **41**. The Choctaw Nation and The Chickasaw Nation, petitioners, *v.* Oklahoma et al.; and

No. 59. The Cherokee Nation or Tribe of Indians in Oklahoma, petitioner *v.* Oklahoma et al. Petition for rehearing denied. Mr. Justice Harlan took no part in the consideration or decision of this petition.

No. 1239. John Giagnocavo, appellant, *v.* Bucks County Commissioners: Joseph Canby, Walter Farley, Charles Meredith III. Motion to dispense with petition granted. Petition for rehearing denied.

No. 1620, Misc. Elroy Lewis, petitioner, *v.* United States. Petition for rehearing denied. The Chief Justice took no part in the consideration or decision of this petition.

Mr. Justice Marshall took no part in the consideration or decision of the matters on this order list.

RECESS ORDER

The Court will take a recess from today until Monday, June 8, 1970.

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MONDAY, JUNE 8, 1970

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, and Mr. Justice White.

ADMISSIONS TO THE BAR

Benjamin Lazarow, of Tucson, Ariz., John J. Mulrooney, of Los Angeles, Calif., Herboth S. Ryder, of Tampa, Fla., Dennis M. O'Connor, of Coral Gables, Fla., Joseph Riden, of Chicago, Ill., William Seth Shepard, of Franklin, N.H., Stuart R. Steinmark, of Maplewood, N.J., Robert M. Ornstein, of Belle Harbor, N.Y., Eugene David Silverman, of Atlantic City, N.J., Marvin B. Gambill, of Memphis, Tenn., J. Frank Hall, of Memphis Tenn., James R. Hastings, of New York, N.Y., and James Franklin Vance, of Oxon Hill, Md., on motion of Mr. Solicitor General Erwin N. Griswold; Edmund L. Cogburn, of Houston, Tex., Lowell E. Dushman, of Fort Worth, Tex., and Arthur Gochman, of San Antonio, Tex., on motion of Mr. Ralph W. Yarborough; Allen L. Donielson, of West Des Moines, Iowa, and Keith E. McWilliams, of Des Moines, Iowa, on motion of Mr. Jack Miller; Edmund A. Landau, Jr., of Albany, Ga., on motion of Mr. Robert Grier Stephens, Jr.; Kenneth Byron Burns, of Cleveland, Ohio, Bruce Herzbrun, of Cleveland, Ohio, and James Louis Oakar, of Cleveland, Ohio, on motion of Mr. Charles A. Vanik; Kenneth J. Schneider, of Cincinnati, Ohio, on motion of Mr. Robert Taft, Jr.; Pasco Louis Schiavo, of Hazleton, Pa., on motion of Mr. Daniel J. Flood; Bertram L. Podell, of New York, N.Y., on motion of Mr. Benjamin S. Rosenthal; William Hicks Morris, Jr., of Tulsa, Okla., on motion of Mr. Page Belcher; Ernest H. Rosenberger, of New York, N.Y., on motion of Mr. Edward I. Koch; Wayne LaMar Loveless, of Pocatello, Idaho, and Albert H. Parisot, Jr., of Pocatello, Idaho, on motion of Mr. Orval Howard Hansen.

Henry Clay Keene, Jr., of Ketchikan, Alaska, on motion of Mr. James Francis Reilly; Richard Anthony Hibey, of Washington, D.C., on motion of Judge William B. Bryant; Marion J. Rice, of Evansville, Ind., and Jack N. VanStone, of Evansville, Ind., on motion of Mr. William D. Ruckelhaus; Eugene Lester Shieffler, of West Helena, Ark., on motion of Mr. Floyd Lee Williams; Charles J. Williams, of Martinez, Calif., William B. Burleigh, of Carmel, Calif., Lincoln N. Mintz, of Oakland, Calif., Gerald Lee Skor, of Dallas, Tex., Albert Joseph Emanuelli, of White Plains, N.Y., and Walter Louis Krone-

berger, Jr., of Torrance, Calif., on motion of Mr. Brice Wilson Rhyne; Wilbur C. Bentley, of Little Rock, Ark., on motion of Mr. Gordon A. Ginsburg; Daniel Eugene Hayes, of Bay City, Tex., and Spencer E. Lerch, of Lockport, N.Y., on motion of Mr. Vincent W. Ambrose; Patrick William Healey, of Lincoln, Neb., and Waldo B. Wetmore, of Wichita, Kans., on motion of Mr. Lawrence Speiser; Victor J. Rosenberg, of Washington, D.C., on motion of Mr. Dominick Manoli; William E. O'Hare, of Cleveland, Miss., and Robert L. Lennon, of Hattiesburg, Miss., on motion of Mr. Peter McKenzie Stockett, Jr.; Louis Berry, of Alexandria, La., on motion of Mr. Frank D. Reeves; Christine Yarrington Denson, of Raleigh, N.C., and Alexander Bunn Denson, of Raleigh, N.C., on motion of Mr. Hugh Q. Alexander; Stanley A. Stratford, of Louisville, Ky., on motion of Mr. Edward M. Steutermann; Hugh A. Chapin, of New York, N.Y., on motion of Mr. John Leslie White; Richard A. Hyde, of Arlington Heights, Ill., on motion of Mr. Mark J. Raabe; Howard Gross, of Miami Beach, Fla., and Leonard Rivkind, of Miami Beach, Fla., on motion of Mr. Harold Rosen; Henry Charles Wolf, of Williamsburg, Va., on motion of Mr. Francis Stewart Elliott; Blake Timothy Franklin, of Hillsboro, Calif., on motion of Mr. George Alfred Tesoro; David J. Nagle, of Houston, Tex., on motion of Mr. John E. Stephen; Walter C. Gillis, of Washington, D.C., and Marvin Petry, of Washington, D.C., on motion of Mr. Robert B. Larson; Alexander H. Pope, of Los Angeles, Calif., on motion of Mr. Melvin Spaeth.

Harold Dean Whipple, of Lebanon, Mo., on motion of Mr. Claude T. Wood; Lee R. Franklin, of Detroit, Mich., on motion of Mr. Joseph Eugene Keller; William Byron Smith III, of St. Louis, Mo., on motion of Mr. Bart J. Carroll, Jr.; Julius Greenfield, of New York, N.Y., on motion of Mr. Frank Cummings; Joseph Edward Brady, of New York, N.Y., and William Peter Frost, of New York, N.Y., on motion of Mr. Patrick L. Wynne; Bruce Aberg Poulsen, of Minneapolis, Minn., on motion of Mr. William F. Garcia; William C. Evans, of Washington, D.C., on motion of Mr. Berl I. Bernhard; Jeff Davis Duty, Jr., of Rogers, Ark., on motion of Mr. Clyde T. Ellis; Ronald L. Stefani, of San Francisco, Calif., on motion of Mr. David M. Bullock; Frank Rinker Clark, Jr., of Houston, Tex., on motion of Mr. Vincent V. Dent; Geza Molnar, of Wheaton, Md., on motion of Mr. Harry Day; Gary Ross Alexander, of Oxon Hill, Md., on motion of Mr. Isaac N. Groner; David Robert Cashdan, of Washington, D.C., on motion of Mr. Russell Specter; John W. Mahan, of Helena, Mont., on motion of Mr. Bernard Waters; John David Herbert, of Columbus, Ohio, on motion of Mr. William M. Hoiles; Ranier Leonard Weis, of Paynesville, Minn., on motion of Mr. Lorne Dale McIver; and Orval F. Baldwin, of Topeka, Kans., Thomas W. Brooks,

of Overland Park, Kans., Charles LeRoy Buehler, of Claflin, Kans., James P. Cashin, of Prairie Village, Kans., Marion W. Chipman, of Olathe, Kans., William J. Dick, of Emporia, Kans., Adrian M. Farver, of Burlingame, Kans., William L. Harris, Jr., of Topeka, Kans., Donald J. Horttor, of Topeka, Kans., Norman M. Iverson, of Arkansas City, Kans., John J. Jurcyk, Jr., of Kansas City, Kans., Felix G. Kancel, Jr., of Kansas City, Kans., Walter R. La Bunker, of Topeka, Kans., Garry W. Lassman, of Pittsburg, Kansas., Wilbur Payton McCool, of Overland Park, Kans.; Zenas Arthur Nevins, Jr., of Jetmore, Kans., Randall D. Palmer, of Pittsburg, Kans., Sam G. Perkins, of Olathe, Kans., Bernard Peterson, of Newton, Kans., James Leo Quinn, of Topeka, Kans., John Allen Robinson, of Hutchinson, Kans., Francis J. Rost, of Topeka, Kans., Robert J. Roth, of Wichita, Kans., John Eric Royston, of Kansas City, Kans., Gary A. Savaiano, of Topeka, Kans., Walter N. Scott, Jr., of Topeka, Kans., John S. Seeber, of Wichita, Kans., William M. Shaffer, of Frankfort, Kans., Louis A. Silks, Jr., of Shawnee Mission, Kans., Hall Smith, of Topeka, Kans., Hall Smith II, of Topeka, Kans., Lewis Carson Smith, of Prairie Village, Kans., Walter F. Stucekemann, of Jetmore, Kans., Robert Byers Wareheim, of Topeka, Kans., Randall W. Weller, of Hill City, Kans., Roger K. Wilson, of Wichita, Kans., and James Oliver Yates of Kansas City, Kans., on motion of Mr. Keith G. Sebelius, were admitted to practice.

OPINIONS

No. **661**. Hellenic Lines Limited et al., petitioners, *v.* Zacharias Rhoditis. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Harlan with whom Mr. Chief Justice Burger and Mr. Justice Stewart join.

No. **477**. Atlantic Coast Line Railroad Company, petitioner, *v.* Brotherhood of Locomotive Engineers et al. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment of the Court of Appeals reversed. Injunction issued by the United States District Court for the Middle District of Florida vacated and case remanded to that court for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice White joins. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. **267**. Dennis Mullene Moon, petitioner, *v.* Maryland. On writ of certiorari to the Court of Appeals of Maryland. Writ of certiorari dismissed as improvidently granted. Opinion *per curiam* announced by Mr. Chief Justice Burger. Mr. Justice Black concurs in the result.

Mr. Justice Harlan would reverse the judgment below based on his separate opinions in *Desist v. U.S.*, 394 U.S. 244, 256, and in *North Carolina v. Pearce*, 395 U.S. 711, 744. Dissenting opinion by Mr. Justice Douglas. Mr. Justice Marshall took no part in the decision of this case.

The Chief Justice said :

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally except for two orders which I shall announce."

"On behalf of the Court I announce with regret the retirement of one of its able and trusted officers, Mr. John F. Davis, Clerk of the Court since 1961. For many years before he was appointed senior officer of the Court, Mr. Davis was one of the able advocates who appeared regularly before the Court.

"Your departure is an occasion for regret on our part, Mr. Davis, but we wish you happiness and continued success in the years ahead."

"Today's order list announces the appointment of Mr. Davis' successor who is Mr. E. Robert Seaver of Virginia. Mr. Seaver has had a long career of government service for more than 20 years, including service in the Department of Justice, as General Counsel of the Federal Maritime Commission, and as a Federal Hearing Examiner."

"Today's order list also includes announcement of the appointment by the Court of the Director of the Administrative Office of the United States Courts succeeding Mr. Ernest Friesen, who resigned in February to become Director of the Institute of Court Management, at the University of Denver. The new director is Mr. Rowland F. Kirks, a member of the Bar of Washington, D.C. and former Assistant Attorney General of the United States. Mr. Kirks will assume the duties of the Office of Director July 1, 1970."

OPINION PER CURIAM

No. 1491. Department of Social Services of the State of Iowa et al., appellants, *v.* Porter Dimery, etc., et al. Appeal from the United States District Court for the Southern District of Iowa. Motion of the appellees for leave to proceed *in forma pauperis* granted. Judgment vacated and case remanded to the United States District Court for the Southern District of Iowa for reconsideration in light of *Reetz v. Bozanich*, 397 U.S. 82. Opinion *per curiam*. Mr. Justice Douglas dissents from the remand of this case. Mr. Justice Marshall took no part in the consideration or decision of this case.

APPEAL—DISMISSAL

No. 1463. National Advertising Company, appellant, *v.* County of Monterey et al. Appeal from the Supreme Court of California. 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.

ORDERS IN PENDING CASES

No. 35, **Original.** United States, plaintiff, *v.* State of Maine et al. The motions for the appointment of a Special Master are granted and it is ordered that Honorable Albert B. Maris, Senior Judge of the United States Court of Appeals for the Third Circuit be, and he is hereby, appointed Special Master in this case with authority to fix the time and conditions for the filing of additional pleadings and to direct subsequent proceedings, and with authority 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. 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 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.

Mr. Justice Douglas took no part in the consideration or decision of these motions.

No. 900. United States, appellant, *v.* Fred Fancher. The motion of the appellee for leave to proceed *in forma pauperis* is granted. The motion of the appellee for the appointment of counsel is granted, and it is ordered that Donald R. Shultz, Esquire, of Rapid City, South Dakota, be, and he is hereby, appointed to serve as counsel for the appellee in this case.

No. 1192. Joseph Arthur Zicarelli, appellant, *v.* The New Jersey State Commission of Investigation. The application for bail is denied. Mr. Justice Douglas is of the opinion that the application should be granted. Mr. Justice Brennan took no part in the consideration or decision of this application.

No. 1289. Hazel Palmer et al., petitioners, *v.* Allen C. Thompson, Mayor, City of Jackson, et al. The motion of petitioners to remove

this case from the summary calendar is denied. However, 15 additional minutes are allotted to each side in this case.

No. 1922, Misc. In the Matter of the Disbarment of Earl W. Allison. It having been reported to the Court that Earl W. Allison of Columbus, Ohio, has been indefinitely suspended from the practice of law by the Supreme Court of the State of Ohio, and this Court by order of March 30, 1970, having suspended the said Earl W. Allison 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 Earl W. Allison 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.

APPEALS—JURISDICTION NOTED

No. 1113. Stella Connell, appellant, *v.* James M. Higginbotham et al. Appeal from the United States District Court for the Middle District of Florida. In this case probable jurisdiction is noted and the case is placed on the summary calendar.

No. 1557. Ronald James et al., appellants, *v.* Anita Valtierra et al. Appeal from the United States District Court for the Northern District of California. In this case probable jurisdiction is noted and the case is placed on the summary calendar. Mr. Justice Douglas took no part in the consideration or decision of this matter.

CERTIORARI GRANTED

No. 1195, Misc. Robert Harold Lewis, petitioner, *v.* George A. Kropp, Warden. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted. Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI DENIED

No. 1364. Ralph Tropiano, petitioner, *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 1408. Louis R. Jones and Billy Don Thompson, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1429. David Franklin Johnson and Diane Alane Johnson, petitioners, *v.* Superior Court of California, County of Santa Barbara.

Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1432. Tom Okino, Circuit Judge, First Circuit Court of Hawaii, et al., petitioners, *v.* Hawaii National Bank, Honolulu. Petition for writ of certiorari to the Supreme Court of Hawaii denied.

No. 1448. John E. Farrell, Trustee of the Property of the Central Railroad Company of New Jersey, petitioner, *v.* Manufacturers Hanover Trust Company, etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1451. Herbert F. Wascher, petitioner, *v.* Randolph Lundeen et al. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied.

No. 1452. First National Bank in Dallas, Executor of the Estate of George Pattullo et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 1453. Mobil Oil Corporation, petitioner, *v.* Mary Katherine Hughes et vir. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1454. H. R. Johnson and John B. Johnson, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1458. Barbara J. Abramson, petitioner, *v.* Myra Levinson. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 1459. Eugene P. Ruehlmann, Executor of the Estate of Frances Foster Wells, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1460. Henault Mining Company, petitioner, *v.* Ed Zaidlicz, individually and as Montana State Director of the Bureau of Land Management, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1462. Sam Alta Dryden and Ray Bueiew Hutcheson, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1477. Glen Alden Corporation et al., petitioners, *v.* Alexander Kahan, etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1480. Richard A. Keefe, petitioner, *v.* City of Chicago. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. **1482.** Benjamin A. Stratmore et ux., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1492.** S.T.G. Construction Co., Inc., petitioner, *v.* Staten Island Rapid Transit Railway Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1498.** The Tunica County 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. **1501.** Joseph A. Maloney, dba The Apalachicola Times, petitioner, *v.* B. Roy Gibson, Jr., et al. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. **1502.** Wallace Eugene McGee, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1506.** Martin Whitcomb et ux., petitioners, *v.* The Sanitary Commission of Anne Arundel County et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1519.** Michael J. Eyen, petitioner, *v.* Nebraska ex rel. Clarence A. H. Meyer, Attorney General. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. **1528.** B & L Sales Associates, petitioner, *v.* H. Daroff & Sons, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1541.** Aram Ajamian, petitioner, *v.* The Township of North Bergen et al. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. **1464.** Garland Knitting Mills of Beaufort, South Carolina, Inc., 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. The Chief Justice is of the opinion that certiorari should be granted.

No. **1508.** Diana Kearny Powell, petitioner, *v.* Committee on Admissions & Grievances et al. 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. **1577, Misc.** Raymond C. Nelson, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 1612, *Misc.* Gean Elvin Van Voltenburg, petitioner, *v.* Lou V. Brewer, Warden. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 1678, *Misc.* Dominick Abbatiello, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1848, *Misc.* William H. Eckels, petitioner, *v.* United States District Court for the District of Oregon. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1903, *Misc.* Herman Dean Baughman, petitioner, *v.* J. E. Baker, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1904, *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. 1906, *Misc.* Albert G. Hocking, petitioner, *v.* California Adult Authority et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1907, *Misc.* Charles Francis Johnson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 1916, *Misc.* Charles Oscar Williams, petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1938, *Misc.* Robert James Long, petitioner, *v.* Frank J. Pate, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1941, *Misc.* Robert K. Domer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1945, *Misc.* Douglas Lucas, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 1946, *Misc.* Stephen Kalec, petitioner, *v.* Russell Lash. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1948, *Misc.* Samuel Pete, III, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1949, **Misc.** Robert Allen Pelletier, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1989, **Misc.** Paul Drew Haynes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1992, **Misc.** Carlos Wheeler, petitioner, *v.* John Mummert, Sheriff. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1993, **Misc.** John Thomas Hill, petitioner, *v.* Warden, Maryland House of Correction. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 2000, **Misc.** Carl Joseph Smulek, petitioner, *v.* Alfred T. Rundle, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 2001, **Misc.** Daniel Raymond Berriel, petitioner, *v.* Louie L. Wainwright, Director, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 2002, **Misc.** Sam Zimmerman, petitioner, *v.* Ex-State's Attorney Bernie Wells et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 2004, **Misc.** Everett Gilles, petitioner, *v.* Minnesota et al. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 2005, **Misc.** Chester Arthur Schultz, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 2006, **Misc.** Eddie Nance, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 2018, **Misc.** Russell Nilsson, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 2019, **Misc.** Paul David Kelley, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 2032, **Misc.** Timothy Connors, petitioner, *v.* South Dakota et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 2037, **Misc.** Delia Carrigan, petitioner, *v.* Erich P. Karlsson Builders, Inc., Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 2044, **Misc.** David M. Levy, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **2061**, *Misc.* Robert Conrad Bolin, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. **2038**, *Misc.* Harold Frank White, petitioner, *v.* George C. Young, U.S. District Judge for the Middle District of Florida. Motion for leave to file petition for writ of mandamus denied.

No. **1463**, *Misc.* John B. May, petitioner, *v.* Dona Ana County, Las Cruces, New Mexico. Motion for leave to file petition for writ of mandamus denied without prejudice to the right of the petitioner to apply to the appropriate state court for the relief sought. *Smith v. Hooy, Judge*, 393 U.S. 374, and *Dickey v. Florida*, 398 U.S. —

REHEARINGS DENIED

No. **1254**. E. B. & A. C. Whiting Company, petitioner, *v.* Gilbert Shaw et al.;

No. **1531**, *Misc.* Booker T. Hillery, Jr., petitioner, *v.* California; and

No. **1696**, *Misc.* Maria Lento, petitioner, *v.* Delaware, Lackawana & Western Railroad Company. Petitions for rehearing denied.

No. **875**. Johnny B. Dapper, petitioner, *v.* California. Motion for leave to file petition for rehearing denied.

ORDER

It is ordered that E. Robert Seaver be appointed Clerk of this Court to succeed John F. Davis effective at the commencement of business June 22, 1970, and that the take the oath of office and give bond as required by statute and the order of this Court entered November 22, 1948.

ORDER

It is ordered that Rowland Falconer Kirks be appointed Director of the Administrative Office of the United States Courts, effective at the commencement of business July 1, 1970, pursuant to the provisions of § 601 of Title 28 of the United States Code.

Mr. Justice Marshall took no part in the consideration or decision of the matters on this Order List.

RECESS ORDER

The Court will take a recess from today until Tuesday, June 9, 1970.

ORDER

No. 1195, Misc. Robert Harold Lewis, petitioner, *v.* George A. Kropp, Warden. The order granting motion for leave to proceed *in forma pauperis* and petition for writ of certiorari is hereby revoked. The petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit is denied.

Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, and Mr. Justice Blackmun.

The Chief Justice said:

“In this special sitting of the Court, we will receive the commission of the Justice-designate, and at this time the Court recognizes the Attorney General.

“Mr. Attorney General.”

Mr. Attorney General Mitchell said:

“Mr. Chief Justice, may it please the Court:

“I am happy to advise that the President of the United States has nominated, the Senate has consented and the President has appointed Judge Harry A. Blackmun of Minnesota, as an Associate Justice of the Supreme Court of the United States.

“I bear with me the commission, dated May 14, 1970, signed by the President of the United States, and attested by me as Attorney General, and with the permission of the Court, I will turn the commission over to the Clerk of the Court.”

The Chief Justice said:

“The commission is accepted, Mr. Attorney General.

“Thank you.

“Mr. Clerk, will you read the commission.”

The Clerk said:

“The commission reads 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 Harry A. Blackmun of Minnesota, I have nominated and, by and with the advice and consent of the Senate, do appoint him Associate Justice of the Supreme Court 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 Harry A. Blackmun, 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 in the City of Washington, this 14th day of May, in the year of our Lord one thousand nine hundred and seventy, and of the Independence of the United States of America the one hundred and ninety-fourth."

Signed, Richard Nixon, and attested by John N. Mitchell, Attorney General, with the seal of the Department of Justice affixed.

The Justice designate was then escorted by the Clerk to the center of the bench.

The Chief Justice said:

"Please raise your right hand, Judge Blackmun, and repeat after me:

(The following oath was administered by the Chief Justice and repeated by Judge Blackmun:)

"I, Harry Andrew Blackmun, 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 an Associate Justice of the Supreme Court of the United States, according to the best of my abilities and understanding, agreeably to the Constitution 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."

The Chief Justice Said:

"Will you please robe the new Justice."

Justice Blackmun was assisted in putting on his robe and was escorted by the Marshal to his seat on the bench.

The Chief Justice said:

"Mr. Justice Blackmun, on behalf of all members of the Court, I welcome you to this bench and we look forward to many years of work together in our common calling.

"Today's order list contains an order designating Circuit Justices for the several circuits of the United States Courts.

"The assignment of the Justices is as follows:

“For the District of Columbia Circuit, The Chief Justice,
“For the First Circuit, William J. Brennan, Jr., Associate Justice,
“For the Second Circuit, John M. Harlan, Associate Justice,
“For the Third Circuit, William J. Brennan, Jr., Associate Justice,
“For the Fourth Circuit, The Chief Justice,
“For the Fifth Circuit, Hugo L. Black, Associate Justice,
“For the Sixth Circuit, Potter Stewart, Associate Justice,
“For the Seventh Circuit, Thurgood Marshall, Associate Justice,
“For the Eighth Circuit, Harry A. Blackmun, Associate Justice,
“For the Ninth Circuit, William O. Douglas, Associate Justice,
“For the Tenth Circuit, Byron R. White, Associate Justice.”

Whereupon the Court adjourned until Monday, June 15, 1970, at
10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, and Mr. Justice Blackmun.

ORDER

No. 1598. Kenneth A. Gibson et al., appellants, *v.* George Kugler et al. Appeal from the United States District Court for the District of New Jersey. The motions to dispense with printing the jurisdictional statement and to dispense with printing the motion to dismiss or affirm are granted. The motion to advance is granted. The judgment is affirmed. Mr. Justice Marshall took no part in the consideration or decision of these matters.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Black, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, and Mr. Justice Blackmun.

ADMISSIONS TO THE BAR

Ignatius F. Parker, of Los Angeles, Calif., John F. Parker, of Los Angeles, Calif., Gertrude P. Parker, of Los Angeles, Calif., Stephen David Miller, of Los Angeles, Calif., Stephen Ryan Mulligan, of San Diego, Calif., Walter Emory Warren, of Leesburg, Fla., Arthur Roby Hadden, of Tyler, Tex., Michael A. Shore, of Cleveland, Ohio, J. Wood Vance, Jr., of Glasgow, Ky., William Henry Stafford, Jr., of Pensacola, Fla., Samuel Rappaport, of Philadelphia, Pa., Beverly Elaine Sylvester, of Chagrin Falls, Ohio, Leigh Buckner Hanes, Jr., of Roanoke, Va., and William L. Wise, of Traverse City, Mich., on motion of Mr. Solicitor General Erwin N. Griswold; Walter J. Price, Jr., of Huntsville, Ala., on motion of Mr. John Sparkman; George E. Svoboda, of Fremont, Nebr., on motion of Mr. Roman L. Hruska; Charles William Byer, of Anderson, Ind., Robert Warren Miller, of Anderson, Ind., and Frank W. Murphy, of Norwalk, Conn., on motion of Mr. David W. Dennis; William M. Peek, of Denver, Colo., on motion of Mr. Donald G. Brotzman; Alexander Downie Thomson, of Whittier, Calif., on motion of Mr. Charles Edward Wiggins; John Milton Richardson, of Dallas, Tex., Curt F. Steib, of San Angelo, Tex., Glenn William Lewis, of San Angelo, Tex., and Richard J. Hatch, of Corpus Christi, Tex., on motion of Mr. O. C. Fisher; D. Philip Falvey, of Washington, D.C., on motion of Mr. Neal E. Smith; Todd H. Overton, of Tucson, Ariz., on motion of Mr. Morris K. Udall; Norman L. Nevins, of Lubbock, Tex., on motion of Mr. George Mahon; Chester Earl Darnell, of Houston, Tex., and Leon Gilbert Halden, Jr., of Houston, Tex., on motion of Mr. Robert R. Casey.

Eldon LaVerne Bohrofen, of Ottumwa, Iowa, on motion of Mr. Wiley E. Mayne; Thomas Eugene Curtis, Jr., of Baltimore, Md., on motion of Mr. Brooks Hays; Donald L. Collins, of Birmingham, Ala., on motion of Mr. Armistead Selden; Nordahl E. Holte, of Kansas City, Mo., and William O. West, of Oklahoma City, Okla., on motion of Mr. Brice Wilson Rhyne; John M. Moelmann, of Chicago, Ill., and Thomas J. Weithers, of Chicago, Ill., on motion of Mr. Charles E. Pledger, Jr.; R. W. Payne, Jr., of Miami, Fla., on motion of Mr.

John Nolan; Douglas Parker Painter, of Erie, Pa., on motion of Mr. William M. Hoiles; Lentice M. Northington, of Northport, Ala., on motion of Mr. Wendell Mitchell; John Douglas Clark, Sr., of Arlington, Va., on motion of Mr. Alfred William Trueax; Duncan Hume Cameron, of Washington, D.C., on motion of Mr. Richard Stephen Saltzman; Robert J. McClear, of Detroit, Mich., on motion of Mr. Reid C. Tait; Larry James Ritchie, of Columbia, S.C., on motion of Mr. Addison M. Bowman III; Hilary P. Bradford, of Buffalo, N.Y., and F. Harris Nichols, of Buffalo, N.Y., on motion of Mr. Edgar Frank Czarra, Jr.; Joseph Ronald Lynch, of Alexandria, Va., on motion of Mr. James C. Cacheris; Harold Clark Thompson, of Aurora, Colo., Feay Burton Smith, Jr., of Denver, Colo., and Ronald C. Jaynes, of Denver, Colo., on motion of Mr. Joseph B. Blake; N. Marshall Meyers, of Washington, D.C., on motion of Mr. Norman L. Meyers; Gilberto Gierbolini-Ortiz, of San Juan, P.R., on motion of Mr. Matthew J. Faerber; Leo J. Todd, of Grass Valley, Calif., and Brian A. Bishop, of Grass Valley, Calif., on motion of Mr. Jeremiah C. Waterman; B. Dean Lorenz, of Arlington, Va., and Laurence Jay Love, of Milwaukee, Wis., on motion of Mr. Richard Grosgebauer; Roger Warren Titus, of Rockville, Md., and Charles M. Chadwick, of Bethesda, Md., on motion of Mr. G. A. Chadwick, Jr.; Oscar Baylin Goodman, of Las Vegas, Nev., on motion of Mr. James H. Duffy; Henry Gilfry Campbell, Jr., of Eugene, Oreg., on motion of Mr. William Rountree; Elwood Dando Hooper of Riverhead, N.Y., on motion of Mr. George W. Waters, Jr.

George W. Haley, of Kansas City, Kans., and Linda Louis Watkins, of Washington, D.C., on motion of Mr. Joseph A. Blundon; John S. Hoghland 2d., of Washington, D.C., on motion of Mr. Edward A. McCabe; Joseph F. Cunningham, of Washington, D.C., on motion of Mr. John A. McGuinn; Thomas T. Johnson, Jr., of Los Angeles, Calif., on motion of Mr. Robert M. Lichtman; and William T. Richter, of Fresno, Calif., on motion of Mr. Robert Wasman, were admitted to practice.

OPINIONS

No. 236. William Evans, etc., et al., appellants, *v.* Tillye Cornman et al. Appeal from the United States District Court for the District of Maryland. Judgment affirmed. Opinion by Mr. Justice Marshall announced by Mr. Justice Stewart. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 655. Joseph Thomas Mulloy, 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 Court of Appeals for further proceedings in conformity with the opinion of this Court.

Opinion by Mr. Justice Stewart. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 175. *Petsonella Moragne, etc., petitioner, v. States Marine Lines, Inc., et al.* 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. Justice Blackmun took no part in the consideration or decision of this case.

No. 76. *Elliott Ashton Welsh, II, 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 Court of Appeals for further proceedings in conformity with the opinion of this Court. Mr. Justice Black announced the judgment of the Court and delivered an opinion in which Mr. Justice Douglas, Mr. Justice Brennan and Mr. Justice Marshall join. Opinion by Mr. Justice Harlan concurring in the result. Dissenting opinion by Mr. Justice White with whom Mr. Chief Justice Burger and Mr. Justice Stewart join. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 269. *Earl Price, petitioner, v. Georgia.* On writ of certiorari to the Supreme Court of Georgia. Judgment reversed and case remanded to the Supreme Court of Georgia for further proceeding not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Burger. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 726. *Charlene Mitchell et al., appellants, v. Joseph L. Donovan, etc., et al.* Appeal from the United States District Court for the District of Minnesota. Judgment vacated and case remanded to the United States District Court for the District of Minnesota so that it may enter a fresh order dismissing the complaint, this affording the appellants an opportunity to take a timely appeal to the United States Court of Appeals for the Eighth Circuit. Opinion *per curiam* announced by Mr. Chief Justice Burger. Mr. Justice Black concurs in the result. Dissenting opinion by Mr. Justice Douglas. Mr. Justice Blackmun took no part in the consideration or decision of this case.

The Chief Justice said:

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

OPINIONS PER CURIAM

No. 701. *General Electric Company, petitioner, v. Local Union 191, etc., et al.* On petition for writ of certiorari to the United

States Court of Appeals for the Fifth Circuit. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Court of Appeals for further consideration in light of *The Boys Markets, Ins. v. Retail Clerk's Union, Local 770*, 398 U.S. —, decided June 1, 1970. Opinion *per curiam*. Mr. Justice Black and Mr. Justice Douglas dissent. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 1470. Donald P. Walker, 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*. Dissenting opinion by Mr. Chief Justice Burger. Mr. Justice Harlan would affirm. Mr. Justice Marshall and Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 1658, Misc. James Kay Bassett, petitioner, *v. S. Lamont Smith, Warden*. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Georgia granted. Judgment vacated and case remanded to the Supreme Court of Georgia for further consideration not inconsistent with the opinion of this Court. Opinion *per curiam*. Mr. Justice Marshall and Mr. Justice Blackmun took no part in the consideration or decision of this case.

APPEALS—DISMISSALS AND AFFIRMANCES

No. 1358. Morris M. Cannon et al., appellants, *v. William H. Green et al.* Appeal from the United States District Court for the District of Columbia. The appeal is dismissed for want of jurisdiction.

No. 1359. Paul Powell, Individually and as Secretary of State of the State of Illinois, et al., appellants, *v. Robert E. Mann et al.*; and

No. 1444. Robert E. Mann et al., appellants, *v. Paul Powell, Individually and as Secretary of State of the State of Illinois, et al.* Appeals from the United States District Court for the Northern District of Illinois. The judgment is affirmed.

No. 1456. Beeline Express, Inc., appellant, *v. United States et al.* Appeal from the United States District Court for the District of Colorado. The judgment is affirmed.

No. 1489. John J. Watermeier, Jr., et al., appellants, *v. The Louisiana Stadium and Exposition District et al.* Appeal from the United States District Court for the Eastern District of Louisiana. The judgment is affirmed.

No. 90. Michael Birnbaum, 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 peti-

tion for writ of certiorari, certiorari is denied. Mr. Justice Douglas is of the opinion that probable jurisdiction should be noted.

No. 1471. E. S. G., a minor, appellant, *v.* Texas. Appeal from the Court of Civil Appeals of Texas, Fourth Supreme Judicial 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. Mr. Justice Douglas is of the opinion that probable jurisdiction should be noted.

No. 1503. Milton M. Bergerman, etc., appellant, *v.* John V. Lindsay, as Mayor of the City of New York, et al. Appeal from the Court of Appeals of New York. 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.

ORDERS IN PENDING CASES

No. 40, Original. Commonwealth of Pennsylvania, plaintiff, *v.* State of New York et al. The motion for leave to file a bill of complaint is granted and the defendants are allowed sixty days to answer.

No. 67. Jesse Hoskins, petitioner, *v.* United States. The application for bail presented to the Chief Justice, and by him referred to the Court, is denied.

No. 730. Archie William Hill, Jr., petitioner, *v.* California. This case is restored to the calendar for reargument and is to be reargued with cases No. 1125 and No. 1142.

No. 1420. Joseph F. Young, petitioner, *v.* Ada M. Scott, etc., et al. The motion of respondent Scott for allowance of attorney's fee is denied without prejudice to the submission of a motion for such relief to the United States District Court for the Eastern District of Virginia. *Newman v. Piggie Park Enterprises, Inc.*, 390 U.S. 400.

APPEALS—JURISDICTION NOTED

No. 250. James Edmund Groppi, appellant, *v.* Wisconsin. Appeal from the Supreme Court of Wisconsin. In this case probable jurisdiction noted and case placed on the summary calendar.

No. 1493. United States et al., appellants, *v.* Chicago & Eastern Illinois Railroad Company; and

No. 1494. Illinois Commerce Commission et al., appellants, *v.* Chicago & Eastern Illinois Railroad Company. Appeals from the United States District Court for the Northern District of Illinois. In these cases probable jurisdiction noted. Cases consolidated and a total of one hour allotted for oral argument.

CERTIORARI GRANTED

No. **284**. U.S. Bulk Carriers, Inc., petitioner, *v.* Dominic B. Arguelles. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted and case placed on the summary calendar.

CERTIORARI DENIED

No. **83**. Harry C. Schwartz and Abraham Siegel, petitioners, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. **124**. Barbara J. Fuhrman, Administratrix, etc., et al., petitioners, *v.* United States Steel Corporation;

No. **172**. Alice Marie Lamp, Administratrix, etc., et al., petitioners, *v.* United States Steel Corporation;

No. **201**. Jean Cook, Administratrix, etc., petitioner, *v.* United States Steel Corporation; and

No. **210**. Rita Radtke, Administratrix, etc., et al., petitioners, *v.* United States Steel Corporation. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **383**. Ashton J. Mouton, Collector of Revenue, State of Louisiana, petitioner, *v.* Sinclair Oil and Gas Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **389**. United States, petitioner, *v.* Urban Plumbing & Heating Co. Petition for writ of certiorari to the United States Court of Claims denied.

No. **401**. United States, petitioner, *v.* Woodcrest Construction Company, Inc., et al. Petition for writ of certiorari to the United States Court of Claims denied.

No. **498**. United States, petitioner, *v.* Wallenius Bremen, G.m.b.H., Owner of the M/V *Martha*. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1467**. Wall Street Transcript Corporation, etc., petitioner, *v.* Securities and Exchange Commission. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1468**. Salvatore Vavolizza, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1472**. Nationwide Theatres Investment Co. et al., petitioners, *v.* James E. Thompson et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1485. Fred De Maio, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1487. Armstrong, Jones & Co., et al., petitioners, *v.* Securities and Exchange Commission. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1488. Carlos Marcello, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1496. District 30, 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. 1497. Paul Schmidt et al., petitioners, *v.* Archer Iron Works, Inc. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 1504. Cowden Manufacturing Company, petitioner, *v.* Koratron Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1505. Ocean Freighting and Brokerage Corporation, petitioner, *v.* States Marine Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1509. Gerald W. Eskow, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1514. Alfonso Sabino, petitioner, *v.* Superior Court of Los Angeles County, California, et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1515. City of Warren et al., petitioners, *v.* Metro Homes, Inc., et al. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 1520. Margaret Ruth Horton, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 1524. Halsey L. Williams, petitioner, *v.* Burdick F. Williams. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1525. Henry I. Siegel Co., Inc., petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1529. Brotherhood of Locomotive Firemen and Enginemen et al., petitioners, *v.* Gary S. Hansen et al. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. **1535**. Richard W. Erickson et al., petitioners, *v.* Capitol Records, Inc., Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **1539**. Robert David Zmuda, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1576**. United Mine Workers of America, petitioner, *v.* Dean Coal Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **173**. American Boiler Manufacturers Association, petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. **621**. Frederick Wiseman et al., petitioners, *v.* Massachusetts, et al. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied. Mr. Justice Douglas, Mr. Justice Harlan and Mr. Justice Brennan are of the opinion that certiorari should be granted. Dissenting opinion by Mr. Justice Harlan with whom Mr. Justice Brennan joins.

No. **1026**. Alfredo Esterban and Steve Craig Roberds, petitioners, *v.* Central Missouri State College et al. 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. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. **1481**. Terminal Freight Cooperative Association et al., petitioners, *v.* Bernard Samoff, Regional Director, etc., et al. Motion to defer consideration and petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1513**. Louis Edward Burgueno, 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. **1533**. Julius Epstein, petitioner, *v.* Stanley Resor, Secretary of the Army, 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. **1559**. Stockham Valves and Fittings, Inc., petitioner, *v.* Arthur J. Schmitt Foundation 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. 1213, **Misc.** Melville R. Anderson, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1793, **Misc.** Neil Whitley, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 1891, **Misc.** Charles Lee Jelks, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 1909, **Misc.** James A. Kennedy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 1913, **Misc.** Evelyn Buchanon, petitioner, *v.* Cullman City Board of Education. Petition for writ of certiorari to the Court of Appeals of Alabama denied.

No. 1967, **Misc.** Louis E. Landry, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 1980, **Misc.** Peter H. J. Rook, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1995, **Misc.** Nathan Moore, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 2013, **Misc.** Norman S. Hatt, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 2034, **Misc.** Clifford Reed, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 2035, **Misc.** Larry Edward Stead, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 2036, **Misc.** Robert Joseph Smelser, petitioner, *v.* Utah. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. 2039, **Misc.** Delbert Clay Curl, petitioner, *v.* John C. Burke, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 2045, **Misc.** John Parker, petitioner, *v.* South Dakota and Don R. Erickson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 2048, **Misc.** Leewood Alford, petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **2052, Misc.** Arnold Helfend, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **2053, Misc.** Paul Kenneth Bowman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **2054, 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. **2057, Misc.** Damon Turner, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **2060, Misc.** Dennis H. McNeill, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. **2064, Misc.** Lucious Jackson, petitioner, *v.* J. D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **2088, Misc.** Walter Bibbs, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. **2091, Misc.** John Ray, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. **2094, Misc.** Algie Prigeon, 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. **2096, Misc.** James Alfred West, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. **2100, Misc.** James Morris Fletcher, petitioner, *v.* W. Bertram Waychoff, District Attorney, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **2108, Misc.** Fred Schmidt, petitioner, *v.* Russell G. Oswald, Chairman, and the Parole Board of New York State. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **2110, Misc.** Robert N. Hayes, Jr., petitioner, *v.* Maryland. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **375, Misc.** Charles Edward Matthews and Ezekiel Brown, petitioners *v.* United States; and

No. **531, Misc.** Raymond Cook, petitioner, *v.* United States. Motion for leave to amend petition in No. **375, Misc.** granted. Application for bail and for other relief in No. **531, Misc.** presented to Mr. Justice Douglas, and by him referred to the Court, denied. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Harlan would grant the petition for certiorari, vacated judgment of Court of Appeals, and remand to that court for further consideration in light of *Leary v. United States*, 395 U.S. 6 (1969). See *Street v. New York*, 394 U.S. 576, 586 (1969); *Stromberg v. California*, 283 U.S. 359 (1931); and *Desist v. United States*, 394 U.S. 244 (1969), dissenting opinion of Harlan, J. id. 256.

No. **2055, Misc.** Thomas Franklin Clemas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. **2059, Misc.** Charles W. Patch, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois and for other relief denied.

LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS

No. **2148, Misc.** Vernon F. Seymour, petitioner, *v.* Frank J. Pate, Warden. Motion for leave to file petition for writ of mandamus and/or prohibition denied.

REHEARINGS DENIED

No. **513.** In the Matter of Dan A. Spencer, appellant;

No. **1010, Misc.** William W. Thompson, petitioner, *v.* New Jersey;

No. **1817, Misc.** Victor D. Vaughn, petitioner, *v.* Missouri. Petitions for rehearing denied. Mr. Justice Blackmun took no part in the consideration or decision of these petitions.

ORDER ADOPTING AMENDMENTS TO THE RULES OF THE SUPREME COURT OF THE UNITED STATES

The Rules of this Court as amended on June 15, 1970, have been lodged with the Clerk, and it is ordered that said Rules shall become effective on July 1, 1970, and be printed as an appendix to the United States Reports.

It is further ordered that the Rules promulgated on June 12, 1967, appearing in volume 388 of the United States Reports be, and they hereby are, rescinded, but this shall not affect any proper action taken under them before the Rules hereby adopted become effective.

Mr. Justice Marshall took no part in the consideration or decision of the matters on the Order List.

RECESS ORDER

The Court will take a recess from today until Monday, June 22, 1970.

Adjourned until Monday, June 22, 1970, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Black, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, and Mr. Justice Blackmun.

ADMISSIONS TO THE BAR

Donald DeVere Lettow, of St. Cloud, Fla., Charles Otis Baird, Jr., of Atlanta, Ga., Thomas Alwood Travis, Jr., of Atlanta, Ga., William B. Faust, III, of Hammond, La., Paul T. Demos, of Albuquerque, N. Mex., and Carl D. Etling, of Portland, Oreg., on motion of Mr. Solicitor General Erwin N. Griswold; Benjamin Louis Susman, of Beverly Hills, Calif., on motion of Mr. James C. Corman; Warren Lee McElvain, of Falls Church, Va., and John Leslie Wolfe, of Akron, Ohio, on motion of Mr. Wayne N. Aspinall; Lawrence Walter Crispo, of Los Angeles, Calif., on motion of Mr. Charles E. Wiggins; Gerald Daniel Stern, of Washington, D.C., on motion of Mr. William Ramsey Clark; Sheldon A. Breskow, of Indianapolis, Ind., Wendell Chester Hamacher, of Crown Point, Ind., Richard C. Johnson, of Indianapolis, Ind., and William Frank Thompson, of Indianapolis, Ind., on motion of Mr. William D. Ruckelshaus; Paul Aaron Chernoff, of Washington, D.C., Henry Francis Greene, of Reston, Va., and John George Perazich, of Washington, D.C., on motion of Judge William Benson Bryant; Edward Albert Arianna, of Dallas, Tex., and Joseph McCabe Walker, of Philadelphia, Pa., on motion of Mr. Vincent W. Ambrose; H. David Rosenbloom, of Washington, D.C., on motion of Mr. Mortimer M. Caplin; C. Robert Simpson, Jr., of La Habra, Calif., on motion of Mr. Edwin Shaffer Rockefeller, III; Andrew F. Leoni, of Los Angeles, Calif., Houston Hunter Slate, of Los Angeles, Calif., James Michael Farrell, of Washington, D.C., and Carl Ziemba, of Detroit, Mich., on motion of Mr. Daniel L. O'Connor; Harold Howell, of Birmingham, Ala., on motion of Mr. Gordon A. Ginsburg; Henry Brand Lasky, of Oakland, Calif., on motion of Mr. Lawrence Speiser; Lee J. Cohen, of Los Angeles, Calif., on motion of Mr. Earl Kintner; Thomas George Pitus, of Elgin, Ill., on motion of Mr. David M. Lewis, Jr.

Ralph B. Helm, of Los Angeles, Calif., on motion of Mr. Brice Wilson Rhyne; Arthur L. Plevy, of East Brunswick, N.J., on motion of Mr. Roland A. Linger; Richard S. Miller, of Wayne, N.J., on motion of Mr. Joel M. Mangel; Neal D. Cannon, Jr., of Houston, Tex., and David Yancey White, of Corpus Christi, Tex., on motion of Mr. Boe

W. Martin; Linsey J. Freeman, of Richmond, Calif., on motion of Mr. Harry L. Freeman; Robert Edward Manley, of Cincinnati, Ohio, on motion of Mr. Richard C. Hotvedt; John T. Coyne, of Alexandria, Va., on motion of Mr. Walter J. Bonner; Carl H. Hoffman, Jr., of Miami, Fla., on motion of Mr. J. Patrick Hickey; Lowell E. Sachnoff, of Chicago, Ill., and James A. Hourihan, of Washington, D.C., on motion of Mr. Stanley Sutherland Harris; Orland Harold Harris, of Dallas, Tex., on motion of Mr. William O. Braecklein; Tom B. Ramey, Jr., of Tyler, Tex., on motion of Mr. Edwin B. Patterson; John T. Allen, Jr., of Chicago, Ill., on motion of Miss Amy Ruth Mahin; Wm. E. Sloan, of Lexington, Ky., and Charles Guthrie Wylie, of Lexington, Ky., on motion of Mr. Louis H. Mann; William Peter Roche, of Washington, D.C., on motion of Mrs. Barbara M. Simons; Raymond Everett Lisle, of Lynbrook, N.Y., on motion of Mr. Charles Nelson Brower; Harold R. DeMoss, Jr., of Houston, Tex., on motion of Mr. Freeman W. Sharp; Jacob Philip Zand, of New Paltz, N.Y., on motion of Mr. Howard Natter; J.O. Jarrard, of Bethesda, Md., on motion of Mr. Stephen A. West; Thomas Carl Hokinson, of Moline, Ill., on motion of Mr. William C. C. Barnes; and Donald E. Bowen, of Indianapolis, Ind., and John F. Neff, of Indianapolis, Ind., on motion of Mr. Douglas Whitlock, were admitted to practice.

OPINIONS

No. **830**. Frank Chambers, petitioner, *v.* James F. Maroney, Superintendent, State Correctional Institution. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed. Opinion by Mr. Justice White. Concurring opinion by Mr. Justice Stewart. Opinion by Mr. Justice Harlan concurring in part and dissenting in part. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. **188**. Robert Baldwin, 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. Mr. Justice White announced the judgment of the Court and delivered an opinion in which Mr. Justice Brennan and Mr. Justice Marshall join. Opinion by Mr. Justice Black with whom Mr. Justice Douglas joins concurring in the judgment. Dissenting opinion by Mr. Chief Justice Burger. Opinion by Mr. Justice Harlan dissenting in this case and concurring in No. **927**, *post*. Opinion by Mr. Justice Stewart dissenting in this case and concurring in No. **927**, *post*. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 927. Johnny Williams, petitioner, *v.* Florida. On writ of certiorari to the District Court of Appeal of Florida, Third District. Judgment affirmed. Opinion by Mr. Justice White. Concurring opinion by Mr. Chief Justice Burger. Opinion by Mr. Justice Black with whom Mr. Justice Douglas joins concurring in part and dissenting in part. Opinion by Mr. Justice Harlan dissenting in No. 188, *ante*, and concurring in this case. Opinion by Mr. Justice Stewart dissenting in No. 188, *ante*, and concurring in this case. Opinion by Mr. Justice Marshall dissenting in part. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 727. Donald J. Vale, appellant, *v.* Louisiana. Appeal from the Supreme Court of Louisiana. Judgment reversed and case remanded to the Supreme Court of Louisiana for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice Black with whom Mr. Chief Justice Burger joins. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 72. John Henry Coleman and Otis Stephens, petitioners, *v.* Alabama. On writ of certiorari to the Court of Appeals of Alabama. Judgment vacated and case remanded to the Court of Appeals of Alabama for further proceedings not inconsistent with the judgment of this Court. Mr. Justice Brennan announced the judgment of this Court and delivered an opinion. Concurring opinion by Mr. Justice Black. Concurring opinion by Mr. Justice Douglas. Concurring opinion by Mr. Justice White. Opinion by Mr. Justice Harlan concurring in part and dissenting in part. Dissenting opinion by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Stewart with whom Mr. Chief Justice Burger joins. Mr. Justice Blackmun took no part in the consideration or decision of this case.

APPEALS—DISMISSALS AND AFFIRMANCES

No. 1356. Maria Gorun and Paraschiva Giurgiu, appellants, *v.* Montana. Appeal from the Supreme Court of Montana. The appeal is dismissed for want of a substantial federal question.

No. 1522. Jean L. Adams et al., appellants, *v.* City of Colorado Springs et al. Appeal from the United States District Court for the District of Colorado. The judgment is affirmed.

No. 1537. Southern Railway Company, appellant, *v.* City of Harrodsburg, Kentucky. Appeal from the Court of Appeals of Kentucky. The appeal is dismissed for want of a substantial federal question. Mr. Justice Douglas took no part in the consideration or decision of this case.

No. 1588. Nola Camden Burnett, appellant, *v.* Rose E. Camden, etc. Appeal from the Supreme Court of Indiana. 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.

No. 1379, Misc. Cyrus Khabiri, appellant, *v.* S. Bernard Coleman, Judge of the Circuit Court of King George County. 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.

No. 1465, Misc. Ethel Stone Levy, appellant, *v.* John B. Orr, Jr., et al. Appeal from the Supreme Court of Florida. 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.

No. 1467, Misc. Gene Raymond Wood, appellant, *v.* California. Appeal from the Appellate Department of the Superior Court of California, County of Orange. 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.

No. 1587, Misc. Gale William Nettles, 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.

No. 1590, Misc. Francis James Murray, appellant, *v.* Virginia Murray. 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.

No. 1612. John Harder, Commissioner of Welfare, State of Connecticut, appellant, *v.* Jane Doe et al. Appeal from the United States District Court for the District of Connecticut. Motion of appellees for leave to proceed *in forma pauperis* granted. The appeal is dismissed for want of jurisdiction.

No. 1730, Misc. Marilu Taylor, appellant-petitioner, *v.* California. Appeal from and petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District. The appeal is dismissed for want of jurisdiction. Petition for writ of certiorari denied.

ORDERS IN PENDING CASES

No. _____. Daniel E. Pitcher, petitioner, *v.* Melvin Laird. The application for a stay of deployment is granted by Mr. Justice Black until action by the full court is denied as moot.

No. _____. Cassius Marcellus Clay, Jr., petitioner, *v.* United States. The application for a modification of the bail order presented to Mr. Justice Douglas, and by him referred to the Court, is denied. Mr. Justice Marshall took no part in the consideration or decision of this application.

No. _____. James P. Vale, petitioner, *v.* C. Murray Henderson. The renewed application for bail presented to Mr. Justice Black, and by him referred to the Court, is denied. Mr. Justice Marshall took no part in the consideration or decision of this application.

No. **18, Original.** State of Illinois, plaintiff *v.* State of Missouri. Decree entered. Mr. Justice Blackmun took no part in the entry of this decree.

No. **153, Misc.** October Term, 1968. Olius McCrory, Jr., petitioner, *v.* Mississippi. The motion to implement the judgment is denied. The Chief Justice and Mr. Justice Blackmun took no part in the consideration or decision of this motion.

No. **553.** Burton G. Hackney, Commissioner of Public Welfare of Texas, et al., appellants, *v.* Margarita Machado et al. The motion of the appellees to retax costs is denied. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

No. **905.** Grove Press, Inc., et al., appellants, *v.* Maryland State Board of Censors. The motion of the appellants to remove this case from the summary calendar is denied. Mr. Justice Douglas took no part in the consideration or decision of this motion.

No. **1189.** Alton J. Lemon et al., appellants, *v.* David H. Kurtzman, as Superintendent of Public Instruction of the Commonwealth of Pennsylvania, et al. The motion of United Americans for Public Schools for leave to file a brief, as *amicus curiae*, is granted. Mr. Justice Marshall took no part in the consideration or decision of this motion.

No. **1337.** Bernard M. Decker, United States District Judge, et al., petitioners, *v.* Harper & Row Publishers, Inc., et al. Further consideration of the motion of the petitioners for leave to supplement the record and the motion of the respondents to strike portions of petitioners' designation of record are postponed to the hearing of the case on the merits. The material submitted with the petitioners' motion may be lodged with the Clerk.

APPEALS—JURISDICTION NOTED OR POSTPONED

No. **1555.** Eleanor Taft Tilton et al., appellants, *v.* Robert H. Finch, Secretary of the United States Department of Health, Education, and Welfare et al. Appeal from the United States District Court

for the District of Connecticut. In this case probable jurisdiction noted. Case placed on the summary calendar and set for oral argument immediately following No. 1189.

No. 1809, **Misc.** Paul Robert Cohen, appellant, *v.* California. Appeal from the Court of Appeal of California, Second Appellate District. Motion for leave to proceed *in forma pauperis* granted. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits. Case transferred to the appellate docket and placed on the summary calendar.

CERTIORARI GRANTED

No. 1484. Organization for a Better Austin et al., petitioners, *v.* Jerome M. Keefe. Petition for writ of certiorari to the Appellate Court of Illinois, First District, granted and case placed on the summary calendar.

No. 33, **Misc.** Eddie Odom, 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. Review is limited to the retroactivity of *North Carolina v. Pearce*, 395 U.S. 711. Case transferred to the appellate docket and placed on the summary calendar. Mr. Justice Marshall took no part in the consideration or decision of this motion and petition.

No. 240, **Misc.** Webster Bivens, petitioner, *v.* Six Unknown Named Agents of Federal Bureau of Narcotics. 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 and placed on the summary calendar.

CERTIORARI DENIED

No. 1247. Union Pacific Railroad Company, petitioner, *v.* Hall Lumber Sales, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 1317. Carlo Gambino, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1353. Dory Auerbach and Irving Gottlieb, petitioners, *v.* United States; and

No. 1478. David Prosser Randell, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for Fifth Circuit denied.

No. **1483.** Ilo Vanderboom et al., petitioners, *v.* The City National Bank of Fort Smith, Arkansas. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **1518.** J. Robert Huie, petitioner, *v.* Board of Commissioners of the Alabama State Bar. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. **1527.** Joseph Fishman, petitioner *v.* City of Stamford et al. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. **1534.** Local Union No. 167, Progressive Mine Workers of America, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1538.** William E. Barth, petitioner, *v.* City of Louisville et al. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. **1540.** Ted Frederick Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1542.** Saul Cantor et ux., petitioners, *v.* Zoning Board of Adjustment of the Township of Madison et al. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. **1543.** Iroquois Industries, Inc., petitioner, *v.* Syracuse China Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1545.** Frank J. Pate, Warden, petitioner, *v.* Joseph Sam Perry, United States District Judge. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1546.** Louis C. Miriani, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1548.** Joseph Maiorani, petitioner, *v.* Kawasaki Kisen K.K., Kobe, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1554.** Johnny B. Dapper, petitioner, *v.* Municipal Court, San Diego Judicial District. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. **1561.** Daniel T. Fridena, petitioner, *v.* Arizona Osteopathic Medical Association et al. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. **1570.** Bally Case and Cooler, Inc., of Delaware, petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1584.** Intra Bank, S. A., petitioner, *v.* Frank Wille, Superintendent of Banks of the State of New York, et al.; and

No. **1595.** American International Underwriters Corporation et al., petitioners, *v.* Frank Wille, Superintendent of Banks of the State of New York, et al. Petitions for writs of certiorari to the Court of Appeals of New York denied.

No. **1654.** The Bendix Corporation et al., petitioners, *v.* Balax, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **1011.** Marietta Norton et al., petitioners, *v.* The Discipline Committee of East Tennessee State University et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Douglas and Mr. Justice Brennan join.

No. **1075.** Miriam B. Phillips, Superintendent, Kansas State Industrial Reformatory for Women, petitioner, *v.* Edna Mae Booker. 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 Tenth Circuit denied.

No. **1646.** Roger B. Copinger, Warden, petitioner, *v.* Earl Leroy Blackburn. 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. **1523.** Americo Mosca, petitioner, *v.* United States. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Claims denied.

No. **1558.** Theodore Zimmerman, petitioner, *v.* United States Government 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. **1560.** George Sommer and Nimrod Solomon, petitioners, *v.* United States. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **288, Misc.** Remiro Reyes, Jr., petitioner, *v.* California. Petition for writ or certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **567, Misc.** Eddie Pearl Clayton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **705, Misc.** Douglas P. Whitted, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **788, Misc.** James Bradford, Jr., petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. **909, Misc.** Walter Ronald McClain, petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. **1053, Misc.** Doyle Alva Terry, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. **1214, Misc.** Donald Howard Montgomery, petitioner, *v.* Joseph R. Brierley, Superintendent, State Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **1279, Misc.** Gonzalo Valdes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1295, Misc.** Phillip Grant Gibson and Norman Allen Gibson, petitioners, *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. **1336, Misc.** Raymond E. DeJong, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1385, Misc.** William E. Agnew, petitioner, *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. **1397, Misc.** Douglas L. Rhodes, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. **1496, Misc.** Frank M. Williams, petitioner, *v.* Frederick Reincke, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1514, Misc.** Frank Jones, petitioner, *v.* Lake F. Russell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **1563, Misc.** Jack Pigman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1752, **Misc.** George Victor Franklin, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 1775, **Misc.** Benjamin Blackwell, petitioner, *v.* James E. Baker, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1819, **Misc.** Richard H. Clinton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1830, **Misc.** Edward D. Wallen, petitioner, *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 1892, **Misc.** Roy Alan Robinson, etc., petitioner, *v.* Board of Supervisors, Pima County, Arizona, et al. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 1918, **Misc.** Theophilus Charles Williams, petitioner, *v.* E. J. Oberhauser, Superintendent. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1965, **Misc.** Malcolm R. Schlette, petitioner, *v.* Donald M. Rosenstock. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1974, **Misc.** Gale Kenneth Nipp, petitioner, *v.* United States. Petition for writ of certiorari to the Court of Appeal of California, for the Tenth Circuit denied.

No. 1984, **Misc.** Leo Kendall, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1986, **Misc.** Frank Leroy Adams and Marion Leslie Hill, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1987, **Misc.** James Benjamin Grace, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 2047, **Misc.** Robert James Goodman, petitioner, *v.* James D. Cox, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 2051, **Misc.** Joseph Glennerster, petitioner, *v.* United States; and

No. 2075, **Misc.** Robert Joseph Benanti, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **2062, Misc.** Raymond Leroy Devers, petitioner, *v.* California et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **2063, Misc.** Jimmy Scott, 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. **2068, Misc.** Charles W. Seohnlein, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **2070, Misc.** Jack L. Dougherty, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. **2083, Misc.** Paul Henry Marshall, petitioner, *v.* United States. Petition for writ of certiorari to the United States court of Appeals for the Sixth Circuit denied.

No. **2084, Misc.** Herbert Arthur Osterburg, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **2087, Misc.** Billy Bruce Allen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **2089, Misc.** Ellis Lee Williams, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. **2098, Misc.** Adinortey E. Puplampu, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **2101, Misc.** Darnell F. Mosby, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **2112, Misc.** Clyde Edwin Pickler, petitioner, *v.* S. Lamont Smith, Warden. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. **2116, Misc.** Jesse Willard, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **2117, Misc.** George Albert Mills, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **2119, Misc.** Arthur L. Thaxton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **2128, Misc.** Peter C. Unger, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **2132, Misc.** Robert Sewell, petitioner, *v.* Warden, Maryland Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **2135, Misc.** Larry Donald Verse, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **2137, Misc.** Maurice X. Walker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **2138, 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. **2140, Misc.** Garnett Gilliam Webster, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **2143, Misc.** James McParlin, petitioner, *v.* Rhode Island. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **2147, Misc.** Harvey Stewart, 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. **2150, Misc.** James Henry Rollins, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. **2151, Misc.** Fletcher House, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **2171, Misc.** Louis Teplitsky, petitioner, *v.* Associated Press et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **2213, Misc.** Thomas Edward Young, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **2228, Misc.** Virgil McDorman, Grant Jolley and John Sosa, petitioners, *v.* John W. Turner, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **583, Misc.** Walter Paul Albert Henderson, Jr., 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. **955, Misc.** Charles Griffith Wright, petitioner, *v.* California Department of Corrections 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. **1209, Misc.** Steven Lee Stevens, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. **1406, Misc.** Herbert Beasley, 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. **1688, Misc.** Gerald Glen Boyden, petitioner, *v.* Federal Prison Industries, Inc. 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. **1788, Misc.** Johnny Williams, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied. Mr. Justice Black is of the opinion that certiorari should be granted. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. **1960, Misc.** William L. Van Cleave, petitioner, *v.* Louis S. Nelson, Warden. Motion for leave to file petition for writ of habeas corpus denied.

LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. **2245, Misc.** Jesse Willard, petitioner, *v.* Emory G. Hatcher, Clerk, etc., et al. Motion for leave to file petition for writ of mandamus denied.

REHEARINGS DENIED

No. **156, Misc., October Term, 1968.** Herbert A. Ellenbogen, petitioner, *v.* United States. Petition for rehearing denied. Mr. Justice Douglas is of the opinion that the petition should be granted. The Chief Justice, Mr. Justice Marshall and Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. **476.** Sears, Roebuck and Co., petitioner, *v.* Carpet, Linoleum, Soft Tile and Resilient Floor Covering Layers, Local Union No. 419, AFL-CIO, et al. Motion for leave to supplement petition for rehear-

ing granted. Motion to defer consideration of petition for rehearing and petition for rehearing denied. Mr. Justice Blackmun took no part in the consideration or decision of these motions and petition.

No. **834**. Sidney A. Grayson, petitioner, *v.* United States. Motion for leave to file second petition for rehearing denied. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

No. **1374**. Martin A. Beatty, petitioner, *v.* Randolph K. Ellings et al;

No. **1935, Misc.** Clarence Clayton Goff, petitioner, *v.* James F. Pfau, Trustee; and

No. **2033, Misc.** Sherill E. Penney and George C. Hendricks, petitioners, *v.* United States. Petitions for rehearing denied. Mr. Justice Marshall and Mr. Justice Blackmun took no part in the consideration or decision of these petitions.

ASSIGNMENT ORDERS

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 Ninth Circuit beginning June 18, 1970, and ending October 31, 1970, 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 District Court for the Northern District of California beginning June 18, 1970, and ending October 31, 1970, and for such further time as may be required to complete unfinished business, pursuant to 28 U.S.C. § 294(a), is ordered on the minutes of this Court, pursuant to 28 U.S.C. § 295.

RECESS ORDER

The Court will take a recess from today until Tuesday, June 23, 1970.

Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, and Mr. Justice Blackmun.

ADMISSION TO THE BAR

John Celia Christ, of Indianapolis, Ind., on motion of Mr. Andrew Jacobs, Jr., was admitted to practice.

OPINIONS

No. **387**. California, petitioner, *v.* John Anthony Green. 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 White. Concurring opinion by Mr. Chief Justice Burger. Concurring opinion by Mr. Justice Harlan. Dissenting opinion by Mr. Justice Brennan. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. **1066**. City of Phoenix, Arizona, et al., appellants, *v.* Emily Kolodziejski. Appeal from the United States District Court for the District of Arizona. Judgment affirmed. Opinion by Mr. Justice White. Mr. Justice Black concurs in the judgment and in Part I of the opinion of the Court. Dissenting opinion by Mr. Justice Stewart with whom Mr. Chief Justice Burger and Mr. Justice Harlan join. Mr. Justice Blackmun took no part in the consideration or decision of this case.

The Chief Justice said:

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

OPINION PER CURIAM

No. **1507**. Clyde A. Perkins, petitioner, *v.* Standard Oil Company of California; and

No. **1556**. Clyde A. Perkins, petitioner, *v.* Standard Oil Company of California. On petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit. Petitions for writs of certiorari granted, judgments vacated. Case No. **1507** remanded to the Court of Appeals and case No. **1556** remanded to the United

States District Court for the District of Oregon for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*. Mr. Justice Harlan took no part in the consideration or decision of these cases.

ORDER IN PENDING CASE

No. **33, Original**. State of Arkansas, plaintiff, *v.* State of Tennessee. Decree entered.

RECESS ORDER

The Court will take a recess from today until Monday, June 29, 1970, upon which day it will adjourn for the term unless otherwise ordered.

Adjourned until Monday, June 29, 1970, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice Marshall, and Mr. Justice Blackmun.

ORDER

No. ——. Malcolm A. Berk, petitioner, *v.* Melvin Laird, Individually and as Secretary of Defense of the United States, et al. The application for a stay of deployment presented to Mr. Justice White, and by him referred to the Court, is denied. Mr. Justice Douglas and Mr. Justice Marshall took no part in the consideration or decision of this application.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice Marshall, and Mr. Justice Blackmun.

ORDER

No. ——. William P. Robinson, Jr., Commissioner of Education of State of Rhode Island, et al., and John R. Early et al., appellants, v. Joan DiCenso et al. The application for a stay of the order of the United States District Court for the District of Rhode Island entered in Civil Action No. 4239 on June 17, 1970, which application was presented to Mr. Justice Brennan, and by him referred to the Court, is granted, and the said order is hereby stayed pending the timely filing of an appeal in this Court. Should the appeal be so timely filed, the stay will remain in effect pending its disposition. In the event the appeal is dismissed, the stay is to terminate automatically. Should jurisdiction be noted or postponed in the case, the stay is to remain in effect pending the issuance of the judgment of this Court. Mr. Justice Douglas dissents from the grant of the stay. Mr. Justice White and Mr. Justice Marshall took no part in the consideration or decision of this application.

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SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Black, Mr. Justice Harlan, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice Marshall, and Mr. Justice Blackmun.

ADMISSIONS TO THE BAR

William Earl Emick, Jr., of Whittier, Calif., Harvey R. Hasson, of San Diego, Calif., Joseph J. Ballior, of Boston, Mass., Chester Ciro Paris, of Boston, Mass., Ignatius R. J. Piscitello, of Lawrence Mass., Richard F. Fellrach, of Dearborn, Mich., Joseph I. McCullough, Jr., of Haddon Heights, N.J., Andrew E. Kuchinsky, of New York, N.Y., Harvey S. Morrison, of Cleveland, Ohio, Martin Joseph Welsh, of Cleveland, Ohio, Robert A. Mangrum, of Columbia, Tenn., Joseph H. Campbell, of Norfolk, Va., and Steven Miles Charno, of Arlington, Va., on motion of Mr. Solicitor General Erwin N. Griswold; Joseph Francis Meadow, of Washington, D.C., William G. Reid, of Austin, Tex., and Patrick A. Hudson, of Dallas, Tex., on motion of Mr. Ralph W. Yarborough; Earl S. Robinson, of Honolulu, Hawaii, Michael David Hong, of Honolulu, Hawaii, and Jack Roberts Ruegg, of New York, N.Y., on motion of Mr. Hiram Leong Fong; Robert Cecil McCandless, of Hobart, Okla., on motion of Mr. Carl Bert Albert; Thomas M. Dawson, of Leavenworth, Kans., on motion of Mr. Keith G. Sebelius; Charles A. Intriago, of Miami, Fla., on motion of Mr. Dante B. Fascell; Thomas H. Antonion, of Atlanta, Ga., on motion of Mr. Benjamin B. Blackburn; James Patrick Darrah, of Stockton, Calif., on motion of Mr. John J. McFall; C. Ernest McDonald, of Dalton, Ga., on motion of Mr. John W. Davis; James Peter Zarifes, of Long Beach, Calif., on motion of Mr. Richard T. Hanna; V. Thomas Fryman, Jr., of New York, N.Y., on motion of Mr. John H. Pickering; Alex F. Varga, of Los Angeles, Calif., on motion of Mr. Thomas H. Kuchel; William C. Brashares, of Washington, D.C., and Harry W. Cladouhos, of Washington, D.C., on motion of Mr. Endicott Peabody.

Peter L. Maroulis, of Poughkeepsie, N.Y., on motion of Mr. George Gordon Liddy; James P. Sohan, of Louisville, Ky., and Herbert Van Arsdale II, of Louisville, Ky., on motion of Mr. Neville Miller; Robert Anthony Groves, of Reno, Nev., on motion of Mr. James Henry Duffy; Milton J. Morris, of New York, N.Y., and Harold S. Levy, of New York, N.Y., on motion of Mr. John W.

Gray, Jr.; Paul F. McCaul, of Los Angeles, Calif., on motion of Mr. Frederick J. Lees; Elvin L. Benton, of Tacoma Park, Md., on motion of Mr. Ronald J. Wylie; Robert E. Redmann, of New Orleans, La., on motion of Mr. Wendell W. Mew; Lutz Alexander Prager, of Baltimore, Md., on motion of Mr. David R. Cashdan; Risley C. Triche, of Napoleonville, La., on motion of Mr. Benjamin H. Dorsey; J. E. Wilson, of Atlanta, Ga., on motion of Mr. Ronald D. Hartshorn; John Barrington McGrath, Jr., of St. Paul, Minn., on motion of Mr. Robert Thomas Molloy; Jay M. Finkelstein, of Washington, D. C., and Norman N. Kunitz, of Washington, D.C., on motion of Mr. Harvey Kaye; Michael J. Roberts, of Salisbury, Md., on motion of Mr. William C. Evans; William A. Wilbanks, of Tulsa, Okla., on motion of Mr. August Allen King; Richard M. Bussey, of Santa Rosa, Calif., on motion of Mr. Glen M. Bendixsen; Donald A. Furtado, of Washington, D. C., on motion of Mr. Philip F. Ziedman; and Leonard A. Briscoe, of Baltimore, Md., on motion of Mr. Milton B. Allen, were admitted to practice.

OPINIONS

No. 7. 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. Appeal dismissed for want of jurisdiction. Opinion by Mr. Justice Stewart. Concurring opinion by Mr. Justice White with whom Mr. Justice Brennan joins. Mr. Justice Blackmun took no part in the consideration or decision of this case.

Nos. 914, 916, 920, 1038 and 1057. New Haven Inclusion Cases. On writs of certiorari to the United States Court of Appeals for the Second Circuit; and

Nos. 915, 917, and 921. New Haven Inclusion Cases. Appeals from the United States District Court for the Southern District of New York. Judgments of the United States District Court for the District of Connecticut reviewed on writs of certiorari in Nos. 914, 916, 920, 1038 and 1057, affirmed in part and vacated in part and remanded for further proceedings in conformity with the opinion of this Court. Judgments of the United States District Court for the Southern District of New York appealed in Nos. 915, 917 and 921 vacated and remanded to the United States District Court for the Southern District of New York with instruction to abstain pending the further proceedings before the Interstate Commerce Commission and the reviewing courts under § 77 of the Bankruptcy Act. Opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice Black with whom Mr. Justice Harlan joins. Mr. Justice Douglas took no part in the decision of these cases. Mr. Justice Marshall and Mr. Justice Blackmun took no part in the consideration or decision of these cases.

No. 1093. United States, appellant, *v.* Phillipsburg National Bank and Trust Company et al. Appeal from the United States District Court for the District of New Jersey. Judgment reversed and case 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 Brennan. Opinion by Mr. Justice Harlan with whom Mr. Chief Justice Burger joins concurring in part and dissenting in part. Mr. Justice Stewart took no part in the decision of this case. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 305. United States, appellant, *v.* John Heffron Sisson, Jr. Appeal from the United States District Court for the District of Massachusetts. Appeal dismissed for lack of jurisdiction. Opinion by Mr. Justice Harlan. Mr. Justice Black concurs in the judgment of the Court and Part IIC of the opinion. Dissenting opinion by Mr. Chief Justice Burger with whom Mr. Justice Douglas and Mr. Justice White join. Dissenting opinion by Mr. Justice White with whom Mr. Chief Justice Burger and Mr. Justice Douglas join. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 595. Louis S. Nelson, Warden, petitioner, *v.* John Edward George. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed. Opinion by Mr. Chief Justice Burger. Concurring opinion by Mr. Justice Harlan with whom Mr. Justice Marshall joins. Dissenting opinion by Mr. Justice Douglas. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 1089. Willie E. Williams, appellant, *v.* Illinois. Appeal from the Supreme Court of Illinois. Judgment vacated 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 Burger. Opinion by Mr. Justice Harlan concurring in the result. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 782. Phillip Morris et al., appellants, *v.* Hiram Schoonfield, Warden et al. Appeal from the United States District Court for the District of Maryland. Judgment vacated and case remanded to the United States District Court for the District of Maryland for reconsideration in light of the intervening legislation and the decision of this Court in *Williams v. Illinois*, decided today. Opinion *per curiam* announced by Mr. Chief Justice Burger. Concurring opinion of Mr. Justice White with whom Mr. Justice Douglas, Mr. Justice Brennan and Mr. Justice Marshall join. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. **81**. Rector Simmons, Jr., et ux., appellants, *v.* West Haven Housing Authority. Appeal from the Appellate Division of the Circuit Court of Connecticut. Appeal dismissed. Opinion *per curiam* announced by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Marshall joins. Mr. Justice Blackmun took no part in the consideration or decision of this case.

The Chief Justice said:

"Today's orders of the Court have been duly entered and certified and filed with the Clerk, and will not be announced orally."

OPINIONS PER CURIAM

No. **241**. Sidney L. Raskin, Executor of the Estate of Margaret Curry, deceased, petitioner *v.* P. D. Marchessini, Inc., et al. 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 reconsideration in light of *Moragne v. States Marine Lines, Inc.*, —U.S.— (1970). Opinion *per curiam*.

No. **577**. United States, appellant, *v.* Paul E. Sweet. Certified appeal from the United States District Court for the District of Columbia. Returned to the United States Court of Appeals for the District of Columbia Circuit for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*. Mr. Justice Douglas dissents. Mr. Justice Marshall took no part in the decision of this case.

No. **664**. J. V. Dunn, appellant, *v.* Louisiana. Appeal from the Supreme Court of Louisiana. The motion to dismiss is granted and the appeal is dismissed for want of a substantial federal question. Opinion *per curiam*. Mr. Justice Marshall would reverse the judgment below for the reasons stated in his dissenting opinion in *Williams v. Florida*, —U.S.— (1970).

No. **672**. William Philip Morico, 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 Court of Appeals for further consideration in light of *Welsh v. United States*, —U.S.—, decided June 15, 1970. Opinion *per curiam*. The Chief Justice, Mr. Justice Stewart, Mr. Justice White, and Mr. Justice Blackmun are of the opinion that certiorari should be denied.

No. **35, Misc.** William Creighton Vaughn, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Eighth 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 *Welsh v. United States* — U.S. —, decided June 15, 1970. Opinion *per curiam*. The Chief Justice, Mr. Justice Stewart, Mr. Justice White, and Mr. Justice Blackmun are of the opinion that certiorari should be denied.

No. **88, Misc.** Dennis Warren McQueary, 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 Court of Appeals for further consideration in light of *Welsh v. United States*, — U.S. —, decided June 15, 1970. Opinion *per curiam*. The Chief Justice, Mr. Justice Stewart, Mr. Justice White, and Mr. Justice Blackmun are of the opinion that certiorari should be denied.

No. **738, Misc.** William Alan Callison, 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 to the United States Court of Appeals for the Ninth Circuit granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Welsh v. United States*, — U.S. —, decided June 15, 1970. Opinion *per curiam*. The Chief Justice, Mr. Justice Stewart, Mr. Justice White, and Mr. Justice Blackmun are of the opinion that certiorari should be denied.

No. **801.** E. P. Perini, etc., petitioner, *v. Dominic Colosimo*. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Motion to dispense with printing petition and motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Chambers v. Maroney*, — U.S. — (1970). Opinion *per curiam*. Mr. Justice Harlan is of the opinion that certiorari should be denied. However, the case having been taken for review, he would affirm the judgment below for the reasons stated in his separate opinion in *Chambers v. Maroney*, — U.S. — (1970).

No. **936.** Sherman H. Crouse, Warden, petitioner, *v. William Nay Wood*. On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Motion of the respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to Court of Appeals for further consideration in light of *Chambers v. Maroney*, — U.S. — (1970). Opinion *per curiam*. Mr. Justice Harlan is of the opinion that certiorari should be denied. However, the case having been taken

for review, he would affirm the judgment below for the reasons stated in his separate opinion in *Chambers v. Maroney*, — U.S. — (1970).

No. 1032. Preston Dial and Billy H. Cunningham, appellants, *v.* Richard Fontaine. Appeal from the United States District Court for the Western District of Texas. The appeal is dismissed for want of jurisdiction. Opinion *per curiam*. Mr. Justice Douglas dissents from the dismissal of the appeal.

No. 1195. Carl Hocker, Warden, petitioner, *v.* James A. Heffley. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Motion of the 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 *Chambers v. Maroney*, — U.S. — (1970). Opinion *per curiam*. Mr. Justice Harlan is of the opinion that certiorari should be denied. However, the case having been taken for review, he would affirm the judgment below for the reasons stated in his separate opinion in *Chambers v. Maroney*, — U.S. — (1970).

No. 1385. Reginald Hutcherson et al., appellants, *v.* Laurie Lehtin et al. Appeal from the United States District Court for the Northern District of California. The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. Opinion *per curiam*.

No. 1532. Jerry Allen Penner, 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 Western District of Oklahoma with instructions to dismiss the indictment. Opinion *per curiam*.

No. 1544. Melvin Lee Hoyt and Joseph S. Lee, petitioners, *v.* Minnesota. On petition for writ of certiorari to the Supreme Court of Minnesota. Petition for writ of certiorari granted, judgment reversed and case remanded to the Supreme Court of Minnesota for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam*. Dissenting opinion by Mr. Justice Blackmun with whom the Chief Justice and Mr. Justice Harlan join.

No. 1232, Misc. Stanley Edward Kelley, petitioner, *v.* Arizona. On petition for writ of certiorari to the Supreme Court of Arizona. 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 Arizona for further consideration in light of *Chambers v. Maroney*, —U.S.— (1970). Opinion *per curiam*. Mr. Justice Harlan would vacate the judgment and remand to the Supreme Court of Arizona for the reasons stated in his separate opinion in *Chambers v. Maroney*, —U.S.— (1970).

No. 1886, Misc. John Roderick Peet, 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 Northern District of California for resentencing. Opinion *per curiam*.

No. 1969, Misc. Benjamin Thomas Guerrieri, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Third 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 Western District of Pennsylvania for findings as to whether or not petitioner is in fact an indigent and proceeding in good faith pursuant to 28 U.S.C. § 1915. Opinion *per curiam*.

APPEALS—SUMMARY DISPOSITIONS

No. 1371. The Reader's Digest Association, Inc., appellant, *v.* George E. Mahin, Director of Revenue of the State of 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. Mr. Justice Douglas is of the opinion that probable jurisdiction should be noted.

No. 1670, Misc. James Mears, appellant, *v.* Carl Hocker, Warden, et al. Appeal from the United States Court of Appeals for the Ninth 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.

No. 1925, Misc. George Dober, appellant, *v.* Nicholas T. Elko and Andrew Pataki. Appeal from the Supreme Court of Pennsylvania, Western 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.

No. 1568. Vivian E. Carlough, appellant, *v.* Elliot L. Richardson, Secretary of Health, Education and Welfare. Appeal from the United States District Court for the Southern District of Florida. Judgment vacated and case remanded to the United States District Court for the Southern District of Florida so that it may enter a fresh judgment from which a timely appeal may be taken to the Court of Appeals.

No. 1310, Misc. Michael Arthur Lee, appellant, *v.* Dave Faulkner, Sheriff. Appeal from the Court of Criminal Appeals of Oklahoma. The appeal is dismissed for want of a substantial federal question.

No. 1889, Misc. William Gary Bettencourt, appellant, *v.* California. Appeal from the Court of Appeal of California, Third Appellate District. The appeal is dismissed for want of a substantial federal question.

No. 1525, Misc. Ruthie Mae Smith, appellant, *v.* Scotland Urban Enterprises, Inc. Appeal from the Supreme Court of Louisiana. The appeal is dismissed for want of a properly presented federal question. Mr. Justice Douglas is of the opinion that probable jurisdiction should be noted.

ORDERS IN PENDING CASES

No. ——. Florida *ex rel.* Earl Faircloth, Attorney General of Florida, et al., petitioners, *v.* M & W Theatres, Inc., et al.

The application for stay of preliminary injunction issued by the United States District Court for the Northern District of Florida presented to Mr. Justice Black, and by him referred to the Court, is granted pending the timely filing and disposition of an appeal. Should such an appeal not be filed, this stay is to expire automatically. Should such an appeal be timely docketed, this stay is to continue pending this Court's action on the jurisdictional aspect of the case. In the event the appeal is dismissed or judgment below summarily affirmed, this stay is to expire automatically. Should the Court note probable jurisdiction of the appeal or postpone further consideration of the question of jurisdiction to a hearing on the merits, this stay is to remain in effect pending the issuance of the judgment of this Court. Mr. Justice Douglas, Mr. Justice White, and Mr. Justice Marshall took no part in the consideration or decision of this application.

No. ——. Florida *et rel.* Earl Faircloth, Attorney General of Florida, et al., petitioners, *v.* John Newton et al.

The application for stay of preliminary injunction issued by the United States District Court for the Northern District of Florida, presented to Mr. Justice Black, and by him referred to the Court is granted pending the timely filing and disposition of an appeal. Should such an appeal not be filed, this stay is to expire automatically. Should such an appeal be timely docketed, this stay is to continue pending this Court's action on the jurisdictional aspect of the case. In the event the appeal is dismissed or judgment below summarily affirmed, this stay is to expire automatically. Should the Court note probable jurisdiction of the appeal or postpone further consideration of question of jurisdiction to a hearing on the merits, this stay is to remain in effect pending the issuance of the judgment of this Court. Mr. Justice Douglas, Mr. Justice White, and Mr. Justice Marshall took no part in the consideration or decision of this application.

No. —. United States, petitioner, *v.* Ten Reels of a Motion Picture etc.

The application to vacate the stay heretofore issued by Mr. Justice Black is denied, with leave to renew, however, if a trial on the obscenity *vel non* of this film has not commenced by August 3, 1970, unless any delay of the trial beyond that date has been occasioned by the appellee, Grove Press. Mr. Justice Black and Mr. Justice Stewart would vacate the stay. Mr. Justice Douglas took no part in the consideration or decision of this application.

No. 4. Evelle J. Younger, appellant, *v.* John Harris, Jr., et al.;

No. 6. John S. Boyle, Chief Judge of the Circuit Court of Cook County, Illinois, et al., appellants, *v.* Lawrence Landry, et al.;

No. 11. George Samuels et al., appellants, *v.* Thomas J. Mackell, District Attorney, et al.;

No. 20. Fred Fernandez, appellant, *v.* Thomas J. Mackell, District Attorney, et al.;

No. 265. Gladys Boddie et al., appellants, *v.* Connecticut et al.;

No. 266. Lelia Mae Sanks et al., appellants, *v.* Georgia et al.;

No. 565. Frank Dyson, Chief of Police, City of Dallas, et al., appellants, *v.* Brent Stein; and

No. 1149. Garrett H. Byrne, etc., et al., appellants, *v.* Serafim Karalexis et al. These cases are restored to the calendar for reargument.

No. 21. A. L. Dutton, Warden, appellant, *v.* Alex S. Evans;

No. 1632. Dennis Councle McGautha, petitioner, *v.* California; and

No. 1633. James Edward Crampton, petitioner, *v.* Ohio. The Solicitor General is invited to file a brief in these cases expressing the views of the United States and to participate in the oral argument. The motion of the petitioner for the appointment of counsel in No. 1633 is granted, and it is ordered that John J. Callahan, Esquire, of Toledo, Ohio, 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. 730. Archie William Hill, Jr., petitioner, *v.* California. The motion of Keith C. Monroe for leave to participate in oral argument, as *amicus curiae*, on behalf of the Orange County Criminal Courts Bar Association, is denied.

No. 1155. United States, appellant, *v.* Milan Vuitch. In addition to the issues presented on the merits of this case, the parties are requested to brief and argue the following three questions:

1. Does this Court have jurisdiction under 18 U.S.C. Sec. 3731 to entertain a direct appeal from a decision of the United States District Court for the District of Columbia dismissing an indictment on the

ground of the invalidity of the statute on which the indictment is founded, where the statute, although an act of Congress, applies only in the District of Columbia?

2. Could the District Court's decision in this case have been appealed to the Court of Appeals for the District of Columbia Circuit pursuant to D.C. Code, Sec. 23-105?

3. If the decision could have been appealed to the District of Columbia Circuit, should this Court, as a matter of sound judicial administration, abstain from accepting jurisdiction pursuant to 18 U.S.C. Sec. 3731 because the case involves the validity of a statute the application of which is confined to the District of Columbia?

No. 1189. Alton J. Lemon et al., appellants, *v.* David H. Kurtzman, as Superintendent of Public Instruction of the Commonwealth of Pennsylvania, et al. The motion of Americans United for Separation of Church and State for leave to participate in oral argument, as *amicus curiae*, is denied. Mr. Justice Marshall took no part in the consideration or decision of this motion.

No. 1198. Edgar D. Whitcomb, Governor of the State of Indiana, appellant, *v.* Patrick Chavis et al. The motion of the ACLU Foundation, Inc., et al. for leave to file a brief, as *amici curiae*, is granted.

No. 2242, Misc. T. Edward Austin, State Attorney, petitioner, *v.* United States District Court for the Middle District of Florida, et al. The application for a stay order or writ of injunction presented to Mr. Justice Black, and by him referred to the Court, is granted. Mr. Justice Douglas took no part in the consideration or decision of this application.

APPEALS—JURISDICTION NOTED OR POSTPONED

No. 837. Leander H. Perez, Jr., et al., appellants, *v.* August M. Ledesma, Jr., et al. Appeal from the United States District Court for the Eastern District of Louisiana.

Further consideration of the question of jurisdiction in this case is postponed to the hearing of the case on the merits and the case is placed on the summary calendar and set to be argued with No. 4, *Younger v. Harris*, No. 6, *Boyle v. Landry*, No. 11, *Samuels v. Mackell*, No. 20, *Fernandez v. Mackell*, No. 565, *Dyson v. Stein*, and No. 1149, *Byrne v. Karalexis*. In addition to the questions presented in the jurisdictional statement the parties are requested to brief and argue the following questions:

(1) Was it an appropriate exercise of discretion for the three-judge court to grant the relief in paragraphs 1 and 2 of the judgment of August 14, 1969, in view of the pendency of the State prosecution charging violation of Louisiana Revised Statutes 14:106?

(2) Was it an appropriate exercise of discretion for the three-judge court in paragraph 4 of said judgment to declare the St. Bernard Parish Ordinance No. 21-69 unconstitutional?

No. 1658. Virginia C. Shaffer, appellant, *v. Anita Valtierra et al.* Appeal from the United States District Court for the Northern District of California. In this case probable jurisdiction is noted. Case placed on the summary calendar and set for oral argument with No. 1557. Mr. Justice Douglas took no part in the consideration or decision of this matter.

No. 2300, Misc. Joseph McKeiver and Edward Terry, appellants, *v. Pennsylvania.* Appeal from the Supreme Court of Pennsylvania, Eastern District. Motion of the appellants for leave to proceed *in forma pauperis* granted. In this case probable jurisdiction noted and case transferred to the appellate docket. Case placed on the summary calendar and set for oral argument with No. 1441.

CERTIORARI GRANTED

No. 1170. Guy Porter Gillette, petitioner, *v. United States.* 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. 1405. Willie S. Griggs et al., petitioners *v. Duke Power Company.* Motion of the United Steel Workers of America, AFL-CIO for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted and case placed on the summary calendar. Mr. Justice Brennan took no part in the consideration or decision of this motion and petition.

No. 1713. James E. Swann et al., petitioners, *v. Charlotte-Mecklenburg Board of Education et al.* Motion of the National Education Association for leave to file a brief, as *amicus curiae*, granted. Motion of the United Negro College Fund, Inc., et al., for leave to file a brief, as *amici curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted, provided that the judgment of the Court of Appeals is left undisturbed insofar as it remands the case to the district court for further proceedings, which further proceedings are authorized, and the district court's judgment is reinstated and shall remain in effect pending those proceedings. The decision on the motions to expedite is deferred. Mr. Justice Black dissents from the Court's order which reinstates the district court's judgment. He would grant the motion to expedite action in this Court and set the case for hearing at the earliest possible date.

No. 1318, Misc. Edward H. Coolidge, Jr., petitioner, *v. New Hampshire.* Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of New Hampshire granted.

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

No. **1873, Misc.** Preston A. Tate, petitioner, *v.* Herman Short, Chief of Police, Houston, 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. **1669, Misc.** Louis A. Negre, petitioner, *v.* Stanley R. Larsen 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, placed on the summary calendar, and set for oral argument immediately following No. **1170**.

CERTIORARI DENIED

No. **516.** Irwin Ira Messinger, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **1115.** Winfred Wisnieski, petitioner, *v.* Ohio ex rel. Adam Kendzia et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. **1414.** Richard O. Tilton et al., petitioners, *v.* The Cowles Publishing Company. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. **1427.** A. T. Garrett et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **1440.** Jeremiah Opie, petitioner, *v.* Leonard F. Meacham, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **1461.** Jay Richard Bergman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **1536.** In the Matter of Joe Breck Gantt, petitioner. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. **1551.** Willie Ellis Lanier, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **1552.** Bankers Mortgage Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1562. Samuel A. Longo and Robert Migliaccio, petitioners, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 1563. Carl A. Coppolino, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 1566. Monroe Auto Equipment Company, Hartwell Division, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1567. Louie L. Wainwright, Director, Division of Corrections, State of Florida, petitioner, *v.* Clinton William Baker. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 1571. Anderson Federation of Teachers, Local 519, petitioner, *v.* School City of Anderson et al. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 1573. Metropolitan Life Insurance Company, petitioner, *v.* Mary Louise Edwards et al. Petition for writ of certiorari to the Superior Court of Pennsylvania, Pittsburgh District, denied.

No. 1585. Rudolph Izzi, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 1592. B. B. Woodson, Trustee, petitioner, *v.* George Gilmer. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 1601. George W. Riley et ux., petitioners, *v.* State Farm Mutual Automobile Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 1606. Harsh Investment Corporation, petitioner, *v.* Curtis B. Danning, Receiver. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1638. Gennaro J. Coppola, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 18. Charles McLaurin, petitioner, *v.* William C. Burnley, Jr., Custodian of the Greenville City Jail. 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. 1619. George M. Vasilj, 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. 508. Thomas Hanna, petitioner, *v. Illinois*. Petition for writ of certiorari to the Supreme Court of Illinois denied. Mr. Justice Harlan would grant the petition for certiorari, vacate the judgment below, and remand the case for the reasons stated in his separate opinion in *Chambers v. Maroney*, — U.S. — (1970).

No. 683. Richard H. Ichord et al., petitioners, *v. Jeremiah Stampler et al.* 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. 1600. Steve Marston et al., petitioners, *v. Ann Arbor Property Managers et al.* 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. 1618. Joseph Curran et al., petitioners, *v. James Morrissey et al.* Motion to defer consideration of petition for certiorari and petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice White is of the opinion that certiorari should be granted.

No. 1753. The School Board of the City of Norfolk, Virginia, et al., petitioners, *v. Carlotta Mozelle Brewer et al.* Motion to dispense with printing petition and motion to advance granted. 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 case set for oral argument at the earliest possible date.

No. 13, Misc. Manuel Oliveros, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 373, Misc. Eddie Pitts, petitioner, *v. Ohio*. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 389, Misc. Misc. Lillian M. Gelhaar, petitioner, *v. Wisconsin*. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 907, Misc. Lamar Hearn, petitioner, *v. Florida*. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 1304, Misc. Joe Morgan, petitioner, *v. California Adult Authority*. Petition for writ of certiorari to the Supreme Court of California denied.

No. 1545, Misc. Rosa Gutierrez, petitioner, *v. California*. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Ventura, denied.

No. 1567, *Misc.* Richard Hock, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 1572, *Misc.* Thomas Stack, 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. 1592, *Misc.* James Carnell Wilson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 1693, *Misc.* Richard Baker, petitioner, *v.* Joseph R. Brierley, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 1829, *Misc.* Denzil Clarence Stout, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 1955, *Misc.* Henry Bell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 1971, *Misc.* Alonzo Pena Caldera and Lois Virginia Saldana, petitioners *v.* John N. Mitchell, Individually and as Attorney General, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 1981, *Misc.* Victor Frank Szijarto, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 2010, *Misc.* Edward Richburg, petitioner, *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 2015, *Misc.* Booker T. 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. 2016, *Misc.* Thomas Allen Cox, petitioner, *v.* John W. Wingo, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 2017, *Misc.* Allen Walker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 2020, *Misc.* Fred Dale Cragg, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 2021, *Misc.* George Clayton, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 2029, *Misc.* Moses Andrew Jackson, petitioner, *v.* Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 2030, *Misc.* Marion G. Adams, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 2040, *Misc.* Donald E. McGettrick, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 2041, *Misc.* John C. O. Hollom, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 2042, *Misc.* Joseph O'Fields, petitioner, *v.* Lloyd E. Rader, Director, Oklahoma Department of Institutions, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 2043, *Misc.* Honorio Adorno Lorenzana, petitioner, *v.* Gerardo Delgado, Warden. Petition for writ of certiorari to the Supreme Court of Puerto Rico denied.

No. 2049, *Misc.* Thomas Carlton Wansley, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Appeals of Virginia denied.

No. 2066, *Misc.* Marilu Taylor, petitioner, *v.* Superior Court, County of Riverside, California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 2072, *Misc.* Otis Walter Williams, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 2079, *Misc.* Phillip Henry Sharpe, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 2080, *Misc.* Raymond Leon Cully, 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. 2090, *Misc.* Rudolph Henry Kruse, Sr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 2092, *Misc.* Kenneth Headley, Bobby Sams and Charles Huntley, petitioners, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 2095, *Misc.* Dacie Bass, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 2099, **Misc.** Tyrone A. Horton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 2102, **Misc.** Alan Ray Mapys, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 2104, **Misc.** Kennety B. Moffett, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 2111, **Misc.** Jesse Lara Lopez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 2115, **Misc.** Jo A. Hyleck, petitioner, *v.* Minnesota. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 2122, **Misc.** Theodore Harold Clarke, petitioner, *v.* United States Board of Parole et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 2123, **Misc.** Laurence Ray Yant, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 2127, **Misc.** Walter Groves, petitioner, *v.* Frank J. Pate, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 2129, **Misc.** Edmund Marvin Brown, petitioner, *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 2131, **Misc.** Domingo Manuel-Baca, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 2133, **Misc.** John Thomas Lott, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 2141, **Misc.** Jimmie O. Wooten, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 2146, **Misc.** Louis Cohen, 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. 2157, **Misc.** Antonio M. Briones, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **2163, Misc.** James William Hynes, aka James Burns, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **2175, Misc.** Gary David Nelson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **105, Misc.** Robert Louis Jackson, petitioner, *v.* Georgia. Motion of Emory Community Legal Services Center for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the Supreme Court of Georgia denied. Mr. Justice Black and Mr. Justice Douglas, being of the view that No. **72, Coleman v. Alabama**, 397 U.S. —, should be retroactive in this case (see *Desist v. U.S.*, 394 U.S. 244, 255, dissenting opinion) would grant, vacate, and remand for reconsideration in light of *Coleman*. Mr. Justice Harlan would grant petition for writ of certiorari, vacate judgment of court below, and remand to that court for further consideration in light of his concurring opinion in *Coleman v. Alabama*, 397 U.S. — (1970). See dissenting opinion of Harlan, J. *Desist v. United States*, 394 U.S. 244, 256 (1969).

No. **219, Misc.** Virgil Lewis Turley, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied. Mr. Justice Black and Mr. Justice Douglas, being of the view that No. **72, Coleman v. Alabama**, 397 U.S. —, should be retroactive in this case (see *Desist v. U.S.*, 394 U.S. 244, 255, dissenting opinion) would grant, vacate, and remand for reconsideration in light of *Coleman*. Mr. Justice Harlan would grant petition for writ of certiorari vacate judgment of court below, and remand to that court for further consideration in light of his concurring opinion in *Coleman v. Alabama*, 397 U.S. — (1970). See Dissenting opinion of Harlan, J. *Desist v. United States*, 394 U.S. 244, 256 (1969).

No. **509, Misc.** Frank Edward Wetzell, petitioner, *v.* North Carolina. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Black and Mr. Justice Douglas, being of the view that No. **72, Coleman v. Alabama**, 397 U.S. —, should be retroactive in this case (see *Desist v. U.S.*, 394 U.S. 244, 255, dissenting opinion) would grant, vacate, and remand for reconsideration in light of *Coleman*. Mr. Justice Harlan would grant petition for writ of certiorari, vacate judgment of court below, and remand to that court for further consideration in light of his concurring opinion in *Coleman v. Alabama*, 397 U.S. — (1970). See dissenting opinion Harlan, J. *Desist v. United States*, 394 U.S. 244, 256 (1969).

No. 212, Misc. Warren E. Gilliam, Jr., petitioner, *v.* Stanley R. Resor, Secretary of the Army. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant, vacate and remand for reconsideration in light of *Welsh v. United States* — U.S. — (1970).

No. 603, Misc. Robert Joseph Satterfield, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 878, Misc. John McMillan Gregg, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 1342, Misc. Fernando Sarabia, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Mr. Justice Douglas is of the opinion that certiorari should be granted.

No. 908, Misc. James Morgan, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied. Mr. Justice Marshall would grant certiorari and reverse judgment below for the reasons stated in his dissenting opinion in *Williams v. Florida*, —U.S.— (1970).

No. 1201, Misc. Clyde Collier, petitioner, *v.* John W. Wingo, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Harlan would grant certiorari, vacate judgment below and remand for the reasons stated in his separate opinion in *Chambers v. Maroney*, —U.S.— (1970). Mr. Justice Marshall would grant certiorari, vacate judgment and remand for further consideration in light of *Chambers v. Maroney*, —U.S.— (1970).

No. 1399, Misc. Larry Carter 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 would grant certiorari on the question whether a witness before a grand jury has standing in light of *Blair v. United States*, 250 U.S. 273, to challenge the constitutionality of a statute concerning violations of which he is compelled to testify.

No. 1668, Misc. Herman Benjamin Ferguson and Arthur Harris, petitioners, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied. Mr. Justice Douglas and Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 1964, *Misc.* Larry Wayne Satery, petitioner, *v.* Texas. Motion to dissolve stay granted. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 1978, *Misc.* Ralph Russell, petitioner, *v.* Martin P. Catherwood, as Industrial Commissioner. Petition for writ of certiorari to the Appellate Department of the Supreme Court of New York, Third Judicial Department, denied. Dissenting opinion by the Chief Justice with whom Mr. Justice Douglas joins.

No. 2113, *Misc.* James K. Newman, petitioner, *v.* Maurice Sigler, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 2114, *Misc.* Judith Ann Whitney, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 2384, *Misc.* Lonnie McLucas et al., petitioners, *v.* Aaron J. Palmer, Judge of the Superior Court of the State of Connecticut. Motion to expedite consideration of the petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. 2217, *Misc.* Henry McClendon, petitioner, *v.* Lamont Smith, Warden. Motion for leave to file petition for writ of habeas corpus denied.

LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 2130, *Misc.* Maurice E. Hardie, petitioner, *v.* Philip Neville, United States District Judge. Motion for leave to file petition for writ of mandamus denied.

REHEARINGS DENIED

No. 776, *October Term, 1968.* Utah Public Service Commission, appellant, *v.* El Paso Natural Gas company et al. All petitions for rehearing, motions and other petitions filed in this case denied. Mr. Justice Harlan and Mr. Justice Stewart would call for responses to petitions for rehearing and to other motions and petitions referred to in this Court's order. Mr. Justice Brennan, Mr. Justice White and Mr. Justice Marshall took no part in the consideration or decision of this order.

No. 1345. James D. Sullivan, petitioner, *v.* Edward J. Choquette et al. Petition for rehearing denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. **1409**. Meilah Bell, petitioner, *v.* Government of the Virgin Islands; and

No. **1442**. Dean Foods Company, Inc., petitioner, *v.* National Labor Relations Board. Petitions for rehearing denied. Mr. Justice Marshall and Mr. Justice Blackmun took no part in the consideration or decision of these petitions.

No. **1488**. Carlos Marcello, petitioner, *v.* United States. Petition for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

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;

No. **1665, Misc.** Charles Evans, petitioner, *v.* United States;

No. **1822, Misc.** Albert Leroy Peterson, petitioner, *v.* Missouri; and

No. **2037, Misc.** Delia Carrigan, petitioner, *v.* Erich P. Karlsson Builders. Inc. Petitions for rehearing denied. Mr. Justice Marshall and Mr. Justice Blackmun took no part in the consideration or decision of these petitions.

No. **1622, Misc.** John Oliver, petitioner, *v.* Alfred T. Rundle, Superintendent, State Correctional Institution. Motion for leave to file petition for rehearing denied. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

No. **1804, Misc.** Bert C. Cushway, petitioner, *v.* State Bar of Georgia. Petition for rehearing denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

The Chief Justice announced the following order of the Court:

“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 Chief Justice then announced that the Court is adjourned to the time and place appointed by law.