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367 U.S. 908

**F. Otway DENNY et al. v. Earl Benjamin BUSH et al. No. 868.**

Rehearing Denied Oct. 9, 1961.

See 82 S.Ct. 26.

Appeal from the United States District Court for the Eastern District of Louisiana.

Facts and opinion, *Bush v. Orleans Parish School Board*, D.C., 191 F.Supp. 871.

Gerard A. Rault, for appellants.

Solicitor General Cox, Assistant Attorney General Marshall and Harold H. Greene, for the United States, as amicus curiae, urging affirmance.

June 19, 1961. PER CURIAM. The motion to affirm is granted and the judgment is affirmed.



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367 U.S. 906

**COMMISSIONER OF INTERNAL REVENUE v. MILWAUKEE & SUBURBAN TRANSPORT CORPORATION. No. 843.**

On Petition for Writ of Certiorari to the United States Court of Appeals for the Seventh Circuit.

Facts and opinion, 7 Cir., 283 F.2d 279.

Solicitor General Cox, Assistant Attorney General Oberdorfer, Harry Baum and Joseph Kovner, for petitioner.

Richard R. Teschner and Warren W. Browning, for respondent.

June 19, 1961. PER CURIAM. The petition for writ of certiorari is granted. The judgment is vacated and the case is remanded in light of *American Automobile Association v. United States*, 364 U.S. 813, 81 S.Ct. 69, 5 L.Ed.2d 45, and *United States v. Consolidated Edison Company of New York, Inc.*, 364 U.S. 890, 81 S.Ct. 220, 5 L.Ed.2d 186.

Mr. Justice DOUGLAS dissents.

On remand from Supreme Court, 293 F.2d 628.

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367 U.S. 907

**David M. TRUBEK et al. v. Abraham S. ULLMAN, State's Attorney.**

No. 847.

Appeal from the Supreme Court of Errors of Connecticut.

Facts and opinion, 147 Conn. 633, 165 A.2d 158.

Fowler V. Harper, for appellants.

June 19, 1961. PER CURIAM. The appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

Mr. Justice DOUGLAS, Mr. Justice HARLAN and Mr. Justice STEWART are of the opinion that probable jurisdiction should be noted.



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366 U.S. 957

**FEDERAL TRADE COMMISSION, petitioner, v. HENRY BROCH AND COMPANY. No. 864.**

Former decision, 364 U.S. 854, 81 S.Ct. 30; 366 U.S. 923, 81 S.Ct. 1350.

Facts and opinion, 7 Cir., 285 F.2d 764.

Solicitor General Cox, for petitioner.

Frederick M. Rowe, for respondent.

June 19, 1961. The joint motion for leave to use record in No. 61, October Term, 1959, 363 U.S. 166, 80 S.Ct. 1158, 4 L.Ed.2d 1124, is granted.



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367 U.S. 905

**Louis WEISBERG v. STATE OF OHIO. No. 808.**

Appeal from the Supreme Court of Ohio.

Facts and opinion, 171 Ohio St. 302, 170 N.E.2d 432.

H. H. Felsman, for appellant.

June 19, 1961. PER CURIAM. The appeal is dismissed. Treating the papers