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# Mississippi Appeal on Bias At Polls Denied by Court

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The Supreme Court today refused to hear a State appeal from a temporary Federal court order barring discriminatory practices in voter registrations in Forrest County, Miss.

The Federal Government sued in July, 1961, to protect Negro voting rights in the county. It alleged that Registrar Theron C. Lynd had discouraged or refused to register Negro applicants.

The Government said a majority of the 22,431 eligible white citizens were registered. But, it was stated, only 25 of 7,495 Negroes had been registered, none during Mr. Lynd's term.

## Beginning of Drive

The voting suit, and one filed the same day in Clarke County, were the first brought in Mississippi in what Attorney General Robert F. Kennedy said was an effort to effect impartial registrations there.

The Fifth Circuit Court of Appeals in New Orleans said "dilatatory" motions had delayed the voting suit, but a hearing was held in District Court after eight months on a Government motion for a temporary injunction.

The lower court, however, made no ruling.

The Government next turned to the Court of Appeals, asking for a temporary injunction until an appeal could be heard. The appellate court temporarily enjoined discriminatory practices.

In an opinion, the Court of Appeals said that while discriminatory registration practices "appear to be fully proved," the effect of the lower court's inaction was to refuse the requested injunction.

## No Order Made

The State, in unsuccessfully seeking a Supreme Court review of the temporary injunction, contended the Court of Appeals had lacked jurisdiction because the lower court had not issued any reviewable order.

The Government, which is also proceeding against the registrar for alleged contempt of the Court of Appeals order, said the Supreme Court will not hear an appeal until the

Court of Appeals makes a final ruling.

The Supreme Court's action today lets the temporary anti-discrimination injunction stand. Two weeks ago, the high court, in another case, upheld a ruling requiring Negro registrations in Alabama.

Justice White, who was deputy Attorney General before his appointment to the Supreme Court, took no part in consideration of the case.

In other action today, the high court:

1. Denied a hearing to Teamster president James R. Hoffa on his claim that a grand jury that indicted him on fraud charges in Florida was improperly selected.

Mr. Hoffa, indicted on mail fraud charges in connection with a housing development proposal, argued jury lists involved manipulation of racial balances and exclusion of blue-collar workers.

## Justices Abstain

Justices White and Goldberg did not participate in today's ruling. Two weeks ago, the high court refused to hear a claim by Mr. Hoffa that high Government officials prejudiced the grand jury in the same case against him.

2. Refused to review the conviction of seven Negroes on charges growing out of a fracas when police in Monroe, La., visited a Black Muslim meeting place in March, 1961.

3. Refused to review a case in which a couple who were Jehovah's witnesses were ruled to have neglected their young son by refusing to permit blood transfusions.

The couple objected to the transfusions on religious grounds. A judge appointed a guardian who gave the permission, but the child died.

4. Denied a review of a Nevada court's refusal to honor a Maryland decision that a socially prominent Washington area woman's 1955 Nevada divorce was invalid.

A Montgomery County Circuit Court Judge, whose decision was upheld on appeal, ruled that Mrs. Scott B. Appleby lacked a bona fide Nevada residence when she divorced Benjamin Colby, her former husband.

Nevada Rejected Ruling  
The Nevada court refused to honor the Maryland decision. Mrs. Appleby was asked by Mr. Colby to

vacate its decree on the basis of the 1958 Maryland ruling. The Nevada court refused.

5. Refused to review a ruling that Socony Mobil Oil Co. and Marathon Oil Co. must refund more than \$1 million to 11 Eastern gas utility concerns. The amount represents money collected by the two firms during a stay of Federal Power Commission action that barred certain gas rate increases. Courts later upheld the FPC.

6. Refused to review the discharge from the Central Intelligence Agency of an intelligence officer who claimed "jealous" officials arranged his ouster.

The United States Court of Appeals here had ruled against John Torpats, 62, of 5034 North Thirty-sixth street, Arlington. The appellate court said the discharge was not for security reasons. Mr. Torpats, who said he was not given an appropriate hearing, said his discharge grew out of a mission to Europe in 1956 on which he was accused of using poor judgment.

7. Vacated the dismissal by a Federal Court in California of a Government complaint against Elias & Laughlin, Inc., that alleged a merger, tended to create a four-State monopoly in the production and sale of cold finished steel bars. The high court ordered the case sent back for reconsideration by the lower court in the light of a ruling by the Supreme Court last June.