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## "High Court To Rule On Park X-Way"

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# High Court To Rule On Park X-Way

## Surprise Move Made in Case By Justices

By LEE STILLWELL  
The Press-Scimitar Bureau

WASHINGTON. — The U.S. Supreme Court in surprise move late yesterday, agreed to consider the Overton Park freeway route controversy.

The court released a stay order against construction, agreed to a writ of certiorari, agreeing to rule on the case, and set a hearing for final arguments on Jan. 11.

The court digressed from normal procedure in the action since lawyers in yesterday's hearings argued only for a stay order.

Normally, when a stay order is granted, further hearings would have been held on the request for certiorari court acceptance of the case for a decision.

The court ordered the opponents of the park route, the Citizens to Preserve Overton Park and two national conservation groups, the Audubon Society and the Sierra Club, to file their briefs by Dec. 21, 1970.

The state and federal lawyers were given until Jan. 4, to file their briefs.

The justices also told the lawyers they could file typewritten briefs instead of printed copies.

The city of Memphis is allowed to file briefs

(cont'd) ↓  
as a friend of the court,  
according to the order.

Associate Justice William O. Douglas "took no part in the consideration or decision" said the statement reached by the court. Douglas is a former board member of the Sierra Club.

A court official said there was nothing unusual about the quick decision but added that the case was being heard on "an accelerated schedule."

The court also granted a stay order in another case involving a freeway scheduled to be built through a park in San Antonio and set a certiorari hearing for Dec. 14.

Court observers indicated that a decision would come shortly after all arguments are heard in the case on Jan. 11.

The court ignored a request by the state to assess the petitioners damages for any further delays in constructing the freeway.

Jack Vardaman, a Washington lawyer, argued the case for the conservationists yesterday with William B. Reynolds representing the U.S. Transportation Department and Alex Hanover, the state highway department.

!!! Ha.