

305 - Harlan
Concurring

RECEIVED

FEB 29 2 37 PM '68

CHAMBERS OF THE
CHIEF JUSTICE

- To: The Chief Justice
- Mr. Justice Black
- Mr. Justice Douglas
- Mr. Justice Brennan
- Mr. Justice Stewart
- Mr. Justice White
- Mr. Justice Fortas
- Mr. Justice Marshall

SUPREME COURT OF THE UNITED STATES

From: Harlan, Jr

No. 305.—OCTOBER TERM, 1967.

Circulated: _____

Securities and Exchange Com-
mission, Petitioner,
v.
New England Electric System
et al.

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

Recirculated FEB 29 1968

[March —, 1968.]

MR. JUSTICE HARLAN, whom MR. JUSTICE STEWART joins, concurring.

Given the earlier decision of the Court in this case, *SEC v. New England Electric System*, 384 U. S. 176, which I continue to believe wrongly construed the statute but by which I consider myself bound, I join today's opinion of the Court.

Reproduced from the Collections of the Manuscript Division, Library of Congress