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## Miscellaneous—Per Curiam

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upon contract provisions and hence were issues "arising out of the contract" within the arbitration clause.<sup>35</sup>

The dissent took the view that the pay claims by their nature arose only upon dismissal of the employees, which occurred after termination of the contract whether it was deemed terminated by the employee strike or the employer cessation of negotiations. The answer to this argument appears to lie in the distinction that, while it is true that the pay rights in issue matured upon dismissal, they nonetheless grew out of the contract while it was in effect. The majority view appears to be clearly preferable when it is considered that an opposite result would have relegated each employee to an action on his pay claim.

### Per Curiam

*Restoration of competency*—The Court held in, *In re Henry*,<sup>36</sup> that as a matter of law, on the evidence in the record, petitioner-appellant had regained her mental health and thus should be declared able to manage herself and her affairs.

*Election law*—In *McGlynn v. Dixon*,<sup>37</sup> the Court held valid a rule of the 1956 Rules of the Democratic County Committee of Queens County which provided for the election of an Executive Committee of the Democratic Party of Queens County. It was held that the rule was properly adopted in accordance with the power conferred on the committee by sections 14-15 of the Election Law.

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35. See note 31 *supra*.

36. 3 N.Y.2d 258, 165 N.Y.S.2d 60 (1957).

37. 2 N.Y.2d 68, 156 N.Y.S.2d 837 (1956).