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SERVICE OF PROCESS.

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STATUTORY PRESUMPTIONS. See **Criminal Law; Trial.**

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SUBVERSIVE ACTIVITIES CONTROL ACT.

Order to register—Stale record.—Court of Appeals' judgment affirming Subversive Activities Control Board's order that petitioner register as a Communist-front organization is vacated, in view of the staleness of the record. *American Committee v. SACB*, p. 503; *Brigade Veterans v. SACB*, p. 513.

SUBVERSIVE ORGANIZATIONS. See **Constitutional Law, III, 2-3; Procedure, 1; Subversive Activities Control Act.**

SUPPORT AND MAINTENANCE. See **Constitutional Law, I, 1; Jurisdiction; Procedure, 4.**

TAXES. See also **Constitutional Law, I, 2; Indians; Procedure, 5.**

1. *Depletion deduction—Lessees of coal lands—Contract miners.*—Under 26 U. S. C. § 611 (b), read in the light of § 631 (c), the lessee in a typical lessor-lessee arrangement is entitled to the entire depletion deduction, which is allowed only to the owner of an economic interest in the mineral deposits; and contract coal miners without more are not entitled to a tax allowance. *Paragon Coal Co. v. Commissioner*, p. 624.

TAXES—Continued.

2. *District of Columbia franchise tax—Income apportioned on basis of sales.*—Since most States imposing corporate income taxes apportion corporate income by giving equal weight to geographical distribution of plant, payroll, and sales, the use of a formula based wholly on sales will result in multiple taxation and unfair allocation of corporate income, as well as contravene the language of the District of Columbia franchise tax statute. *GMC v. District of Columbia*, p. 553.

3. *Estate taxes—Proceeds of flight insurance policy.*—Proceeds of flight insurance policy should be included in estate tax return since policy was on the life of the decedent within the meaning of 26 U. S. C. § 2042 (2) and decedent possessed incidents of ownership at the time of his death for estate tax purposes. *Commissioner v. Noel*, p. 678.

4. *Internal Revenue Code—Capital gains—Sale of company to charitable organization.*—Transaction by which a charitable organization acquired title to company stock and assets in return for its promise to pay over money from the operating profits, constituted a sale under local law and within the meaning of § 1222 (3) of the Code. *Commissioner v. Brown*, p. 563.

5. *Sale of company—Capital gains—Shifting of risk.*—The fact that there was no risk-shifting does not mean that the transaction was not a sale but a device to collect future earnings at capital gains rates for which the price set was excessive. *Commissioner v. Brown*, p. 563.

TAX EXEMPTIONS. See **Taxes**, 4-5.

TELEVISION ADVERTISING. See **Procedure**, 6; **Remedies**; **Unfair Competition**.

TEMPORARY EMPLOYEES. See **Administrative Procedure**, 1; **Labor**, 4.

TEXAS. See **Constitutional Law**, I, 1; II, 1; VII, 1; **Procedure**, 4.

TEXTILE MILLS. See **Labor**, 2.

TRADERS. See **Indians**.

TRIAL. See also **Constitutional Law**, II, 2; VI-VII; **Criminal Law**; **Juries**, 1.

Statutory presumption—Powers of trial judge—Instructions to jury.—Statute authorizing jury to infer guilt from defendant's unexplained presence at illegal still deprives trial judge of none of his normal powers with respect to submitting case to jury or granting judgment notwithstanding verdict nor does it prevent the jury from

TRIAL—Continued.

being instructed on standards for reasonable doubt. *United States v. Gainey*, p. 64.

TRIAL BY JURY.

Right of federal criminal defendant to waive—*Federal Rules of Criminal Procedure*.—Defendant in a federal criminal case does not have an absolute right to be tried by the court without a jury, and though he may waive his constitutional right to a jury trial such waiver may be conditioned upon approval of the court and the consent of the Government, as set forth in Federal Rule of Criminal Procedure 23 (a). *Patton v. United States*, p. 24.

TRIAL JURIES. See **Constitutional Law**, II, 2; **Juries**, 2.

TWENTY-FOURTH AMENDMENT. See **Constitutional Law**, VIII; **Procedure**, 2.

UNFAIR COMPETITION. See also **Procedure**, 6; **Remedies**.

Deceptive practices—*Undisclosed use of mock-ups*—*Television advertising*.—It is a material deceptive practice to convey to television viewers the false impression that they are seeing an actual test or demonstration which proves a product claim when they are not because of the undisclosed use of mock-ups. *FTC v. Colgate-Palmolive Co.*, p. 374.

UNIONS. See **Administrative Procedure**, 1-2; **Judicial Review**; **Labor**, 1-5.

UNIVERSAL MILITARY TRAINING AND SERVICE ACT.

See also **Conscientious Objectors**.

Conscientious objectors—"Religious training and belief."—The test of religious belief within the meaning of the exemption in § 6 (j) of the Act is whether it is a sincere belief occupying in the life of its possessor a place parallel to that filled by the God of those admittedly qualified for the exemption. *United States v. Seeger*, p. 163.

VENUE. See **Defendants**; **Federal Employers' Liability Act**; **Voting**, 1.

VIRGINIA. See **Constitutional Law**, VIII; **Procedure**, 2.

VOTING. See also **Constitutional Law**, II, 1; VIII; **Decree**; **Defendants**; **Evidence**; **Procedure**, 2.

1. *Right to vote without racial distinction*—*Suit by Attorney General to protect that right*.—The right to vote without racial distinction is guaranteed by 42 U. S. C. § 1971 (a), and 1971 (c) authorizes the Attorney General to sue to protect that right, and to make the State a defendant whether or not the office of registrar is vacant. *United States v. Mississippi*, p. 128.

VOTING—Continued.

2. *Right to vote without racial distinction—Suit by Attorney General to protect voting rights.*—The Attorney General has power to sue a State and its officials to protect voting rights guaranteed to Negroes by 42 U. S. C. § 1971 (a) and the Fourteenth and Fifteenth Amendments. *Louisiana v. United States*, p. 145.

WAIVER. See **Trial by Jury**.

WAR. See **Conscientious Objectors; Universal Military Training and Service Act**.

WARRANTS. See **Constitutional Law, V**.

WHIPSAW STRIKE. See **Administrative Procedure, 1; Labor, 4**.

WITNESSES. See **Constitutional Law, VII**.

WORDS.

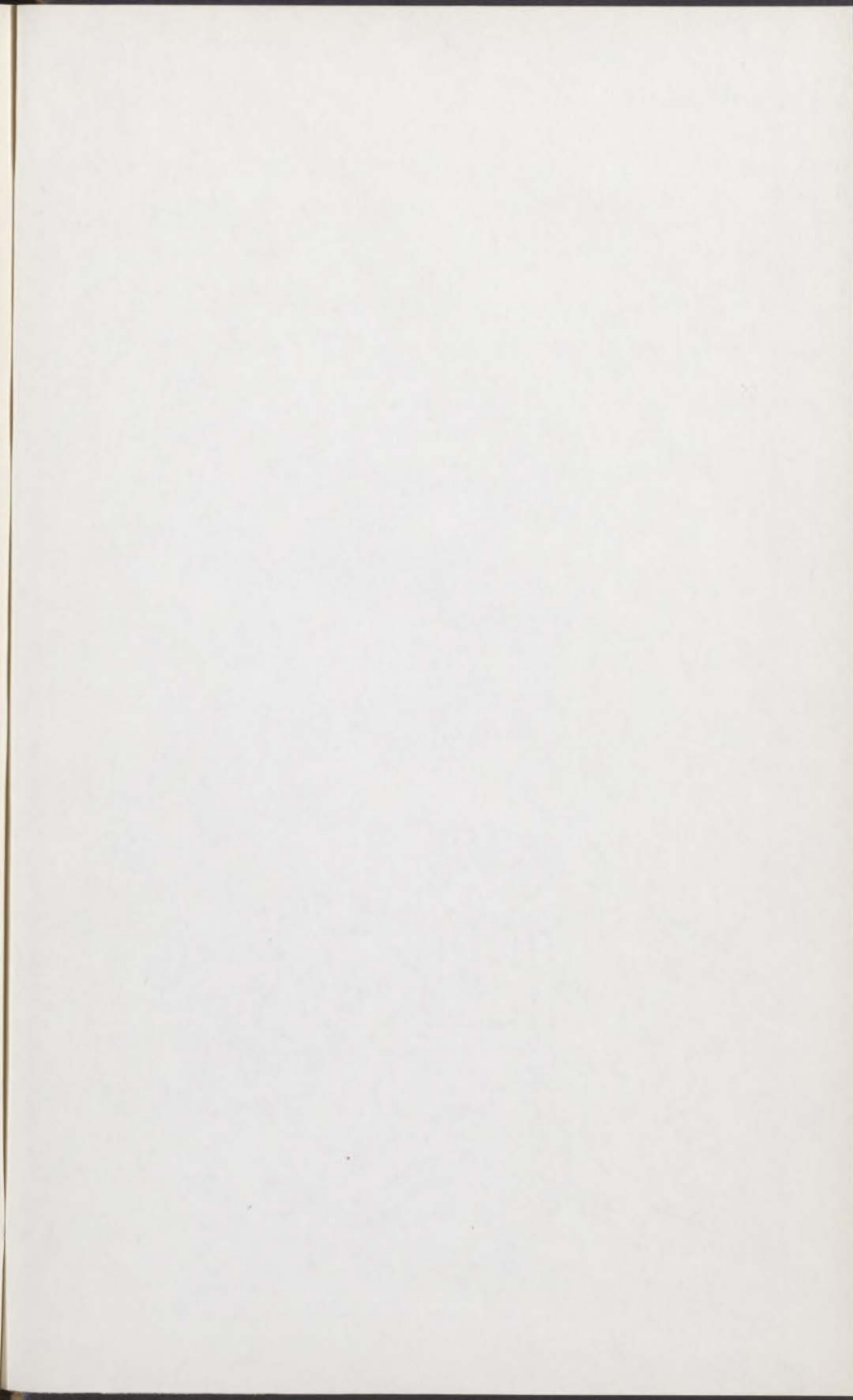
1. *“Religious training and belief.”*—§ 6 (j), **Universal Military Training and Service Act**, 50 U. S. C. App. § 456 (j). *United States v. Seeger*, p. 163.

2. *“Substantial interest.”*—§ 10, **Clayton Act**, 15 U. S. C. § 20. *United States v. Boston & M. R. Co.*, p. 157.

WORKMEN'S COMPENSATION. See also **Administrative Procedure, 3**.

1. *Choice of remedy by State where employee resides and is injured—Full Faith and Credit Clause.*—Alabama, where employee resides and was injured, may adopt such choice of remedy as it desires and is free to adopt and enforce the remedy provided by Georgia without any requirement imposed by the Full Faith and Credit Clause that special Georgia compensation board procedure be followed. *Crider v. Zurich Ins. Co.*, p. 39.

2. *Longshoremen's & Harbor Workers' Compensation Act—Course of employment—Deputy Commissioner's order.*—Deputy Commissioner's award of damages pursuant to the Act based on a finding that death at an overseas base was in course of employment should be upheld since the holding is not irrational or without substantial evidence. *O'Keeffe v. Smith Associates*, p. 359.



1914-1915

The following are the names of the members of the Board of Directors of the National Board of Health, as reported in the report of the Board for the year ending June 30, 1914.

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