

## I N D E X

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**ABSTENTION.** See also **Procedure**, 1.

*State constitutional question—Commercial salmon fishing licenses—Federal-state relations.*—District Court should have abstained from deciding case on merits pending resolution of state constitutional question by Alaska courts, a procedure that could conceivably avoid any decision under the Fourteenth Amendment and any possible irritant in the federal-state relationship. *Reetz v. Bozanich*, p. 82.

**ACCOUNTANTS' FEES.** See **Taxes**, 2.

**ADDRESSEES OF MAIL.** See **Constitutional Law**, III, 2; V, 2.

**ADEQUATE STATE GROUNDS.** See **Pleas**, 3, 5; **Procedure**, 2.

**ADMINISTRATION OF JUSTICE.** See **Constitutional Law**, IX, 1-2; **Procedure**, 5.

**ADMINISTRATIVE HEARINGS.** See **Constitutional Law**, III, 2; V, 2.

**ADMINISTRATIVE PROCEDURE.** See also **Federal-State Relations**; **Indians**; **Judicial Review**, 4; **Jurisdiction**, 3; **Mootness**; **National Labor Relations Board**, 1-2; **Procedure**, 8; **Social Security Act**, 3.

1. *Department of Health, Education, and Welfare—Needy children—Income of man in the house.*—HEW regulation validly implements the Social Security Act since HEW could reasonably conclude that only a person as near as a real or adoptive father would be has the consensual relation to the family that makes it reliably certain that his income is actually available for support of the children in the household. *Lewis v. Martin*, p. 552.

2. *Interstate Commerce Commission—Agency rules—Compliance.*—These ICC rules are mere aids to exercise of agency's independent discretion and District Court exacted standard of compliance with these procedural rules that was wholly unnecessary to provide an adequate record to review the ICC's decision. *American Farm Lines v. Black Ball*, p. 532.

3. *Interstate Commerce Commission—Petitions for rehearing—Conflict with District Court.*—ICC's statutory jurisdiction to pass on petitions for rehearing may be exercised to add to or buttress its findings, absent any interference with or injunction from the

**ADMINISTRATIVE PROCEDURE**—Continued.

District Court. Here the ICC honored the court's stay order and reopened record merely to remedy a deficiency before any judicial review on merits had begun and acted in full harmony with that court's jurisdiction. *American Farm Lines v. Black Ball*, p. 532.

**ADMINISTRATIVE PROCEDURE ACT.** See *Bank Service Corporation Act of 1962*; *Food and Agriculture Act of 1965*; *Indians*; *Judicial Review*, 2, 4-5; *Standing to Sue*, 1-2.

**ADMINISTRATIVE REMEDIES.** See *Judicial Review*, 1; *Jurisdiction*, 1-2; *Social Security Act*, 2.

**ADMIRALTY.** See also *Employer and Employees*; *Social Security Taxes*.

*Captains and crews of fishing boats—Social security taxes—Employer and employees.*—Status of captains and crews under Federal Insurance Contributions Act and Federal Unemployment Tax Act must in this instance be determined under the standards of maritime law, which is the common law of seafaring men. *United States v. Webb, Inc.*, p. 179.

**ADOPTIVE FATHERS.** See *Administrative Procedure*, 1; *Federal-State Relations*; *Social Security Act*, 3.

**ADVERTISEMENTS.** See *Constitutional Law*, III, 2; V, 2.

**ADVICE OF COUNSEL.** See *Federal Kidnaping Act*; *Pleas*, 1-5; *Procedure*, 2.

**ADVOCACY OF IDEAS.** See *Constitutional Law*, VII; *Procedure*, 6.

**AGENCY ACTION.** See *Bank Service Corporation Act of 1962*; *Food and Agriculture Act of 1965*; *Judicial Review*, 2, 5; *Standing to Sue*, 1-2.

**AGENCY RULES.** See *Administrative Procedure*, 2-3; *Jurisdiction*, 3.

**AGGRIEVED PERSONS.** See *Bank Service Corporation Act of 1962*; *Food and Agriculture Act of 1965*; *Judicial Review*, 2, 5; *Standing to Sue*, 1-2.

**AGRICULTURAL PRODUCTS.** See *Constitutional Law*, I, 1-2.

**AGRICULTURAL PROGRAMS.** See *Food and Agriculture Act of 1965*; *Judicial Review*, 5; *Standing to Sue*, 2.

**AID TO FAMILIES WITH DEPENDENT CHILDREN.** See *Administrative Procedure*, 1; *Constitutional Law*, III, 3; IV, 1; *Federal-State Relations*; *Judicial Review*, 1; *Jurisdiction*, 1-2; *Procedure*, 10; *Social Security Act*, 1-3.

- ALABAMA.** See Labor, 2; Procedure, 3.
- ALASKA CONSTITUTION.** See Abstention; Procedure, 1.
- ALCOHOLIC BEVERAGES.** See Constitutional Law, VIII.
- ALLOTMENTS.** See Indians; Judicial Review, 4.
- ALTERNATIVE GROUNDS.** See Constitutional Law, VII; Procedure, 6.
- AMENDED REGULATIONS.** See Food and Agriculture Act of 1965; Judicial Review, 5; Standing to Sue, 2.
- APPEALS.** See Mootness; Procedure, 8.
- APPORTIONMENT.** See Constitutional Law, IV, 2.
- APPRAISAL LITIGATION.** See Taxes, 2, 4.
- APPRAISERS' FEES.** See Taxes, 2.
- ARIZONA FRUIT AND VEGETABLE STANDARDIZATION ACT.** See Constitutional Law, I, 1-2.
- ARKANSAS.** See Boundaries.
- ARKANSAS RIVER.** See Indian Treaties; Navigable Rivers.
- ARMY RECRUITING STATION.** See Constitutional Law, VII; Procedure, 6.
- ASSERTION OF PRIVILEGE.** See Constitutional Law, IX, 1-2; Procedure, 5.
- ASSIGNMENTS FOR RENT.** See Food and Agriculture Act of 1965; Judicial Review, 5; Standing to Sue, 2.
- ASSISTANCE TO CHILDREN.** See Administrative Procedure, 1; Federal-State Relations; Social Security Act, 1-3.
- ASSUMPTION OF INCOME.** See Administrative Procedure, 1; Federal-State Relations; Social Security Act, 3.
- ATTORNEY GENERAL.** See Constitutional Law, III, 2; V, 2.
- ATTORNEYS.** See Federal Kidnaping Act; Pleas, 1-5; Procedure, 2.
- ATTORNEYS' FEES.** See Taxes, 2.
- ATTRIBUTION.** See Taxes, 6-7.
- "AUTHORIZED" NOTICE OF LIEN.** See Taxes, 3.
- BALTIMORE.** See Constitutional Law, VII; Procedure, 6.

**BANKING SERVICES.** See **Bank Service Corporation Act of 1962**; **Judicial Review**, 2; **Standing to Sue**, 1.

**BANKRUPTCY ACT.** See also **Taxes**, 5.

*Federal tax claims—Priority of payment—Chapter X proceedings.*—United States is entitled to absolute priority of payment of its tax claims under § 3466 of the Revised Statutes over other claimants in the reorganization here involved, there being no inconsistency between the terms of that section and the provisions of Chapter X of the Bankruptcy Act. *United States v. Key*, p. 322.

**BANK SERVICE CORPORATION ACT OF 1962.** See also **Judicial Review**, 2; **Standing to Sue**, 1.

*Data processing service—Bank customers—Competition.*—Interest sought to be protected by petitioners, which provide data processing services, is arguably within the zone of interests to be protected or regulated by the Act and petitioners are "aggrieved" persons under § 702 of the Administrative Procedure Act. *Data Processing Service v. Camp*, p. 150.

**BEHAVIOR OF DEFENDANT.** See **Constitutional Law**, X; **Trials**.

**BENEFICIARIES OF ESTATES.** See **Indians**; **Judicial Review**, 4.

**BINDING AND GAGGING.** See **Constitutional Law**, X; **Trials**.

**BOARDS OF EDUCATION.** See **Judicial Review**, 3; **School Desegregation**.

**BOATS.** See **Admiralty**; **Employer and Employees**; **Social Security Taxes**.

**BONA FIDE PURCHASERS.** See **Taxes**, 3.

**BOUNDARIES.**

*Arkansas and Tennessee disputed area—Special Master's Report—Survey to be made.*—Special Master's Report, recommending that disputed area along Mississippi River be declared part of Tennessee, is adopted, and Master is appointed as Commissioner to have boundary line surveyed and submitted to Court for approval. *Arkansas v. Tennessee*, p. 88.

**BOYCOTT OF REGISTRATION.** See **Constitutional Law**, V, 3; **Procedure**, 4.

**BREACH OF DUTY.** See **Damages**; **Labor**, 1, 3; **Procedure**, 9.

**BURDEN ON INTERSTATE COMMERCE.** See **Constitutional Law**, I, 1-2.

- BUREAU OF INDIAN AFFAIRS.** See Indians; Judicial Review, 4.
- BURGLARY.** See Pleas, 3, 5; Procedure, 2.
- BUSINESS PURPOSES.** See Taxes, 6-7.
- CALIFORNIA.** See Administrative Procedure, 1; Constitutional Law, I, 1-2; Federal-State Relations; Social Security Act, 3.
- CAMPUS ACTIVITIES.** See Constitutional Law, V, 3; Procedure, 4.
- CANADA.** See Constitutional Law, VI.
- CANTALoupES.** See Constitutional Law, I, 1-2.
- CAPITAL EXPENDITURES.** See Taxes, 2, 4.
- CAPITAL GAINS.** See Taxes, 6-7.
- CAPITAL OFFENSES.** See Federal Kidnaping Act; Pleas, 1, 3, 5; Procedure, 2.
- CAPTAINS AND CREWS.** See Admiralty; Employer and Employees; Social Security Taxes.
- CARRIERS.** See Administrative Procedure, 2-3; Jurisdiction, 3.
- CASE OR CONTROVERSY.** See Bank Service Corporation Act of 1962; Food and Agriculture Act of 1965; Judicial Review, 2, 5; Standing to Sue, 1-2.
- CASH RENT.** See Food and Agriculture Act of 1965; Judicial Review, 5; Standing to Sue, 2.
- CERTIORARI.** See Constitutional Law, V, 3; Labor, 2; Procedure, 3-4.
- CHANGED CIRCUMSTANCES.** See Labor, 2; Procedure, 3.
- CHAPTER X PROCEEDINGS.** See Bankruptcy Act; Taxes, 5.
- CHARTERS.** See Taxes, 2.
- CHECKOFF CLAUSE.** See National Labor Relations Board, 1.
- CHEROKEE NATION.** See Indian Treaties; Navigable Rivers.
- CHICKASAW NATION.** See Indian Treaties; Navigable Rivers.
- CHILDREN.** See Administrative Procedure, 1; Constitutional Law, IV, 1; Evidence; Federal-State Relations; Social Security Act, 1-3.
- CHOCTAW NATION.** See Indian Treaties; Navigable Rivers.
- CHURCH-STATE RELATIONS.** See Constitutional Law, V, 1; Taxes, 1.

- CIVIL ACTIONS.** See Constitutional Law, IX, 1-2; Procedure, 5.
- CIVIL CONTEMPT.** See Constitutional Law, X; Trials.
- CLOSED CORPORATIONS.** See Taxes, 6-7.
- CODEFENDANTS.** See Constitutional Law, IX, 1-2; Federal Kidnaping Act; Pleas, 1; Procedure, 5.
- COERCED CONFESSIONS.** See Pleas, 2, 4.
- COERCED PLEAS.** See Federal Kidnaping Act; Pleas, 1.
- COINS.** See Constitutional Law, VI.
- COLLATERAL ESTOPPEL.** See Constitutional Law, II, 2.
- COLLATERAL RELIEF.** See Pleas, 3, 5; Procedure, 2.
- COLLECTIVE BARGAINING.** See National Labor Relations Board, 1.
- COLLEGE STUDENTS.** See Constitutional Law, V, 3; Procedure, 4.
- COMANCHE ALLOTMENTS.** See Indians; Judicial Review, 4.
- COMMERCE.** See Administrative Procedure, 2-3; Jurisdiction, 3; National Labor Relations Board, 1-2.
- COMMERCE CLAUSE.** See Constitutional Law, I.
- COMMERCIAL FISHING BOATS.** See Admiralty; Employer and Employees; Social Security Taxes.
- COMMERCIAL FISHING LICENSES.** See Abstention; Procedure, 1.
- COMMISSIONER OF INTERNAL REVENUE.** See Taxes, 2, 4.
- "COMMON-LAW RULES."** See Admiralty; Employer and Employees; Social Security Taxes.
- COMPARATIVE NEGLIGENCE.** See Government Contracts.
- COMPELLING AGREEMENT.** See National Labor Relations Board, 1.
- COMPETENT COUNSEL.** See Federal Kidnaping Act; Pleas, 1-5; Procedure, 2.
- COMPETITION.** See Administrative Procedure, 2-3; Bank Service Corporation Act of 1962; Judicial Review, 2; Jurisdiction, 3; Standing to Sue, 1.
- COMPLAINT.** See Damages; Labor, 1, 3; Procedure, 9.
- COMPLIANCE ORDERS.** See Constitutional Law, III, 2; V, 2.

- COMPLIANCE WITH RULES.** See **Administrative Procedure**, 2-3; **Jurisdiction**, 3.
- COMPTROLLER OF THE CURRENCY.** See **Bank Service Corporation Act of 1962**; **Judicial Review**, 2; **Standing to Sue**, 1.
- CONDEMNATION PROCEEDINGS.** See **Constitutional Law**, IX, 1-2; **Federal Rules of Civil Procedure**; **Procedure**, 5.
- CONDUCT OF TRIAL.** See **Constitutional Law**, X; **Trials**.
- CONFESSIONS.** See **Pleas**, 2, 4.
- CONFRONTATION.** See **Constitutional Law**, IX, 1-2; X; **Procedure**, 5; **Trials**.
- CONSOLIDATED DISTRICTS.** See **Constitutional Law**, IV, 2.
- CONSTITUTIONAL LAW.** See also **Abstention**; **Evidence**; **Federal Rules of Civil Procedure**; **Judicial Review**, 1; **Jurisdiction**, 1-2; **Pleas**, 3, 5; **Procedure**, 1-2; **School Desegregation**; **Social Security Act**, 1-2; **Taxes**, 1; **Trials**.

#### I. Commerce Clause.

1. *Arizona cantaloupes—Shipping across state lines.*—Arizona official's order prohibiting shipment of cantaloupes outside State unless in approved containers burdens interstate commerce since cantaloupes were destined to be shipped to ascertainable California location immediately after harvest, and application of challenged Arizona statute would require operation now conducted outside State to be performed within State so it can be regulated there. *Pike v. Bruce Church, Inc.*, p. 137.

2. *Origin of cantaloupes—Shipping across state lines.*—Burden on interstate commerce imposed by Arizona official's order is unconstitutional since Arizona's minimal interest in identifying origin of appellee's superior cantaloupes to enhance reputation of Arizona producers cannot justify subjecting appellee to substantial capital expenditure of building and operating in Arizona a packing plant that it does not need. *Pike v. Bruce Church, Inc.*, p. 137.

#### II. Double Jeopardy.

1. *Municipal ordinances and state crime—Identical offenses.*—State of Florida and its municipalities are not separate sovereign entities each entitled to impose punishment for the same alleged crime, as the judicial power of the municipal courts and state courts of general jurisdiction springs from the same organic law, and District Court of Appeal erred in holding that second trial in state court for the identical offense for which person was tried in a municipal court did not constitute double jeopardy. *Waller v. Florida*, p. 387.

**CONSTITUTIONAL LAW**—Continued.

2. *Trial for robbery—Identification of robbers—Collateral estoppel.*—Fifth Amendment guarantee against double jeopardy, applicable here through the Fourteenth Amendment by virtue of *Benton v. Maryland*, 395 U. S. 784, embodies collateral estoppel as a constitutional requirement. Since on record here jury in first trial determined by its verdict that petitioner was not one of robbers, the State under doctrine of collateral estoppel was constitutionally foreclosed from relitigating issue in another trial. *Ashe v. Swenson*, p. 436.

**III. Due Process.**

1. *Standard of proof—Juvenile delinquents.*—Proof beyond a reasonable doubt, which is required by the Due Process Clause in criminal trials, is among the “essentials of due process and fair treatment” required during the adjudicatory stage when a juvenile is charged with an act that would constitute a crime if committed by an adult. *In re Winship*, p. 358.

2. *Statute permitting addressee discretion to receive mail from particular sender.*—Statute that allows addressee unreviewable discretion to decide whether he wishes to receive further mail from particular sender comports with due process as it provides for an administrative hearing if sender violates Postmaster General’s prohibitory order, and judicial hearing prior to issuance of any compliance order by a district court. Statute does not violate due process by requiring sender to remove complaining addressee from his mailing lists, and is not unconstitutionally vague, as sender knows precisely what he must do when he receives a prohibitory order. *Rowan v. Post Office Dept.*, p. 728.

3. *Welfare benefits—Procedural due process.*—Welfare benefits are a matter of statutory entitlement for persons qualified to receive them and procedural due process is applicable to their termination. *Goldberg v. Kelly*, p. 254; *Wheeler v. Montgomery*, p. 280.

**IV. Equal Protection of the Laws.**

1. *Maryland’s maximum grant regulation—Aid to families with dependent children.*—Maryland’s maximum grant regulation does not violate the Equal Protection Clause. The concept of overbreadth is not pertinent to state regulation in the social and economic field, and the regulation is rationally supportable and free from invidious discrimination since it furthers the State’s legitimate interest in encouraging employment and in maintaining equitable balance between welfare families and families of the working poor. *Dandridge v. Williams*, p. 471.

**CONSTITUTIONAL LAW**—Continued.

2. *Trustees of junior college districts—Unequal districts.*—When state or local government selects persons by popular election to perform public functions, the Equal Protection Clause requires that each qualified voter have equal opportunity to participate in the election, and when members of elected body are chosen from separate districts, each district must be established on basis that as far as practicable will insure that equal numbers of voters can vote for proportionally equal numbers of officials. *Hadley v. Junior College District*, p. 50.

**V. First Amendment.**

1. *Establishment and Free Exercise Clauses—Tax exemptions.*—The First Amendment tolerates neither governmentally established religion nor governmental interference with religion. Freedom from taxation for two centuries has not led to an established church or religion and on the contrary has helped to guarantee the free exercise of all forms of religious beliefs. *Walz v. Tax Commission*, p. 664.

2. *Right to communicate—Addressee's discretion to receive further material.*—Statute (39 U. S. C. § 4009) which allows addressee unreviewable discretion to decide whether he wishes to receive any further material from a particular sender is constitutional, as vendor does not have constitutional right to send unwanted material into someone's home, and mailer's right to communicate must stop at mailbox of unreceptive addressee. *Rowan v. Post Office Dept.*, p. 728.

3. *Suspension of university student—Certiorari dismissed.*—Writ of certiorari to determine if indefinite suspension from state university where petitioner was student violated his First Amendment rights dismissed as improvidently granted since it developed that suspension was partly based on finding that he lied at hearing on charges against him. *Jones v. Board of Education*, p. 31.

**VI. Fourth Amendment.**

*Detention of packages—First class mail.*—A 29-hour detention of packages, not subject to discretionary inspection since the type of mailing was first class, occasioned mainly by time differential in obtaining information about an addressee before a search warrant was obtained, is not "unreasonable" under the Fourth Amendment. *United States v. Van Leeuwen*, p. 249.

**VII. Freedom of Speech.**

*Disorderly conduct—Alternative grounds.*—Petitioners' convictions for violating Maryland's disorderly conduct statute stemming from

**CONSTITUTIONAL LAW**—Continued.

demonstration protesting Vietnam conflict must be set aside, as jury's general verdict, in light of judge's instructions, could have rested on several grounds, including "the doing or saying . . . of that which offends, disturbs, incites, or tends to incite a number of people gathered in the same area," and a conviction on that ground would violate constitutional protection for advocacy of unpopular ideas. *Bachellar v. Maryland*, p. 564.

**VIII. Search and Seizure.**

*Liquor licensees—Forcible entries.*—Congress, which has broad authority to fashion standards of reasonableness for searches and seizures respecting the liquor industry, has made it an offense under 26 U. S. C. § 7342 for liquor licensee to refuse admission to a federal inspector, a sanction that precludes forcible entries without a warrant. *Colonnade Corp. v. United States*, p. 72.

**IX. Self-Incrimination.**

1. *Corporate officer—Assertion of privilege.*—Corporate officer, who was not barred from asserting his privilege against self-incrimination because the corporation had no privilege of its own or because the proceeding was civil rather than criminal, failed to assert his privilege and cannot now claim that he was forced to testify against himself. *United States v. Kordel*, p. 1.

2. *Right of confrontation—Corporate officer.*—Corporate officer who answered no interrogatories and did not assert the privilege, can hardly claim compulsory self-incrimination; and he cannot claim that his right to confrontation was violated by use in criminal case against him of his codefendant's admissions, which were never introduced into evidence. *United States v. Kordel*, p. 1.

**X. Sixth Amendment.**

*Right of confrontation—Removal of defendant from courtroom.*—Defendant can lose right to be present at trial, if, following judge's warning that he will be removed if his disruptive behavior continues, he nevertheless insists on conducting himself in such manner that trial cannot proceed if he remains in courtroom. On facts here trial judge did not abuse his discretion, respondent through his disruptive behavior having lost his right of confrontation under the Sixth and Fourteenth Amendments. *Illinois v. Allen*, p. 337.

**CONTEMPT.** See **Constitutional Law, X; Trials.**

**CONTINUING OFFENSE.** See **Selective Service Act; Statute of Limitations.**

**CONTRACT LIABILITY CLAUSE.** See **Government Contracts.**

- CONTRACTORS.** See Government Contracts.
- CONTRACTS.** See National Labor Relations Board, 1.
- CONTRIBUTORY NEGLIGENCE.** See Government Contracts.
- CORPORATE CHARTERS.** See Taxes, 2.
- CORPORATE OFFICERS.** See Constitutional Law, IX, 1-2; Procedure, 5.
- CORPORATIONS.** See Constitutional Law, IX, 1-2; Procedure, 5; Taxes, 2, 4, 6-7.
- COSTS OF LITIGATION.** See Taxes, 4.
- COTTON FARMERS.** See Food and Agriculture Act of 1965; Judicial Review, 5; Standing to Sue, 2.
- COUNSEL.** See Constitutional Law, III, 3; Federal Kidnaping Act; Pleas, 1-5; Procedure, 2.
- COURSE OF PLANNING.** See Federal Rules of Civil Procedure; Procedure, 7.
- COURT ORDERS.** See Judicial Review, 3; School Desegregation.
- COURTROOM BEHAVIOR.** See Constitutional Law, X; Trials.
- COURTS.** See Constitutional Law, II, 1.
- CREDITORS.** See Taxes, 4.
- CREDITORS' CLAIMS.** See Bankruptcy Act; Taxes, 5.
- CREWS OF FISHING BOATS.** See Admiralty; Employer and Employees; Social Security Taxes.
- CREWS OF FOREIGN SHIPS.** See National Labor Relations Board, 2.
- CRIMINAL CONTEMPT.** See Constitutional Law, X; Trials.
- CRIMINAL LAW.** See Constitutional Law, II, 1-2; III, 1; VI-X; Evidence; Federal Kidnaping Act; Pleas, 1-5; Procedure, 2, 5-6; Selective Service Act; Statute of Limitations; Trials.
- CRUISE SHIPS.** See National Labor Relations Board, 2.
- CUSTOMER OBSTRUCTION.** See Labor, 2; Procedure, 3.
- CUSTOMS OFFICIALS.** See Constitutional Law, VI.
- DAMAGES.** See also Government Contracts; Labor, 1, 3; Procedure, 9.

*Suit against union—Breach of duty of fair representation—Employer.*—Union can be sued alone for breach of its duty of fair representation, and it cannot complain if separate actions are brought against it and the employer for the portion of total damages caused by each where the union and the employer have independently caused damage to the employees. *Czosek v. O'Mara*, p. 25.

- DATA PROCESSING SERVICE.** See **Bank Service Corporation Act of 1962**; **Judicial Review**, 2; **Standing to Sue**, 1.
- DAUGHTERS.** See **Indians**; **Judicial Review**, 4.
- DEATH PENALTY.** See **Federal Kidnaping Act**; **Pleas**, 1, 3, 5; **Procedure**, 2.
- DEBTOR AND CREDITORS.** See **Bankruptcy Act**; **Taxes**, 5.
- DECEDENTS' ESTATES.** See **Indians**; **Judicial Review**, 4.
- DECEPTIVE PACKAGING.** See **Constitutional Law**, I, 1-2.
- DECLARATORY JUDGMENTS.** See **Food and Agriculture Act of 1965**; **Judicial Review**, 5; **Standing to Sue**, 2.
- DEDUCTIONS.** See **Taxes**, 2, 4.
- DEFENSE TRANSPORTATION.** See **Administrative Procedure**, 2-3; **Jurisdiction**, 3.
- DELAYS.** See **Constitutional Law**, VI.
- DELETION FROM MAILING LISTS.** See **Constitutional Law**, III, 2; V, 2.
- DEMONSTRATIONS.** See **Constitutional Law**, VII; **Procedure**, 6.
- DEPARTMENT OF DEFENSE.** See **Administrative Procedure**, 2-3; **Jurisdiction**, 3.
- DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE.** See **Administrative Procedure**, 1; **Constitutional Law**, IV, 1; **Federal-State Relations**; **Judicial Review**, 1; **Jurisdiction**, 1-2; **Social Security Act**, 1-3.
- DEPARTMENT OF THE INTERIOR.** See **Indians**; **Judicial Review**, 4.
- DEPENDENT CHILDREN.** See **Administrative Procedure**, 1; **Federal-State Relations**; **Social Security Act**, 1-3.
- DESEGREGATION.** See **Judicial Review**, 3; **School Desegregation**.
- DETENTION OF MAIL.** See **Constitutional Law**, VI.
- DEVISE OF INDIAN ALLOTMENTS.** See **Indians**; **Judicial Review**, 4.
- DILUTION OF VOTES.** See **Constitutional Law**, IV, 2.
- DISAPPROVAL OF WILL.** See **Indians**; **Judicial Review**, 4.
- DISCOVERY.** See **Constitutional Law**, IX, 1-2; **Procedure**, 5.
- DISCRETION.** See **Administrative Procedure**, 2-3; **Constitutional Law**, III, 2; V, 2; **Jurisdiction**, 3.

- DISCRETIONARY INSPECTION.** See Constitutional Law, VI.
- DISCRETION OF JUDGES.** See Constitutional Law, X; Trials.
- DISCRIMINATION.** See Damages; Judicial Review, 3; Labor, 1, 3; Pleas, 3, 5; Procedure, 2, 9; School Desegregation.
- DISINHERITANCE OF DAUGHTER.** See Indians; Judicial Review, 4.
- DISORDERLY CONDUCT.** See Constitutional Law, VII; Procedure, 6.
- DISPUTED AREAS.** See Boundaries.
- DISRUPTIVE BEHAVIOR.** See Constitutional Law, X; Trials.
- DISSENTING SHAREHOLDERS.** See Taxes, 4.
- DISTRIBUTION OF LEAFLETS.** See Constitutional Law, VII; Procedure, 6.
- DISTRIBUTIONS.** See Taxes, 6-7.
- DISTRICT COURTS.** See Abstention; Administrative Procedure, 2-3; Constitutional Law, III, 2; V, 2; Judicial Review, 1; Jurisdiction, 1-3; Procedure, 1; Social Security Act, 2.
- DISTRICTS.** See Constitutional Law, IV, 2.
- DIVIDENDS.** See Taxes, 6-7.
- DOUBLE JEOPARDY.** See Constitutional Law, II.
- DRAFT.** See Selective Service Act; Statute of Limitations.
- DUAL SCHOOL SYSTEMS.** See Judicial Review, 3; School Desegregation.
- DUE PROCESS.** See Constitutional Law, III; Evidence; Procedure, 10.
- DUES CHECKOFF.** See National Labor Relations Board, 1.
- DUTY OF FAIR REPRESENTATION.** See Damages; Labor, 1, 3; Procedure, 9.
- DUTY TO REGISTER.** See Selective Service Act; Statute of Limitations.
- ECONOMIC INJURY.** See Bank Service Corporation Act of 1962; Judicial Review, 2; Standing to Sue, 1.
- ELECTIONS.** See Constitutional Law, IV, 2.
- EMINENT DOMAIN.** See Federal Rules of Civil Procedure; Procedure, 7.

**EMPLOYER AND EMPLOYEES.** See also **Admiralty; Damages; Government Contracts; Labor, 1-3; National Labor Relations Board, 1-2; Procedure, 3, 8-9; Social Security Taxes.**

*Social security taxes—Captains and crews of fishing boats—Maritime law.*—Status of captains and crews under the Federal Insurance Contributions Act and Federal Unemployment Tax Act must in this instance be determined under the standards of maritime law, which is the common law of seafaring men. *United States v. Webb, Inc.*, p. 179.

**ENHANCEMENT IN VALUE.** See **Federal Rules of Civil Procedure; Procedure, 7.**

**ENROLLMENT STATISTICS.** See **Judicial Review, 3; School Desegregation.**

**ENTRIES.** See **Constitutional Law, VIII.**

**EQUAL PROTECTION OF THE LAWS.** See **Abstention; Constitutional Law, IV; Judicial Review, 1, 3; Jurisdiction, 2-3; Pleas, 3, 5; Procedure, 2; School Desegregation; Social Security Act, 1-2.**

**EQUITABLE STANDARDS.** See **Bankruptcy Act; Taxes, 5.**

**EQUITABLE TREATMENT.** See **Indians; Judicial Review, 4.**

**ERIE LACKAWANNA RAILROAD.** See **Damages; Labor, 1, 3; Procedure, 9.**

**EROTICALLY AROUSING.** See **Constitutional Law, III, 2; V, 2.**

**ESTABLISHMENT OF RELIGION.** See **Constitutional Law, V, 1; Taxes, 1.**

**EVIDENCE.** See also **Constitutional Law, III, 1; V, 3; Procedure, 4.**

*Juvenile delinquents—N. Y. Family Court Act—Standard of proof.*—Proof beyond a reasonable doubt, which is required by the Due Process Clause in criminal trials, is among the "essentials of due process and fair treatment" required during the adjudicatory stage when a juvenile is charged with an act that would constitute a crime if committed by an adult. *In re Winship*, p. 358.

**EVIDENTIARY HEARINGS.** See **Constitutional Law, III, 3; Procedure, 10.**

**EXAMINER OF INHERITANCE.** See **Indians; Judicial Review, 4.**

**EXCLUSIVE JURISDICTION.** See **National Labor Relations Board, 2.**

**EXEMPTIONS.** See **Constitutional Law, V, 1; Taxes, 1.**

- EXHAUSTION OF ADMINISTRATIVE REMEDIES.** See Damages; Judicial Review, 1; Jurisdiction, 1-2; Labor, 1, 3; Procedure, 9; Social Security Act, 2.
- EXPENSES OF APPRAISAL.** See Taxes, 2.
- EXPRESSION OF VIEWS.** See Constitutional Law, VII; Procedure, 6.
- EXTENSION OF CHARTER.** See Taxes, 2.
- FACULTY INTEGRATION.** See Judicial Review, 3; School Desegregation.
- FAILURE TO REGISTER.** See Selective Service Act; Statute of Limitations.
- FAIR HEARINGS.** See Constitutional Law, III, 3; Procedure, 10.
- FAIR MARKET VALUE.** See Federal Rules of Civil Procedure; Procedure, 7.
- FAIR REPRESENTATION.** See Damages; Labor, 1, 3; Procedure, 9.
- FAIR VALUE.** See Taxes, 4.
- FAMILY ALLOWANCES.** See Constitutional Law, III, 3; IV, 1; Judicial Review, 1; Jurisdiction, 1-2; Procedure, 10; Social Security Act, 1-3.
- FAMILY COURT ACT.** See Constitutional Law, III, 1; Evidence.
- FARMERS.** See Food and Agriculture Act of 1965; Judicial Review, 5; Standing to Sue, 2.
- FEDERAL COURTS.** See Judicial Review, 1; Jurisdiction, 1-2; Social Security Act, 2.
- FEDERAL EMINENT DOMAIN.** See Federal Rules of Civil Procedure; Procedure, 7.
- FEDERAL FOOD, DRUG, AND COSMETIC ACT.** See Constitutional Law, IX, 1-2; Procedure, 5.
- FEDERAL INSPECTORS.** See Constitutional Law, VIII.
- FEDERAL INSURANCE CONTRIBUTIONS ACT.** See Admiralty; Employer and Employees; Social Security Taxes.
- FEDERAL KIDNAPING ACT.** See also Pleas, 1.

*Plea of guilty—Avoidance of death penalty—Voluntariness.*—Though *United States v. Jackson*, 390 U. S. 570, prohibits imposition of death penalty under 18 U. S. C. § 1201 (a), it does not hold that all guilty pleas encouraged by fear of possible death are involuntary, nor does it invalidate such pleas whether involuntary or not. *Brady v. United States*, p. 742.

**FEDERALLY ASSISTED PROGRAMS.** See **Constitutional Law**, III, 3; IV, 1; **Judicial Review**, 1; **Jurisdiction**, 1-2; **Procedure**, 10; **Social Security Act**, 1-3.

**FEDERAL RULES OF CIVIL PROCEDURE.** See also **Procedure**, 7.

*Jury trial—Eminent domain proceedings—Just compensation.*—Right to jury trial afforded by Rule 71A (h) in federal eminent domain proceeding on issue of just compensation does not extend to question whether condemned "lands were probably within the scope of the project from the time the Government was committed to it" (either by the original plans or during the course of planning or original construction), and that question is for the trial judge to decide. *United States v. Reynolds*, p. 14.

**FEDERAL-STATE RELATIONS.** See also **Abstention**; **Administrative Procedure**, 1; **Constitutional Law**, IV, 1; **Judicial Review**, 1; **Jurisdiction**, 1-2; **Labor**, 2; **National Labor Relations Board**, 2; **Pleas**, 3, 5; **Procedure**, 1-3; **Social Security Act**, 1-3; **Taxes**, 3, 5.

*Social Security Act—Aid to families with dependent children—Income of man in the house.*—California, which is foreclosed from arguing that the assumption-of-income provisions comport with the Act as applied to MARS (man assuming role of spouse), may seek to show on remand only that those provisions may be retained under the Act as applied to nonadoptive stepfathers if it can demonstrate that their legal obligation under state law is consistent with that under federal law. *Lewis v. Martin*, p. 552.

**FEDERAL TAX CLAIMS.** See **Bankruptcy Act**; **Taxes**, 5.

**FEDERAL TAX LIENS.** See **Taxes**, 3.

**FEDERAL TORT CLAIMS ACT.** See **Government Contracts**.

**FEDERAL UNEMPLOYMENT TAX ACT.** See **Admiralty**; **Employer and Employees**; **Social Security Taxes**.

**FEES.** See **Taxes**, 2.

**FIFTH AMENDMENT.** See **Constitutional Law**, IX, 1-2; **Federal Rules of Civil Procedure**; **Procedure**, 5.

**FILING OF TAX LIENS.** See **Taxes**, 3.

**FINAL ADJUDICATION.** See **Mootness**; **Procedure**, 8.

**FINANCIAL AID.** See **Constitutional Law**, III, 3; IV, 1; **Judicial Review**, 1; **Jurisdiction**, 1-2; **Procedure**, 10; **Social Security Act**, 1-3.

- FIRST AMENDMENT.** See Constitutional Law, V; VII; Procedure, 4, 6; Taxes, 1.
- FIRST CLASS MAIL.** See Constitutional Law, VI.
- FIRST-DEGREE BURGLARY.** See Pleas, 3, 5; Procedure, 2.
- FISCAL RELATIONSHIP.** See Constitutional Law, V, 1; Taxes, 1.
- FISHING AREAS.** See Abstention; Procedure, 1.
- FISHING BOATS.** See Admiralty; Employer and Employees; Social Security Taxes.
- FIXED-PRICE CONTRACTS.** See Government Contracts.
- FLORIDA.** See Constitutional Law, II, 1; National Labor Relations Board, 2.
- FOOD AND AGRICULTURE ACT OF 1965.** See also Judicial Review, 5; Standing to Sue, 2.
- Tenant farmers—Zone of protected interests—Administrative Procedure Act.*—Petitioners are clearly within the zone of interests protected by the Act and they are persons “aggrieved by agency action within the meaning of a relevant statute,” as set forth in § 702 of the Administrative Procedure Act. The statutory scheme evinces a congressional intent that there may be judicial review of the action of the Secretary of Agriculture in amending the regulation. *Barlow v. Collins*, p. 159.
- FOOD AND DRUG ADMINISTRATION.** See Constitutional Law, IX, 1-2; Procedure, 5.
- FOOD, DRUG, AND COSMETIC ACT.** See Constitutional Law, IX, 1-2; Procedure, 5.
- FORCIBLE ENTRIES.** See Constitutional Law, VIII.
- FORECLOSURE OF LIENS.** See Taxes, 3.
- FOREIGN-FLAG SHIPS.** See National Labor Relations Board, 2.
- FOURTEENTH AMENDMENT.** See Abstention; Constitutional Law, II-IV; V, 1, 3; VII; X; Evidence; Judicial Review, 1, 3; Jurisdiction, 1-2; Pleas, 3, 5; Procedure, 1-2, 4, 6, 10; School Desegregation; Social Security Act, 1-3; Taxes, 1; Trials.
- FOURTH AMENDMENT.** See Constitutional Law, VI; VIII.
- FREEDOM FROM TAXATION.** See Constitutional Law, V, 1; Taxes, 1.
- FREEDOM OF SPEECH.** See Constitutional Law, V, 2-3; VII; Procedure, 4, 6.

- FREEDOM TO COMMUNICATE.** See Constitutional Law, III, 2; V, 2.
- FREE EXERCISE OF RELIGION.** See Constitutional Law, V, 1; Taxes, 1.
- FRUIT.** See Constitutional Law, I, 1-2.
- GENERAL VERDICTS.** See Constitutional Law, VII; Procedure, 6.
- GOLD COINS.** See Constitutional Law, VI.
- GOOD-FAITH PURCHASERS.** See Taxes, 3.
- GOVERNMENT COMMITMENT.** See Federal Rules of Civil Procedure; Procedure, 7.
- GOVERNMENT CONTRACTS.**  
*Injury to employee—Indemnification—Comparative negligence.*—Though the Government under the contract clause involved here cannot recover for its own negligence, it is entitled to indemnity from the contractor on a comparative basis to the extent that it can prove that the contractor's negligence contributed to the employee's injuries. *United States v. Seckinger*, p. 203.
- GRAND JURIES.** See Pleas, 3, 5; Procedure, 2.
- GRAND LARCENY.** See Constitutional Law, II, 1.
- GRAND RIVER.** See Indian Treaties; Navigable Rivers.
- GUILTY PLEAS.** See Federal Kidnaping Act; Pleas, 1, 3, 5; Procedure, 2.
- HABEAS CORPUS.** See Pleas, 2, 4.
- HEARINGS.** See Constitutional Law, III, 2-3; V, 2-3; Pleas, 2, 4; Procedure, 4, 10.
- HEIRS.** See Indians; Judicial Review, 4.
- HOME RELIEF PROGRAM.** See Constitutional Law, III, 3; Procedure, 10.
- HOTEL COMPANY MERGERS.** See Taxes, 4.
- IDENTICAL OFFENSES.** See Constitutional Law, II, 1.
- IDENTIFICATION OF ROBBERS.** See Constitutional Law, II, 2.
- ILLEGAL IMPORTATION.** See Constitutional Law, VI.
- ILLINOIS.** See Constitutional Law, X; Trials.
- IMPORTATION OF COINS.** See Constitutional Law, VI.

**INCOME.** See **Administrative Procedure**, 1; **Federal-State Relations**; **Social Security Act**, 3.

**INCOME TAXES.** See **Taxes**, 2, 4, 6-7.

**INDEMNIFICATION.** See **Government Contracts**.

**INDIANS.** See also **Judicial Review**, 4.

*Devise of allotments—Disapproval of will by Secretary of the Interior.*—Whatever may be the scope of the Secretary's power under 25 U. S. C. § 373, there is nothing in the statute, its history, or purpose that vests in a governmental official the power to revoke or rewrite a will that reflects an Indian testator's rational testamentary scheme simply because of a subjective feeling that the disposition was not "just and equitable." On this record the disapproval was arbitrary and capricious. *Tooahnippah v. Hickel*, p. 598.

**INDIAN TREATIES.** See also **Navigable Rivers**.

*Land grants—Title to river beds—Arkansas River.*—Under various treaties and patents issued thereunder, petitioner Indian Nations received title to land underlying the navigable portion of the Arkansas River from its confluence with the Grand River in Oklahoma to the Oklahoma-Arkansas border, contrary to the claims of Oklahoma and other respondents. *Choctaw Nation v. Oklahoma*, p. 620.

**INDICTMENTS.** See **Pleas**, 3, 5; **Procedure**, 2.

**INGRESS AND EGRESS.** See **Labor**, 2; **Procedure**, 3.

**INJUNCTIONS.** See **Administrative Procedure**, 2-3; **Constitutional Law**, I, 1-2; III, 2; V, 2; **Jurisdiction**, 3; **Labor**, 2; **Mootness**; **National Labor Relations Board**, 2; **Procedure**, 8; **Taxes**, 1.

**INJURY.** See **Bank Service Corporation Act of 1962**; **Government Contracts**; **Judicial Review**, 2; **Standing to Sue**, 1.

**IN REM ACTIONS.** See **Constitutional Law**, IX, 1-2; **Procedure**, 5.

**INSOLVENCY.** See **Bankruptcy Act**; **Taxes**, 5.

**INSPECTION OF MAIL.** See **Constitutional Law**, VI.

**INSPECTORS.** See **Constitutional Law**, VIII.

**INSTRUCTIONS TO JURY.** See **Constitutional Law**, VII; **Procedure**, 6.

**INTEGRATION.** See **Judicial Review**, 3; **School Desegregation**.

**INTERIOR DEPARTMENT.** See **Indians**; **Judicial Review**, 4.

- INTERNAL REVENUE CODE.** See **Taxes**, 3, 6-7.
- INTERROGATORIES.** See **Constitutional Law**, IX, 1-2; **Procedure**, 5.
- INTERSTATE COMMERCE.** See **Constitutional Law**, I, 1-2.
- INTERSTATE COMMERCE COMMISSION.** See **Administrative Procedure**, 2-3; **Jurisdiction**, 3.
- INVOLVEMENT BETWEEN CHURCH AND STATE.** See **Constitutional Law**, V, 1; **Taxes**, 1.
- IOWA.** See **Taxes**, 2.
- JUDGE'S INSTRUCTIONS.** See **Constitutional Law**, VII; **Procedure**, 6.
- JUDICIAL REVIEW.** See also **Administrative Procedure**, 2-3; **Bank Service Corporation Act of 1962**; **Food and Agriculture Act of 1965**; **Indians**; **Jurisdiction**, 1-3; **Mootness**; **Procedure**, 8; **School Desegregation**; **Social Security Act**, 2; **Standing to Sue**, 1-2.

1. *Challenge by welfare recipients—New York welfare law—Duty of federal courts.*—Congress has not foreclosed judicial review to welfare recipients who are most directly affected by the administration of the program and it is the duty of the federal courts to resolve disputes as to whether federal funds allocated to States for welfare programs are properly expended. *Rosado v. Wyman*, p. 397.

2. *Comptroller of the Currency ruling—Banking services—Competition.*—Congress did not preclude judicial review of the Comptroller's rulings as to scope of activities statutorily available to national banks. *Data Processing Service v. Camp*, p. 150.

3. *Court of Appeals—School desegregation—Memphis public schools.*—Court of Appeals erred in substituting its finding that the Board of Education is not now operating a dual school system for the District Court's contrary findings which were based on substantial evidence. *Northcross v. Bd. of Education*, p. 232.

4. *Indian wills—Disapproval by Secretary of the Interior.*—The Secretary's disapproval of an Indian's will is subject to judicial review, as there is no language in 25 U. S. C. § 373 (enacted as § 2 of the Act of June 25, 1910) evincing an intention to make the Secretary's action unreviewable, and the finality language of § 1 of the 1910 Act cannot be carried over to the other sections of that Act. *Toohnippah v. Hickel*, p. 598.

5. *Tenant farmers—Amended agricultural regulation—Administrative Procedure Act.*—Petitioners are clearly within the zone of interests protected by the Food and Agriculture Act of 1965 and

**JUDICIAL REVIEW**—Continued.

they are persons "aggrieved by agency action within the meaning of a relevant statute," as set forth in § 702 of the Administrative Procedure Act. The statutory scheme evinces a congressional intent that there may be judicial review of the action of the Secretary of Agriculture in amending the regulation. *Barlow v. Collins*, p. 159.

**JUNIOR COLLEGE DISTRICTS.** See **Constitutional Law**, IV, 2.

**JUNIOR CREDITORS.** See **Bankruptcy Act**; **Taxes**, 5.

**JURISDICTION.** See also **Administrative Procedure**, 2-3; **Constitutional Law**, II, 1; **Judicial Review**, 1; **National Labor Relations Board**, 1-2; **Pleas**, 3, 5; **Procedure**, 2; **Social Security Act**, 2.

1. *District Court—Challenge to New York welfare law—Administrative procedure.*—District Judge properly did not decline jurisdiction to allow HEW to resolve controversy, as neither "exhaustion of administrative remedies" nor "primary jurisdiction" doctrine is applicable here. Petitioners do not seek review of an administrative ruling nor could they have obtained such ruling since HEW does not permit welfare recipients to trigger or participate in review of state welfare programs. *Rosado v. Wyman*, p. 397.

2. *District Court—Federal statutory challenge to New York welfare law—Pendent claim.*—Jurisdiction over primary claim at all stages of the litigation is not prerequisite to resolution of the pendent claim, and mootness of equal protection claim does not eliminate jurisdiction of District Judge over pendent statutory claim. *Rosado v. Wyman*, p. 397.

3. *Interstate Commerce Commission—Petitions for rehearing—Interference with District Court.*—ICC's statutory jurisdiction to pass on petitions for rehearing may be exercised to add to or buttress its findings, absent any interference with or injunction from the District Court. Here the ICC honored the court's stay order and reopened record merely to remedy a deficiency before any judicial review on merits had begun and acted in full harmony with that court's jurisdiction. *American Farm Lines v. Black Ball*, p. 532.

**JURY'S VERDICT.** See **Constitutional Law**, VII; **Procedure**, 6.

**JURY TRIAL.** See **Federal Rules of Civil Procedure**; **Procedure**, 7.

**JUST COMPENSATION.** See **Federal Rules of Civil Procedure**; **Procedure**, 7.

**JUVENILE DELINQUENTS.** See **Constitutional Law**, III, 1; **Evidence**.

**KANSAS CITY SCHOOL DISTRICT.** See **Constitutional Law**, IV, 2.

**KIDNAPING.** See **Federal Kidnaping Act**; **Pleas**, 1.

**LABOR.** See also **Damages**; **Mootness**; **National Labor Relations Board**, 1-2; **Procedure**, 3, 8-9.

1. *Duty of fair representation—Damages—Employer.*—Union can be sued alone for breach of its duty of fair representation, and it cannot complain if separate actions are brought against it and the employer for the portion of total damages caused by each where the union and the employer have independently caused damage to the employees. *Czosek v. O'Mara*, p. 25.

2. *Picketing—Only remnant of original controversy—Obscure record.*—In light of obscure record, the physical circumstances of the narrow sidewalk, the state court's finding of customer obstruction by picketing, together with the fact that only a bare remnant of the original controversy still exists, writ of certiorari is dismissed as improvidently granted. *Taggart v. Weinacker's, Inc.*, p. 223.

3. *Railway Labor Act—Union's duty of fair representation.*—Employees' complaint against the union was sufficient to survive motion to dismiss. Claim for breach of union's duty of fair representation is discrete claim, being distinct from right of individual employees under the Act to pursue their employer before the Adjustment Board. *Czosek v. O'Mara*, p. 25.

**LAND GRANTS.** See **Indian Treaties**; **Navigable Rivers**.

**LANDLORD AND TENANTS.** See **Food and Agriculture Act of 1965**; **Judicial Review**, 5; **Standing to Sue**, 2.

**LARCENY.** See **Constitutional Law**, III, 1; **Evidence**.

**LARGE FAMILIES.** See **Constitutional Law**, IV, 1; **Social Security Act**, 1.

**LEGAL DUTY OF SUPPORT.** See **Administrative Procedure**, 1; **Federal-State Relations**; **Social Security Act**, 3.

**LIBERIAN SHIPS.** See **National Labor Relations Board**, 2.

**LICENSES.** See **Constitutional Law**, VIII.

**LICENSES TO FISH.** See **Abstention**; **Procedure**, 1.

**LIENS.** See **Taxes**, 3.

**LIQUOR LICENSEES.** See **Constitutional Law**, VIII.

**LITIGATION COSTS.** See **Taxes**, 4.

**LONGSHOREMEN.** See **National Labor Relations Board**, 2.

- LYING AT HEARING.** See Constitutional Law, V, 3; Procedure, 4.
- MAIL.** See Constitutional Law, VI.
- MAILING LISTS.** See Constitutional Law, III, 2; V, 2.
- MAIL ORDER BUSINESSES.** See Constitutional Law, III, 2; V, 2.
- MAJORITY SHAREHOLDERS.** See Taxes, 4.
- “MAKING A CROP.”** See Food and Agriculture Act of 1965; Judicial Review, 5; Standing to Sue, 2.
- MALAPPORTIONMENT.** See Constitutional Law, IV, 2.
- MAN ASSUMING ROLE OF SPOUSE.** See Administrative Procedure, 1; Federal-State Relations; Social Security Act, 3.
- MAN IN THE HOUSE.** See Administrative Procedure, 1; Federal-State Relations; Social Security Act, 3.
- MARITIME LAW.** See Admiralty; Employer and Employees; Social Security Taxes.
- MARKET VALUE.** See Federal Rules of Civil Procedure; Procedure, 7.
- MARYLAND.** See Constitutional Law, IV, 1; VII; Procedure, 6; Social Security Act, 1.
- MASTER AND SERVANTS.** See Admiralty; Employer and Employees; Social Security Taxes.
- MAXIMUM GRANTS.** See Constitutional Law, IV, 1; Social Security Act, 1.
- MEMPHIS.** See Judicial Review, 3; School Desegregation.
- MENHADEN.** See Admiralty; Employer and Employees; Social Security Taxes.
- MERGERS.** See Taxes, 4.
- MICHIGAN.** See Taxes, 3.
- MILITARY DRAFT.** See Selective Service Act; Statute of Limitations.
- MINERAL RIGHTS.** See Indian Treaties; Navigable Rivers.
- MINORITY SHAREHOLDERS.** See Taxes, 4.
- MINORS.** See Constitutional Law, III, 1; Evidence.
- MISSISSIPPI RIVER.** See Boundaries.
- MISSOURI.** See Constitutional Law, IV, 2.

**MOOTNESS.** See also **Judicial Review**, 1; **Jurisdiction**, 2-3; **Procedure**, 8; **Social Security Act**, 2.

*National Labor Relations Act—Injunctive relief—Regional Director.*—Since any injunctive relief to which petitioner company might have been entitled under § 10 (l) of the Act terminated “upon final adjudication of the Board,” albeit respondent union is seeking judicial review of the order, the question whether petitioner or only the Regional Director could appeal the denial of an injunction is moot. *Sears, Roebuck v. Carpet Layers*, p. 655.

**MOTION TO DISMISS.** See **Damages**; **Labor**, 1, 3; **Procedure**, 9.

**MOTION TO QUASH INDICTMENT.** See **Pleas**, 3, 5; **Procedure**, 2.

**MOTOR CARRIERS.** See **Administrative Procedure**, 2-3; **Jurisdiction**, 3.

**MUNICIPAL COURTS.** See **Constitutional Law**, II, 1.

**MUNICIPAL ORDINANCES.** See **Constitutional Law**, II, 1.

**MURALS.** See **Constitutional Law**, II, 1.

**NARROW SIDEWALKS.** See **Labor**, 2; **Procedure**, 3.

**NATIONAL BANK ACT.** See **Bank Service Corporation Act of 1962**; **Judicial Review**, 2; **Standing to Sue**, 1.

**NATIONAL BANKS.** See **Bank Service Corporation Act of 1962**; **Judicial Review**, 2; **Standing to Sue**, 1.

**NATIONAL LABOR RELATIONS ACT.** See **Mootness**; **Procedure**, 8.

**NATIONAL LABOR RELATIONS BOARD.**

1. *Collective bargaining contract—Require negotiations—No power to compel agreement.*—Though the NLRB has power under the National Labor Relations Act to require employers and employees to negotiate, it does not have power to compel either to agree to any substantive contractual provision, here a dues checkoff clause. *Porter Co. v. NLRB*, p. 99.

2. *Jurisdiction—Foreign-flag ships—Longshoremen at American docks.*—Since this dispute centered on wages to be paid American longshoremen working on American docks and did not concern ships’ “internal discipline and order,” it was not within scope of “maritime operations of foreign-flag ships,” which are outside jurisdiction of NLRB. Petitioner’s peaceful primary picketing arguably constituted protected activity under § 7 of the National Labor Relations Act and thus the NLRB’s jurisdiction was exclusive and pre-empted that of the Florida courts. *Longshoremen v. Ariadne Co.*, p. 195.

**NATIONAL RAILROAD ADJUSTMENT BOARD.** See Damages; Labor, 1, 3; Procedure, 9.

**NAVIGABLE RIVERS.** See also Indian Treaties.

*Land grants—Indian treaties—Title to river beds.*—Under various treaties and patents issued thereunder, petitioner Indian Nations received title to land underlying the navigable portion of the Arkansas River from its confluence with the Grand River in Oklahoma to the Oklahoma-Arkansas border, contrary to the claims of Oklahoma and other respondents. Choctaw Nation v. Oklahoma, p. 620.

**NEEDY CHILDREN.** See Administrative Procedure, 1; Federal-State Relations; Social Security Act, 3.

**NEGLIGENCE.** See Government Contracts.

**NEGOTIATIONS.** See National Labor Relations Board, 1.

**NEGROES.** See Judicial Review, 3; Pleas, 3, 5; Procedure, 2; School Desegregation.

**NEW YORK.** See Constitutional Law, III, 1, 3; V, 1; Evidence; Judicial Review, 1; Jurisdiction, 1-2; Pleas, 2, 4; Procedure, 10; Social Security Act, 2; Taxes, 1, 4.

**NEW YORK CITY.** See Constitutional Law, V, 1; Taxes, 1.

**NIECES.** See Indians; Judicial Review, 4.

**NONADOPTIVE STEPFATHERS.** See Administrative Procedure, 1; Federal-State Relations; Social Security Act, 3.

**NORTH CAROLINA.** See Pleas, 3, 5; Procedure, 2.

**NOTICE AND HEARING.** See Constitutional Law, III, 3; Procedure, 10.

**NOTICE OF TAX LIENS.** See Taxes, 3.

**OBLIGATION OF SUPPORT.** See Administrative Procedure, 1; Federal-State Relations; Social Security Act, 3.

**OBSCURE RECORD.** See Labor, 2; Procedure, 3.

**OBSTRUCTING CUSTOMERS.** See Labor, 2; Procedure, 3.

**OFFENSES.** See Constitutional Law, II, 1.

**OKLAHOMA.** See Indian Treaties; Navigable Rivers.

**OLD-AGE BENEFITS.** See Constitutional Law, III, 3.

**"ONE MAN, ONE VOTE."** See Constitutional Law, IV, 2.

**ORDINANCES.** See Constitutional Law, II, 1.

**ORDINARY EXPENSES.** See Taxes, 2, 4.

- ORIGINAL CONSTRUCTION.** See **Federal Rules of Civil Procedure**; **Procedure**, 7.
- ORIGINAL JURISDICTION.** See **Boundaries**.
- ORIGIN OF CLAIM.** See **Taxes**, 2.
- OVERBREADTH.** See **Constitutional Law**, IV, 1; **Social Security Act**, 1.
- PACKAGES.** See **Constitutional Law**, VI.
- PACKING SHEDS.** See **Constitutional Law**, I, 1-2.
- PANAMANIAN SHIPS.** See **National Labor Relations Board**, 2.
- PANDERING ADVERTISEMENTS.** See **Constitutional Law**, III, 2; V, 2.
- PARENTS.** See **Administrative Procedure**, 1; **Federal-State Relations**; **Social Security Act**, 3.
- PATENTS TO LANDS.** See **Indian Treaties**; **Navigable Rivers**.
- PAYMENT OF TAX CLAIMS.** See **Bankruptcy Act**; **Taxes**, 5.
- PEACEFUL PICKETING.** See **National Labor Relations Board**, 2.
- PENALTIES.** See **Federal Kidnaping Act**; **Pleas**, 1.
- PENDENT CLAIMS.** See **Judicial Review**, 1; **Jurisdiction**, 1-2; **Social Security Act**, 2.
- PERPETUAL EXTENSION OF CHARTER.** See **Taxes**, 2.
- PETITIONS FOR REHEARING.** See **Administrative Procedure**, 2-3; **Jurisdiction**, 3.
- PICKETING.** See **Labor**, 2; **Mootness**; **National Labor Relations Board**, 2; **Procedure**, 3, 8.
- PLANS OF DESEGREGATION.** See **Judicial Review**, 3; **School Desegregation**.
- PLEAS.** See also **Federal Kidnaping Act**; **Procedure**, 2.
1. *Plea of guilty—Avoidance of death penalty—Validity.*—Plea of guilty is not invalid merely because entered to avoid possibility of death penalty, and here petitioner's plea met the standard of voluntariness as it was made "by one fully aware of the direct consequences," and was made after advice by competent counsel. Fact that petitioner did not anticipate *United States v. Jackson*, 390 U. S. 570, does not impugn truth or reliability of that plea. *Brady v. United States*, p. 742.
  2. *Plea of guilty—Coerced confessions—Habeas corpus.*—Competently counseled defendant who alleges that he pleaded guilty be-

**PLEAS**—Continued.

cause of a prior coerced confession is not, without more, entitled to a hearing on his petition for habeas corpus. *McMann v. Richardson*, p. 759.

3. *Plea of guilty—Confession—Advice of counsel.*—On the record here petitioner's guilty plea was an intelligent plea not open to attack on ground that his counsel misjudged the admissibility of petitioner's confession. *Parker v. North Carolina*, p. 790.

4. *Plea of guilty—Risk of error—Advice of counsel.*—Defendant who pleads guilty does so under law then existing and assumes risk of ordinary error in either his or his attorney's assessment of the law and facts; and here fact that counsel did not anticipate *Jackson v. Denno*, 378 U. S. 368, and did not consider invalid New York's existing procedures does not mean that advice was incompetent. *McMann v. Richardson*, p. 759.

5. *Plea of guilty—Voluntariness of plea—Capital offense.*—An otherwise valid plea is not involuntary because induced by defendant's desire to limit possible maximum penalty in capital case to less than that authorized if there is a jury trial. *Parker v. North Carolina*, p. 790.

**PLUMBING CONTRACTORS.** See **Government Contracts.**

**POKER PLAYERS.** See **Constitutional Law**, II, 2.

**POST-CONVICTION RELIEF.** See **Federal Kidnaping Act**;  
Pleas, 1.

**POSTMASTER GENERAL.** See **Constitutional Law**, III, 2; V, 2.

**POST OFFICES.** See **Constitutional Law**, VI.

**PRE-EMPTION.** See **National Labor Relations Board**, 2.

**PREFERRED STOCK.** See **Taxes**, 6-7.

**PREPONDERANCE OF EVIDENCE.** See **Constitutional Law**,  
III, 1; **Evidence.**

**PRESENCE AT TRIAL.** See **Constitutional Law**, X; **Trials.**

**PRESIDENTIAL PROCLAMATIONS.** See **Selective Service Act**;  
**Statute of Limitations.**

**PRE-TERMINATION HEARINGS.** See **Constitutional Law**, III,  
3; **Procedure**, 10.

**PRIMARY JURISDICTION.** See **Judicial Review**, 1; **Jurisdiction**, 1-2; **Social Security Act**, 2.

**PRIMARY PURPOSE.** See **Taxes**, 2, 4.

**PRIOR HEARINGS.** See **Constitutional Law**; III, 3; **Procedure**, 10.

**PRIORITY OF PAYMENTS.** See **Bankruptcy Act**; **Taxes**, 5.

**PRIORITY OF TAX CLAIMS.** See **Bankruptcy Act**; **Taxes**, 5.

**PRIORITY OF TAX LIENS.** See **Taxes**, 3.

**PROCEDURAL DUE PROCESS.** See **Constitutional Law**, III, 3; **Procedure**, 10.

**PROCEDURE.** See also **Abstention**; **Administrative Procedure**, 2-3; **Bank Service Corporation Act of 1962**; **Constitutional Law**, II, 1-2; III, 1, 3; V, 3; VII; IX, 1-2; X; **Damages**; **Evidence**; **Federal Kidnaping Act**; **Federal Rules of Civil Procedure**; **Indians**; **Judicial Review**, 1-2; **Jurisdiction**, 1-3; **Labor**, 1-3; **Mootness**; **Pleas**, 3, 5; **Social Security Act**, 2; **Standing to Sue**, 1; **Trials**.

1. *Abstention—State constitutional question—Alaska salmon fishing licenses—Federal-state relations.*—District Court should have abstained from deciding case on merits pending resolution of state constitutional question by Alaska courts, a procedure that could conceivably avoid any decision under the Fourteenth Amendment and any possible irritant in the federal-state relationship. *Reetz v. Bozanich*, p. 82.

2. *Attack on grand jury composition—North Carolina procedure—Adequate state ground.*—North Carolina procedural law furnished an adequate basis for refusal of court below to consider petitioner's racial-exclusion claim regarding composition of grand jury that indicted him. *Parker v. North Carolina*, p. 790.

3. *Certiorari—Obscure record—Only remnant of original controversy.*—In light of obscure record, the physical circumstances of the narrow sidewalk, the state court's finding of customer obstruction by picketing, together with the fact that only a bare remnant of the original controversy still exists, writ of certiorari is dismissed as improvidently granted. *Taggart v. Weinacker's, Inc.*, p. 223.

4. *Certiorari—Suspension of university student—First Amendment claim.*—Writ of certiorari to determine if indefinite suspension from state university where petitioner was student violated his First Amendment rights dismissed as improvidently granted since it developed that suspension was partly based on finding that he lied at hearing on charges against him. *Jones v. Board of Education*, p. 31.

5. *Civil condemnation proceeding—Interrogatories—Use in criminal trial.*—On this record, in case involving issue of use of interroga-

**PROCEDURE**—Continued.

tories to obtain evidence in nearly contemporaneous civil proceeding, respondents have not established violation of due process or departure from proper standards in administration of justice requiring exercise of Court's supervisory power. *United States v. Kordel*, p. 1.

6. *Disorderly conduct statute—Alternative grounds—Freedom of speech.*—Petitioners' convictions for violating Maryland's disorderly conduct statute stemming from demonstration protesting Vietnam conflict must be set aside, as jury's general verdict, in light of judge's instructions, could have rested on several grounds, including "the doing or saying . . . of that which offends, disturbs, incites, or tends to incite a number of people gathered in the same area," and a conviction on that ground would violate constitutional protection for advocacy of unpopular ideas. *Bachellar v. Maryland*, p. 564.

7. *Eminent domain proceedings—Jury trial—Just compensation.*—Right to jury trial afforded by Rule of Civil Procedure 71A (h) in federal eminent domain proceeding on issue of just compensation does not extend to question whether condemned "lands were probably within the scope of the project from the time the Government was committed to it" (either by the original plans or during the course of planning or original construction), and that question is for the trial judge to decide. *United States v. Reynolds*, p. 14.

8. *National Labor Relations Act—Appeal from denial of injunctive relief—Mootness.*—Since any injunctive relief to which petitioner company might have been entitled under § 10 (l) of the Act terminated "upon final adjudication of the Board," albeit respondent union is seeking judicial review of the order, the question whether petitioner or only the Regional Director could appeal the denial of an injunction is moot. *Sears, Roebuck v. Carpet Layers*, p. 655.

9. *Suit against union—Breach of duty of fair representation—Railway Labor Act.*—Employees' complaint against the union was sufficient to survive motion to dismiss. Claim for breach of union's duty of fair representation is discrete claim, being distinct from right of individual employees under the Act to pursue their employer before the Adjustment Board. *Czosek v. O'Mara*, p. 25.

10. *Termination of welfare payments—Pre-termination hearing—Procedural due process.*—Procedural due process requires that a pre-termination evidentiary hearing be provided welfare recipient whose relief payments are to be terminated. Such hearing need not take form of a trial, but recipient must have timely and ade-

**PROCEDURE**—Continued.

quate notice detailing reasons for termination, effective opportunity to defend by confronting adverse witnesses and by presenting arguments and evidence orally before an impartial decisionmaker, and must be allowed to retain counsel if he so desires. *Goldberg v. Kelly*, p. 254.

**PROHIBITORY ORDERS.** See **Constitutional Law**, III, 2; V, 2.

**PROOF BEYOND REASONABLE DOUBT.** See **Constitutional Law**, III, 1; **Evidence**.

**PROPERTY TAXES.** See **Constitutional Law**, V, 1; **Taxes**, 1.

**PROTECTED INTERESTS.** See **Bank Service Corporation Act of 1962**; **Judicial Review**, 2; **Standing to Sue**, 1.

**PROTEST MARCHERS.** See **Constitutional Law**, VII; **Procedure**, 6.

**PUBLIC ASSISTANCE.** See **Constitutional Law**, III, 3; IV, 1; **Judicial Review**, 1; **Jurisdiction**, 1-2; **Procedure**, 10; **Social Security Act**, 1-3.

**PUBLIC OFFICIALS.** See **Constitutional Law**, IV, 2.

**PUBLIC SCHOOLS.** See **Judicial Review**, 3; **School Desegregation**.

**PUBLIC SIDEWALKS.** See **Labor**, 2; **Procedure**, 3.

**PUBLIC WELFARE.** See **Administrative Procedure**, 1; **Federal-State Relations**; **Social Security Act**, 3.

**PUNISHMENT.** See **Federal Kidnaping Act**; **Pleas**, 1.

**PURCHASE OF STOCK.** See **Taxes**, 2.

**PURCHASERS OF REALTY.** See **Taxes**, 3.

**PUTATIVE DAUGHTERS.** See **Indians**; **Judicial Review**, 4.

**RACIAL DISCRIMINATION.** See **Pleas**, 3, 5; **Procedure**, 2.

**RAILROAD EMPLOYEES.** See **Damages**; **Labor**, 1, 3; **Procedure**, 9.

**RAILWAY LABOR ACT.** See **Damages**; **Labor**, 1, 3; **Procedure**, 9.

**REAL PROPERTY.** See **Federal Rules of Civil Procedure**; **Indian Treaties**; **Navigable Rivers**; **Procedure**, 7; **Taxes**, 3.

“**REAL VALUE.**” See **Taxes**, 2.

**REASONABLE TIME.** See **Constitutional Law**, VI.

- RECIPIENTS OF WELFARE.** See Administrative Procedure, 1; Constitutional Law, III, 3; IV, 1; Federal-State Relations; Judicial Review, 1; Jurisdiction, 1-2; Procedure, 10; Social Security Act, 1-3.
- RECONSIDERATION.** See Administrative Procedure, 2-3; Jurisdiction, 3.
- RECONSTRUCTION FINANCE CORPORATION LOAN.** See Taxes, 6-7.
- RECORD.** See Administrative Procedure, 2-3; Jurisdiction, 3; Labor, 2; Procedure, 3.
- RECORDATION OF LIENS.** See Taxes, 3.
- RECREATIONAL FACILITIES.** See Federal Rules of Civil Procedure; Procedure, 7.
- RECRUITING STATION.** See Constitutional Law, VII; Procedure, 6.
- REDEMPTION OF STOCK.** See Taxes, 6-7.
- REFUSAL TO BARGAIN.** See National Labor Relations Board, 1.
- REGIONAL DIRECTOR.** See Mootness; Procedure, 8.
- REGIONAL SOLICITOR.** See Indians; Judicial Review, 4.
- REGISTER OF DEEDS.** See Taxes, 3.
- REGISTRATION.** See Selective Service Act; Statute of Limitations.
- REGULATIONS.** See Administrative Procedure, 1; Federal-State Relations; Food and Agriculture Act of 1965; Judicial Review, 5; Social Security Act, 3; Standing to Sue, 2.
- REHEARINGS.** See Administrative Procedure, 2-3; Jurisdiction, 3.
- RELIEF.** See Administrative Procedure, 1; Federal-State Relations; Social Security Act, 3.
- RELIEF PROGRAMS.** See Constitutional Law, III, 3; IV, 1; Judicial Review, 1; Jurisdiction, 1-2; Procedure, 10; Social Security Act, 1-2.
- RELIGIOUS ORGANIZATIONS.** See Constitutional Law, V, 1; Taxes, 1.
- REMEDIES.** See Damages; Government Contracts; Labor, 1, 3; Procedure, 9.
- REMOVAL FROM COURTROOM.** See Constitutional Law, X; Trials.

- REOPENING RECORD.** See *Administrative Procedure*, 2-3; *Jurisdiction*, 3.
- REORGANIZATION PLANS.** See *Bankruptcy Act*; *Taxes*, 5.
- REPRESENTATION.** See *Damages*; *Labor*, 1, 3; *Procedure*, 9.
- REPUTATION OF PRODUCERS.** See *Constitutional Law*, I, 1-2.
- RESERVOIRS.** See *Federal Rules of Civil Procedure*; *Procedure*, 7.
- RESTRAINING ORDERS.** See *Administrative Procedure*, 2-3; *Jurisdiction*, 3.
- RETROACTIVITY.** See *Constitutional Law*, II, 2.
- RFC LOAN.** See *Taxes*, 6-7.
- RIGHT OF CONFRONTATION.** See *Constitutional Law*, IX, 1-2; X; *Procedure*, 5; *Trials*.
- RIVER BEDS.** See *Indian Treaties*; *Navigable Rivers*.
- ROBBERY.** See *Constitutional Law*, II, 2; X; *Trials*.
- RULES.** See *Administrative Procedure*, 2-3; *Jurisdiction*, 3.
- RULES OF ATTRIBUTION.** See *Taxes*, 6-7.
- RULES OF CIVIL PROCEDURE.** See *Federal Rules of Civil Procedure*; *Procedure*, 7.
- ST. PETERSBURG.** See *Constitutional Law*, II, 1.
- SALE OF PREFERRED STOCK.** See *Taxes*, 6-7.
- SALMON FISHING.** See *Abstention*; *Procedure*, 1.
- SCHOOL DESEGREGATION.** See also *Judicial Review*, 3.  
*Desegregation plans—Court orders—Memphis public schools.*—  
 Court of Appeals erred (1) in substituting its finding that the Board is not now operating a dual system for the District Court's contrary findings which were based on substantial evidence; (2) in ruling prematurely that the Board had converted to a unitary system, since neither revised plan nor school zones and enrollment figures were properly before it for review; and (3) in holding that *Alexander v. Holmes County Board*, 396 U. S. 19, is inapplicable to this case. *Northeross v. Bd. of Education*, p. 232.
- SCHOOL DISTRICTS.** See *Constitutional Law*, IV, 2.
- SCHOOL ENUMERATION.** See *Constitutional Law*, IV, 2.
- SCOPE OF THE PROJECT.** See *Federal Rules of Civil Procedure*; *Procedure*, 7.

**SEAFARERS.** See Admiralty; Employer and Employees; Social Security Taxes.

**SEARCHES AND SEIZURES.** See Constitutional Law, VI; VIII.

**SEARCH OF PACKAGES.** See Constitutional Law, VI.

**SEARCH WARRANTS.** See Constitutional Law, VI; VIII.

**SECONDARY PICKETING.** See Mootness; Procedure, 8.

**SECRETARY OF AGRICULTURE.** See Food and Agriculture Act of 1965; Judicial Review, 5; Standing to Sue, 2.

**SECRETARY OF THE INTERIOR.** See Indians; Judicial Review, 4.

**SECRETARY OF THE TREASURY.** See Bankruptcy Act; Taxes, 5.

**SEGREGATION.** See Judicial Review, 3; School Desegregation.

**SELECTIVE SERVICE ACT.** See also Statute of Limitations.

*Failure to register—Statute of limitations—Not a continuing offense.*—The offense of failing to register as required by § 3 of the Universal Military Training and Service Act is not a continuing one but was committed by petitioner's failure to register within five days of his 18th birthday, when the statute of limitations began to run. *Toussie v. United States*, p. 112.

**SELF-INCRIMINATION.** See Constitutional Law, IX; Procedure, 5.

**SENTENCES.** See Federal Kidnaping Act; Pleas, 1.

**SEXUALLY PROVOCATIVE.** See Constitutional Law, III, 2; V, 2.

**SHIPPERS.** See Administrative Procedure, 2-3; Jurisdiction, 3.

**SIDEWALKS.** See Labor, 2; Procedure, 3.

**SIXTH AMENDMENT.** See Constitutional Law, IX, 1-2; X; Procedure, 5; Trials.

**SIZE OF FAMILIES.** See Constitutional Law, IV, 1; Social Security Act, 1.

**SOCIAL SECURITY ACT.** See also Administrative Procedure, 1; Constitutional Law, III, 3; IV, 1; Federal-State Relations; Judicial Review, 1; Jurisdiction, 1-2; Procedure, 10.

1. *Aid to families with dependent children—Maryland's maximum grant regulation.*—Maryland's maximum grant regulation is not barred by the Act, as a State has great latitude in dispensing its available funds, and given Maryland's finite resources available

**SOCIAL SECURITY ACT**—Continued.

for public welfare, it is not prevented by the Act from sustaining as many families as it can and providing the largest families with somewhat less than their ascertained per capita standard of need. *Dandridge v. Williams*, p. 471.

2. *Aid to families with dependent children*—*New York welfare law*—*Standards of need*.—New York's program is incompatible with § 402 (a) (23) of the Act and petitioners are entitled to an injunction by the District Court against payment of federal monies according to the State's new schedules, should New York not develop a conforming plan within a reasonable time. *Rosado v. Wyman*, p. 397.

3. *Aid to families with dependent children*—*Parents*—*Duty of support*.—AFDC aid can be granted under the Act if "a parent" of the needy child is continually absent from the home, the term "parent" including only a person with a legal duty of support. *Lewis v. Martin*, p. 552.

**SOCIAL SECURITY TAXES.** See also **Admiralty; Employer and Employees.**

*Captains and crews of fishing boats*—*Employer and employees*—*Maritime law*.—Status of captains and crews under the Federal Insurance Contributions Act and Federal Unemployment Tax Act must in this instance be determined under the standards of maritime law, which is the common law of seafaring men. *United States v. Webb, Inc.*, p. 179.

**SOCIAL SERVICES LAW.** See **Judicial Review**, 1; **Jurisdiction**, 1-2; **Social Security Act**, 2.**SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT.**

See **Food and Agriculture Act of 1965; Judicial Review**, 5; **Standing to Sue**, 2.

**SOLE STOCKHOLDER.** See **Taxes**, 6-7.**SOVEREIGN ENTITIES.** See **Constitutional Law**, II, 1.**SPECIAL GRANTS.** See **Judicial Review**, 1; **Jurisdiction**, 1-2; **Social Security Act**, 2.**SPECIAL MASTER.** See **Boundaries**.**STANDARD OF PROOF.** See **Constitutional Law**, III, 1; **Evidence**.**STANDARDS OF NEED.** See **Constitutional Law**, IV, 1; **Judicial Review**, 1; **Jurisdiction**, 1-2; **Social Security Act**, 1-2.**STANDARDS OF REASONABLENESS.** See **Constitutional Law**, VIII.

**STANDING TO SUE.** See also **Bank Service Corporation Act of 1962**; **Food and Agriculture Act of 1965**; **Judicial Review**, 2, 5.

1. *Case or controversy—Data processing service—Banks.*—Petitioners, which provide data processing services, satisfy the “case” or “controversy” test of Article III of the Constitution, as they allege that the banks’ competition causes them economic injury. *Data Processing Service v. Camp*, p. 150.

2. *Case or controversy—Tenant farmers—Amended agricultural regulation.*—Petitioners, who are tenant farmers eligible for payments under the upland cotton program enacted as part of the Food and Agriculture Act of 1965 and who challenge an amended regulation that permits assignment of the payments to secure “payment of cash rent,” have the personal stake and interest that impart the concrete adverseness required by Article III of the Constitution. *Barlow v. Collins*, p. 159.

**STATE BOUNDARIES.** See **Boundaries**.

**STATE COURTS.** See **Constitutional Law**, II, 1.

**STATE OF ORIGIN.** See **Constitutional Law**, I, 1-2.

**STATE'S FISCAL BURDENS.** See **Constitutional Law**, III, 3; IV, 1; **Procedure**, 10; **Social Security Act**, 1.

**STATE UNIVERSITIES.** See **Constitutional Law**, V, 3; **Procedure**, 4.

**STATE WELFARE PROGRAMS.** See **Constitutional Law**, III, 3; IV, 1; **Judicial Review**, 1; **Jurisdiction**, 1-2; **Procedure**, 10; **Social Security Act**, 1-2.

**STATUTE OF LIMITATIONS.** See also **Selective Service Act**.

*Criminal law—Failure to register for the draft—Not a continuing offense.*—The offense of failing to register as required by § 3 of the Universal Military Training and Service Act is not a continuing one but was committed by petitioner’s failure to register within five days of his 18th birthday, when the statute of limitations began to run. *Toussie v. United States*, p. 112.

**STAY ORDERS.** See **Administrative Procedure**, 2-3; **Jurisdiction**, 3.

**STEPFATHERS.** See **Administrative Procedure**, 1; **Federal-State Relations**; **Social Security Act**, 3.

**STEVEDORES.** See **National Labor Relations Board**, 2.

**STOCKHOLDERS.** See **Taxes**, 2, 4.

**STUDENTS.** See **Constitutional Law**, V, 3; **Procedure**, 4.

**STANDARD WAGE RATES.** See **National Labor Relations Board**, 2.

**SUPERIOR PRODUCTS.** See **Constitutional Law**, I, 1-2.

**SUPPORT.** See **Administrative Procedure**, 1; **Federal-State Relations**; **Social Security Act**, 3.

**SUPREME COURT.**

Assignment of Mr. Justice Reed (retired) to United States Court of Claims, p. 981.

**SURVEY OF BOUNDARY.** See **Boundaries**.

**SUSPENSIONS FROM UNIVERSITY.** See **Constitutional Law**, V, 3; **Procedure**, 4.

**TAXES.** See also **Admiralty**; **Bankruptcy Act**; **Constitutional Law**, V, 1; **Employer and Employees**; **Social Security Taxes**.

1. *Exemption of religious organizations—Establishment of religion.*—Legislative purpose of tax exemptions is not aimed at establishing, sponsoring, or supporting religion, and New York's legislation simply spares the exercise of religion from the burden of property taxation levied on private profit institutions. *Walz v. Tax Commission*, p. 664.

2. *Expenses of stock appraisal—Capital expenditures—Deductions.*—Expenses incurred by majority stockholders of Iowa corporation, who voted for perpetual extension of corporate charter and became obliged to purchase at "real value" stock of minority shareholder who voted against extension, for appraisal litigation must be treated as part of cost in acquiring stock rather than ordinary expenses since appraisal proceeding was merely substitute provided by state law for process of negotiation to fix purchase price. Standard is origin of claim litigated rather than taxpayers' "primary purpose" in incurring appraisal litigation expenses. *Woodward v. Commissioner*, p. 572.

3. *Federal tax lien—Recordation in District Court—Good-faith purchasers of realty.*—Government's tax lien was properly filed in District Court and was thus entitled to priority. Any reliance that good-faith purchasers of realty placed on lower court's construction of § 3672 of the Internal Revenue Code, which the Government never accepted and which this Court rejected in *U. S. v. Union Central Life Ins. Co.*, 368 U. S. 291, would not, on these facts, foreclose applicability of that decision here. *United States v. Estate of Donnelly*, p. 286.

**TAXES**—Continued.

4. *Litigation expenses—Appraisal of stock—Passage of title.*—Litigation costs arising out of acquisition of capital asset are capital expenses whether or not taxpayer incurred them for purpose of defending or protecting title, and the functional nature of appraisal remedy as a forced purchase of dissenting stockholders' shares is the same, regardless of whether title passes before or after price of stock was determined. *United States v. Hilton Hotels*, p. 580.

5. *Priority of payment of federal tax claims—Bankruptcy Act—Chapter X proceeding.*—United States is entitled to absolute priority of payment of its tax claims under § 3466 of the Revised Statutes over other claimants in the reorganization here involved, there being no inconsistency between the terms of that section and the provisions of Chapter X of the Bankruptcy Act. *United States v. Key*, p. 322.

6. *Redemption of stock—Sole stockholder—Capital gains treatment.*—Regardless of business purpose, redemption is always "essentially equivalent to a dividend" within meaning of § 302 (b) (1) of the Internal Revenue Code if it does not change shareholder's proportionate interest in the corporation. Since taxpayer here (after application of attribution rules) was the corporation's sole shareholder both before and after redemption he did not qualify for capital gains treatment under that test. *United States v. Davis*, p. 301.

7. *Rules of attribution—Redemption of stock—Sole stockholder.*—Attribution rules of § 318 (a) of the Internal Revenue Code apply to all of § 302, and for purpose of deciding whether distribution here is "not essentially equivalent to a dividend" under § 302 (b) (1), taxpayer must be deemed owner of all shares of company's common stock. *United States v. Davis*, p. 301.

**TAX EXEMPTIONS.** See **Constitutional Law**, V, 1; **Taxes**, 1.

**TAX LIENS.** See **Taxes**, 3.

**TEMPORARY OPERATING AUTHORITY.** See **Administrative Procedure**, 2-3; **Jurisdiction**, 3.

**TEMPORARY RESTRAINING ORDERS.** See **Administrative Procedure**, 2-3; **Jurisdiction**, 3.

**TENANT FARMERS.** See **Food and Agriculture Act of 1965**; **Judicial Review**, 5; **Standing to Sue**, 2.

**TENNESSEE.** See **Boundaries**; **Judicial Review**, 3; **School Desegregation**.

- TENNESSEE A. & I. STATE UNIVERSITY.** See **Constitutional Law**, V, 3; **Procedure**, 4.
- TERMINATION OF WELFARE.** See **Constitutional Law**, III, 3; **Procedure**, 10.
- TESTATORS.** See **Indians**; **Judicial Review**, 4.
- TESTIMONY.** See **Constitutional Law**, II, 2.
- THREE-JUDGE COURTS.** See **Administrative Procedure**, 1-3; **Constitutional Law**, III, 2; V, 2; **Federal-State Relations**; **Judicial Review**, 1; **Jurisdiction**, 1-3; **Social Security Act**, 2-3.
- TIME DIFFERENTIALS.** See **Constitutional Law**, VI.
- TIMELY WARRANTS.** See **Constitutional Law**, VI.
- TITLE TO RIVER BEDS.** See **Indian Treaties**; **Navigable Rivers**.
- TITLE TO STOCK.** See **Taxes**, 4.
- TORTFEASORS.** See **Government Contracts**.
- TRANSFER PLANS.** See **Judicial Review**, 3; **School Desegregation**.
- TRANSPORTATION.** See **Administrative Procedure**, 2-3; **Jurisdiction**, 3.
- TREATIES WITH INDIANS.** See **Indian Treaties**; **Navigable Rivers**.
- TREATY OF DANCING RABBIT CREEK.** See **Indian Treaties**; **Navigable Rivers**.
- TREATY OF NEW ECHOTA.** See **Indian Treaties**; **Navigable Rivers**.
- TRESPASS.** See **Labor**, 2; **Procedure**, 3.
- TRIAL BY JURY.** See **Federal Rules of Civil Procedure**; **Procedure**, 7.
- TRIAL COURTS.** See **Constitutional Law**, VII; **Procedure**, 6.
- TRIAL JUDGES.** See **Constitutional Law**, X; **Federal Rules of Civil Procedure**; **Procedure**, 7; **Trials**.
- TRIALS.** See also **Constitutional Law**, X.

*Criminal law — Defendant's disruptive conduct — Discretion of judge.*—Trial judge confronted by defendant's disruptive conduct can exercise discretion to meet circumstances of case; and there are at least three constitutionally permissible approaches for handling

**TRIALS**—Continued.

obstreperous defendant: (1) bind and gag him as last resort; (2) cite him for criminal or civil contempt; or (3) remove him from courtroom, while trial continues, until he promises to conduct himself properly. *Illinois v. Allen*, p. 337.

**TRUCKING SERVICE.** See *Administrative Procedure*, 2-3; *Jurisdiction*, 3.

**TRUSTEES.** See *Constitutional Law*, IV, 2.

**UNEQUAL DISTRICTS.** See *Constitutional Law*, IV, 2.

**UNFAIR LABOR PRACTICES.** See *Mootness*; *National Labor Relations Board*, 1; *Procedure*, 8.

**UNIONS.** See *Damages*; *Labor*, 1-3; *Mootness*; *National Labor Relations Board*, 1-2; *Procedure*, 3, 8-9.

**UNITARY SCHOOL SYSTEMS.** See *Judicial Review*, 3; *School Desegregation*.

**UNIVERSAL MILITARY TRAINING AND SERVICE ACT.**  
See *Selective Service Act*; *Statute of Limitations*.

**UNIVERSITY STUDENTS.** See *Constitutional Law*, V, 3; *Procedure*, 4.

**UNPOPULAR IDEAS.** See *Constitutional Law*, VII; *Procedure*, 6.

**UNREASONABLE DETENTION OF MAIL.** See *Constitutional Law*, VI.

**UPLAND COTTON PROGRAM.** See *Food and Agriculture Act of 1965*; *Judicial Review*, 5; *Standing to Sue*, 2.

**VAGUENESS.** See *Constitutional Law*, III, 2; V, 2.

**VALUE OF STOCK.** See *Taxes*, 4.

**VERDICT OF JURY.** See *Constitutional Law*, II, 2.

**VERDICTS.** See *Constitutional Law*, VII; *Procedure*, 6.

**VIETNAM.** See *Constitutional Law*, VII; *Procedure*, 6.

**VOLUNTARINESS OF PLEAS.** See *Federal Kidnaping Act*; *Pleas*, 1, 3, 5; *Procedure*, 2.

**VOTERS.** See *Constitutional Law*, IV, 2.

**WAGE RATES.** See *National Labor Relations Board*, 2.

**WAIVERS.** See *Pleas*, 2, 4.

**WARRANTLESS SEARCHES.** See *Constitutional Law*, VIII.

**WARRANTS.** See **Constitutional Law**, VI.

**WELFARE OFFICIALS.** See **Constitutional Law**, III, 3; **Procedure**, 10.

**WELFARE PAYMENTS.** See **Administrative Procedure**, 1; **Constitutional Law**, III, 3; IV, 1; **Federal-State Relations**; **Judicial Review**, 1; **Jurisdiction**, 1-2; **Procedure**, 10; **Social Security Act**, 1-3.

**WILLS OF INDIANS.** See **Indians**; **Judicial Review**, 4.

**WORDS.**

1. "*Common law rules.*" 26 U. S. C. §§ 3121 (d) and 3306 (i). *United States v. Webb, Inc.*, p. 179.

2. "*Employee.*" 26 U. S. C. §§ 3121 (d) and 3306 (i). *United States v. Webb, Inc.*, p. 179.

3. "*Essentially equivalent to a dividend.*" Internal Revenue Code § 302 (b)(1), 26 U. S. C. § 302 (b)(1). *United States v. Davis*, p. 301.

4. "*Making a crop.*" § 8 (g) Soil Conservation and Domestic Allotment Act, 16 U. S. C. § 590h (g). *Barlow v. Collins*, p. 159.

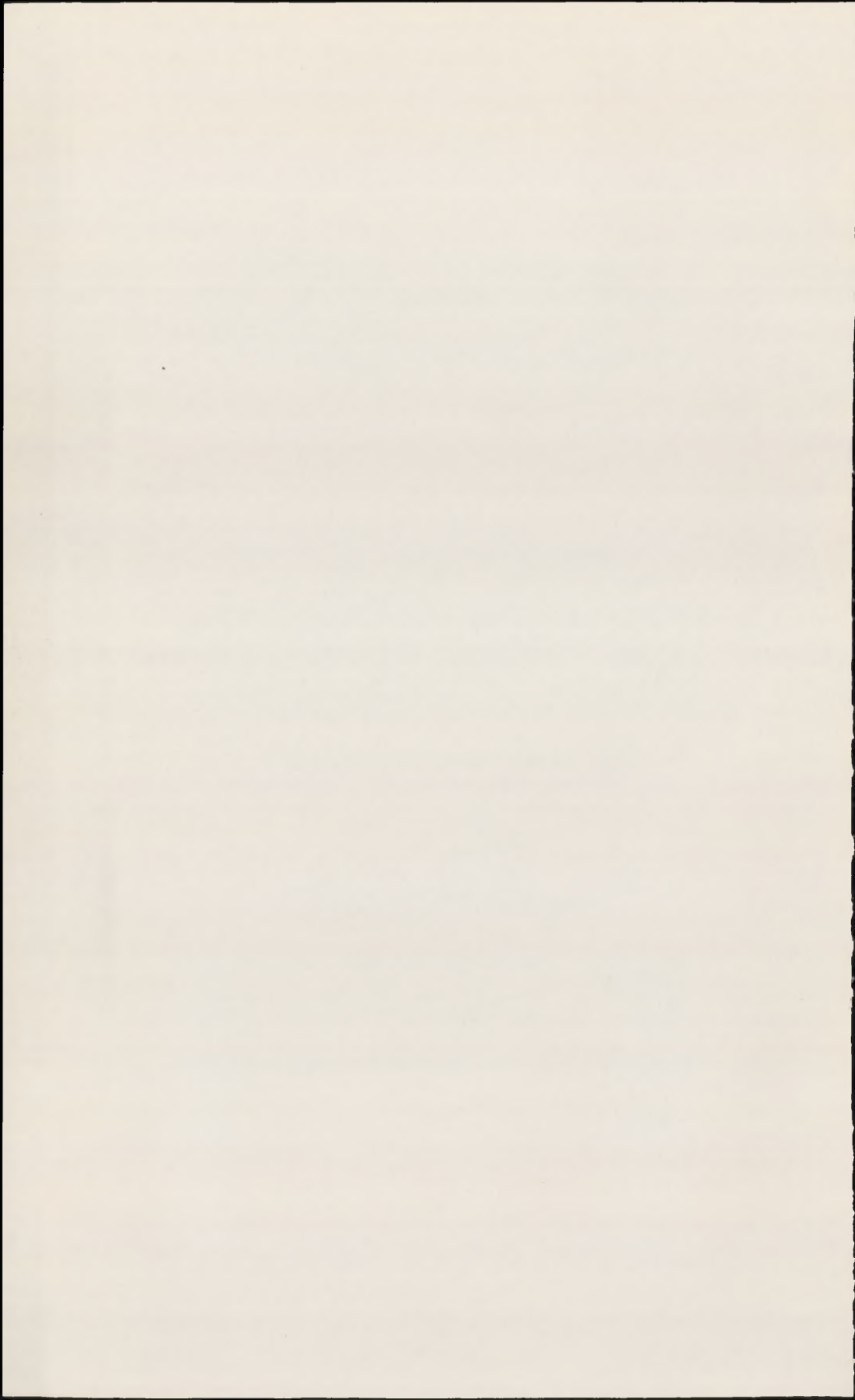
5. "*Pending final adjudication of the Board.*" § 10 (l) National Labor Relations Act, 29 U. S. C. § 160 (l). *Sears, Roebuck v. Carpet Layers*, p. 655.

**WRONGFUL DISCHARGE.** See **Damages**; **Labor**, 1, 3; **Procedure**, 9.

**ZONE BOUNDARIES.** See **Judicial Review**, 3; **School Desegregation**.

**ZONE OF PROTECTED INTERESTS.** See **Bank Service Corporation Act of 1962**; **Food and Agriculture Act of 1965**; **Judicial Review**, 2, 5; **Standing to Sue**, 1-2.











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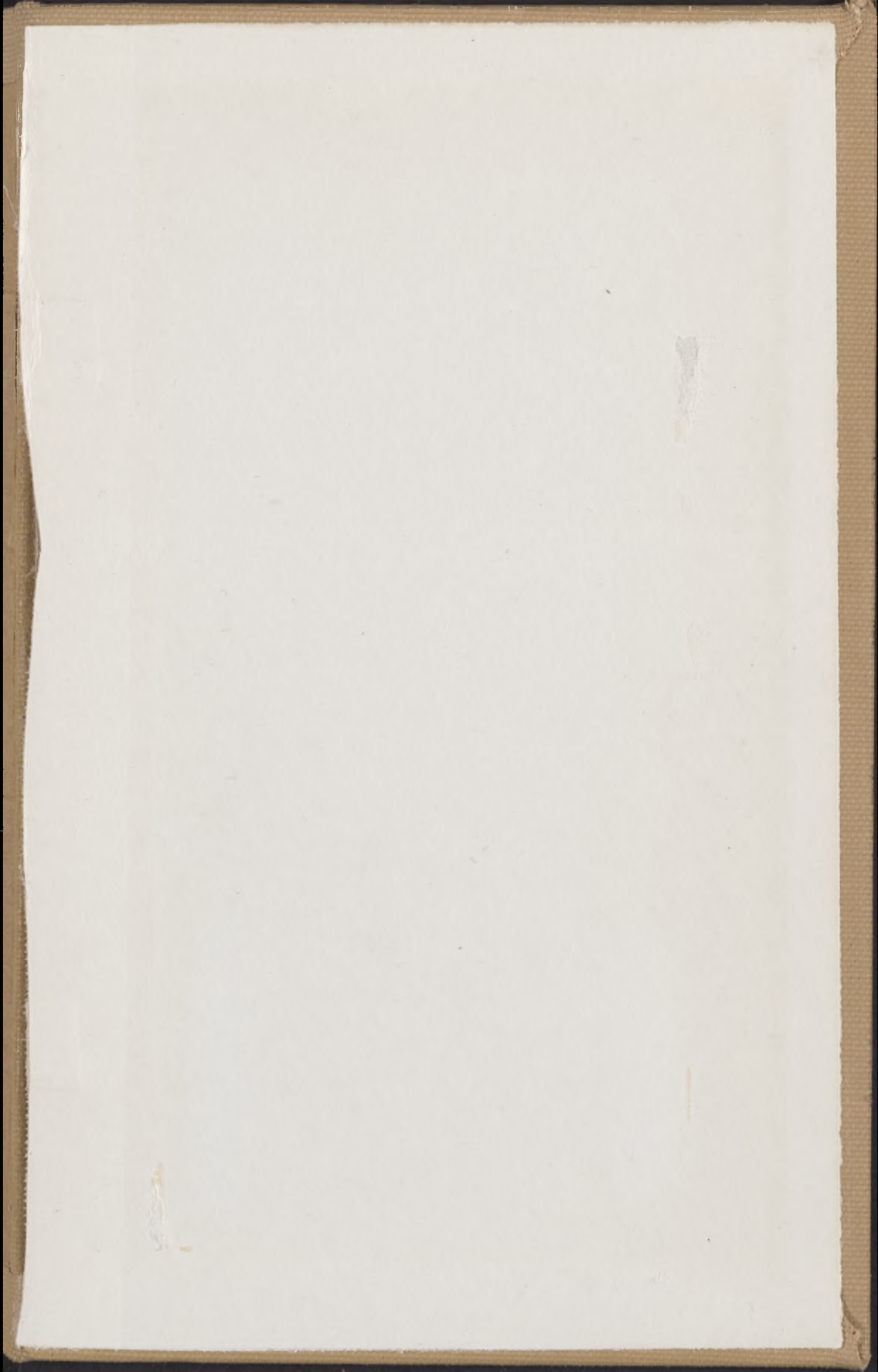
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