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*Loss of citizenship—Birth abroad.*—Congress has power to impose condition subsequent of residence in this country on appellee, who does not come within Fourteenth Amendment's definition of citizens as those "born or naturalized in the United States," and its imposition is not unreasonable, arbitrary, or unlawful. *Rogers v. Bellei*, p. 815.

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- DIVORCE.** See also Constitutional Law, I, 2; Indigents, 1.  
*Inability to pay court fees and costs—Due process.*—In view of basic position of marriage in our society and state monopolization of means for dissolving that relationship, due process prohibits Connecticut from denying, solely because of inability to pay court fees and costs, access to its courts to indigents who, in good faith, seek judicial dissolution of their marriage. *Boddie v. Connecticut*, p. 371.
- DOUBLE-RENT BONDS.** See Procedure, 3.
- DRAFT BOARDS.** See Criminal Appeals Act, 1-2.



- DRUGS.** See Constitutional Law, VII, 2-5; Evidence, 1; Jurisdiction, 5; Procedure, 7, 13-15.
- DUAL CITIZENSHIP.** See Citizenship; Constitutional Law, IV.
- DUE PROCESS.** See Constitutional Law, I; VIII, 3; Decedents' Estates; Declaratory Judgments; Divorce; Indigents, 1; Injunctions, 2; National Firearms Act, 1-2; Procedure, 6.
- EAGLE RIVER.** See Jurisdiction, 9; Water Rights, 2.
- EAVESDROPPING.** See Constitutional Law, VII, 2; Procedure, 7.
- EDUCATIONAL TAXES.** See Abstention; Procedure, 1, 19.
- ELECTRONIC EAVESDROPPING.** See Constitutional Law, VII, 2; Procedure, 7.
- EL PASO.** See Public Schools.
- EMPLOYER AND EMPLOYEES.** See Civil Rights Act of 1964, 1-2; National Labor Relations Act.
- EMPLOYERS.** See Antitrust Acts; Evidence, 2; Jurisdiction, 6; Labor Unions.
- EMPLOYMENT QUALIFICATIONS.** See Civil Rights Act of 1964, 1-2.
- ENJOINING STATE PROSECUTIONS.** See Declaratory Judgments; Federal-State Relations; Injunctions, 1-4; Jurisdiction, 3; Procedure, 6, 8-10.
- ENLISTMENT CONTRACTS.** See Habeas Corpus; Jurisdiction, 4.
- EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.** See Civil Rights Act of 1964, 1-2.
- EQUAL PROTECTION OF THE LAWS.** See Abstention; Constitutional Law, II; Decedents' Estates; Declaratory Judgments; Indigents, 1-2; Injunctions, 2; Procedure, 6; Punishment.
- EQUITABLE RELIEF.** See Declaratory Judgments; Federal-State Relations; Injunctions, 1-4; Jurisdiction, 3; Procedure, 6, 8-10.
- ESTABLISHMENT OF RELIGION CLAUSE.** See Constitutional Law, III, 2-3; Selective Service Act.
- EVASION OF TAXES.** See Constitutional Law, VIII, 2; Procedure, 17.
- EVICCTIONS.** See Procedure, 3.

**EVIDENCE.** See also **Administrative Procedure**, 1-3; **Antitrust Acts**; **Arrests**; **Constitutional Law**, VII, 1; **Damages**; **Jurisdiction**, 6; **Labor Unions**; **Procedure**, 4, 12-13; **Releases**; **Statute of Limitations**.

1. *No Miranda warnings—Impeachment—Admissibility of statement.*—Statement inadmissible against defendant in prosecution's case in chief because of lack of procedural safeguards required by *Miranda v. Arizona*, 384 U. S. 436, may, if its trustworthiness satisfies legal standards, be used for impeachment purposes to attack credibility of defendant's trial testimony. *Harris v. New York*, p. 222.

2. *Preponderance-of-evidence standard—Antitrust action against labor union—Clear proof.*—Ordinary preponderance-of-evidence standard is applicable in civil antitrust actions against labor unions except with respect to proving authority of individual members, officers, or agents of union to perform on behalf of union the acts complained of, where the "clear proof" standard applies. *Ramsey v. Mine Workers*, p. 302.

**EXAMINATIONS.** See **Attorneys**, 2-3; **Constitutional Law**, III, 1.

**EXEMPTIONS.** See **Administrative Procedure**, 1-3; **Antitrust Acts**; **Banks**; **Constitutional Law**, III, 2-3; **Evidence**, 2; **Jurisdiction**, 6; **Labor Unions**; **Selective Service Act**; **Standing to Sue**.

**EXERCISE OF JURISDICTION.** See **Jurisdiction**, 7.

**EXORBITANT BAIL.** See **Injunctions**, 4; **Procedure**, 10.

**EXPRESS AGREEMENTS.** See **Antitrust Acts**; **Evidence**, 2; **Jurisdiction**, 6; **Labor Unions**.

**EXPULSION FROM UNION.** See **Labor-Management Reporting and Disclosure Act**, 1-2.

**FAIRNESS.** See **Constitutional Law**, III, 2-3; **Selective Service Act**.

**FALSE STORIES.** See **Constitutional Law**, VI, 2; **Libel**, 1; **Public Officials**.

**FALSIFICATION.** See **Constitutional Law**, VI, 3; **Libel**, 2.

**FATHERS.** See **Constitutional Law**, II, 1; **Decedents' Estates**.

**"FEASIBLE AND PRUDENT" ALTERNATIVE.** See **Administrative Procedure**, 1-3.

**FEDERAL-AID HIGHWAY ACT OF 1968.** See **Administrative Procedure**, 1-3.



**FEDERAL CRIMES.** See Gambling; Travel Act.

**FEDERAL EMPLOYERS' LIABILITY ACT.** See Constitutional Law, V.

**FEDERAL HIGHWAY ADMINISTRATOR.** See Administrative Procedure, 1-3.

**FEDERAL PRISONERS.** See Constitutional Law, VII, 3; Procedure, 15.

**FEDERAL-STATE RELATIONS.** See also Abstention; Declaratory Judgments; Gambling; Injunctions, 1-4; Jurisdiction, 3, 7-9; Procedure, 1, 6, 8-10, 19; Public Schools; Travel Act; Water Rights, 1-2.

*Enjoining state criminal prosecution—Irreparable injury.*—Federal courts will not enjoin pending state criminal prosecutions except under extraordinary circumstances where danger of irreparable loss is both great and immediate in that there is a threat to plaintiff's federally protected rights that cannot be eliminated by his defense against a single prosecution. *Younger v. Harris*, p. 37; *Samuels v. Mackell*, p. 66; *Dyson v. Stein*, p. 200.

**FEES.** See Constitutional Law, V.

**FEES AND COSTS.** See Constitutional Law, I, 2; Divorce; Indigents, 1.

**FIFTH AMENDMENT.** See Attorneys, 1-4; Constitutional Law, I, 1; III, 1; VII, 4-5; VIII, 3; Forfeitures, 1-2; Jurisdiction, 5; National Firearms Act, 1-2; Procedure, 14.

**FILMS.** See Injunctions, 3; Procedure, 8.

**FINANCING EDUCATION.** See Abstention; Procedure, 1, 19.

**FINDINGS.** See Administrative Procedure, 1-3.

**FINDINGS AND CONCLUSIONS.** See Damages; Procedure, 12; Releases; Statute of Limitations.

**FINES.** See Constitutional Law, II, 2; Indigents, 2; Punishment.

**FINGERPRINTS.** See Constitutional Law, I, 1; VIII, 3; National Firearms Act, 1-2.

**FIREARMS.** See Constitutional Law, I, 1; VIII, 3; National Firearms Act, 1-2.

**FIRST AMENDMENT.** See Attorneys, 1-4; Constitutional Law, III; V-VI; Declaratory Judgments; Federal-State Relations; Injunctions, 1-4; Jurisdiction, 3; Libel, 1-2; Procedure, 6, 8-10; Public Officials; Selective Service Act.

**FITNESS FOR OFFICE.** See *Constitutional Law*, VI, 1-2; *Libel*, 1; *Public Officials*.

**FLORIDA.** See *Abstention*; *Constitutional Law*, VI, 2; *Gambling*; *Libel*, 1; *Procedure*, 1, 19; *Public Officials*; *Travel Act*.

**FOREIGN-BORN CITIZENS.** See *Citizenship*; *Constitutional Law*, IV.

**FORFEITURES.** See also *Constitutional Law*, VIII, 1; *Procedure*, 16.

1. *Retroactivity—Gambling tax—Self-incrimination.*—Decisions in *Marchetti v. United States*, 390 U. S. 39, and *Grosso v. United States*, 390 U. S. 62, which held that gamblers had the Fifth Amendment right to remain silent despite the statutory requirement that they submit reports which could incriminate them, have retroactive effect in a forfeiture proceeding under 26 U. S. C. § 7302. *United States v. U. S. Coin and Currency*, p. 715.

2. *Self-incrimination—Gambling taxes.*—The Fifth Amendment privilege may properly be invoked here since the forfeiture statutes, when viewed in their entirety, are intended to penalize only persons significantly involved in a criminal enterprise. *United States v. U. S. Coin & Currency*, p. 715.

**FORMAL FINDINGS.** See *Administrative Procedure*, 1-3.

**FOURTEENTH AMENDMENT.** See *Abstention*; *Arrests*; *Attorneys*, 1-4; *Citizenship*; *Constitutional Law*, I-II; III, 1; IV-V; VI, 1-2; VII, 1, 4-5; *Decedents' Estates*; *Declaratory Judgments*; *Divorce*; *Evidence*, 1; *Federal-State Relations*; *Indigents*, 1-3; *Injunctions*, 1-4; *Jurisdiction*, 1, 3, 5; *Libel*, 1; *Procedure*, 1, 4, 6, 8-11, 13-14, 18-19; *Punishment*.

**FOURTH AMENDMENT.** See *Arrests*; *Constitutional Law*, VII; *Jurisdiction*, 5; *Procedure*, 4, 7, 14-15.

**FREEDOM OF ASSEMBLY.** See *Declaratory Judgments*; *Injunctions*, 2; *Procedure*, 6.

**FREEDOM OF ASSOCIATION.** See *Attorneys*, 1-4; *Constitutional Law*, III, 1; V.

**FREEDOM OF EXPRESSION.** See *Declaratory Judgments*; *Federal-State Relations*; *Injunctions*, 1-3; *Jurisdiction*, 3; *Procedure*, 6, 8-9.

**FREEDOM OF SPEECH.** See *Attorneys*, 1-4; *Constitutional Law*, III, 1.

**FREEDOM OF THE PRESS.** See *Constitutional Law*, VI; *Jurisdiction*, 1; *Libel*, 1-2; *Procedure*, 11; *Public Officials*.



- FREE EXERCISE CLAUSE.** See **Constitutional Law**, III, 2-3; **Selective Service Act**.
- FULL AND FAIR HEARINGS.** See **Labor-Management Reporting and Disclosure Act**, 1-2.
- FUNDS.** See **Banks**; **Standing to Sue**.
- FUTURE INCRIMINATION.** See **Constitutional Law**, I, 1; VIII, 3; **National Firearms Act**, 1-2.
- GAMBLING.** See also **Travel Act**.  
*Travel Act—Out-of-state bettors.*—Conducting a gambling operation frequented by out-of-state bettors does not, without more, constitute a violation of 18 U. S. C. § 1952, the **Travel Act**. *Rewis v. United States*, p. 808.
- GAMBLING INCOME.** See **Constitutional Law**, VIII, 2; **Procedure**, 17.
- GAMBLING TAXES.** See **Constitutional Law**, VIII, 1; **Forfeitures**, 1-2; **Procedure**, 16.
- GENERAL VERDICTS.** See **Labor-Management Reporting and Disclosure Act**, 1-2.
- GEORGIA.** See **Gambling**; **Habeas Corpus**; **Indigents**, 3; **Jurisdiction**, 4; **Procedure**, 18; **Travel Act**.
- GLASS-STEAGALL BANKING ACT OF 1933.** See **Banks**; **Standing to Sue**.
- GOOD FAITH.** See **Attorneys**, 1-4; **Constitutional Law**, I, 2; III, 1; VII, 4-5; **Divorce**; **Indigents**, 1; **Jurisdiction**, 5; **Procedure**, 14.
- GOOD-FAITH PROSECUTIONS.** See **Declaratory Judgments**; **Federal-State Relations**; **Injunctions**, 1-2; **Jurisdiction**, 3; **Procedure**, 9.
- GOVERNMENT AGENTS.** See **Constitutional Law**, VII, 2; **Procedure**, 7.
- GOVERNMENT'S WATER RIGHTS.** See **Jurisdiction**, 8-9; **Water Rights**, 1-2.
- GRENADES.** See **Constitutional Law**, I, 1; VIII, 3; **National Firearms Act**, 1-2.
- GROUP ACTIVITIES.** See **Constitutional Law**, V.
- GUIDELINES.** See **Civil Rights Act of 1964**, 1-2.
- GUNS.** See **Constitutional Law**, VII, 4-5; **Jurisdiction**, 5; **Procedure**, 14.

**HABEAS CORPUS.** See also **Arrests; Constitutional Law, VII, 1; Indigents, 3; Jurisdiction, 4; Procedure, 4, 18.**

*Jurisdiction—Custodian of serviceman—Residence.*—District Court did not have jurisdiction to entertain habeas corpus application by Air Force enlisted man in Arizona on temporary duty orders, as no custodian, neither the commanding officer at Moody Air Force Base in Georgia nor anyone in chain of command, was a resident of Arizona. *Schlanger v. Seamans*, p. 487.

**HABITUAL CRIMINALS.** See **Arrests; Constitutional Law, VII, 1; Procedure, 4.**

**HAIR LENGTH.** See **Public Schools.**

**HAND GRENADES.** See **Constitutional Law, I, 1; VIII, 3; National Firearms Act, 1-2.**

**HARASSMENT.** See **Declaratory Judgments; Federal-State Relations; Injunctions, 1-2, 4; Jurisdiction, 3; Procedure, 6, 9-10.**

**HEARINGS.** See **Abstention; Labor-Management Reporting and Disclosure Act, 1-2; Procedure, 19.**

**HEROIN.** See **Constitutional Law, VII, 3; Evidence, 1; Procedure, 13, 15.**

**HIGH SCHOOL DIPLOMAS.** See **Civil Rights Act of 1964, 1-2.**

**HIGHWAYS.** See **Administrative Procedure, 1-3.**

**IDENTITY.** See **Constitutional Law, VII, 4-5; Jurisdiction, 5; Procedure, 14.**

**ILLEGITIMATE CHILDREN.** See **Constitutional Law, II, 1; Decedents' Estates.**

**ILLINOIS.** See **Injunctions, 4; Procedure, 10.**

**IMMIGRATION AND NATIONALITY ACT OF 1952.** See **Citizenship; Constitutional Law, IV.**

**IMPEACHMENT.** See **Evidence, 1; Procedure, 13.**

**IMPLIED AGREEMENTS.** See **Antitrust Acts; Evidence, 2; Jurisdiction, 6; Labor Unions.**

**IMPRISONMENT.** See **Constitutional Law, II, 2; Indigents, 2; Punishment.**

**INADMISSIBLE EVIDENCE.** See **Evidence, 1; Procedure, 13.**

**INCIDENT TO ARREST.** See **Arrests; Constitutional Law, VII, 1, 3-5; Jurisdiction, 5; Procedure, 4, 14-15.**



**INCOME TAXES.** See **Bankruptcy Act**; **Constitutional Law**, VIII, 2; **Procedure**, 17.

**INCRIMINATION.** See **Constitutional Law**, I, 1; VIII, 3; **National Firearms Act**, 1-2.

**INDIGENTS.** See also **Constitutional Law**, I, 2; **Divorce**; **Procedure**, 18; **Punishment**.

1. *Divorce proceedings—Inability to pay court fees and costs—Due process.*—In view of basic position of marriage in our society and state monopolization of means for dissolving that relationship, due process prohibits Connecticut from denying, solely because of inability to pay court fees and costs, access to its courts to indigents who, in good faith, seek judicial dissolution of their marriage. *Boddie v. Connecticut*, p. 371.

2. *Nonpayment of traffic fines—Imprisonment—Equal protection of the laws.*—It is a denial of equal protection to limit punishment to payment of a fine for those who are able to pay it but to convert the fine to imprisonment for those who are unable to pay it. *Tate v. Short*, p. 395.

3. *Right to counsel—Retroactivity.*—On this record petitioner proved he was without counsel due to indigency at time of his conviction, and accordingly he is entitled to relief as *Gideon v. Wainwright*, 372 U. S. 335, is fully retroactive. *Kitchens v. Smith*, p. 847.

**INDUCTION.** See **Constitutional Law**, III, 2-3; **Criminal Appeals Act**, 1-2; **Selective Service Act**.

**INDUSTRIAL WASTE.** See **Jurisdiction**, 7.

**INFORMERS.** See **Constitutional Law**, VII, 2; **Procedure**, 7.

**INFORMER'S TIP.** See **Arrests**; **Constitutional Law**, VII, 1; **Procedure**, 4.

**INFRINGEMENT SUITS.** See **Damages**; **Procedure**, 12; **Releases**; **Statute of Limitations**.

**INHERITANCE.** See **Constitutional Law**, II, 1; **Decedents' Estates**.

**INJUNCTIONS.** See also **Constitutional Law**, V; **Declaratory Judgments**; **Federal-State Relations**; **Jurisdiction**, 3; **Procedure**, 6, 8-10; **Public Schools**; **Stay**.

1. *Enjoining state criminal prosecutions—Federal-state relations—Irreparable injury.*—Federal courts will not enjoin pending state criminal prosecutions except under extraordinary circumstances where danger of irreparable loss is both great and immediate in that there is a threat to plaintiff's federally protected rights that

**INJUNCTIONS**—Continued.

cannot be eliminated by his defense against a single prosecution. *Younger v. Harris*, p. 37; *Samuels v. Mackell*, p. 66; *Dyson v. Stein*, p. 200.

2. *Enjoining state criminal prosecutions—Irreparable injury.*—Since there was no showing that appellants have suffered or will suffer great and immediate irreparable injury by virtue of their being prosecuted in state courts, where they can make their constitutional contentions, there is no basis for federal injunctive relief. *Samuels v. Mackell*, p. 66; *Dyson v. Stein*, p. 200.

3. *Federal-state relations—Enjoining state criminal prosecution—Obscene film.*—District Court made no finding that threat to appellees' federally protected rights "[could] not be eliminated by [their] defense against a single criminal prosecution," to meet the great and immediate irreparable injury requirement before a federal injunction of state criminal proceedings can properly issue. Judgment therefore vacated and case remanded. *Byrne v. Karalexis*, p. 216.

4. *Irreparable injury—Federal-state relations—Declaratory judgments.*—Since no appellee suffered, or was threatened with great and immediate irreparable injury and the future application of the statute was merely speculative, the District Court was not warranted in interfering with state law enforcement by issuance of an injunction or declaratory judgment. *Boyle v. Landry*, p. 77.

**INJURED WORKERS.** See **Constitutional Law**, V.

**INJURY.** See **Damages**; **Procedure**, 12; **Releases**; **Statute of Limitations**.

**INSTRUCTIONS TO JURY.** See **Constitutional Law**, VI, 1-2; **Libel**, 1; **Public Officials**.

**INSTRUCTORS.** See **Federal-State Relations**; **Injunctions**, 1; **Jurisdiction**, 3; **Procedure**, 9.

**INTELLIGENCE TESTS.** See **Civil Rights Act of 1964**, 1-2.

**INTENT.** See **Constitutional Law**, I, 1; VIII, 3; **National Firearms Act**, 1-2.

**INTERNAL REVENUE LAWS.** See **Constitutional Law**, VIII, 1; **Forfeitures**, 1-2; **Procedure**, 16.

**INTERNAL REVENUE SERVICE.** See **Constitutional Law**, VIII, 2; **Procedure**, 17.

**INTERPRETIVE ARTICLE.** See **Constitutional Law**, VI, 3; **Libel**, 2.

**INTERSTATE HIGHWAYS.** See **Administrative Procedure**, 1-3.



- INTERSTATE TRAVEL.** See Gambling; Travel Act.
- INTERVENING LEGISLATION.** See Procedure, 3.
- INTESTATE SUCCESSION.** See Constitutional Law, II, 1; Decedents' Estates.
- INTIMIDATION.** See Injunctions, 4; Procedure, 10.
- INVESTMENT COMPANIES.** See Banks; Standing to Sue.
- INVESTMENT COMPANY ACT OF 1940.** See Banks; Standing to Sue.
- IRREPARABLE INJURY.** See Declaratory Judgments; Federal-State Relations; Injunctions, 1-4; Jurisdiction, 3; Procedure, 6, 8-10.
- ISSUING MAGISTRATES.** See Arrests; Constitutional Law, VII, 1; Procedure, 4.
- ITALY.** See Citizenship; Constitutional Law, IV.
- JAIL SENTENCES.** See Constitutional Law, II, 2; Indigents, 2; Punishment.
- JOB PERFORMANCE.** See Civil Rights Act of 1964, 1-2.
- JOB REFERRALS.** See Labor-Management Reporting and Disclosure Act, 1-2.
- JOINDER OF UNITED STATES.** See Jurisdiction, 8-9; Water Rights, 1-2.
- JUDGES.** See Damages; Procedure, 12; Releases; Statute of Limitations.
- JUDGMENTS.** See Jurisdiction, 1; Procedure, 11.
- JUDICIAL REVIEW.** See Administrative Procedure, 1-3; Labor-Management Reporting and Disclosure Act, 1-2.
- JURIES.** See Constitutional Law, VI, 1-3; Libel, 1-2; Public Officials.
- JURISDICTION.** See also Antitrust Acts; Constitutional Law, VII, 4-5; Courts-Martial; Criminal Appeals Act, 1-2; Evidence, 2; Federal-State Relations; Habeas Corpus; Injunctions, 1; Labor-Management Reporting and Disclosure Act, 1-2; Labor Unions; Procedure, 9, 11, 14; Water Rights, 1-2.
1. *Appeals—Ordinances—Procedure.*—This Court has no jurisdiction to review on direct appeal the validity of the order declaring local ordinance invalid, since it was a decision of a single federal judge and as such was appealable only to the Court of Appeals. *Perez v. Ledesma*, p. 82.
2. *Crime on military base—Service connected—Court-martial.*—An offense committed by a serviceman on a military post that vio-

**JURISDICTION—Continued.**

lates the security of a person or of property there is service connected and may be tried by a court-martial. *Relford v. U. S. Disciplinary Commandant*, p. 355.

3. *Criminal prosecution—Injunctions—Speculative fears.*—No basis for equitable jurisdiction on allegations of appellees who have not been indicted, arrested, or threatened with prosecution, and the normal course of a state criminal prosecution cannot be blocked on basis of fears of prosecution that are merely speculative. *Younger v. Harris*, p. 37.

4. *Habeas corpus—Residence—Custodian of serviceman.*—District Court did not have jurisdiction to entertain habeas corpus application by Air Force enlisted man in Arizona on temporary duty orders, as no custodian, neither the commanding officer at Moody Air Force Base in Georgia nor anyone in chain of command, was a resident of Arizona. *Schlanger v. Seamans*, p. 487.

5. *Supreme Court—Admissibility of evidence—Not raised below.*—Since Hill's argument that admission into evidence of pages of his diary violated his Fifth Amendment rights was not raised below, it is not properly before this Court. *Hill v. California*, p. 797.

6. *Supreme Court—Argument not made below.*—This Court cannot properly consider petitioners' argument about the construction of the Protective Wage Clause since it is not clear if the contention was made below, and whether, in any event, the record supports it. *Ramsey v. Mine Workers*, p. 302.

7. *Supreme Court—Declination of original jurisdiction—Water pollution.*—Supreme Court declines to exercise its original jurisdiction in suit by Ohio against chemical companies for polluting Lake Erie since issues are bottomed on local law that Ohio courts are competent to consider; several national and international bodies are actively concerned with problems involved here; and nature of case requires resolution of complex, novel and technical factual questions that do not implicate important problems of federal law, which are the primary responsibility of the Court. *Ohio v. Wyandotte Chemicals Corp.*, p. 493.

8. *Water rights—Colorado courts—Reserved rights of United States.*—State court has jurisdiction to adjudicate the reserved water rights of the United States. *U. S. v. District Court for Water Div. No. 5*, p. 527.

9. *Water rights—Government's reserved rights—Joinder of United States.*—Section 666 (a) of Title 43 U. S. C. is an all-inclusive provision subjecting to general adjudication in state proceedings all rights of the United States to water within a State's jurisdiction



**JURISDICTION**—Continued.

regardless of how they were acquired. Any conflict between adjudicated rights and reserved rights of the United States, if preserved in the state proceeding, can ultimately be reviewed in this Court. *U. S. v. District Court for Eagle County*, p. 520.

**JURY SELECTION.** See **Declaratory Judgments; Injunctions**, 2; **Procedure**, 6.

**JUSTIFICATION.** See **Constitutional Law**, VI, 1; **Libel**, 1.

**KIDNAPING.** See **Courts-Martial; Jurisdiction**, 2.

**KNOWING FALSEHOOD.** See **Constitutional Law**, VI, 1-3; **Libel**, 1-2; **Public Officials**.

**LABOR.** See **Labor-Management Reporting and Disclosure Act**, 1-2; **National Labor Relations Act**.

**LABOR MANAGEMENT RELATIONS ACT.** See **Procedure**, 2.

**LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT.**

1. *Jurisdiction of District Court—Pre-emption by National Labor Relations Board—Damages for expulsion of union member.*—This action was within competence of District Court, as issues here are whether respondent was denied rights guaranteed him by § 101 (a) (5), and, if so, his consequent entitlement to damages for that denial, questions that are irrelevant to the legality of conduct under the National Labor Relations Act. *Boilermakers v. Hardeman*, p. 233.

2. *Union disciplinary action—Expulsion of member—"Full and fair hearing."*—Section 101 (a) (5) does not empower the courts to determine what conduct may warrant disciplinary action by a union against its members. Statutory "full and fair hearing" requires that charging party provide some evidence at the hearing to support the charges, and here there was sufficient evidence to support finding that respondent assaulted the union's business manager as charged. *Boilermakers v. Hardeman*, p. 233.

**LABOR UNIONS.** See also **Antitrust Acts; Evidence**, 2; **Jurisdiction**, 6; **Procedure**, 2.

*Wage agreements—Multi-employer bargaining units—Antitrust exemption.*—*Mine Workers v. Pennington*, 381 U. S. 657, is reaffirmed both with respect to holding (1) that union may make wage agreements with multi-employer bargaining unit and in pursuit of own self-interests seek to secure same terms from other employers, and (2) that antitrust exemption is forfeited if union agrees with employer group to impose certain wage scale on other bargaining units, thus joining conspiracy to limit competition. *Ramsey v. Mine Workers*, p. 302.

**LAKE ERIE.** See Jurisdiction, 7.

**LANDLORD AND TENANTS.** See Procedure, 3.

**LAW STUDENTS.** See Attorneys, 1-4; Constitutional Law, III, 1.

**LAWYERS.** See Attorneys, 1-4; Constitutional Law, III, 1.

**LEGAL SERVICES.** See Constitutional Law, V.

**LEGISLATIVE PROGRAM.** See Abstention; Procedure, 1, 19.

**LEGITIMATION.** See Constitutional Law, II, 1; Decedents' Estates.

**LENGTH OF HAIR.** See Public Schools.

**LIBEL.** See also Constitutional Law, VI, 1-3; Public Officials.

1. *Charge of criminal conduct—Political candidate—Freedom of the press.*—Charge of criminal conduct, no matter how remote in time or place, can never be irrelevant to an official's or a candidate's fitness for purpose of applying the "knowing falsehood or reckless disregard" rule of *New York Times Co. v. Sullivan*, 376 U. S. 254. *Monitor Patriot Co. v. Roy*, p. 265; *Ocala Star-Banner Co. v. Damron*, p. 295.

2. *Magazine article—Interpretation of Civil Rights Commission report—Chicago policeman.*—Magazine's omission of word "alleged" amounted to adoption of one of several rational interpretations of Civil Rights Commission report bristling with ambiguities, and while the choice might reflect misconception, it was not enough to create jury issue of "malice" under rule of *New York Times Co. v. Sullivan*, 376 U. S. 254, as it would impose stricter standard of liability on errors of interpretation than on errors of historic fact. *Time, Inc. v. Pape*, p. 279.

**LIBELOUS PER SE.** See Constitutional Law, VI, 2; Libel, 1; Public Officials.

**LIMITATION OF ACTIONS.** See Procedure, 2.

**LOCAL TAXES.** See Abstention; Procedure, 1, 19.

**LOSS OF CITIZENSHIP.** See Citizenship; Constitutional Law, IV.

**LOTTERIES.** See Gambling; Travel Act.

**LOUISIANA.** See Constitutional Law, II, 1; Decedents' Estates; Jurisdiction, 1; Procedure, 11.

**LOYALTY.** See Attorneys, 1-4; Constitutional Law, III, 1.

**MAGAZINES.** See Constitutional Law, VI, 3; Jurisdiction, 1; Libel, 2; Procedure, 11.



- MAGISTRATES.** See Arrests; Constitutional Law, VII, 1; Procedure, 4.
- MALICE.** See Constitutional Law, VI, 1-3; Libel, 1-2; Public Officials.
- MARKED BILLS.** See Constitutional Law, VII, 3; Procedure, 15.
- MARRIAGE.** See Constitutional Law, I, 2; Divorce; Indigents, 1.
- MASSACHUSETTS.** See Injunctions, 3; Procedure, 8.
- MAYORS.** See Constitutional Law, VI, 2; Libel, 1; Public Officials.
- MEMPHIS.** See Administrative Procedure, 1-3.
- MERCURY POLLUTION.** See Jurisdiction, 7.
- MICHIGAN.** See Jurisdiction, 7.
- MICHIGAN BAR.** See Constitutional Law, V.
- MILITARY CONSCRIPTION.** See Constitutional Law, III, 2-3; Selective Service Act.
- MILITARY PERSONNEL.** See Courts-Martial; Jurisdiction, 2.
- MILITARY RESERVATION.** See Courts-Martial; Jurisdiction, 2.
- MILITARY SELECTIVE SERVICE ACT OF 1967.** See Constitutional Law, III, 2-3; Criminal Appeals Act, 1-2; Selective Service Act.
- MILITARY SERVICE.** See Constitutional Law, III, 2-3; Selective Service Act.
- MILLAGE ROLLBACK LAW.** See Abstention; Procedure, 1, 19.
- MINES.** See Antitrust Acts; Evidence, 2; Jurisdiction, 6; Labor Unions.
- MINE WORKERS.** See Procedure, 2.
- MIRANDA WARNINGS.** See Evidence, 1; Procedure, 13.
- MISTAKEN IDENTITY.** See Constitutional Law, VI, 2; VII, 4-5; Jurisdiction, 5; Libel, 1; Procedure, 14; Public Officials.
- MOB-ACTION STATUTE.** See Injunctions, 4; Procedure, 10.
- MONETARY OBLIGATIONS.** See Constitutional Law, II, 2; Indigents, 2; Punishment.
- MONEY.** See Constitutional Law, VIII, 1; Forfeitures, 1-2; Procedure, 16.

- MONTHLY ADJUDICATIONS.** See *Jurisdiction*, 8; *Water Rights*, 1.
- MOODY AIR FORCE BASE.** See *Habeas Corpus*; *Jurisdiction*, 4.
- MOOTNESS.** See *Procedure*, 5, 20.
- MOTION PICTURES.** See *Injunctions*, 3; *Procedure*, 8.
- MOTIONS IN BAR.** See *Criminal Appeals Act*, 1-2.
- MOTION TO VACATE STAY.** See *Public Schools*.
- MULTI-EMPLOYER BARGAINING UNITS.** See *Antitrust Acts*; *Evidence*, 2; *Jurisdiction*, 6; *Labor Unions*.
- MUNICIPAL ORDINANCES.** See *Injunctions*, 4; *Jurisdiction*, 1; *Procedure*, 10-11.
- MUTUAL FUNDS.** See *Banks*; *Standing to Sue*.
- NARCOTICS.** See *Constitutional Law*, VII, 2-5; *Procedure*, 7, 14-15.
- NATIONAL BANKS.** See *Banks*; *Standing to Sue*.
- NATIONAL BASKETBALL ASSOCIATION.** See *Stay*.
- NATIONAL BITUMINOUS COAL WAGE AGREEMENT.** See *Antitrust Acts*; *Evidence*, 2; *Jurisdiction*, 6; *Labor Unions*.
- NATIONAL FIREARMS ACT.** See also *Constitutional Law*, I, 1; VIII, 3.
1. *Amended statute—Intent—Due process.*—The amended Act's prohibition against a person's "receiv[ing] or possess[ing] a firearm which is not registered to him," requires no specific intent and the absence of such a requirement in this essentially regulatory statute in the area of public safety does not violate due process requirements either as respects the substantive count or the conspiracy count. *United States v. Freed*, p. 601.
2. *Amended statute—Self-incrimination.*—The scheme of the amended Act, which significantly alters the scheme presented in *Haynes v. United States*, 390 U. S. 85, does not involve any violation of the Self-Incrimination Clause of the Fifth Amendment. The amended Act fully protects a person against incrimination for past or present violations and creates no substantial hazards of future incrimination. *United States v. Freed*, p. 601.
- NATIONALITY.** See *Citizenship*; *Constitutional Law*, IV.



**NATIONAL LABOR RELATIONS ACT.**

*Delegation of authority—Regional directors—Representation proceedings.*—Under § 3 (b) of the Act the NLRB is permitted to delegate to the regional director its authority to determine the appropriate bargaining unit, and plenary review by the NLRB of such determination is not mandatory. *Magnesium Casting Co. v. NLRB*, p. 137.

**NATIONAL LABOR RELATIONS BOARD.** See **Labor-Management Reporting and Disclosure Act**, 1-2.

**NATURAL CHILDREN.** See **Constitutional Law**, II, 1; **Decedents' Estates**.

**NEGROES.** See **Civil Rights Act of 1964**, 1-2; **Injunctions**, 4; **Procedure**, 10.

**NET-WORTH METHOD.** See **Constitutional Law**, VIII, 2; **Procedure**, 17.

**NEW HAMPSHIRE.** See **Constitutional Law**, VI, 1-2; **Libel**, 1.

**NEWSPAPERS.** See **Constitutional Law**, VI, 1-2; **Injunctions**, 1-2; **Libel**, 1; **Procedure**, 9; **Public Officials**.

**NEW YORK.** See **Attorneys**, 2-4; **Constitutional Law**, III, 1; **Declaratory Judgments**; **Evidence**, 1; **Injunctions**, 2; **Procedure**, 6, 13.

**NON-MILITARY OFFENSES.** See **Courts-Martial**; **Jurisdiction**, 2.

**NONPAYMENT OF FINES.** See **Constitutional Law**, II, 2; **Indigents**, 2; **Punishment**.

**NORRIS-LaGUARDIA ACT.** See **Antitrust Acts**; **Evidence**, 2; **Jurisdiction**, 6; **Labor Unions**.

**NUISANCES.** See **Jurisdiction**, 7.

**OATHS.** See **Attorneys**, 1-4; **Constitutional Law**, III, 1.

**OBSCENITY.** See **Injunctions**, 3; **Jurisdiction**, 1; **Procedure**, 8, 11.

**OCALA, FLORIDA.** See **Constitutional Law**, VI, 2; **Libel**, 1; **Public Officials**.

**OFFENSES.** See **Courts-Martial**; **Jurisdiction**, 2.

**OFFICIAL CONDUCT.** See **Constitutional Law**, VI, 1-3; **Libel**, 1-2; **Public Officials**.

**OHIO.** See **Attorneys**, 4; **Jurisdiction**, 7.

- OPEN-END INVESTMENT COMPANIES.** See Banks; Standing to Sue.
- ORDERS.** See Jurisdiction, 1; Procedure, 11.
- ORDINANCES.** See Injunctions, 4; Jurisdiction, 1; Procedure, 10-11.
- ORGANIZATIONAL MEMBERSHIPS.** See Attorneys, 1-4; Constitutional Law, III, 1.
- ORIGINAL JURISDICTION.** See Jurisdiction, 7.
- OUT-OF-STATE BETTORS.** See Gambling; Travel Act.
- OVERBREADTH.** See Attorneys, 1-4; Constitutional Law, III, 1; Federal-State Relations; Injunctions, 1, 4; Jurisdiction, 3; Procedure, 9-10.
- OVERTON PARK.** See Administrative Procedure, 1-3.
- PARENTAGE.** See Citizenship; Constitutional Law, IV.
- PARENTS.** See Constitutional Law, II, 1; Decedents' Estates.
- PARISH ORDINANCES.** See Jurisdiction, 1; Procedure, 11.
- PARKS.** See Administrative Procedure, 1-3.
- PARTICIPATION IN WAR.** See Constitutional Law, III, 2-3; Selective Service Act.
- PARTICULAR WARS.** See Constitutional Law, III, 2-3; Selective Service Act.
- PARTIES.** See Damages; Procedure, 12; Releases; Statute of Limitations.
- PASSPORTS.** See Citizenship; Constitutional Law, IV.
- PATENT INFRINGEMENT.** See Damages; Procedure, 12; Releases; Statute of Limitations.
- PATENT POOLS.** See Damages; Procedure, 12; Releases; Statute of Limitations.
- PAUPERS.** See Constitutional Law, I, 2; II, 2; Divorce; Indigents, 1-3; Procedure, 18; Punishment.
- PERJURY.** See Attorneys, 1, 4; Constitutional Law, VI, 2; Libel, 1; Public Officials.
- PERSONAL APPEARANCES.** See Criminal Appeals Act, 1-2.
- PERSONNEL TESTING.** See Civil Rights Act of 1964, 1-2.
- PETITIONS FOR CERTIORARI.** See Procedure, 5, 20.
- PETITIONS FOR REHEARING.** See Procedure, 5, 20.



- PHOTOGRAPHS.** See Constitutional Law, I, 1; VIII, 3; National Firearms Act, 1-2.
- PLAYER DRAFT RULES.** See Stay.
- PLAYOFF GAMES.** See Stay.
- PLENARY REVIEW.** See National Labor Relations Act.
- POLICE.** See Constitutional Law, VII, 4-5; Jurisdiction, 5; Procedure, 14.
- POLICE OFFICERS.** See Constitutional Law, VI, 3; Libel, 2.
- POLICE RADIO BULLETINS.** See Arrests; Constitutional Law, VII, 1; Procedure, 4.
- POLITICAL BELIEFS.** See Attorneys, 1, 4; Federal-State Relations; Injunctions, 1; Jurisdiction, 3; Procedure, 9.
- POLITICAL CANDIDATES.** See Constitutional Law, VI, 1-2; Libel, 1.
- POLLUTION.** See Jurisdiction, 7.
- POOR PERSONS.** See Constitutional Law, I, 2; II, 2; Divorce; Indigents, 1-3; Procedure, 3, 18; Punishment.
- PORNOGRAPHY.** See Injunctions, 3; Jurisdiction, 1; Procedure, 9, 11.
- POSSESSION OF FIREARMS.** See Constitutional Law, I, 1; VIII, 3; National Firearms Act, 1-2.
- POSTING OF BONDS.** See Procedure, 3.
- POVERTY.** See Constitutional Law, I, 2; II, 2; Divorce; Indigents, 1-3; Procedure, 3, 18; Punishment.
- POWER GENERATING STATION.** See Civil Rights Act of 1964, 1-2.
- PRACTICE OF LAW.** See Attorneys, 1-4; Constitutional Law, III, 1.
- PRE-EMPTION.** See Declaratory Judgments; Injunctions, 2, 4; Labor-Management Reporting and Disclosure Act, 1-2; Procedure, 6, 10.
- PREPONDERANCE OF EVIDENCE.** See Antitrust Acts; Evidence, 2; Jurisdiction, 6; Labor Unions.
- PRIMARY ELECTIONS.** See Constitutional Law, VI, 1-2; Libel, 1.
- PRIORITIES.** See Bankruptcy Act.
- PRISONERS.** See Constitutional Law, VII, 3; Procedure, 15.

**PRIVACY OF APPLICANTS.** See **Attorneys**, 1-4; **Constitutional Law**, III, 1.

**PRIVATE CONDUCT.** See **Constitutional Law**, VI, 1; **Libel**, 1.

**PROBABLE CAUSE.** See **Arrests**; **Constitutional Law**, VII, 1, 4-5; **Injunctions**, 4; **Jurisdiction**, 5; **Procedure**, 10, 14.

**PROCEDURE.** See also **Abstention**; **Administrative Procedure**, 1-3; **Antitrust Acts**; **Constitutional Law**, I, 2; II, 2; VII, 1-5; VIII, 1-2; **Criminal Appeals Act**, 1-2; **Damages**; **Declaratory Judgments**; **Divorce**; **Evidence**, 1-2; **Federal-State Relations**; **Forfeitures**, 1-2; **Habeas Corpus**; **Indigents**, 1-3; **Injunctions**, 1-4; **Jurisdiction**, 1, 3-6, 8-9; **Labor-Management Reporting and Disclosure Act**, 1-2; **Labor Unions**; **National Labor Relations Act**; **Public Schools**; **Punishment**; **Releases**; **Statute of Limitations**; **Stay**; **Water Rights**, 1-2.

1. *Abstention—Equal protection claim—State constitutional issue.*—District Court mistakenly relied on *Monroe v. Pape*, 365 U. S. 167, and *McNeese v. Board of Education*, 373 U. S. 668, in refusing to abstain from deciding case on merits pending resolution by state courts of state constitutional claims that might obviate need for determining Fourteenth Amendment issue. *Askew v. Hargrave*, p. 476.

2. *Accrual of causes of action—Unfair labor practices—Remand.*—Case remanded for further consideration, in light of *Zenith Radio Corp. v. Hazeltine Research*, ante, p. 321, of questions involving accrual of causes of action under § 303 of the Labor Management Relations Act and § 4 of the Clayton Act. *Mine Workers v. Railing*, p. 486.

3. *Changed circumstances—Summary eviction procedure—New legislation and removal from premises.*—Intervening legislation and removal of appellants from premises make it inappropriate to resolve challenge by indigent appellants to summary eviction procedure, since it cannot be determined to what extent adjudication of these issues would be material to any further litigation ensuing on remand. *Sanks v. Georgia*, p. 144.

4. *Constitutional challenge—Remand—Retrial.*—Since, notwithstanding petitioner's constitutional challenge to legality of arrest and search incident thereto at each stage, respondent made no attempt to show that magistrate had more information than was presented in complaint, he may not attempt to do so now on remand; and writ must issue unless State appropriately arranges to retry petitioner. *Whiteley v. Warden*, p. 560.

5. *Death of petitioner—Direct review—Federal criminal convic-*



**PROCEDURE**—Continued.

*tion*.—Death pending direct review, whether by certiorari (as here) or appeal, of a federal criminal conviction, abates all previous prosecutive proceedings. *Durham v. United States*, p. 481.

6. *Declaratory judgments—Federal-state relations—State criminal prosecution*.—Same principles that govern propriety of federal injunctions of state criminal proceedings govern issuance of federal declaratory judgments in connection with such proceedings, and appellants here should have been denied declaratory relief without consideration of the merits of their constitutional claims. *Samuels v. Mackell*, p. 66.

7. *Electronic eavesdropping—Informer—Admissibility of evidence*.—Court of Appeals' holding that evidence of incriminating statements of respondent that were overheard by warrantless electronic eavesdropping by Government agents by means of transmitter which informer consented to wear during meetings with respondent was inadmissible under Fourth Amendment, is reversed. *United States v. White*, p. 745.

8. *Enjoining state criminal prosecution—Federal-state relations—Irreparable injury*.—District Court made no finding that threat to appellees' federally protected rights "[could] not be eliminated by [their] defense against a single criminal prosecution," to meet the great and immediate irreparable injury requirement before a federal injunction of state criminal proceedings can properly issue. Judgment therefore vacated and case remanded. *Byrne v. Karalexis*, p. 216.

9. *Federal and state courts—Injunctions—Criminal prosecutions*.—Federal courts will not enjoin pending state criminal prosecutions except under extraordinary circumstances where danger of irreparable loss is both great and immediate in that there is a threat to plaintiff's federally protected rights that cannot be eliminated by his defense against a single prosecution. *Younger v. Harris*, p. 37; *Samuels v. Mackell*, p. 66; *Dyson v. Stein*, p. 200.

10. *Federal-state relations—Injunctions—Declaratory judgments*.—Since no appellee suffered, or was threatened with great and immediate irreparable injury and the future application of the statute was merely speculative, the District Court was not warranted in interfering with state law enforcement by issuance of an injunction or declaratory judgment. *Boyle v. Landry*, p. 77.

11. *Federal-state relations—State criminal prosecution—Suppression order*.—Three-judge court erred in issuing suppression order and thereby stifling then-pending good-faith state criminal proceed-

**PROCEDURE**—Continued.

ing during which the defense should first raise its constitutional claims. *Perez v. Ledesma*, p. 82.

12. *Limitations and release defenses—Waiver—Discretion of judge.*—Trial judge did not abuse his discretion here if his rejection of the limitations and release defenses was based on respondent's waiver due to untimeliness of their presentation. *Zenith Radio Corp. v. Hazeltine Research*, p. 321.

13. *No Miranda warnings—Evidence—Impeachment.*—Statement inadmissible against defendant in prosecution's case in chief because of lack of procedural safeguards required by *Miranda v. Arizona*, 384 U. S. 436, may, if its trustworthiness satisfies legal standards, be used for impeachment purposes to attack credibility of defendant's trial testimony. *Harris v. New York*, p. 222.

14. *Retroactivity—Search and seizure.*—*Chimel v. California*, 395 U. S. 752, is inapplicable to searches antedating that decision, regardless of whether case is on direct or collateral review or involves state or federal prisoners. *Hill v. California*, p. 797.

15. *Retroactivity—Search and seizure—Incident to arrest.*—Court of Appeals' holding that intervening decision in *Chimel v. California*, 395 U. S. 752, narrowing scope of permissible searches incident to arrest, was not to be retroactively applied to searches antedating the date it was decided, is affirmed. *Williams v. United States*, p. 646.

16. *Retroactivity—Self-incrimination—Gambling tax.*—Decisions in *Marchetti v. United States*, 390 U. S. 39, and *Grosso v. United States*, 390 U. S. 62, which held that gamblers had the Fifth Amendment right to remain silent despite the statutory requirement that they submit reports which could incriminate them, have retroactive effect in a forfeiture proceeding under 26 U. S. C. § 7302. *United States v. U. S. Coin & Currency*, p. 715.

17. *Retroactivity—Self-incrimination—Use of wagering tax forms.*—Court of Appeals' holding that *Marchetti v. United States*, 390 U. S. 39, and *Grosso v. United States*, 390 U. S. 62, would not be applied retroactively to overturn earlier income tax evasion conviction based on then-constitutional principles permitting introduction in evidence of wagering tax forms, is affirmed. *Mackey v. United States*, p. 667.

18. *Right to counsel—Indigents—Retroactivity.*—On this record petitioner proved he was without counsel due to indigency at time of his conviction, and accordingly he is entitled to relief as *Gideon v. Wainwright*, 372 U. S. 335, is fully retroactive. *Kitchens v. Smith*, p. 847.

19. *Summary judgment—Full hearing—Florida's overall educa-*



**PROCEDURE**—Continued.

*tional program*.—Since manner in which Florida's overall educational program operates may be critical in resolving the equal protection claim, that claim should be decided not by summary judgment but after a full hearing. *Askew v. Hargrave*, p. 476.

20. *Supreme Court rules—Timeliness of petition*.—On facts here, where petitioner filed for certiorari within three weeks of notification of Court of Appeals' denial of petition for rehearing several months before, waiver of Rule 22 (2)'s time requirement for filing petition for certiorari is proper. *Durham v. United States*, p. 481.

**PROFESSIONAL COMPETENCE.** See **Attorneys**, 1, 4.

**PROFESSORS.** See **Federal-State Relations**; **Injunctions**, 1; **Jurisdiction**, 3; **Procedure**, 9.

**PROGRESSIVE LABOR PARTY.** See **Federal-State Relations**; **Injunctions**, 1; **Jurisdiction**, 3; **Procedure**, 9.

**PROMOTIONS.** See **Civil Rights Act of 1964**, 1-2.

**PROOF.** See **Antitrust Acts**; **Evidence**, 2; **Jurisdiction**, 6; **Labor Unions**.

**PROPERTY TAXES.** See **Abstention**; **Procedure**, 1, 19.

**PROSECUTIONS.** See **Declaratory Judgments**; **Federal-State Relations**; **Injunctions**, 1-2, 4; **Jurisdiction**, 3; **Procedure**, 6, 9-10.

**PROSPECTIVITY.** See **Constitutional Law**, VII, 3-5; VIII, 1-2; **Forfeitures**, 1-2; **Indigents**, 3; **Jurisdiction**, 5; **Procedure**, 14-18.

**PROTECTIVE WAGE CLAUSE.** See **Antitrust Acts**; **Evidence**, 2; **Jurisdiction**, 6; **Labor Unions**.

**PUBLIC LANDS.** See **Jurisdiction**, 8-9; **Water Rights**, 1-2.

**PUBLIC OFFICIALS.** See also **Constitutional Law**, VI, 1-3; **Libel**, 1-2.

*False newspaper story—Libel suit—Fitness for office*.—Charge of criminal conduct against public official or candidate for public office, no matter how remote in time or place, is always "relevant to his fitness for office" for purpose of applying rule of *New York Times Co. v. Sullivan*, 376 U. S. 254, of knowing falsehood or reckless disregard of truth. *Ocala Star-Banner Co. v. Damron*, p. 295.

**PUBLIC PARKS.** See **Administrative Procedure**, 1-3.

**PUBLIC SAFETY.** See **Constitutional Law**, I, 1; VIII, 3; **National Firearms Act**, 1-2.

**PUBLIC SCHOOLS.**

*Rules and regulations—Length of schoolboys' hair.*—Motion to vacate Court of Appeals' stay of District Court's order enjoining El Paso public school authorities from enforcing rules regarding length of hair is denied, as JUSTICE BLACK refuses to hold, or predict that this Court will hold, that federal courts have the constitutional power to interfere in this way with the public school system operated by the States. *Karr v. Schmidt* (BLACK, J., in chambers), p. 1201.

**PUNISHMENT.** See also **Constitutional Law**, II, 2; **Indigents**, 2.

*Nonpayment of traffic fines—Imprisonment.*—It is a denial of equal protection to limit punishment to payment of a fine for those who are able to pay it but to convert the fine to imprisonment for those who are unable to pay it. *Tate v. Short*, p. 395.

**QUALIFICATIONS FOR EMPLOYMENT.** See **Civil Rights Act of 1964**, 1-2.

**QUESTIONNAIRES.** See **Attorneys**, 1-4; **Constitutional Law**, III, 1.

**RACIAL DISCRIMINATION.** See **Civil Rights Act of 1964**, 1-2.

**RADIO BULLETINS.** See **Arrests**; **Constitutional Law**, VII, 1; **Procedure**, 4.

**RADIO TRANSMITTERS.** See **Constitutional Law**, VII, 2; **Procedure**, 7.

**RAILROAD TRAINMEN.** See **Constitutional Law**, V.

**RAPE.** See **Courts-Martial**; **Jurisdiction**, 2.

**REAL PROPERTY.** See **Procedure**, 3.

**RECKLESS DISREGARD OF TRUTH.** See **Constitutional Law**, VI, 1-3; **Libel**, 1-2; **Public Officials**.

**RECORD.** See **Damages**; **Procedure**, 12; **Releases**; **Statute of Limitations**.

**REDUCTION OF DAMAGES.** See **Damages**; **Procedure**, 12; **Releases**; **Statute of Limitations**.

**REFEREES IN BANKRUPTCY.** See **Bankruptcy Act**.

**REFUSAL TO ANSWER QUESTIONS.** See **Attorneys**, 1-4; **Constitutional Law**, III, 1.

**REFUSAL TO BARGAIN.** See **National Labor Relations Act**.

**REGIONAL DIRECTORS.** See **National Labor Relations Act**.

**REGISTRATION AS GAMBLER.** See **Constitutional Law**, VIII, 1-2; **Forfeitures**, 1-2; **Procedure**, 16-17.



**REGISTRATION OF FIREARMS.** See *Constitutional Law*, I, 1; VIII, 3; *National Firearms Act*, 1-2.

**REGULATIONS.** See *Banks*; *Criminal Appeals Act*, 1-2; *Standing to Sue*.

**REGULATORY STATUTE.** See *Constitutional Law*, I, 1; VIII, 3; *National Firearms Act*, 1-2.

**REHEARINGS.** See *Procedure*, 5, 20.

**RELEASES.** See also *Damages*; *Procedure*, 12; *Statute of Limitations*.

*Coconspirators—Intention of parties.*—Effect of release upon coconspirators is to be determined in accordance with intention of the parties, and here respondent, which was neither a party to the release nor a parent or subsidiary of a party, is not entitled to the benefit of the release, as the agreement to exchange releases provided that they were "to bind or benefit" the party and "the parent or subsidiaries of the party giving or receiving such release." *Zenith Radio Corp. v. Hazeltine Research*, p. 321.

**RELEVANCY.** See *Constitutional Law*, VI, 1-2; *Libel*, 1.

**RELIEF.** See *Declaratory Judgments*; *Federal-State Relations*; *Injunctions*, 1-2, 4; *Jurisdiction*, 3; *Procedure*, 6, 9-10; *Stay*.

**RELIGIOUS BELIEFS.** See *Constitutional Law*, III, 2-3; *Selective Service Act*.

**REMAND.** See *Arrests*; *Constitutional Law*, VII, 1; *Procedure*, 2, 4.

**RENT.** See *Procedure*, 3.

**REOPENING OF RECORD.** See *Damages*; *Procedure*, 12; *Releases*; *Statute of Limitations*.

**REPORT OF CIVIL RIGHTS COMMISSION.** See *Constitutional Law*, VI, 3; *Libel*, 2.

**REPRESENTATION PROCEEDINGS.** See *National Labor Relations Act*.

**REQUIREMENTS FOR BAR ADMISSION.** See *Attorneys*, 1-4; *Constitutional Law*, III, 1.

**RESERVED WATER RIGHTS.** See *Jurisdiction*, 8-9; *Water Rights*, 1-2.

**RESIDENCE.** See *Citizenship*; *Constitutional Law*, IV; *Habeas Corpus*; *Jurisdiction*, 4.

- RETROACTIVITY.** See Constitutional Law, VII, 3-5; VIII, 1-2; Courts-Martial; Forfeitures, 1-2; Indigents, 3; Jurisdiction, 2, 5; Procedure, 14-18.
- REVIEW.** See National Labor Relations Act; Procedure, 5.
- RIGHT TO COUNSEL.** See Criminal Appeals Act, 1-2; Evidence, 1; Indigents, 3; Procedure, 13, 18.
- RIGHT TO PRIVACY.** See Attorneys, 1-4; Constitutional Law, III, 1.
- RIVER SYSTEMS.** See Jurisdiction, 8-9; Water Rights, 1-2.
- ROBBERY.** See Constitutional Law, VII, 4-5; Indigents, 3; Jurisdiction, 5; Procedure, 14, 18.
- RULES.** See Procedure, 20; Supreme Court.
- RULES AND REGULATIONS.** See Public Schools.
- ST. BERNARD PARISH.** See Jurisdiction, 1; Procedure, 11.
- SANCTIONS.** See Stay.
- SCHOOL DISTRICTS.** See Abstention; Procedure, 1, 19.
- SCHOOLS.** See Public Schools.
- SCIENTER.** See Constitutional Law, I, 1; VIII, 3; National Firearms Act, 1-2.
- SCOPE OF SEARCHES.** See Constitutional Law, VII, 3; Procedure, 15.
- SCREENING SYSTEM.** See Attorneys, 1-4; Constitutional Law, III, 1.
- SEARCH AND SEIZURE.** See Arrests; Constitutional Law, VII; Jurisdiction, 5; Procedure, 4, 7, 14-15.
- SEATTLE.** See Stay.
- SECRETARY OF TRANSPORTATION.** See Administrative Procedure, 1-3.
- SECTARIAN AFFILIATIONS.** See Constitutional Law, III, 2-3; Selective Service Act.
- SECURITIES.** See Banks; Standing to Sue.
- SECURITIES AND EXCHANGE COMMISSION.** See Banks; Standing to Sue.
- SECURITY.** See Courts-Martial; Jurisdiction, 2.
- SELECTIVE CONSCIENTIOUS OBJECTORS.** See Constitutional Law, III, 2-3; Selective Service Act.



**SELECTIVE SERVICE ACT.** See also **Constitutional Law**, III, 2-3; **Criminal Appeals Act**, 1-2.

*Conscientious objectors—Exemptions—Participation in war in any form.*—Exemption for those who oppose “participation in war in any form” applies to those who oppose participating in all war and not to those who object to participation in a particular war only, even if the latter objection is religious in character. *Gillette v. United States*, p. 437.

**SELECTIVE SERVICE REGULATIONS.** See **Criminal Appeals Act**, 1-2.

**SELF-INCRIMINATION.** See **Constitutional Law**, I, 1; VIII; **Evidence**, 1; **Forfeitures**, 1-2; **National Firearms Act**, 1-2; **Procedure**, 13, 16-17.

**SELLING SECURITIES.** See **Banks**; **Standing to Sue**.

**SENATORIAL CANDIDATES.** See **Constitutional Law**, VI, 1-2; **Libel**, 1.

**SENTENCES.** See **Constitutional Law**, II, 2; **Indigents**, 2; **Punishment**.

**SERVICE CONNECTED.** See **Courts-Martial**; **Jurisdiction**, 2.

**SERVICEMEN.** See **Courts-Martial**; **Habeas Corpus**; **Jurisdiction**, 2, 4.

**SHERIFFS.** See **Arrests**; **Constitutional Law**, VII, 1; **Procedure**, 4.

**SHERMAN ACT.** See **Antitrust Acts**; **Damages**; **Evidence**, 2; **Jurisdiction**, 6; **Labor Unions**; **Procedure**, 12; **Releases**; **Statute of Limitations**.

**SOCIAL SECURITY TAXES.** See **Bankruptcy Act**.

**SOLICITATION OF LEGAL BUSINESS.** See **Constitutional Law**, V.

**SPECULATIVE DAMAGES.** See **Damages**; **Procedure**, 12; **Releases**; **Statute of Limitations**.

**SPORTS.** See **Stay**.

**STANDARD OF PROOF.** See **Antitrust Acts**; **Evidence**, 2; **Jurisdiction**, 6; **Labor Unions**.

**STANDARDS FOR JOBS.** See **Civil Rights Act of 1964**, 1-2.

**STANDARDS OF REVIEW.** See **Labor-Management Reporting and Disclosure Act**, 1-2.

**STANDING.** See **Federal-State Relations**; **Injunctions**, 1; **Jurisdiction**, 3; **Procedure**, 9.

**STANDING TO SUE.** See also **Banks.**

*Investment companies—National banks—Competition.*—Association of open-end investment companies and several individual such companies do not lack standing to challenge whether national banks may legally enter a field in competition with them. *Investment Co. Institute v. Camp*, p. 617.

**STATEMENTS.** See **Evidence**, 1; **Procedure**, 13.

**STATE PRISONERS.** See **Constitutional Law**, VII, 3; **Procedure**, 15.

**STATE PROSECUTIONS.** See **Declaratory Judgments**; **Federal-State Relations**; **Injunctions**, 1-4; **Jurisdiction**, 3; **Procedure**, 6, 8-10.

**STATUTE OF LIMITATIONS.** See also **Damages**; **Procedure**, 12; **Releases.**

*Tolling—Government antitrust suit—Conspirators.*—Court of Appeals erroneously rejected petitioner's claim that statute of limitations was tolled during pendency of Government's antitrust suit against other participants in patent pool, since claim of tolling need not be set forth until limitations claim is raised, where, as here, petitioner has no reason to anticipate raising of limitations claim, and under 28 U. S. C. § 16 (b) the statute is tolled against all participants in conspiracy that is the object of Government suit, whether or not they are named as defendants or conspirators therein. *Zenith Radio Corp. v. Hazeltine Research*, p. 321.

**STAY.** See also **Public Schools.**

*Antitrust laws—Basketball player draft rules—Playoff games.*—Equities between parties favor reinstatement of District Court's preliminary injunction, which will enable applicant basketball player to play and thus further Seattle's efforts to qualify for the imminent playoffs, and should it be necessary that court can fashion appropriate relief in light of outcome of litigation and athletic competition. *Haywood v. National Basketball Assn.* (DOUGLAS, J., in chambers), p. 1204.

**STOCK FUNDS.** See **Banks**; **Standing to Sue.**

**STOLEN PROPERTY.** See **Constitutional Law**, VII, 4-5; **Jurisdiction**, 5; **Procedure**, 14.

**STUDENTS.** See **Public Schools.**

**SUBSTANTIAL-EVIDENCE TEST.** See **Administrative Procedure**, 1-3.

**SUMMARY EVICTIONS.** See **Procedure**, 3.



- SUMMARY JUDGMENT.** See *Abstention*; *Procedure*, 1, 19.
- SUPERVISORS.** See *National Labor Relations Act*.
- SUPPLEMENTAL WATER ADJUDICATIONS.** See *Jurisdiction*, 8-9; *Water Rights*, 1-2.
- SUPPORT AND MAINTENANCE.** See *Constitutional Law*, II, 1; *Decedents' Estates*.
- SUPPRESSION ORDERS.** See *Jurisdiction*, 1; *Procedure*, 11.
- SUPREME COURT.** See *Jurisdiction*, 7; *Procedure*, 5, 20.
1. Amendments to Rules of Civil Procedure, p. 1017.
  2. Amendments to Rules of Criminal Procedure, p. 1025.
  3. Amendments to Federal Rules of Appellate Procedure, p. 1029.
  4. Assignment of Mr. Justice Clark (retired) to the United States Court of Appeals for the Fifth Circuit, p. 927.
  5. Assignment of Mr. Justice Clark (retired) to the United States Court of Appeals for the Tenth Circuit, p. 927.
- SURETY BONDS.** See *Procedure*, 3.
- SURVEILLANCE.** See *Constitutional Law*, VII, 2; *Procedure*, 7.
- SYNDICATED COLUMNS.** See *Constitutional Law*, VI, 1; *Libel*, 1.
- TAX ASSESSORS.** See *Constitutional Law*, VI, 2; *Libel*, 1; *Public Officials*.
- TAXES.** See *Abstention*; *Bankruptcy Act*; *Constitutional Law*, VIII, 1-2; *Forfeitures*, 1-2; *Procedure*, 1, 16-17, 19.
- TEACHERS.** See *Federal-State Relations*; *Injunctions*, 1; *Jurisdiction*, 3; *Procedure*, 9.
- TEMPORARY DUTY ORDERS.** See *Habeas Corpus*; *Jurisdiction*, 4.
- TENANTS.** See *Procedure*, 3.
- TESTIMONY.** See *Constitutional Law*, VII, 2; *Evidence*, 1; *Procedure*, 7, 13.
- TESTS.** See *Civil Rights Act of 1964*, 1-2.
- TEXAS.** See *Constitutional Law*, II, 2; *Indigents*, 2; *Injunctions*, 1-2; *Procedure*, 9; *Punishment*.
- THREE-JUDGE COURTS.** See *Declaratory Judgments*; *Federal-State Relations*; *Injunctions*, 1-4; *Jurisdiction*, 3; *Procedure*, 6, 8-10.
- TIMELINESS.** See *Procedure*, 20.

- TIME MAGAZINE.** See Constitutional Law, VI, 3; Libel, 2.
- TOLLING OF STATUTE.** See Damages; Procedure, 12; Releases; Statute of Limitations.
- TRAFFIC OFFENSES.** See Constitutional Law, II, 2; Indigents, 2; Punishment.
- TRANSFER OF FIREARMS.** See Constitutional Law, I, 1; VIII, 3; National Firearms Act, 1-2.
- TRANSPORTATION UNION.** See Constitutional Law, V.
- TRAVEL ACT.** See also Gambling.  
*Gambling operation—Out-of-state bettors.*—Conducting a gambling operation frequented by out-of-state bettors does not, without more, constitute a violation of 18 U. S. C. § 1952, the Travel Act. *Rewis v. United States*, p. 808.
- TREBLE-DAMAGE CLAIMS.** See Damages; Procedure, 12; Releases; Statute of Limitations.
- TRIALS.** See Courts-Martial; Damages; Jurisdiction, 2; Procedure, 12; Releases; Statute of Limitations.
- TRUSTEES IN BANKRUPTCY.** See Bankruptcy Act.
- TRUST FUNDS.** See Bankruptcy Act.
- TRUSTWORTHINESS.** See Evidence, 1; Procedure, 13.
- UNDERCOVER AGENTS.** See Evidence, 1; Procedure, 13.
- UNFAIR LABOR PRACTICE.** See National Labor Relations Act; Procedure, 2.
- UNIFORM CODE OF MILITARY JUSTICE.** See Courts-Martial; Jurisdiction, 2.
- UNIONS.** See Antitrust Acts; Constitutional Law, V; Evidence, 2; Jurisdiction, 6; Labor-Management Reporting and Disclosure Act, 1-2; Labor Unions; National Labor Relations Act; Procedure, 2.
- UNION TRIBUNALS.** See Labor-Management Reporting and Disclosure Act, 1-2.
- UNIT DETERMINATIONS.** See National Labor Relations Act.
- UNITED STATES CITIZENSHIP.** See Citizenship; Constitutional Law, IV.
- UNJUST WARS.** See Constitutional Law, III, 2-3; Selective Service Act.
- UNREGISTERED FIREARMS.** See Constitutional Law, I, 1; VIII, 3; National Firearms Act, 1-2.



- UNREPORTED INCOME.** See Constitutional Law, VIII, 2; Procedure, 17.
- UNTIMELINESS.** See Damages; Procedure, 12, 20; Releases; Statute of Limitations.
- VAGUENESS.** See Attorneys, 1-4; Constitutional Law, III, 1; Federal-State Relations; Injunctions, 1; Jurisdiction, 3; Procedure, 9.
- VIETNAM.** See Constitutional Law, III, 2-3; Selective Service Act.
- WAGE AGREEMENTS.** See Antitrust Acts; Evidence, 2; Jurisdiction, 6; Labor Unions.
- WAGERING TAX FORMS.** See Constitutional Law, VIII, 2; Procedure, 17.
- WAIVER.** See Damages; Procedure, 12; Releases; Statute of Limitations.
- WAR.** See Constitutional Law, III, 2-3; Selective Service Act.
- WARRANTLESS ARRESTS.** See Constitutional Law, VII, 4-5; Jurisdiction, 5; Procedure, 14.
- WARRANTLESS EAVESDROPPING.** See Constitutional Law, VII, 2; Procedure, 7.
- WARRANTLESS SEARCHES.** See Constitutional Law, VII, 3; Procedure, 15.
- WARRANTS.** See Arrests; Constitutional Law, VII, 1; Procedure, 4.
- WATER POLLUTION.** See Jurisdiction, 7.
- WATER REFEREES.** See Jurisdiction, 8; Water Rights, 1.
- WATER RIGHTS.** See also Jurisdiction, 8-9.

1. *Joinder of United States—Jurisdiction—Monthly adjudications.*—State statutory proceedings are within scope of 43 U. S. C. § 666 and reach all claims in their totality, although the adjudication is made on a monthly basis. U. S. v. District Court for Water Div. No. 5, p. 527.

2. *Joinder of United States—Jurisdiction—Reserved rights.*—Section 666 (a) of Title 43 U. S. C. is an all-inclusive provision subjecting to general adjudication in state proceedings all rights of the United States to water within a State's jurisdiction regardless of how they were acquired. Any conflict between adjudicated rights and reserved rights of the United States, if preserved in the state proceeding, can ultimately be reviewed in this Court. U. S. v. District Court for Eagle County, p. 520.

**WITHDRAWALS FROM PUBLIC DOMAIN.** See **Jurisdiction**, 8-9; **Water Rights**, 1-2.

**WITHHELD TAXES.** See **Bankruptcy Act**.

**WITNESSES.** See **Constitutional Law**, VII, 2; **Procedure**, 7.

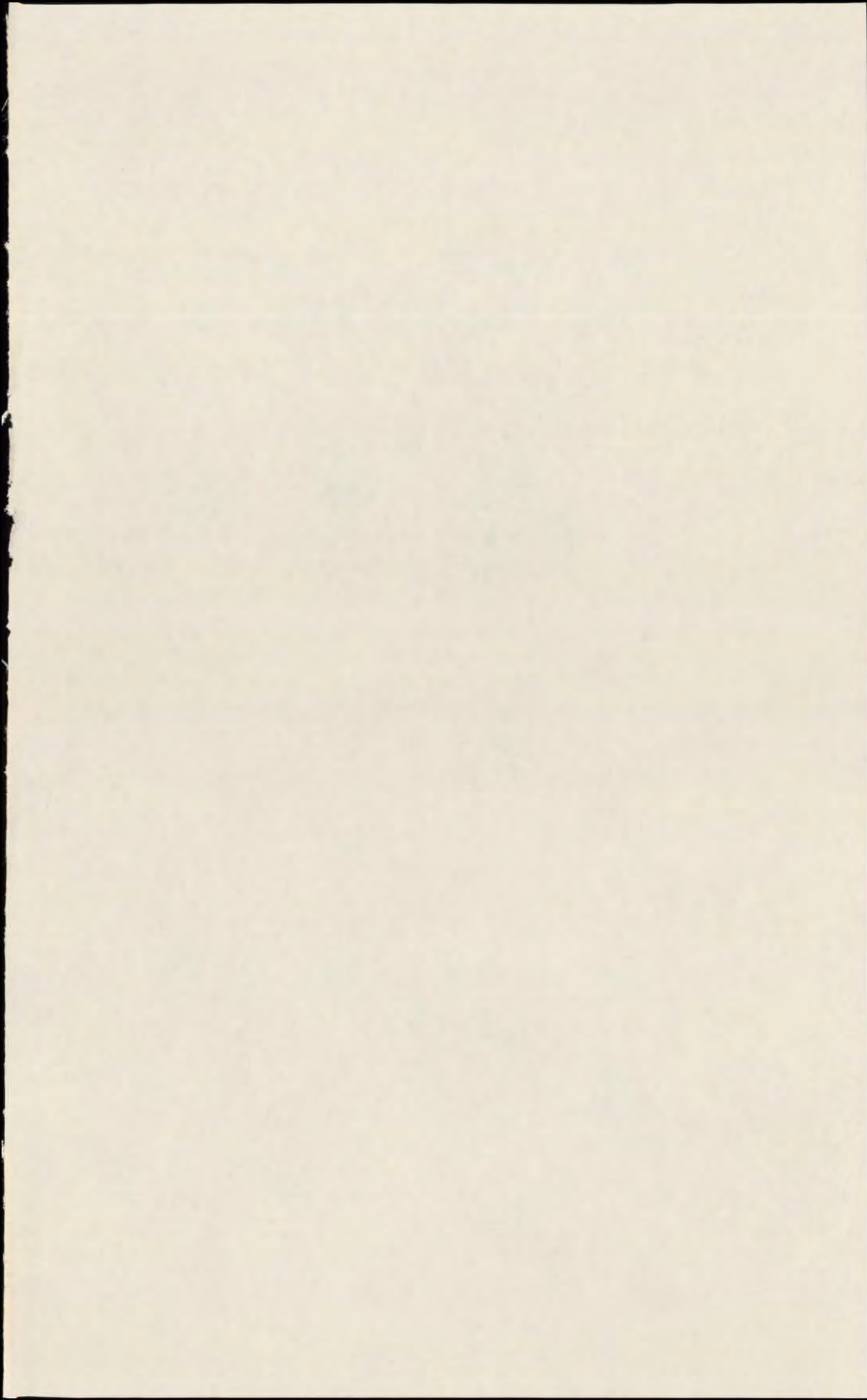
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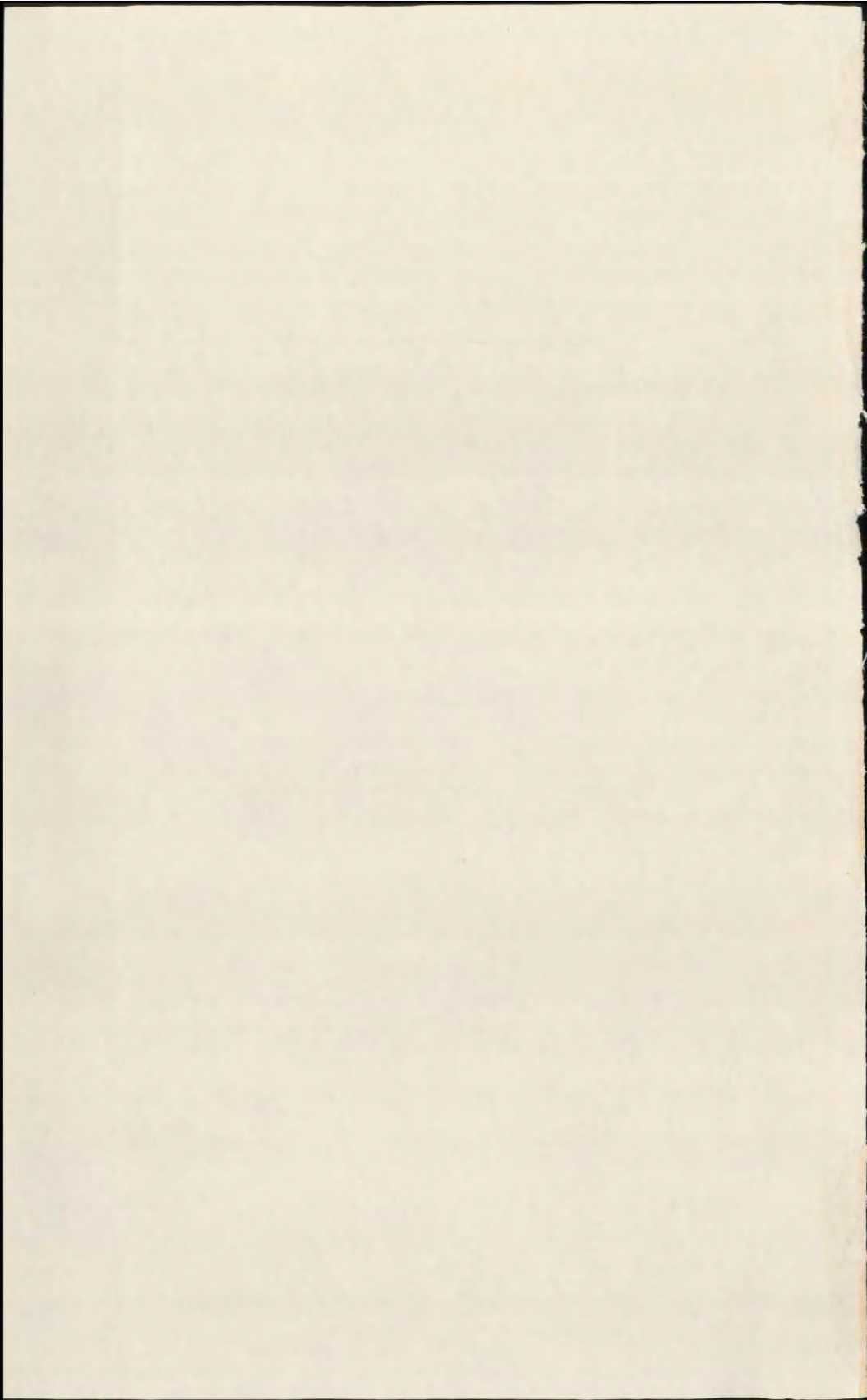
*"Participation in war in any form."* § 6 (j) Military Selective Service Act of 1967, 50 U. S. C. § 456 (j) (1964 ed., Supp. V). *Gillette v. United States*, p. 437.

**WORKING OFF FINES.** See **Constitutional Law**, II, 2; **Indigents**, 2; **Punishment**.

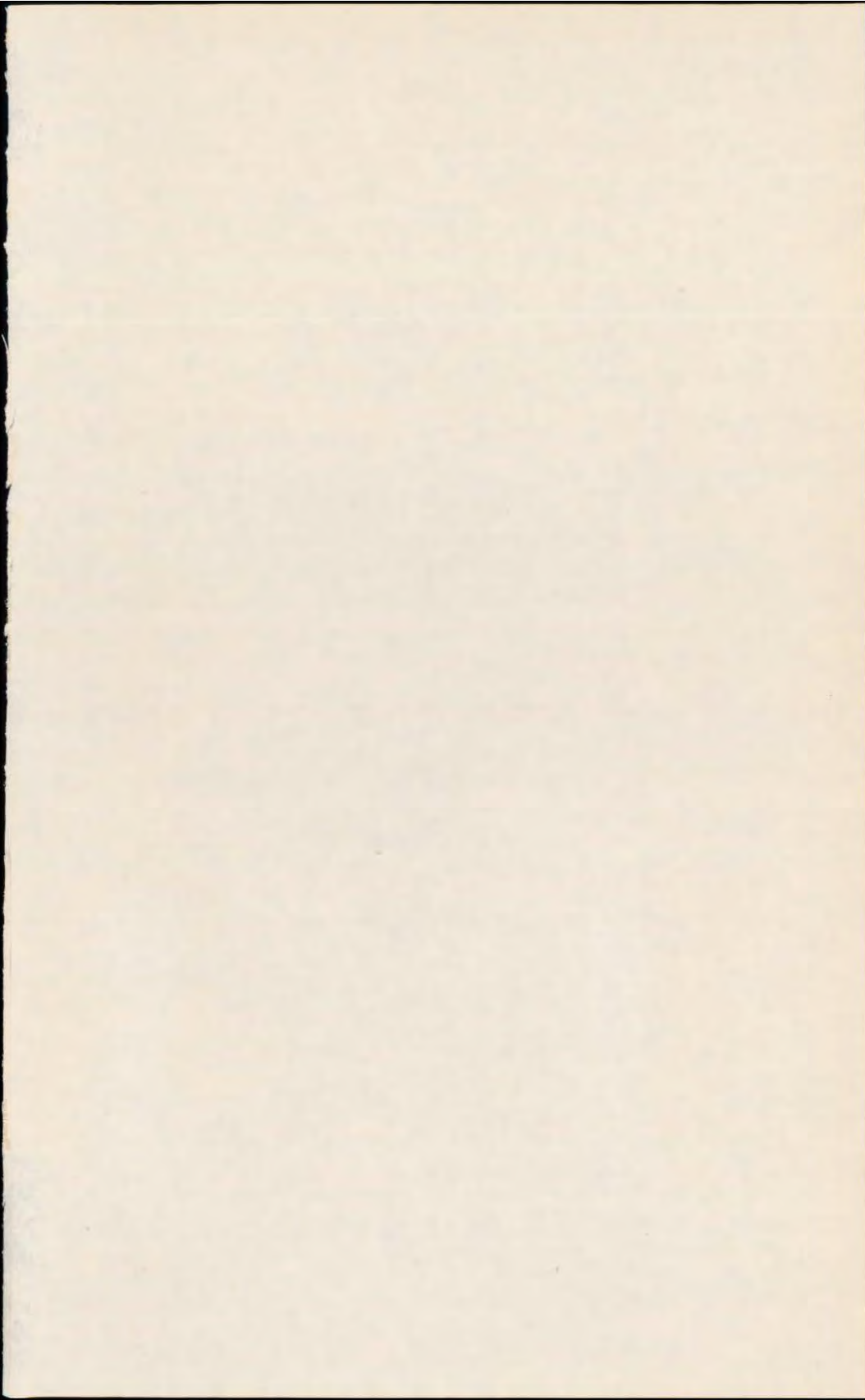
**WYOMING.** See **Arrests**; **Constitutional Law**, VII, 1; **Procedure**, 4.

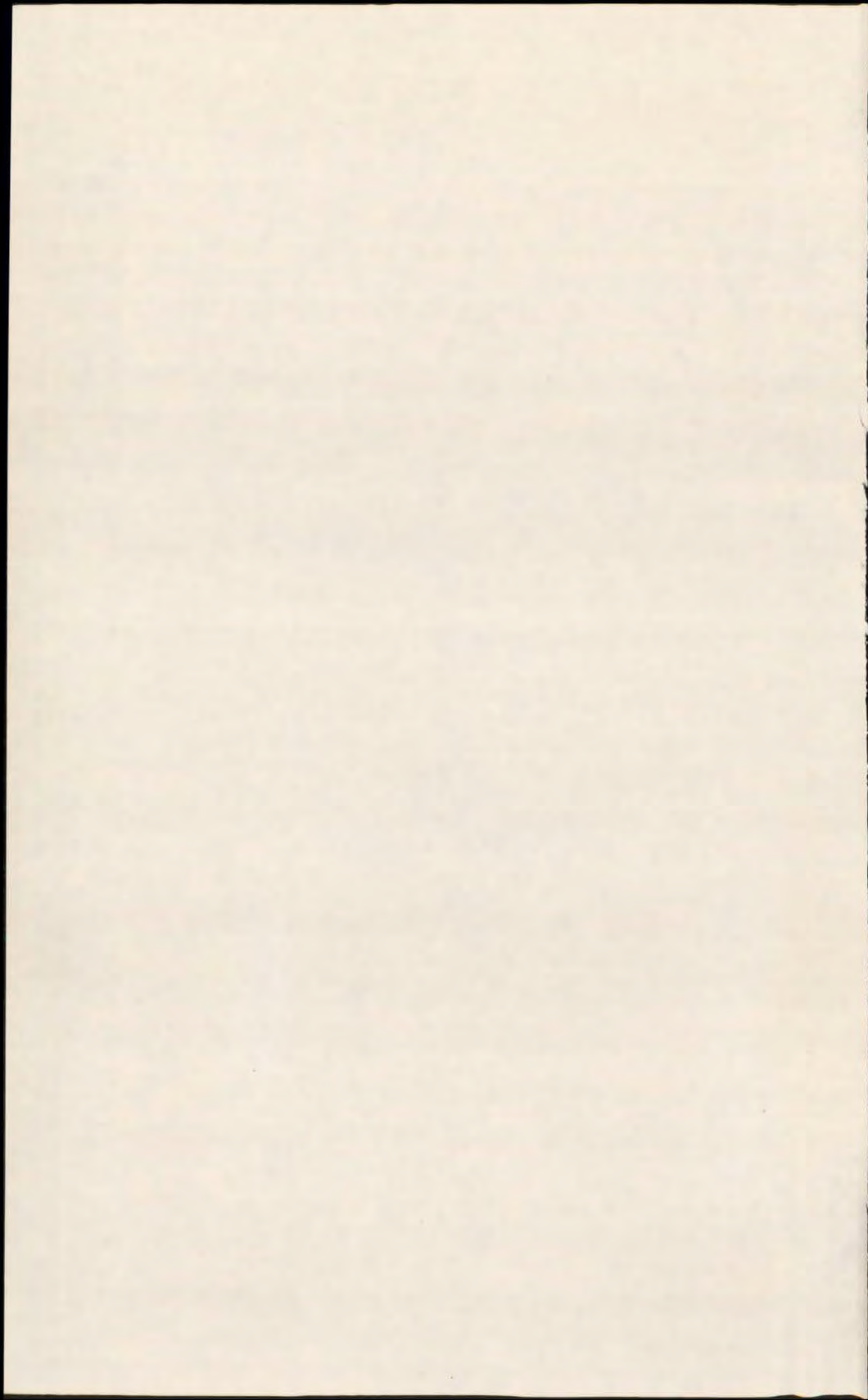






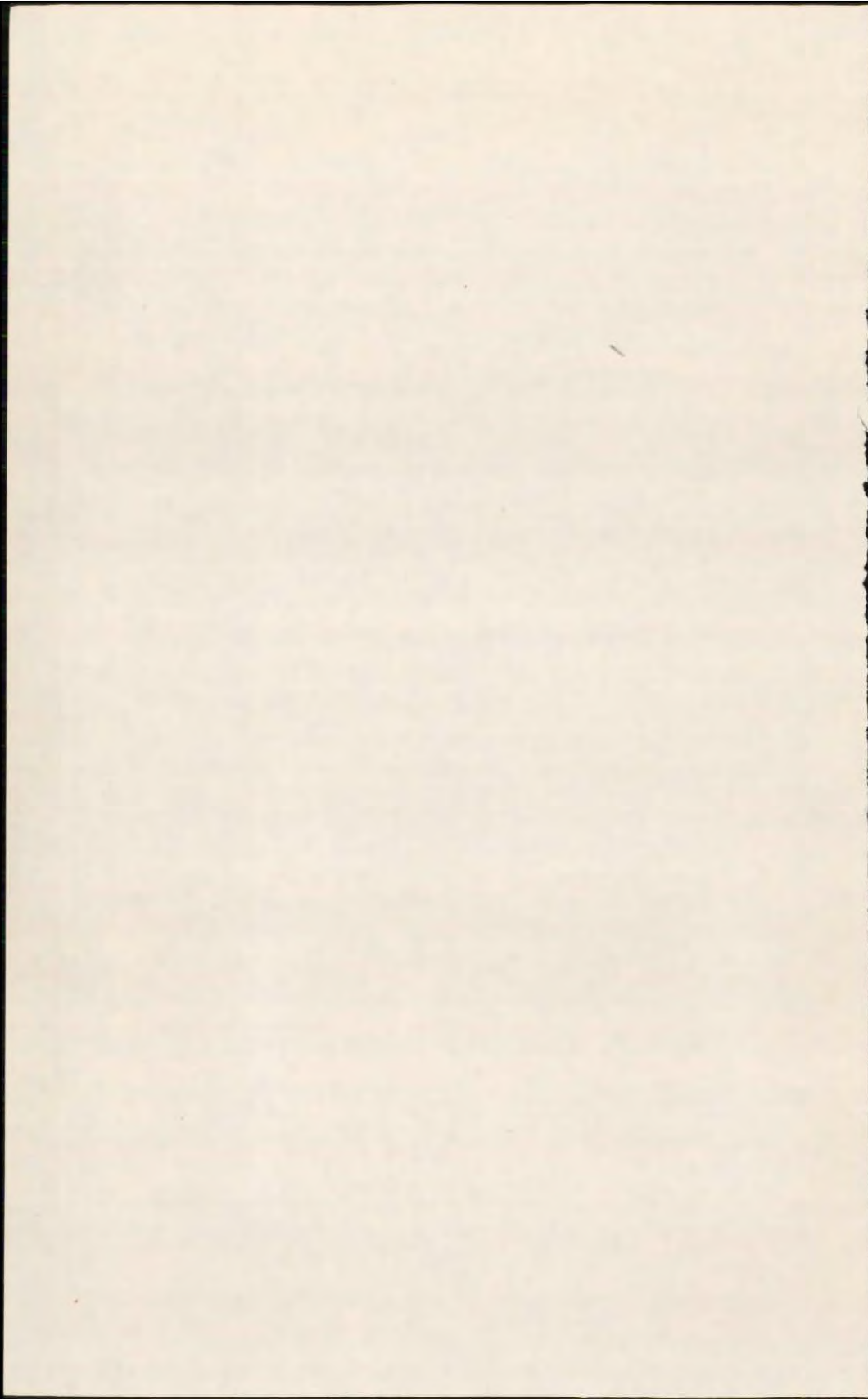




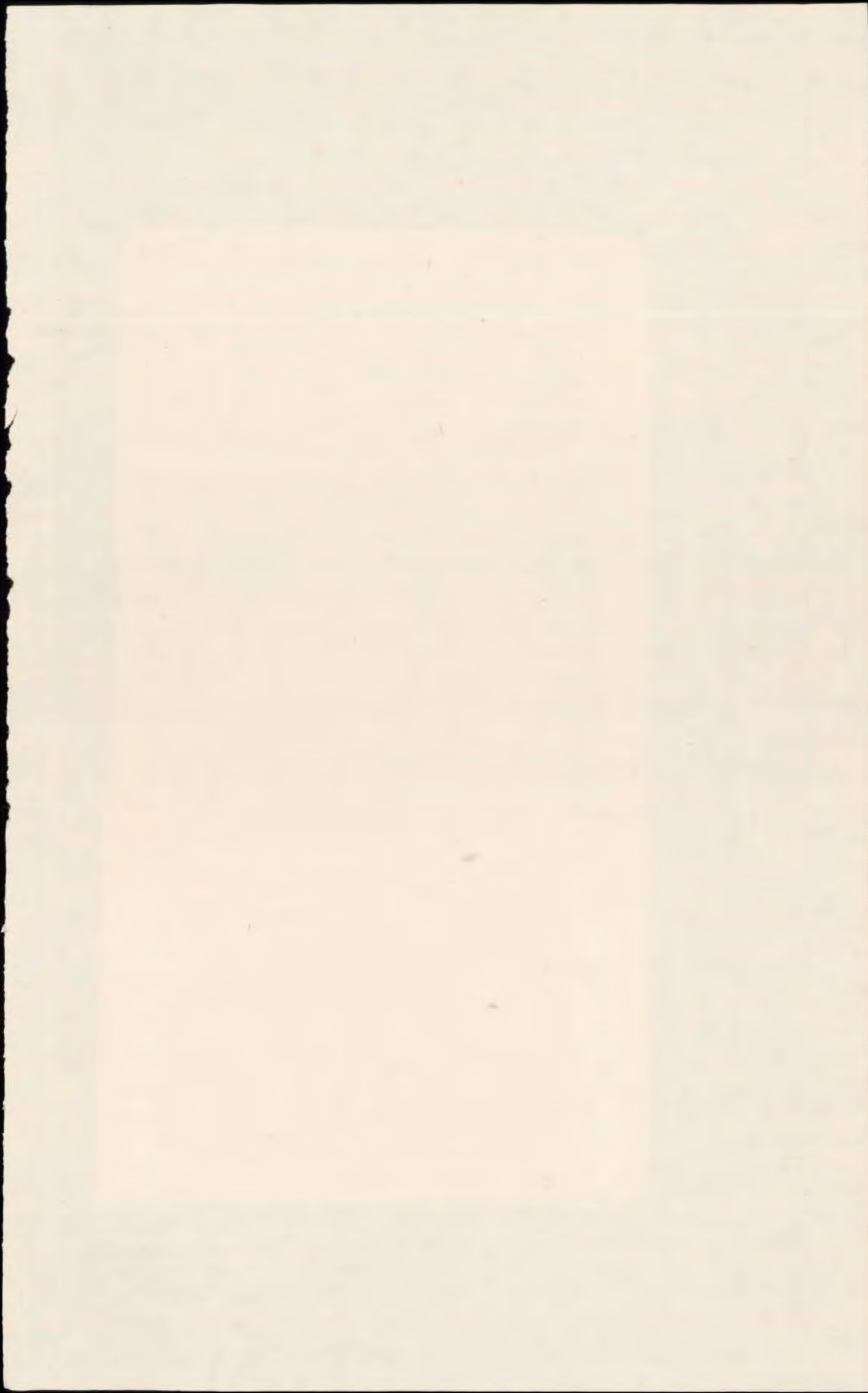












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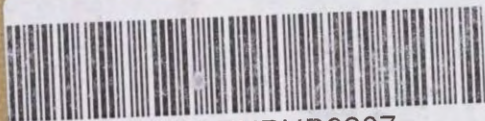
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