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2. *Cognovit provisions—Pennsylvania scheme.*—Pennsylvania rules and statutes relating to cognovit provisions are not unconstitutional on their face, as under appropriate circumstances a cognovit debtor may be held effectively and legally to have waived the rights he would possess if the document he signed had contained no cognovit provisions. *Swarb v. Lennox*, p. 191.

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4. *Landlord and tenant—Early trial and limitation of litigable issues.*—Neither the early trial provision nor the limitation of litigable issues in Oregon's Forcible Entry and Wrongful Detainer statute is invalid on its face under the Due Process Clause, as time for trial preparation is not unduly short where the issue is simply whether the tenant has paid or has held over, and due process is not denied because rents are not suspended while landlord's alleged wrongdoings are litigated, as Oregon may treat tenant's and landlord's undertakings as independent covenants. *Lindsey v. Normet*, p. 56.

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1. *Evidentiary hearings—Waiver of counsel—State post-conviction hearings.*—Where material facts bearing on issue of whether petitioner knowingly and voluntarily waived his constitutional right to counsel before entering guilty plea in state trial court were inadequately developed in state post-conviction hearing, Federal District Court considering habeas corpus petition was under a duty to hold an evidentiary hearing. *Boyd v. Dutton*, p. 1.

2. *Serviceman—Conscientious objector—Court-martial proceedings.*—District Court should not have stayed its hand in habeas corpus petition by member of armed forces who had exhausted all his administrative remedies in attempting to secure discharge as conscientious objector, until completion of court-martial proceedings, as military justice system in processing of court-martial charge could not provide the discharge sought by petitioner with promptness and certainty. *Parisi v. Davidson*, p. 34.

HABEAS CORPUS—Continued.

3. *Wisconsin Sex Crimes Act—Commitment for treatment—Waiver of claims.*—Federal habeas corpus is not barred by every state procedural default, and an evidentiary hearing is required to determine whether petitioner knowingly and intelligently made deliberate strategic waiver of his claims in state court. *Humphrey v. Cady*, p. 504.

HARMFUL ARTICLES. See **Constitutional Law**, V, 1; **Standing**, 2.

HARMLESS ERROR. See **Constitutional Law**, VII, 1; **Procedure**, 2.

HAWAII. See **Antitrust Acts**, 1.

HEALTH. See **Constitutional Law**, V, 1; **Standing**, 2.

HEALTH, EDUCATION, AND WELFARE. See **Social Security Act**.

HEARINGS. See **Constitutional Law**, III, 2, 5, 7; VI, 2; **Habeas Corpus**, 1, 3; **Procedure**, 3, 7.

HEROIN. See **Constitutional Law**, VII, 2; **Procedure**, 3.

HOLDING COMPANIES. See **Banks**; **Taxes**, 2.

HORIZONTAL RESTRAINTS. See **Antitrust Acts**, 4.

HOURS OF WORK. See **Certiorari**; **Fair Labor Standards Act**; **Labor**.

HOUSING. See **Constitutional Law**, III, 4; V, 3-4.

ILLEGITIMATE CHILDREN. See **Constitutional Law**, III, 7; V, 8.

ILLINOIS. See **Constitutional Law**, III, 7; VII, 2; **Procedure**, 3.

IMMUNITY. See **Constitutional Law**, II; **Contempt**.

IMPEACHING CREDIBILITY. See **Evidence**; **Procedure**, 8.

INCOME TAXES. See **Banks**; **Taxes**, 2.

INDEMNITY AGREEMENTS. See **Taxes**, 1.

INDIANA. See **Airports**; **Elections**, 1; **Procedure**, 1.

INDUCTION ORDERS. See **Judicial Review**; **Selective Service Act**, 1.

INFORMING SUPERIORS. See **Constitutional Law**, III, 6.

INJUNCTIONS. See also **Constitutional Law**, IV; **Elections**, 1; **Garnishment**; **Jurisdiction**, 1; **Mootness**; **Standing**, 1.

1. *Prejudgment garnishment—Participation of state courts.*—Prejudgment garnishment under Connecticut statutes is levied and maintained without participation of state courts, and thus an injunction against such action is not barred by provisions of 28 U. S. C. § 2283. *Lynch v. Household Finance Corp.*, p. 538.

2. *State court proceedings—Nonjudicial functions—Recount commissioners.*—District Court was not barred from issuing an injunction by 28 U. S. C. § 2283, which generally prohibits a federal court from enjoining state court proceedings, as Indiana court's functions of determining that recount petition is correct as to form and appointing recount commissioners are nonjudicial, and § 2283 does not restrict enjoining state court's acting in nonjudicial capacity. *Roudebush v. Hartke*, p. 15.

INJURY. See **Administrative Procedure Act**; **Standing**, 1.

INJURY TO ECONOMY. See **Antitrust Acts**, 1.

INSURANCE PREMIUMS. See **Banks**; **Taxes**, 2.

INTEREST DEDUCTIONS. See **Farm Credit Act**; **Taxes**, 3.

INTERNAL REVENUE. See **Banks**; **Taxes**, 2, 3.

INTERNAL REVENUE CODE. See **Farm Credit Act**; **Taxes**, 3.

INTERPLEADERS. See **Jurisdiction**, 2; **Removal**.

INTERSTATE COMMERCE. See **Airports**; **Constitutional Law**, I.

INTERSTATE TRAVEL. See **Constitutional Law**, I; V, 4.

INTERVENING REGULATIONS. See **Social Security Act**.

INTERVENING STATUTE. See **Judicial Review**; **Selective Service Act**, 1.

INVALID CONVICTIONS. See **Evidence**; **Procedure**, 8.

INVESTIGATIONS. See **National Labor Relations Act**.

IOWA. See **Fair Labor Standards Act**.

IRREPARABLE HARM. See **Stay**.

JACKSONVILLE. See **Constitutional Law**, III, 3; **Vagrancy**, 2.

JUDGES. See **Constitutional Law**, II; **Contempt**.

JUDGMENTS. See **Constitutional Law**, III, 1-2; **Confession of Judgment**, 1-2; **Federal Trade Commission**; **Procedure**, 1, 4.

JUDICIAL CONSTRUCTION. See **Constitutional Law**, VI, 1.

JUDICIAL REVIEW. See also **Administrative Procedure Act**; **Selective Service Act**, 1; **Standing**, 1.

Selective Service appeals—Pre-induction judicial review.—Section 10 (b) (3) of the Military Selective Service Act of 1967 forecloses pre-induction judicial review where the board has used its discretion and judgment in determining facts and arriving at classification for registrant. In such case registrant's judicial review is confined to situations where he asserts defense to criminal prosecution or where, after induction, he seeks writ of habeas corpus. *Fein v. Selective Service System*, p. 365.

JURIES. See also **Constitutional Law**, II; V, 5; **Procedure**, 5; **Taxes**, 1.

Equal protection of the laws—Racial discrimination—Presumption.—Petitioner made out prima facie case of invidious racial discrimination in selection of grand jury that indicted him—not only on statistical basis but by showing that selection procedures were not racially neutral—and the State did not meet the burden of rebutting the presumption of unconstitutionality in the procedure used. *Alexander v. Louisiana*, p. 625.

JURISDICTION. See also **Garnishment**; **Injunctions**, 2; **Procedure**, 1; **National Labor Relations Act**; **Removal**.

1. *Personal liberties—Property rights*—28 U. S. C. § 1343 (3).—There is no distinction between personal liberties and proprietary rights with respect to jurisdiction under 28 U. S. C. § 1343 (3). It would be virtually impossible to apply a "personal liberties" limitation on that section as there is no real dichotomy between personal liberties and property rights. It has long been recognized that rights in property are basic civil rights. *Lynch v. Household Finance Corp.*, p. 538.

2. *Removal to federal court—Trial of issues—Diversity.*—Where after removal case is tried on merits without objection and federal court enters judgment, issue on appeal is not whether case was properly removed, but whether District Court would have had original jurisdiction if case had been filed in that court. Here there was diversity jurisdiction in District Court if action had been brought there originally. *Grubbs v. General Electric Credit Corp.*, p. 699.

JURY SELECTION. See **Constitutional Law**, V, 5; **Juries**.

JURY TRIALS. See **Habeas Corpus**, 3; **Procedure**, 5.

KNOWLEDGEABLE VOTERS. See **Constitutional Law**, V, 4.

LABOR. See also **Certiorari**; **Fair Labor Standards Act**; **National Labor Relations Act**.

Collective-bargaining agreement — Overtime pay — Fair Labor Standards Act.—Grant of certiorari, to decide whether employees may sue for overtime allegedly withheld in violation of Fair Labor Standards Act if complaint of that violation was also subject to grievance and arbitration provisions of collective-bargaining agreement, was improvident in view of subsequent disclosure that those provisions did not apply to all disputes but merely those based on violations of the agreement. *Iowa Beef Packers v. Thompson*, p. 228.

LACK OF AUTHORITY. See **Constitutional Law**, III, 6.

LANDLORD AND TENANTS. See **Constitutional Law**, III, 4.

LAW ENFORCEMENT OFFICIALS. See **Bail**.

LEASES. See **Appeals**; **Confession of Judgment**, 2; **Constitutional Law**, III, 2.

LEGISLATIVE AIMS. See **Constitutional Law**, V, 1; **Standing**, 2.

LEGISLATIVE REAPPORTIONMENT. See **Stays**.

LENGTH OF RESIDENCE. See **Constitutional Law**, V, 4.

LENIENCY. See **Constitutional Law**, III, 6.

LICENSES. See **Antitrust Acts**, 4.

LIMITATION OF ISSUES. See **Constitutional Law**, III, 4.

LITIGABLE ISSUES. See **Constitutional Law**, III, 4.

LOAN INSURANCE. See **Banks**; **Taxes**, 2.

LOCATION OF EXHIBITIONS. See **Obscenity**.

LOSSES. See **Taxes**, 1.

LOUISIANA. See **Constitutional Law**, V, 5-6; **Juries**.

LOYALTY OATHS. See also **Constitutional Law**, III, 5.

Massachusetts' oath for public employees—Constitutionality.—District Court properly held that the "uphold and defend" clause, a paraphrase of the constitutional oath, is permissible. The "oppose the overthrow" clause was not designed to require specific action to be taken in some hypothetical or actual situation but was to assure that those in positions of public trust were willing to commit themselves to live by constitutional processes of our government. *Cole v. Richardson*, p. 676.

- LUNCH PERIODS.** See *Certiorari*; *Fair Labor Standards Act*; *Labor*.
- MARKET DIVISIONS.** See *Antitrust Acts*, 4.
- MARRIED PERSONS.** See *Constitutional Law*, III, 7; *Standing*, 2.
- MASSACHUSETTS.** See *Constitutional Law*, III, 5; V, 1; *Loyalty Oaths*; *Standing*, 2.
- MEMBERSHIP CORPORATIONS.** See *Administrative Procedure Act*; *Standing*, 1.
- MERGERS.** See *Antitrust Acts*, 2.
- MILITARY JUDICIAL SYSTEM.** See *Habeas Corpus*, 2; *Procedure*, 6.
- MILITARY SELECTIVE SERVICE ACT of 1967.** See *Judicial Review*; *Selective Service Act*, 1.
- MINERAL KING VALLEY.** See *Administrative Procedure Act*; *Standing*, 1.
- MISSISSIPPI.** See *Bail*.
- MODIFICATION OF JUDGMENT.** See *Federal Trade Commission*; *Procedure*, 4.
- MONOPOLIZATION.** See *Antitrust Acts*, 1.
- MOOTNESS.** See also *Constitutional Law*, IV; *Habeas Corpus*, 3.
Senatorial elections—Recounts—Seating of Senator.—Issue here, whether recount is a valid exercise of State's power to prescribe times, places, and manner of holding elections, pursuant to Art. I, § 4, of the Constitution, or is a forbidden infringement on Senate's power under Art. I, § 5, is not moot, as Senate has postponed making final determination of who is entitled to the seat pending outcome of this action. *Roudebush v. Hartke*, p. 15.
- MORALS.** See *Constitutional Law*, III, 7; *Standing*, 2.
- MOTION PICTURES.** See *Obscenity*.
- MOTION TO DISMISS.** See *Procedure*, 1.
- MOTIVATION.** See *Taxes*, 1.
- MULTI-MEMBER DISTRICTS.** See *Stay*.
- MURDER.** See *Constitutional Law*, VII, 1; *Procedure*, 2.
- NARCOTICS.** See *Constitutional Law*, VII, 2; *Procedure*, 7.
- NATIONAL BANK ACT.** See *Banks*; *Taxes*, 2.

NATIONAL FORESTS. See **Administrative Procedure Act**; **Standing**, 1.

NATIONAL GAME REFUGE. See **Administrative Procedure Act**; **Standing**, 1.

NATIONAL LABOR RELATIONS ACT.

Investigation of unfair labor practice charge—Statements of employees—Retaliatory discharges.—Employer's discharge of employees because they gave written sworn statements to NLRB field examiner investigating an unfair labor practice charge filed against employer, but who had neither filed the charge nor testified at formal hearing on the charge, constituted a violation of § 8 (a) (4) of the Act. *NLRB v. Scrivener*, p. 117.

NATURAL RESOURCES. See **Administrative Procedure Act**; **Standing**, 1.

NEGROES. See **Constitutional Law**, V, 5-6; **Juries**.

NEW HAMPSHIRE. See **Airports**; **Constitutional Law**, I.

NEW YORK. See **Constitutional Law**, II; **Contempt**.

NONBUSINESS BAD DEBTS. See **Taxes**, 1.

NONJUDICIAL ACTIVITIES. See **Constitutional Law**, IV; **Elections**, 1; **Injunctions**, 2; **Mootness**.

NOTICE. See **Constitutional Law**, III, 3; VII, 1; **Obscenity**; **Social Security Act**; **Vagrancy**, 1-2.

NOTICE AND HEARING. See **Confession of Judgment**.

OATHS. See **Constitutional Law**, VI, 1; **Loyalty Oaths**.

OBSCENITY.

Motion pictures—Drive-in theater—Location of exhibition.—State may not criminally punish the exhibition of motion picture film at drive-in theater where the statute assertedly violated has not given fair notice that the location of the exhibition was a vital part of the offense. *Rabe v. Washington*, p. 313.

OHIO. See **Confession of Judgment**, 1; **Constitutional Law**, III, 1.

OIL INDUSTRY. See **Antitrust Acts**, 1.

OLIGOPOLY. See **Antitrust Acts**, 2.

ON CALL. See **Certiorari**; **Fair Labor Standards Act**; **Labor**.

OPPOSE OVERTHROW OF GOVERNMENT. See **Constitutional Law**, III, 5; **Loyalty Oaths**.

- OPPROBRIOUS WORDS.** See Constitutional Law, VI, 1.
- ORAL PRESENTATIONS.** See Social Security Act.
- ORDINANCES.** See Constitutional Law, III, 3; VII, 1; Vagrancy, 1-2.
- OREGON.** See Constitutional Law, III, 4.
- OVERBREADTH.** See Constitutional Law, III, 5; VI, 1; Loyalty Oaths.
- OVERCHARGES.** See Antitrust Acts, 1.
- OVERTHROW OF GOVERNMENT.** See Constitutional Law, III, 5; Loyalty Oaths.
- OVERTIME PAY.** See Certiorari; Fair Labor Standards Act; Labor.
- PARENS PATRIAE.** See Antitrust Acts, 1.
- PARENTAL FITNESS.** See Constitutional Law, III, 7.
- PARTIES.** See Jurisdiction, 2; Removal.
- PASSENGERS.** See Airports; Constitutional Law, I.
- PAYMENT OF RENT.** See Constitutional Law, III, 4.
- PENNSYLVANIA.** See Appeals; Confession of Judgment, 2; Constitutional Law, III, 2.
- PERJURY.** See Constitutional Law, III, 5; Loyalty Oaths.
- PER SE VIOLATIONS.** See Antitrust Acts, 4.
- PERSON AGGRIEVED.** See Administrative Procedure Act; Standing, 1.
- PERSONAL RIGHTS.** See Garnishment; Injunctions, 1; Jurisdiction, 1.
- PETROLEUM PRODUCTS.** See Antitrust Acts, 1.
- PHILADELPHIA.** See Appeals; Confession of Judgment, 2; Constitutional Law, III, 2.
- PLEADINGS.** See Procedure, 1.
- PLEAS.** See Habeas Corpus, 1.
- POLITICAL PARTY COMMITTEES.** See Constitutional Law, V, 7; Elections, 2.
- PORTLAND, OREGON.** See Constitutional Law, III, 4; V, 2-3.
- POSSESSORY DISPUTES.** See Constitutional Law, III, 4; V, 2-3.
- POST-CONVICTION HEARINGS.** See Habeas Corpus, 1.

- PRACTICE OF RELIGION.** See **Constitutional Law**, VI, 2; **Procedure**, 7.
- PRE-INDUCTION SUITS.** See **Judicial Review**; **Selective Service Act**, 1.
- PRE-JUDICIAL GARNISHMENT.** See **Garnishment**; **Injunctions**, 1; **Jurisdiction**, 1.
- PRELIMINARY HEARINGS.** See **Constitutional Law**, VII, 2; **Procedure**, 3.
- PREMIUM INCOME.** See **Banks**; **Taxes**, 2.
- PRESUMPTIONS.** See **Constitutional Law**, III, 7; V, 4-5; **Juries**.
- PREVIOUS CONVICTIONS.** See **Evidence**; **Procedure**, 8.
- PRIMA FACIE CASE.** See **Constitutional Law**, V, 5-6; **Juries**.
- PRIMARY ELECTIONS.** See **Constitutional Law**, V, 7; **Elections**, 2.
- PRISONERS.** See **Constitutional Law**, II; III, 3, 6; V, 5; VI, 1; **Habeas Corpus**, 1, 3; **Procedure**, 2-3, 6-8.
- PRIVATE-LABEL BRANDS.** See **Antitrust Acts**, 4.
- PROCEDURE.** See also **Certiorari**; **Confession of Judgment**, 1-2; **Constitutional Law**, III, 4, 6-7; **Contempt**; **Elections**, 1; **Habeas Corpus**, 1; **Juries**; **Removal**; **Selective Service Act**, 1; **Social Security Act**; **Standing**; **Stay**.

1. *Challenge to welfare regulations—Jurisdiction—Exhaustion of remedies.*—Dismissal by District Court of appellants' challenge to Indiana welfare regulations for failure to exhaust administrative remedies, and alternatively for lack of jurisdiction and failure of pleadings to present substantial federal question, was erroneous. Court plainly had jurisdiction and exhaustion is not required in circumstances of this case. If court's characterization of federal question as insubstantial was based on face of complaint, it was error; if it treated motion to dismiss as one for summary judgment its order is unilluminating as to facts or law and was improperly entered. *Carter v. Stanton*, p. 669.

2. *Confession of codefendant—Confrontation—Harmless error.*—Any violation of *Bruton v. United States*, 391 U. S. 123, that might have occurred by introduction of confession of codefendant, who did not testify, was harmless beyond reasonable doubt in view of overwhelming evidence of petitioner's guilt as manifested by his confession, which completely comported with objective evidence, and comparatively insignificant effect of codefendant's admission. *Schneble v. Florida*, p. 427.

PROCEDURE—Continued.

3. *Counsel at preliminary hearings—Retroactivity.*—Illinois Supreme Court's holding that *Coleman v. Alabama*, 399 U. S. 1, in which this Court held that a preliminary hearing is a critical stage of the criminal process at which the accused is constitutionally entitled to assistance of counsel, is not retroactive, is affirmed. *Adams v. Illinois*, p. 278.

4. *Court of Appeals—Modification of judgment.*—Judgment of Court of Appeals setting aside FTC's order is affirmed, but because the court erred in its construction of § 5 of the Federal Trade Commission Act, its judgment is modified to extent that case is remanded with instructions to return it to the FTC for further proceedings. *FTC v. Sperry & Hutchinson Co.*, p. 233.

5. *Evidentiary hearing—Wisconsin Sex Crimes Act—Jury determination.*—Petitioner's claims concerning his commitment under the Sex Crimes Act are substantial enough to warrant an evidentiary hearing. That Act and the Mental Health Act are apparently not mutually exclusive, and an equal protection claim would be persuasive if it develops on remand that petitioner was deprived of jury determination or other procedural protections merely by arbitrary decision to seek commitment under one Act rather than the other. *Humphrey v. Cady*, p. 504.

6. *Habeas corpus—Conscientious objector—Court-martial.*—District Court should not have stayed its hand in habeas corpus petition by member of armed forces, who had exhausted all his administrative remedies in attempting to secure discharge as conscientious objector, until completion of court-martial proceedings, as military judicial system in processing of court-martial charge could not provide the discharge sought by petitioner with promptness and certainty. *Parisi v. Davidson*, p. 34.

7. *Hearings—Prisoners—Free exercise of religion.*—On basis of allegations, Texas has discriminated against petitioner by denying him reasonable opportunity to pursue his Buddhist faith comparable to that offered other prisoners adhering to conventional religious concepts, and cause is remanded for hearing and appropriate findings. *Cruz v. Beto*, p. 319.

8. *Previous convictions—Impeaching credibility—Constitutional invalidity.*—Court of Appeals' denial of habeas corpus relief to petitioner, who admitted previous convictions in response to prosecutor's interrogation for purpose of impeaching petitioner's credibility, and who alleges that the previous convictions were constitutionally invalid because he was denied assistance of counsel at previous trials, vacated and remanded for further proceedings. *Loper v. Beto*, p. 473.

- PROMISE OF LENIENCY.** See **Constitutional Law**, III, 6.
- PROMISSORY NOTES.** See **Garnishment; Injunctions**, 1; **Jurisdiction**, 1.
- PROPERTY RIGHTS.** See **Garnishment; Injunctions**, 1; **Jurisdiction**, 1.
- PROSECUTION.** See **Constitutional Law**, III, 6.
- PROSECUTOR'S OFFICE.** See **Constitutional Law**, III, 6.
- PROSPECTIVITY.** See **Constitutional Law**, VII, 2; **Procedure**, 3.
- PROTECTION OF CONSUMERS.** See **Federal Trade Commission; Procedure**, 4.
- PROXIMATE RELATIONSHIP.** See **Taxes**, 1.
- PUBLIC AIRPORT FACILITIES.** See **Airports; Constitutional Law**, I.
- PUBLIC EMPLOYEES.** See **Constitutional Law**, III, 5; **Loyalty Oaths**.
- PUNISHMENT.** See **Constitutional Law**, II; III, 5; **Loyalty Oaths**.
- PURITY OF BALLOT BOX.** See **Constitutional Law**, V, 4.
- QUALIFICATIONS OF SENATORS.** See **Constitutional Law**, IV; **Elections**, 1; **Injunctions**, 2; **Mootness**.
- QUESTIONNAIRES.** See **Constitutional Law**, V, 5-6; **Juries**.
- RACIAL DISCRIMINATION.** See **Constitutional Law**, V, 5-6; **Juries**.
- RAPE.** See **Constitutional Law**, V, 5-6; **Juries**.
- REAPPORTIONMENT.** See **Stays**.
- REBUTTAL EVIDENCE.** See **Social Security Act**.
- RECONSIDERATION OF BAIL.** See **Bail**.
- RECOUNTS.** See **Constitutional Law**, IV; **Elections**, 1; **Injunctions**, 1; **Mootness**.
- RECREATIONAL DEVELOPMENT.** See **Administrative Procedure Act; Standing**, 1.
- REDEMPTION OF TRADING STAMPS.** See **Federal Trade Commission; Procedure**, 4.
- REFUSAL TO ANSWER.** See **Constitutional Law**, II; **Contempt**.
- REGIONAL SUPERMARKET CHAINS.** See **Antitrust Acts**, 4.
- REGISTRATION.** See **Constitutional Law**, V, 4.

REGULATIONS. See **Judicial Review**; **Selective Service Act**, 1; **Social Security Act**.

REINSURANCE PREMIUMS. See **Banks**; **Taxes**, 2.

RELEASE ON BAIL. See **Bail**.

RELIEF. See **Antitrust Acts**, 2; **Habeas Corpus**, 2; **Procedure**, 6, 8.

RELIGIOUS MATERIALS. See **Constitutional Law**, VI, 2; **Procedure**, 7.

REMEDIES. See **Habeas Corpus**, 2; **Procedure**, 1, 6.

REMOVAL. See also **Jurisdiction**, 2.

Trial on merits—Jurisdiction.—Where after removal case is tried on merits without objection and federal court enters judgment, issue on appeal is not whether case was properly removed, but whether District Court would have had original jurisdiction if case had been filed in that court. Here there was diversity jurisdiction in District Court if action had been brought there originally. *Grubbs v. General Electric Credit Corp.*, p. 699.

RENT. See **Constitutional Law**, III, 4; V, 2-3.

REPLACEMENT PARTS. See **Antitrust Acts**, 3.

RESELLING AT WHOLESALE. See **Antitrust Acts**, 4.

RESIDENCE. See **Constitutional Law**, V, 4.

RESTRAINT OF TRADE. See **Antitrust Acts**, 4.

RETALIATORY DISCHARGES. See **National Labor Relations Act**.

RETROACTIVITY. See **Constitutional Law**, VII, 2; **Procedure**, 3.

REVIEW. See **Judicial Review**; **Selective Service Act**, 1-2.

RIGHT TO COUNSEL. See **Constitutional Law**, VII, 2; **Evidence**; **Habeas Corpus**, 1; **Procedure**, 3.

RIGHT TO TRAVEL. See **Constitutional Law**, V, 4.

RULE OF REASON. See **Antitrust Acts**, 4.

SALES COMMISSIONS. See **Banks**; **Taxes**, 2.

SCHEDULED AIRLINERS. See **Airports**; **Constitutional Law**, I.

SECURITY RENT DEPOSIT. See **Constitutional Law**, III, 4; V, 2-3.

SELECTION OF JURORS. See **Constitutional Law**, V, 5-6; **Juries**.

SELECTIVE SERVICE ACT. See also **Judicial Review.**

1. *Appeal procedures—Pre-induction judicial review.*—Section 10 (b) (3) of the Military Selective Service Act of 1967 forecloses pre-induction judicial review where the board has used its discretion and judgment in determining facts and arriving at classification for registrant. In such case registrant's judicial review is confined to situations where he asserts defense to criminal prosecution or where, after induction, he seeks writ of habeas corpus. *Fein v. Selective Service System*, p. 365.

2. *Intervening statutory change—Induction.*—Petitioner's immediate induction is not assured, despite foreclosure of pre-induction judicial review, in light of intervening statutory change, the new regulations thereunder, and a change in the Government's position, albeit in post-induction case, to concede that some statement of reasons is necessary for "meaningful" review of administrative decision when registrant's claim has met statutory criteria or has placed him *prima facie* within statutory exemption. *Fein v. Selective Service System*, p. 365.

SELECTIVE SERVICE APPEALS. See **Judicial Review; Selective Service Act**, 1-2.**SELF-INCRIMINATION.** See **Constitutional Law**, II; III, 6; **Contempt**.**SENATORIAL ELECTIONS.** See **Constitutional Law**, IV; **Elections**, 1; **Injunctions**, 1; **Mootness**.**SEQUOIA NATIONAL FOREST.** See **Administrative Procedure Act; Standing**, 1.**SERVICE CHARGES.** See **Airports; Constitutional Law**, I.**SERVICEMEN.** See **Judicial Review; Habeas Corpus**, 2; **Procedure**, 6.**SEX DEVIATE FACILITY.** See **Habeas Corpus**, 3; **Procedure**, 5.**SEX DISCRIMINATION.** See **Constitutional Law**, V, 5-6; **Juries**.**SEXUAL FRANKNESS.** See **Obscenity**.**SHARES OF STOCK.** See **Farm Credit Act; Taxes**, 3.**SHERMAN ACT.** See **Antitrust Acts**, 1, 4.**S&H GREEN STAMPS.** See **Federal Trade Commission; Procedure**, 4.**SIGNIFICANT MOTIVATION.** See **Taxes**, 1.**SINGLE-MEMBER DISTRICTS.** See **Stay**.

SIXTH AMENDMENT. See **Constitutional Law**, VII, 1-2; **Procedure**, 2-3.

SKIING DEVELOPMENT. See **Administrative Procedure Act**; **Standing**, 1.

SOCIAL SECURITY ACT. See also **Procedure**, 1.

Disability benefits—Suspension of payments—Notice.—In light of adoption of new regulations providing that recipient of disability benefits pursuant to § 225 of the Act be given notice of proposed suspension of payments and the reasons therefor, plus an opportunity to submit rebuttal evidence, judgment is vacated to permit reprocessing under the new regulations. *Richardson v. Wright*, p. 208.

SPARK PLUGS. See **Antitrust Acts**, 3.

SPECIAL INTEREST GROUPS. See **Administrative Procedure Act**; **Standing**, 1.

STAMP EXCHANGES. See **Federal Trade Commission**; **Procedure**, 4.

STANDING. See also **Administrative Procedure Act**; **Constitutional Law**, V, 1.

1. *Administrative Procedure Act—Judicial review—Membership corporation.*—Person has standing to seek judicial review under the Act only if he can show that he himself has suffered or will suffer injury, whether economic or otherwise. Here, where petitioner asserted no individualized harm to itself or its members, it lacked standing to maintain the action. *Sierra Club v. Morton*, p. 727.

2. *Distribution of contraceptives—Unmarried persons—Health measure.*—If Massachusetts statute under which appellee was convicted is not a health measure, appellee may not be prevented, because he was not an authorized distributor, from attacking statute in its alleged discriminatory application to potential distributees. Appellee, furthermore, has standing to assert rights of unmarried persons denied access to contraceptives because their ability to obtain them will be materially impaired by enforcement of the statute. *Eisenstadt v. Baird*, p. 438.

STATE COURTS. See **Contempt**; **Injunctions**, 1-2.

STATE EMPLOYEES. See **Constitutional Law**, III, 5; **Loyalty Oaths**.

STATEMENTS. See **National Labor Relations Act**.

STATISTICS. See **Constitutional Law**, V, 5-6; **Juries**.

STATUS QUO ANTE. See **Antitrust Acts**, 2.

STATUTES. See **Constitutional Law**, III, 2, 4-5; VI, 1; **Obscenity**; **Standing**, 2.

STATUTORY CHANGE. See **Judicial Review**; **Selective Service Act**, 1-2.

STAYS.

Texas legislative reapportionment—Multi-member districts—Irreparable harm.—Application for stay of three-judge court's judgment in Texas legislative reapportionment case, effecting elimination of multi-member districts in Dallas and Bexar counties, is denied, as applicants did not sustain burden of showing that decision was erroneous and that implementation of judgment pending appeal will lead to irreparable harm. *Graves v. Barnes* (POWELL, J., in chambers), p. 1201.

STOCK. See **Farm Credit Act**; **Taxes**, 3.

STOCKHOLDER-LICENSEES. See **Antitrust Acts**, 4.

STOCKHOLDERS. See **Taxes**, 1.

STROLLING AROUND. See **Vagrancy**, 1.

SUBSTANDARD HOUSING. See **Constitutional Law**, III, 4.

SUBSTANTIAL FEDERAL QUESTION. See **Procedure**, 1.

SUMMARY GARNISHMENT. See **Garnishment**; **Injunctions**, 1; **Jurisdiction**, 1.

SUMMARY JUDGMENT. See **Procedure**, 1.

SUPERMARKETS. See **Antitrust Acts**, 4.

SUPREME COURT.

1. Assignment of Mr. Justice Clark (retired) to United States Court of Appeals for the Seventh Circuit, p. 1049.

2. Assignment of Mr. Justice Clark (retired) to United States Court of Customs and Patent Appeals, p. 999.

3. Assignment of Mr. Justice Clark (retired) to United States District Court for the Southern District of Texas, p. 1034.

4. Appointment of Clerk, p. 970.

SUSPENSION OF PAYMENTS. See **Social Security Act**.

TAXES. See also **Banks**; **Farm Credit Act**.

1. *Business bad debts—Indemnification of bonding company—Stockholder and employee.*—In determining whether a bad debt has a "proximate" relation to taxpayer's trade or business and thus qualifies as a business bad debt, the proper standard is that of dominant motivation rather than significant motivation. There is nothing in this record that would support jury verdict in taxpayer's

TAXES—Continued.

favor had the dominant motivation standard been embodied in the instructions. *United States v. Generes*, p. 93.

2. *Income taxes—Controlled corporations—Reinsurance premium income.*—Since the national banks did not receive and were prohibited by law from receiving sales commissions, no part of reinsurance premium income could be attributable to them, and the Commissioner's exercise of 26 U. S. C. § 482 authority to allocate income of controlled corporations was not warranted. *Commissioner v. First Security Bank of Utah*, p. 394.

3. *Required purchase of stock in Banks for Cooperatives—Capital assets.*—Purchase of Class C stock of Banks for Cooperatives, required of a borrower by the Farm Credit Act, was acquisition of capital asset having a long-term value, and cost was not an amount "contracted to pay for the use of the borrowed money," and thus was not deductible as interest. *United States v. Mississippi Chemical Corp.*, p. 298.

TAX REFUNDS. See **Taxes**, 1.

TENANTS. See **Constitutional Law**, III, 4; V, 2-3.

TENNESSEE. See **Constitutional Law**, V, 4.

TERMINATION OF BENEFITS. See **Social Security Act**.

TERRITORIAL LICENSES. See **Antitrust Acts**, 4.

TESTIMONY. See **Constitutional Law**, II; III, 6; VII, 1.

TEXAS. See **Constitutional Law**, V, 7; **Elections**, 2; **Jurisdiction**, 2; **Procedure**, 7; **Removal**; **Stay**.

TRADEMARKED ITEMS. See **Antitrust Acts**, 4.

TRADE NAMES. See **Antitrust Acts**, 2.

TRADING STAMPS. See **Federal Trade Commission**; **Procedure**, 4.

TRAVEL. See **Airports**; **Constitutional Law**, I; V, 4.

TREASURY REGULATIONS. See **Banks**; **Taxes**, 2.

TREATMENT OF SEX OFFENDERS. See **Habeas Corpus**, 3; **Procedure**, 5.

TRIALS. See **Constitutional Law**, III, 3-4, 6; VI, 1; VII, 1; **Removal**.

UNCONSTITUTIONAL ON ITS FACE. See **Appeals**; **Confession of Judgment**, 2; **Constitutional Law**, III, 2.

UNFAIR LABOR PRACTICES. See *National Labor Relations Act*.

UNFAIR METHODS OF COMPETITION. See *Federal Trade Commission*; *Procedure*, 4.

UNION ACTIVITY. See *National Labor Relations Act*.

UNITED STATES ATTORNEYS. See *Constitutional Law*, III, 6.

UNMARRIED PERSONS. See *Constitutional Law*, III, 7; *Procedure*, 1; *Standing*, 2.

UNWED FATHERS. See *Constitutional Law*, III, 7.

UPHOLD AND DEFEND THE CONSTITUTION. See *Constitutional Law*, III, 5; *Loyalty Oaths*.

USE CHARGES. See *Airports*; *Constitutional Law*, I.

VAGINAL FOAM. See *Constitutional Law*, V, 1; *Standing*, 2.

VAGRANCY. See also *Constitutional Law*, III, 3.

1. *Florida vagrancy statute*—"Wandering or strolling around"—*Vagueness*.—Petitioners' convictions for violations of Florida vagrancy statute for "wandering or strolling around from place to place without any lawful purpose or object" are vacated and case remanded for reconsideration in light of *Papachristou v. City of Jacksonville*, ante, p. 156. *Smith v. Florida*, p. 172.

2. *Jacksonville, Florida, ordinance*—*Void for vagueness*.—The ordinance is void for vagueness, in that it "fails to give a person of ordinary intelligence fair notice that his contemplated conduct is forbidden by the statute," it encourages arbitrary and erratic arrests and convictions, it makes criminal activities which by modern standards are normally innocent, and it places almost unfettered discretion in the hands of the police. *Papachristou v. City of Jacksonville*, p. 156.

VAGUENESS. See *Constitutional Law*, III, 3, 5; VI, 1; *Obscenity*; *Vagrancy*, 1-2.

VOID FOR VAGUENESS. See *Constitutional Law*, III, 5; *Vagrancy*, 2.

VOTING. See *Constitutional Law*, IV; V, 4.

WAIVER OF COUNSEL. See *Habeas Corpus*, 1.

WAIVER OF NOTICE AND HEARING. See *Appeals*; *Confession of Judgment*, 1-2; *Constitutional Law*, III, 1-2.

WAIVERS. See *Habeas Corpus*, 1, 3; *Procedure*, 5.

WANDERING. See Vagrancy, 1-2.

WARDS OF STATE. See Constitutional Law, III, 7.

WASHINGTON. See Obscenity.

WELFARE REGULATIONS. See Procedure, 1; Social Security Act.

WHEELER-LEA ACT OF 1938. See Federal Trade Commission; Procedure, 4.

WHOLESALING. See Antitrust Acts, 4.

WISCONSIN MENTAL HEALTH ACT. See Habeas Corpus, 3; Procedure, 5.

WITNESSES. See Constitutional Law, II; III, 6; Procedure, 2.

WOMEN. See Constitutional Law, V, 5-6; Juries.

WORK TIME. See Fair Labor Standards Act.



















