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**EXHAUSTION OF REMEDIES.** See Arbitration, 2; Railway Labor Act.

**EXPLOITATION.** See Constitutional Law, I, 2; Criminal Law, 3; Juries, 2.

**EXPORTS.** See Patents, 2.

**EXPROPRIATIONS.** See International Law.

**EXTRINSIC DELAY.** See Arbitration, 1; Labor, 1.

**FEDERAL COMMON LAW.** See Jurisdiction, 2, 7; Pollution.

**FEDERAL COMMUNICATIONS COMMISSION.**

*CATV regulation—Operation as local outlet—Available facilities for local production and presentation.*—FCC has authority to make rule that "no CATV system having 3,500 or more subscribers shall carry the signal of any television broadcast station unless the system also operates to a significant extent as a local outlet by cablecasting and has available facilities for local production and presentation of programs other than automated services." *United States v. Midwest Video Corp.*, p. 649.

**FEDERAL EMPLOYEES.** See Tort Claims Act.

**FEDERAL FORUMS.** See Aliens; Patents, 1; Venue.

**FEDERAL JURY TRIALS.** See Constitutional Law, I, 3; Criminal Law, 2; Juries, 1.

**FEDERALLY LICENSED DEALERS.** See **Constitutional Law**, V; **Gun Control Act of 1968**.

**FEDERAL POWER COMMISSION.** See also **Jurisdiction**, 4-5.

1. *Natural gas shortage—Curtailed deliveries to direct-sales customers—FPC certification.*—Federal Power Commission has jurisdiction to regulate curtailment of direct interstate sales of natural gas under the head of its "transportation" jurisdiction. *FPC v. Louisiana Power & Light Co.*, p. 621.

2. *Natural gas shortage—Intrastate "Green System"—FPC jurisdiction.*—Federal Power Commission has primary jurisdiction to determine whether the Green System (intrastate) was subject to its authority, and the Court of Appeals erred in deciding that question. *FPC v. Louisiana Power & Light Co.*, p. 621.

**FEDERAL REAPPORTIONMENT COURTS.** See **Constitutional Law**, II, 2; **Elections**; **Procedure**, 4, 7.

**FEDERAL-STATE RELATIONS.** See **Abstention**; **Arbitration**, 2; **Constitutional Law**, III, 4; VIII; **Declaratory Judgments**; **Federal Power Commission**, 1-2; **Jurisdiction**, 4-5; **Procedure**, 1; **Railway Labor Act**; **Social Security Act**, 1.

**FEDERAL TORT CLAIMS ACT.** See **Tort Claims Act**.

**FEDERAL WATER POLLUTION CONTROL ACT.** See **Abstention**; **Declaratory Judgments**; **Jurisdiction**, 2, 7; **Pollution**; **Procedure**, 1.

**FEDERAL WITNESS IMMUNITY STATUTE.** See **Constitutional Law**, III, 1, 5; **Grand Juries**, 1-2.

**FIFTH AMENDMENT.** See **Constitutional Law**, III, 1-5; VII, 1; **Grand Juries**, 1-2; **Trials**.

**"FINAL AND CONCLUSIVE."** See **Government Contracts**, 1-2.

**FINANCIAL INCENTIVES.** See **Constitutional Law**, II, 1; **Social Security Act**, 2.

**FIREARMS.** See **Constitutional Law**, V; **Gun Control Act of 1968**.

**FIRST AMENDMENT.** See **Constitutional Law**, IV; VI; **Procedure**, 6.

**FOREIGN AFFAIRS.** See **International Law**.

**FOREIGN BUYERS.** See **Patents**, 2.

**FOREIGN COMMUNICATIONS.** See **Federal Communications Commission**.

**FOREIGN LAW.** See **Constitutional Law**, III, 2-3.



- FOREIGN VESSELS.** See *Abstention, Declaratory Judgments; Procedure*, 1.
- FORMAL CHARGES.** See *Constitutional Law*, VII, 2.
- FORMAL EDUCATION.** See *Constitutional Law*, IV; VI.
- FOURTEENTH AMENDMENT.** See *Constitutional Law*, I, 1-3; II, 1, 3-4; VII, 1; VIII; *Criminal Law*, 1-3; *Juries*, 1-2; *Pleas; Procedure*, 3; *Social Security Act*, 1-2; *Trials; Workmen's Compensation*.
- FOURTH AMENDMENT.** See *Constitutional Law*, I, 2; V; *Criminal Law*, 3; *Gun Control Act of 1968; Juries*, 2.
- FRANCHISES.** See *Federal Communications Commission*.
- FRAUD.** See *Government Contracts*, 1-2; *Indians; Jurisdiction*, 3; *Securities Exchange Act of 1934; Stockholders*.
- FREEDOM OF RELIGION.** See *Constitutional Law*, IV; VI.
- FREE EXERCISE CLAUSE.** See *Constitutional Law*, IV; VI.
- FREIGHT CARS.** See *Administrative Procedure Act; Interstate Commerce Commission*.
- FRIVOLOUS APPEALS.** See *Procedure*, 5.
- FULL-BLOODS.** See *Indians; Jurisdiction*, 3; *Securities Exchange Act of 1934; Stockholders*.
- GAS.** See *Federal Power Commission*, 1-2; *Jurisdiction*, 4-5.
- GENERAL ACCOUNTING OFFICE.** See *Government Contracts*, 1-2.
- GEORGIA.** See *Arbitration*, 2; *Railway Labor Act*.
- GOOD FAITH.** See *Procedure*, 5.
- GOVERNMENT CONTRACTS.**

1. *Disputes clause—Wunderlich Act—Review by GAO.*—Atomic Energy Commission, which for purpose of this contract was the United States, had exclusive administrative authority under disputes clause procedure to resolve dispute, and neither contract between the parties nor the Wunderlich Act permitted still further administrative review by GAO. *S&E Contractors v. United States*, p. 1.

2. *Wunderlich Act—Appeal—Department of Justice.*—Wunderlich Act does not confer upon Department of Justice the right to appeal from a decision of an administrative agency, nor is this a case involving a contractor's fraud, concerning which the Department has broad powers to act under several statutory provisions. *S&E Contractors v. United States*, p. 1.

**GOVERNMENT EMPLOYEES.** See **Tort Claims Act.**

**GRAND JURIES.** See also **Constitutional Law**, III, 1, 5.

1. *Fifth Amendment—Immunity—Compelled testimony.*—Immunity from use and derivative use is coextensive with the scope of the Fifth Amendment privilege against compulsory self-incrimination and is sufficient to compel testimony; transactional immunity would afford broader protection than the Fifth Amendment privilege and is not constitutionally required. *Kastigar v. United States*, p. 441.

2. *Fifth Amendment—Unwilling witness—Immunity from use and derivative use.*—United States can compel testimony from an unwilling witness who invokes the Fifth Amendment privilege against compulsory self-incrimination by conferring immunity, as provided by 18 U. S. C. § 6002, from use of the compelled testimony and evidence derived therefrom in subsequent criminal proceedings. *Kastigar v. United States*, p. 441.

**GREAT LAKES.** See **Abstention; Declaratory Judgments; Procedure**, 1.

**GREEN SYSTEM.** See **Federal Power Commission**, 1-2; **Jurisdiction**, 4-5.

**GRIEVANCES.** See **Arbitration**, 2; **Railway Labor Act.**

**GUARDS.** See **Labor**, 2; **National Labor Relations Act**, 1-2.

**"GUIDING HAND OF COUNSEL."** See **Constitutional Law**, VII, 1; **Trials**.

**GUILTY PLEAS.** See **Criminal Law**, 1; **Pleas**.

**GUILTY VERDICTS.** See **Constitutional Law**, I, 2-3; **Criminal Law**, 2-3; **Juries**, 1-2.

**GUN CONTROL ACT OF 1968.** See also **Constitutional Law**, V.

*Fourth Amendment—Business hours—Warrantless search as inspection procedure.*—Warrantless search of locked storeroom during business hours as part of inspection procedure authorized by § 923 (g) of the Gun Control Act of 1968, which resulted in seizure of unlicensed firearms from dealer federally licensed to deal in sporting weapons, is not violative of Fourth Amendment. *United States v. Biswell*, p. 311.

**HABEAS CORPUS.** See **Jurisdiction**, 1; **Procedure**, 2.

**HARD LABOR.** See **Constitutional Law**, I, 2; **Criminal Law**, 3; **Juries**, 2.

**HIGH SCHOOLS.** See **Constitutional Law**, IV; VI.

**HIRING.** See **Labor**, 2; **National Labor Relations Act**, 1-2.



- HOLDERS OF DEBENTURES.** See Bankruptcy Act; Standing to Sue.
- HOLDING TANKS.** See Abstention; Declaratory Judgments; Procedure, 1.
- HUNG JURIES.** See Constitutional Law, I, 3; Criminal Law, 2; Juries, 1.
- IDENTIFICATIONS.** See Constitutional Law, I, 2; Criminal Law, 3; Juries, 2.
- ILLEGAL ARRESTS.** See Constitutional Law, I, 2; Criminal Law, 3; Juries, 2.
- ILLEGAL ENTRIES.** See Constitutional Law, I, 2; Criminal Law, 3; Juries, 2.
- ILLEGITIMATE CHILDREN.** See Constitutional Law, II, 4; Workmen's Compensation.
- ILLINOIS.** See Constitutional Law, III, 4; VII, 2; Jurisdiction, 2, 7; Pollution.
- IMMUNITY.** See Constitutional Law, III, 1, 5; Grand Juries, 1-2.
- IMPEACHMENT.** See Constitutional Law, VII, 1; Trials.
- INACTIVE RESERVE.** See Jurisdiction, 1; Procedure, 2.
- INCOME.** See Constitutional Law, II, 1; Social Security Act, 2.
- INCOMPETENTS.** See Constitutional Law, I, 1; II, 3; Procedure, 3.
- INCRIMINATION.** See Constitutional Law, III, 1, 5; Grand Juries, 1-2.
- INDEFINITE COMMITMENTS.** See Constitutional Law, I, 1; II, 3; Procedure, 3.
- INDENTURE TRUSTEES.** See Bankruptcy Act; Standing to Sue.
- INDIANA.** See Constitutional Law, I, 1; II, 3; Jurisdiction, 1; Procedure, 2-3.
- INDIAN ALLOTMENTS.** See Indians; Jurisdiction, 3; Securities Exchange Act of 1934; Stockholders.
- INDIANS.** See also Jurisdiction, 3; Securities Exchange Act of 1934; Stockholders.

*Ute Partition Act—Termination of trust—Right of first refusal.*—The Act and the 1961 termination proclamation ended federal supervision over the trust and the mixed-bloods' restricted property, including the UDC shares, and the right of first refusal specified

**INDIANS**—Continued.

in the UDC corporate articles created no duty on the Government's part to terminated mixed-bloods seeking to sell their shares. *Affiliated Ute Citizens v. United States*, p. 128.

**INDIGENTS.** See **Procedure**, 5.

**INDUSTRIAL USERS.** See **Federal Power Commission**, 1-2; **Jurisdiction**, 4-5.

**INFRINGEMENT.** See **Aliens**; **Patents**, 1-2; **Venue**.

**INJUNCTIONS.** See **Boundaries**; **Constitutional Law**, II, 1; VIII; **Elections**; **Federal Power Commission**, 1-2; **Jurisdiction**, 4-5; **Patents**, 2; **Procedure**, 4, 6, 7; **Social Security Act**, 1.

**INSANITY.** See **Constitutional Law**, I, 1; II, 3; **Procedure**, 3.

**INSPECTIONS.** See **Constitutional Law**, V; **Gun Control Act of 1968**.

**INSTITUTIONALIZATION.** See **Constitutional Law**, I, 1; II, 3; **Procedure**, 3.

**INTERNATIONAL CRIME.** See **Constitutional Law**, II, 2-3.

**INTERNATIONAL LAW.**

*Counterclaim against foreign national—Excess collateral—Offset for Cuban expropriation.*—In circumstances of this case, petitioner American bank, in suit brought by respondent for excess collateral respondent had pledged with petitioner, may assert counterclaim for that excess as offset against value of petitioner's property in Cuba expropriated by Cuba without compensation. *First Nat. City Bank v. Banco Nacional de Cuba*, p. 759.

**INTERSTATE COMMERCE.** See **Federal Communications Commission**; **Federal Power Commission**, 1-2; **Jurisdiction**, 4-5.

**INTERSTATE COMMERCE COMMISSION.** See also **Administrative Procedure Act**.

*Freight car shortages—Industry code of car-service rules—Promulgation by ICC.*—Two car-service rules promulgated by ICC requiring generally that unloaded freight cars be returned in the direction of the owning railroad are reasonable under the Esch Car Service Act of 1917, in view of finding, for which there is substantial record support, of a national freight car shortage and conclusion that the shortage could be alleviated by mandatory observance of the rules which would give the railroads greater use of their cars and provide an incentive for the purchase of new equipment. *United States v. Allegheny-Ludlum Steel*, p. 742.

**INTERSTATE WATER POLLUTION.** See **Abstention**; **Declaratory Judgments**; **Jurisdiction**, 2, 7; **Pollution**; **Procedure**, 1.



**INTERVENTION.** See **Constitutional Law**, II, 2; **Elections**; **Procedure**, 4, 7.

**INTRASTATE DELIVERIES.** See **Federal Power Commission**, 1-2; **Jurisdiction**, 4-5.

**INTRINSIC DELAY.** See **Arbitration**, 1; **Labor**, 1.

**INVENTIONS.** See **Patents**, 2.

**INVESTIGATIONS.** See **Constitutional Law**, III, 1-5; VII, 2; **Grand Juries**, 1-2.

**INVESTORS.** See **Bankruptcy Act**; **Standing to Sue**.

**INVOLUNTARY.** See **Criminal Law**, 1; **Pleas**.

**IOWA-NEBRASKA BOUNDARY COMPACT.** See **Boundaries**.

**ISLANDS.** See **Boundaries**.

**JOINT TORTFEASORS.** See **Admiralty**.

**JUDGES.** See **Constitutional Law**, I, 3; **Criminal Law**, 2; **Juries**, 1.

**JUDGMENTS.** See **Procedure**, 5.

**JUDICIAL REVIEW.** See **Arbitration**, 2; **Government Contracts**, 1-2; **Procedure**, 5-6; **Workmen's Compensation**.

**JURIES.** See also **Constitutional Law**, I, 2-3; **Criminal Law**, 2-3.

1. *Jury selection—Racial minority members.*—Jury unanimity is not mandated by the Fourteenth Amendment requirement that racial minorities not be systematically excluded from jury-selection process; even when racial minority members are on jury, it does not follow that their views will not be just as rationally considered by other jury members as would be the case under a unanimity rule. *Apo-daca v. Oregon*, p. 404.

2. *Legislative plan varying size of jury—Gravity of offense—Number needed to convict.*—Louisiana legal scheme providing for unanimous verdicts in capital and five-man jury cases, but for less-than-unanimous verdicts otherwise, and which varies difficulty of proving guilt with gravity of the offense, was designed to serve rational purposes and does not constitute an invidious classification violative of equal protection. *Johnson v. Louisiana*, p. 356.

**JURISDICTION.** See also **Aliens**; **Arbitration**, 2; **Federal Power Commission**, 1-2; **Indians**; **International Law**; **Patents**, 1; **Pollution**; **Procedure**, 2; **Railway Labor Act**; **Securities Exchange Act of 1934**; **Stockholders**; **Venue**.

1. *Application for conscientious objector discharge—California domicile—Indiana nominal command.*—District Court has jurisdic-

**JURISDICTION**—Continued.

tion under 28 U. S. C. § 2241 (c)(1) to hear and determine habeas corpus application of officer on unattached, inactive Army reserve duty while domiciled in California, where military authorities processed his application for conscientious objector discharge, although he was under the nominal command of commanding officer of the Reserve Officer Components Personnel Center in Indiana. *Strait v. Laird*, p. 341.

2. *Federal district courts—Interstate water pollution.*—In this case the appropriate federal district court has jurisdiction under 28 U. S. C. § 1331 (a) to give relief against nuisance of interstate water pollution and is the proper forum for litigation of the issues involved. *Illinois v. City of Milwaukee*, p. 91.

3. *Indian suit against United States—Mineral rights.*—Suit was properly dismissed for want of jurisdiction as uncontested suit against the United States. Though the Government has consented to suits to enforce an Indian's right to an allotment of land, the claimed interest in the mineral estate has not been made subject to an allotment. *Affiliated Ute Citizens v. United States*, p. 128.

4. *Natural gas shortage—Curtailed deliveries to direct-sales customers—FPC certification.*—Federal Power Commission has jurisdiction to regulate curtailment of direct interstate sales of natural gas under the head of its "transportation" jurisdiction. *FPC v. Louisiana Power & Light Co.*, p. 621.

5. *Natural gas shortage—Intrastate "Green System"—FPC jurisdiction.*—Federal Power Commission has primary jurisdiction to determine whether the Green System (intrastate) was subject to its authority, and the Court of Appeals erred in deciding that question. *FPC v. Louisiana Power & Light Co.*, p. 621.

6. *Supreme Court—Air pollution—Control devices for automobiles.*—Though Court has original but not exclusive jurisdiction, it exercises discretion to avoid impairing its ability to administer its appellate docket. As a matter of law as well as of practical necessity, remedies for air pollution must be considered in context of local situations, making it advisable that this controversy be resolved in appropriate federal district courts. *Washington v. General Motors Corp.*, p. 109.

7. *Supreme Court—District courts—Suit against States.*—Though Wisconsin could be joined as defendant here under appropriate pleadings, it is not mandatory that it be made one, and the political subdivisions are not "States" within the meaning of 28 U. S. C. § 1251 (a)(1). If those subdivisions may be sued by Illinois in a federal district court, this Court's original jurisdiction under § 1251 (b)(3) is merely permissible. *Illinois v. City of Milwaukee*, p. 91.



**JURISDICTIONAL PIPELINES.** See **Federal Power Commission**, 1-2; **Jurisdiction**, 4-5.

**JURY IRRESPONSIBILITY.** See **Constitutional Law**, I, 3; **Criminal Law**, 2; **Juries**, 1.

**JUSTICE DEPARTMENT.** See **Government Contracts**, 1-2.

**JUSTICIABLE CONTROVERSIES.** See **Abstention**; **Declaratory Judgments**; **Procedure**, 1.

**LABOR.** See also **Arbitration**, 1-2; **National Labor Relations Act**, 1-2; **Railway Labor Act**.

1. *Collective-bargaining agreement—Arbitration clause*—"Any difference"—*Laches*.—Where collective-bargaining agreement included arbitration "of any difference," the parties did agree to arbitrate and, the existence and scope of an arbitration clause being matters for judicial decision, the phrase "any difference" encompasses the issue of laches within the broad sweep of its arbitration coverage. *Operating Engineers v. Flair Builders, Inc.*, p. 487.

2. *Successor employer—Incumbent union*.—Successor employer may be bound to recognize and bargain with incumbent union, but is not bound by substantive provisions of a collective-bargaining agreement negotiated by its predecessor but not agreed to or assumed by the successor employer. *NLRB v. Burns Security Services*, p. 272.

**LABOR CONTRACTS.** See **Labor**, 2; **National Labor Relations Act**, 1-2.

**LABOR ELECTIONS.** See **Labor**, 2; **National Labor Relations Act**, 1-2.

**LABOR-MANAGEMENT RELATIONS.** See **Arbitration**, 2; **Labor**, 2; **National Labor Relations Act**, 1-2; **Railway Labor Act**.

**LABOR UNIONS.** See **Labor**, 2; **National Labor Relations Act**, 1-2.

**LACHES.** See **Arbitration**, 1; **Labor**, 1.

**LACK OF CAPACITY.** See **Constitutional Law**, I, 1; II, 3; **Procedure**, 3.

**LAKE MICHIGAN.** See **Jurisdiction**, 2, 7; **Pollution**.

**LAND TITLES.** See **Boundaries**.

**LAWS.** See **Jurisdiction**, 2, 7; **Pollution**.

**LAWYERS.** See **Constitutional Law**, VII, 1-2; **Criminal Law**, 1; **Pleas**; **Trials**.

**LEGISLATIVE APPORTIONMENT.** See **Constitutional Law**, II, 2; **Elections**; **Procedure**, 4, 7.

- LEGISLATIVE DISTRICTS.** See Constitutional Law, II, 2; Elections; Procedure, 4, 7.
- LEGISLATIVE INTENT.** See Aliens; Patents, 1; Venue.
- LEGISLATIVE JUDGMENT.** See Constitutional Law, I, 2; Criminal Law, 3; Juries, 2.
- LEGITIMATE SOURCE.** See Constitutional Law, III, 1, 5; Grand Juries, 1-2.
- LESS - THAN - UNANIMOUS VERDICTS.** See Constitutional Law, I, 2-3; Criminal Law, 2-3; Juries, 1-2.
- LEVELS OF PAYMENT.** See Constitutional Law, II, 1; Social Security Act, 2.
- LIABILITY OF BANKS.** See Indians; Jurisdiction, 3; Securities Exchange Act of 1934; Stockholders.
- LICENSES.** See Federal Communications Commission.
- LIGHTER SENTENCES.** See Criminal Law, 1; Pleas.
- LINEUPS.** See Constitutional Law, I, 1; VII, 2; Criminal Law, 3; Juries, 2.
- LIVE PROGRAMING.** See Federal Communications Commission.
- LOCAL OUTLETS.** See Federal Communications Commission.
- LOCKED STOREROOMS.** See Constitutional Law, V; Gun Control Act of 1968.
- LOCKHEED.** See Labor, 2; National Labor Relations Act, 1-2.
- LONG-ARM STATUTES.** See Aliens; Patents, 1; Venue.
- LONG BRANCH.** See Constitutional Law, III, 2-3.
- LOSSES.** See Bankruptcy Act; Standing to Sue.
- LOUISIANA.** See Constitutional Law, I, 2; II, 4; Criminal Law, 3; Federal Power Commission, 1-2; Juries, 2; Jurisdiction, 4-5; Patents, 2; Workmen's Compensation.
- LOYALTY AFFIDAVITS.** See Procedure, 6.
- MAGISTRATES.** See Constitutional Law, I, 2; Criminal Law, 3; Juries, 2.
- MALAPPORTIONMENT.** See Constitutional Law, II, 2; Elections; Procedure, 4, 7.
- MANAGEMENT OF INDIAN ASSETS.** See Indians; Jurisdiction, 3; Securities Exchange Act of 1934; Stockholders.
- MANUFACTURE OF CONSTITUENT PARTS.** See Patents, 2.



- MARINE TOILETS.** See Abstention; Declaratory Judgments; Procedure, 1.
- MARITIME INJURIES.** See Admiralty.
- MARITIME LAW.** See Abstention; Declaratory Judgments; Procedure, 1.
- MAXIMIZED INDIVIDUAL ELIGIBILITY.** See Constitutional Law, II, 1; Social Security Act, 2.
- MEASURE OF DAMAGES.** See Indians; Jurisdiction, 3; Securities Exchange Act of 1934; Stockholders.
- MEDIATION.** See Arbitration, 2; Railway Labor Act.
- MEMORANDUM AGREEMENTS.** See Arbitration, 1; Labor, 1.
- MENNONITE CHURCH.** See Constitutional Law, IV; VI.
- MENTAL DEFECTIVES.** See Constitutional Law, I, 1; II, 3; Procedure, 3.
- MICHIGAN.** See Abstention; Declaratory Judgments; Procedure, 1.
- MILITARY DUTY.** See Constitutional Law, VIII; Social Security Act, 1.
- "MILITARY ORPHANS."** See Constitutional Law, VIII; Social Security Act, 1.
- MILITARY PLANES.** See Tort Claims Act.
- MILITARY RECORDS.** See Jurisdiction, 1; Procedure, 2.
- MILWAUKEE.** See Jurisdiction, 2, 7; Pollution.
- MINERAL RIGHTS.** See Indians; Jurisdiction, 3; Securities Exchange Act of 1934; Stockholders.
- MINNESOTA.** See Constitutional Law, II, 2; Elections; Procedure, 4, 7.
- MINOR DISPUTES.** See Arbitration, 2; Railway Labor Act.
- MINORITY GROUPS.** See Constitutional Law, II, 1; Social Security Act, 2.
- MINORITY JURORS.** See Constitutional Law, I, 2-3; Criminal Law, 2-3; Juries, 1-2.
- MISCONDUCT.** See Bankruptcy Act; Standing to Sue.
- MISREPRESENTATIONS.** See Indians; Jurisdiction, 3; Securities Exchange Act of 1934; Stockholders.
- MISSOURI RIVER.** See Boundaries.

**MIXED-BLOODS.** See **Indians**; **Jurisdiction**, 3; **Securities Exchange Act of 1934**; **Stockholders**.

**MONETARY RESTITUTION.** See **Labor**, 2; **National Labor Relations Act**, 1-2.

**MOOTNESS.** See also **Procedure**, 6.

*Death sentence—Unconstitutional under state constitution—Full retroactive application.*—California Supreme Court decision invalidating death penalty under state constitution has mooted this case, where certiorari was granted to consider whether death penalty comports with Federal Constitution. *Aikens v. California*, p. 813.

**MOTOR VEHICLE POLLUTION.** See **Jurisdiction**, 6.

**NATIONAL CAR POOL SYSTEM.** See **Administrative Procedure Act**; **Interstate Commerce Commission**.

**NATIONALIZED PROPERTY.** See **International Law**.

**NATIONAL LABOR RELATIONS ACT.** See also **Labor**, 2.

1. *Labor election—Successor employer—Refusal to honor collective-bargaining agreement.*—Where majority of employees hired by new employer were represented by recently certified bargaining agent and bargaining unit remained unchanged, NLRB correctly ordered new employer to bargain with incumbent union. *NLRB v. Burns Security Services*, p. 272.

2. *Successor employer—Existing terms and conditions of employment—Initial basis for hiring.*—NLRB order for monetary restitution improper in that new employer, having no outstanding contract with union, did not unilaterally change existing terms and conditions of employment by specifying basis on which it would hire employees of previous employer. *NLRB v. Burns Security Services*, p. 272.

**NATIONAL RAILROAD ADJUSTMENT BOARD.** See **Arbitration**, 2; **Railway Labor Act**.

**NATURAL GAS ACT.** See **Federal Power Commission**, 1-2; **Jurisdiction**, 4-5.

**NATURAL RESOURCES.** See **Abstention**; **Declaratory Judgments**; **Procedure**, 1.

**NAVIGABLE WATERS.** See **Abstention**; **Declaratory Judgments**; **Procedure**, 1.

**NEBRASKA.** See **Boundaries**.

**NEEDY CHILDREN.** See **Constitutional Law**, VIII; **Social Security Act**, 1.

**NEGLIGENCE.** See **Tort Claims Act**.



- NEW EMPLOYERS.** See Labor, 2; National Labor Relations Act, 1-2.
- NEW JERSEY.** See Constitutional Law, III, 2-3.
- NOMINAL COMMAND.** See Jurisdiction, 1; Procedure, 2.
- NONCOLLISIONS.** See Admiralty.
- NORTH CAROLINA.** See Tort Claims Act.
- NOT-GUILTY PLEAS.** See Criminal Law, 1; Pleas.
- NOT-GUILTY VERDICTS.** See Constitutional Law, I, 2-3; Criminal Law, 2-3; Juries, 1-2.
- NUISANCES.** See Jurisdiction, 2, 7; Pollution.
- OATHS.** See Procedure, 6.
- OCCUPATIONAL TAXES.** See Constitutional Law, V; Gun Control Act of 1968.
- OFFICERS.** See Jurisdiction, 1; Procedure, 2.
- OFFICIAL CONDUCT.** See Constitutional Law, V; Gun Control Act of 1968.
- OFFSETS.** See Government Contracts, 1-2; International Law.
- OHIO.** See Procedure, 6.
- OIL SHALE DEPOSITS.** See Indians; Jurisdiction, 3; Securities Exchange Act of 1934; Stockholders.
- OLD ORDER AMISH.** See Constitutional Law, IV; VI.
- ON-BOARD TREATMENT.** See Abstention; Declaratory Judgments; Procedure, 1.
- ONTARIO INTERNATIONAL AIRPORT.** See Labor, 2; National Labor Relations Act, 1-2.
- OPERABLE ASSEMBLY.** See Patents, 2.
- OREGON.** See Aliens; Constitutional Law, I, 3; Criminal Law, 2; Juries, 1; Patents, 1; Venue.
- ORGANIZED CRIME.** See Constitutional Law, III, 2-4.
- ORIGINAL JURISDICTION.** See Jurisdiction, 2, 7; Pollution.
- PARENS PATRIAE.** See Constitutional Law, IV; VI.
- PARENTS.** See Constitutional Law, IV; VI.
- PARTIES.** See Jurisdiction, 2, 7; Pollution.
- PARTITION SUITS.** See Indians; Jurisdiction, 3; Securities Exchange Act of 1934; Stockholders.

**PARTS.** See **Patents**, 2.

**PASSENGER VESSELS.** See **Abstention**; **Declaratory Judgments**; **Procedure**, 1.

**PATENTS.** See also **Aliens**; **Venue**.

1. *Alien corporation—Patent infringement—Place of incorporation—Place of doing business.*—Title 28 U. S. C. § 1391 (d), providing that “an alien may be sued in any district,” embodies the long-established rule that a suit against an alien is wholly outside the operation of all federal venue laws; hence § 1400 (b), which provides that a patent infringement suit may be brought in the district of the defendant’s residence or where he has committed infringement acts and has a regular place of business, is not the exclusive provision governing venue in patent infringement litigation. *Brunette Machine Wks. v. Kockum Industries*, p. 706.

2. *Manufacture of parts—Sale to foreign buyers—Assembly and use abroad.*—The word “makes” as used in 35 U. S. C. § 271 (a) does not extend to the manufacture of the constituent parts of a combination machine, and the unassembled export of the elements of an invention does not infringe the patent. *Deepsouth Packing Co. v. Laitram Corp.*, p. 518.

**PAUPERS.** See **Procedure**, 5.

**PAWN SHOPS.** See **Constitutional Law**, V; **Gun Control Act of 1968**.

**PEAK-DAY COMMITMENTS.** See **Federal Power Commission**, 1-2; **Jurisdiction**, 4-5.

**PERCENTAGE-REDUCTION FACTOR.** See **Constitutional Law**, II, 1; **Social Security Act**, 2.

**PER SE EXCLUSIONARY RULE.** See **Constitutional Law**, VII, 2.

**PERSONS.** See **Aliens**; **Patents**, 1; **Venue**.

**PIPELINES.** See **Federal Power Commission**, 1-2; **Jurisdiction**, 4-5.

**PLACE OF BUSINESS.** See **Aliens**; **Patents**, 1; **Venue**.

**PLANT GUARDS.** See **Labor**, 2; **National Labor Relations Act**, 1-2.

**PLANT PROTECTION SERVICE.** See **Labor**, 2; **National Labor Relations Act**, 1-2.

**PLEA BARGAINING.** See **Criminal Law**, 1; **Pleas**.

**PLEADINGS.** See **Jurisdiction**, 2, 7; **Pollution**.



**PLEAS.** See also **Criminal Law**, 1.

*Guilty plea on advice of counsel—New counsel—Change of plea.*—Claim that guilty plea was not voluntarily and intelligently made because of alleged conflict of interest on the part of counsel has no merit; therefore, alleged conflict of interest is not reason for vacating plea. *Dukes v. Warden*, p. 250.

**POLICE STATIONS.** See **Constitutional Law**, VII, 2.

**POLITICAL CORRUPTION.** See **Constitutional Law**, III, 2-3.

**POLITICAL PARTIES.** See **Procedure**, 6.

**POLITICAL SUBDIVISIONS.** See **Jurisdiction**, 2, 7; **Pollution**.

**POLLUTION.** See also **Abstention**; **Declaratory Judgments**; **Jurisdiction**, 2, 6-7; **Procedure**, 1.

*Interstate navigable waters—Federal common law—Relief.*—Federal common law applies to air and water in their ambient or interstate aspects and federal equity courts have a wide range of powers to grant relief against pollution of this sort. *Illinois v. City of Milwaukee*, p. 91.

**POLLUTION CONTROL DEVICES.** See **Jurisdiction**, 6.

**POST-INDICTMENT PRETRIAL LINEUPS.** See **Constitutional Law**, VII, 2.

**PRE-EMPTION.** See **Abstention**; **Declaratory Judgments**; **Procedure**, 1.

**PREJUDICIAL PROCEDURES.** See **Constitutional Law**, VII, 2.

**PRELIMINARY HEARINGS.** See **Constitutional Law**, VII, 2.

**PREMATURITY.** See **Procedure**, 6.

**PRETRIAL PROCEDURES.** See **Constitutional Law**, VII, 2.

**PRIMARY JURISDICTION.** See **Federal Power Commission**, 1-2; **Jurisdiction**, 4-5.

**PRIMARY TAIN.** See **Constitutional Law**, I, 2; **Criminal Law**, 3; **Juries**, 2.

**PRIORITIES.** See **Federal Power Commission**, 1-2; **Jurisdiction**, 4-5.

**PRIVILEGES.** See **Constitutional Law**, VII, 1; **Trials**.

**PROCEDURE.** See also **Abstention**; **Admiralty**; **Administrative Procedure Act**; **Aliens**; **Arbitration**, 2; **Bankruptcy Act**; **Constitutional Law**, I, 1; II, 2-3; VII, 1; **Criminal Law**, 1; **Declaratory Judgments**; **Elections**; **Federal Power Commission**, 1-2; **Government Contracts**, 1-2; **International Law**;

**PROCEDURE—Continued.**

**Interstate Commerce Commission; Jurisdiction, 2, 4-5, 7; Mootness; Patents, 1; Pleas; Pollution; Railway Labor Act; Standing to Sue; Trials; Venue.**

1. *Ambiguous state statute—Resolution by state courts—Avoidance or modification of federal constitutional questions—Absence of countervailing considerations.*—Where a state statute has not yet been construed by the state courts and is unclear in particulars that go to the foundation of the actual controversy, and where there is no countervailing consideration, abstention is appropriate because authoritative resolution of the ambiguities in the state courts is sufficiently likely to avoid or modify the federal constitutional questions. *Lake Carriers' Assn. v. MacMullan*, p. 498.

2. *Application for conscientious objector discharge—California domicile—Indiana nominal command.*—District Court has jurisdiction under 28 U. S. C. § 2241 (c) (1) to hear and determine habeas corpus application of officer on unattached, inactive Army reserve duty while domiciled in California, where military authorities processed his application for conscientious objector discharge, although he was under the nominal command of commanding officer of the Reserve Officer Components Personnel Center in Indiana. *Strait v. Laird*, p. 341.

3. *Due process—Commitment because of lack of capacity to stand trial.*—State's indefinite commitment of criminal defendant solely on account of his lack of capacity to stand trial violates due process; such a defendant cannot be held more than the reasonable period necessary to determine whether there is a substantial probability that he will attain competency in the foreseeable future and, if there is no such probability, the State must institute civil proceedings applicable to indefinite commitment of those not charged with crime, or release the defendant. *Jackson v. Indiana*, p. 715.

4. *Injunction—Appeal.*—District Court's injunction respecting number of legislative districts and of senators and representatives is sufficient to justify direct appeal under 28 U. S. C. § 1253. *Sixty-seventh Minnesota State Senate v. Beens*, p. 187.

5. *Pauper's appeal—Nonfrivolous appeal—Supervening statute.*—Cause remanded for state court's reconsideration in light of supervening statute. *Huffman v. Boersen*, p. 337.

6. *Revision of election code—Issues, except one, mooted—No allegation of injury.*—The record and pleadings on the one issue not mooted by supervening legislation are inadequate for resolution of the constitutional questions presented; in view of the abstract and speculative posture of the case the appeal is dismissed. *Socialist Labor Party v. Gilligan*, p. 583.



**PROCEDURE**—Continued.

7. *State senate—Intervention.*—State senate, here directly affected by District Court's orders, is an appropriate legal entity for purposes of intervention. *Sixty-seventh Minnesota State Senate v. Beens*, p. 187.

**PROOF.** See **Constitutional Law**, I, 2-3; **Criminal Law**, 2-3; **Juries**, 1-2.

**PROSECUTIONS.** See **Constitutional Law**, VII, 2.

**PROSECUTORS.** See **Constitutional Law**, I, 3; **Criminal Law**, 2; **Juries**, 1.

**PROTECTION.** See **Constitutional Law**, III, 1, 5; **Grand Juries**, 1-2.

**PUBLIC ASSISTANCE PROGRAMS.** See **Constitutional Law**, II, 1; **Social Security Act**, 2.

**PUBLIC INTEREST.** See **Federal Communications Commission**.

**PUBLIC INVESTORS.** See **Bankruptcy Act**; **Standing to Sue**.

**PUBLIC SCHOOLS.** See **Constitutional Law**, IV; VI.

**PUMP-OUT FACILITIES.** See **Abstention**; **Declaratory Judgments**; **Procedure**, 1.

**RACIAL DISCRIMINATION.** See **Constitutional Law**, I, 3; II, 1; **Criminal Law**, 2; **Juries**, 1; **Social Security Act**, 2.

**RACKETEERING.** See **Constitutional Law**, III, 2-3.

**RAILROADS.** See **Administrative Procedure Act**; **Admiralty**; **Arbitration**, 2; **Interstate Commerce Commission**; **Railway Labor Act**.

**RAILWAY LABOR ACT.** See also **Arbitration**, 2.

*Discharge—Breach of contract action based on state law—Grievance and arbitration procedures.*—Since the source of railroad employee's right not to be discharged and of his employer's obligation to restore him to regular employment following an injury is the collective-bargaining agreement, employee must follow the grievance and arbitration procedures set forth in the *Railway Labor Act*. *Moore v. Illinois Central R. Co.*, 312 U. S. 630, overruled. *Andrews v. Louisville & Nashville R. Co.*, p. 320.

**RATIONAL GROUNDS.** See **Constitutional Law**, I, 3; **Criminal Law**, 2; **Juries**, 1.

**REAL DANGERS.** See **Constitutional Law**, III, 2-3.

**REAPPORTIONMENT.** See **Constitutional Law**, II, 2; **Elections**; **Procedure**, 4, 7.

- REASONABLE DOUBT.** See Constitutional Law, I, 2-3; Criminal Law, 2-3; Juries, 1-2.
- RECOUPMENT.** See Bankruptcy Act; Standing to Sue.
- RECREATIONAL WATERCRAFT.** See Abstention; Declaratory Judgments; Procedure, 1.
- REFUSAL TO ANSWER QUESTIONS.** See Constitutional Law, III, 4.
- REFUSAL TO BARGAIN.** See Labor, 2; National Labor Relations Act, 1-2.
- REGULATIONS.** See Constitutional Law, V; Federal Communications Commission; Gun Control Act of 1968.
- REGULATORY INSPECTIONS.** See Constitutional Law, V; Gun Control Act of 1968.
- REHEARINGS.** See Jurisdiction, 1; Procedure, 2.
- RELIEF.** See Arbitration, 1; Constitutional Law, II, 1; VIII; Jurisdiction, 2, 7; Labor, 1; Pollution; Social Security Act, 1-2.
- RELIGION.** See Constitutional Law, IV; VI.
- REMEDIES.** See Admiralty; Arbitration, 2; Railway Labor Act.
- REORGANIZATIONS.** See Bankruptcy Act; Standing to Sue.
- REPORT OF SPECIAL MASTER.** See Boundaries.
- REPRESENTATION.** See Labor, 2; National Labor Relations Act, 1-2.
- REPRESENTATION BY COUNSEL.** See Constitutional Law, I, 2; Criminal Law, 3; Juries, 2.
- RESALES.** See Federal Power Commission, 1-2; Jurisdiction, 4-5.
- RESEARCH AND DEVELOPMENT.** See Jurisdiction, 6.
- RESERVE OFFICERS.** See Jurisdiction, 1; Procedure, 2.
- RESIDENCES.** See Aliens; Jurisdiction, 1; Patents, 1; Procedure, 2; Venue.
- RESPONSIVE ANSWERS.** See Constitutional Law, III, 2-3.
- RESTITUTION.** See Labor, 2; National Labor Relations Act, 1-2.
- RESTORATION.** See Arbitration, 2; Railway Labor Act.
- RESTRAINT OF TRADE.** See Jurisdiction, 6.
- RETROACTIVITY.** See Mootness.



- REVISED TARIFFS.** See Federal Power Commission, 1-2; Jurisdiction, 4-5.
- RIFLES.** See Constitutional Law, V; Gun Control Act of 1968.
- RIGHT TO COUNSEL.** See Constitutional Law, VII, 2.
- RIGHT TO REMAIN SILENT.** See Constitutional Law, VII, 1; Trials.
- RIGHT TO TRIAL.** See Criminal Law, 1; Pleas.
- RIPARIAN LANDS.** See Boundaries.
- ROBBERIES.** See Constitutional Law, I, 2; Criminal Law, 3; Juries, 2.
- RULE-MAKING POWER.** See Administrative Procedure Act; Federal Communications Commission; Interstate Commerce Commission.
- RULES.** See Administrative Procedure Act; Interstate Commerce Commission.
- SALES OF STOCK.** See Indians; Jurisdiction, 3; Securities Exchange Act of 1934; Stockholders.
- SALES RHETORIC.** See Patents, 2.
- SANITY.** See Constitutional Law, I, 1; II, 3; Procedure, 3.
- SAWED-OFF RIFLES.** See Constitutional Law, V; Gun Control Act of 1968.
- SCHOOL ATTENDANCE.** See Constitutional Law, IV; VI.
- SCOPE OF IMMUNITY.** See Constitutional Law, III, 1-5.
- SCOPE OF THE PRIVILEGE.** See Constitutional Law, III, 1-5.
- SEARCH AND SEIZURE.** See Constitutional Law, V; Gun Control Act of 1968.
- SECRETARY OF THE INTERIOR.** See Indians; Jurisdiction, 3; Securities Exchange Act of 1934; Stockholders.
- SECURITIES AND EXCHANGE COMMISSION.** See Bankruptcy Act; Standing to Sue.
- SECURITIES EXCHANGE ACT OF 1934.** See also Indians; Jurisdiction, 3; Stockholders.

*Damages—Fraudulent conduct.*—Correct measure of damages under § 28 of the Act is difference between fair value of what mixed-blood seller received for his stock and what he would have received had there been no fraudulent conduct (except where defendant received more than seller's actual loss, in which case defendant's profit is amount of damages). *Affiliated Ute Citizens v. United States*, p. 128.

- SECURITY.** See Procedure, 5.
- SECURITY SERVICES.** See Labor, 2; National Labor Relations Act, 1-2.
- SELF-INCRIMINATION.** See Constitutional Law, III, 1-5; VII, 1; Grand Juries, 1-2; Trials.
- SENTENCES.** See Criminal Law, 1; Pleas.
- SEQUESTRATION OF WITNESSES.** See Constitutional Law, VII, 1; Trials.
- SERVICE CONTRACTS.** See Labor, 2; National Labor Relations Act, 1-2.
- SERVICEMEN.** See Constitutional Law, VIII; Jurisdiction, 1; Procedure, 2; Social Security Act, 1.
- SERVICE OF PROCESS.** See Aliens; Patents, 1; Venue.
- SETOFFS.** See International Law.
- SETTLEMENTS.** See Bankruptcy Act; Standing to Sue.
- SEWAGE.** See Abstention; Declaratory Judgments; Procedure, 1.
- SEWERAGE COMMISSIONS.** See Jurisdiction, 2, 7; Pollution.
- SHIPPERS.** See Administrative Procedure Act; Interstate Commerce Commission.
- SHORTAGES.** See Federal Power Commission, 1-2; Jurisdiction, 4-5.
- SHORTAGES OF FREIGHT CARS.** See Administrative Procedure Act; Interstate Commerce Commission.
- SHRIMP DEVEINERS.** See Patents, 2.
- SIGNALS.** See Federal Communications Commission.
- SIXTH AMENDMENT.** See Constitutional Law, I, 2-3; VII, 1-2; Criminal Law, 2-3; Juries, 1-2; Trials.
- SOCIALIST LABOR PARTY.** See Procedure, 6.
- SOCIAL SECURITY ACT.** See also Constitutional Law, II, 1, 4; VIII; Workmen's Compensation.

1. *Supremacy Clause*—State definition of “continued absence”—*Active military service*.—State regulations exclude active military service from the definition of a parent’s “continued absence from the home” so as to deny AFDC benefits to the child and wife of serviceman on active duty; the corresponding criterion of the Social Security Act means that the parent may be absent for any reason; that criterion applies to one who is absent on military service, and California’s definition is invalid under the Supremacy Clause. *Carleson v. Remillard*, p. 598.



**SOCIAL SECURITY ACT**—Continued.

2. *Texas scheme*—*Computation procedure*—*Maximized individual eligibility*.—Section 402 (a) (23) of the Social Security Act does not require use of a computation procedure that maximizes individual eligibility for subsidiary benefits. *Jefferson v. Hackney*, p. 535.

**SONIC BOOMS.** See **Tort Claims Act**.

**SOVEREIGN IMMUNITY.** See **International Law**.

**SPECIAL MASTER'S REPORT.** See **Boundaries**.

**SPECULATIVE DANGERS.** See **Constitutional Law**, III, 2-3.

**SPORTING WEAPONS.** See **Constitutional Law**, V; **Gun Control Act of 1968**.

**STANDARDS.** See **Constitutional Law**, I, 1; II, 3; **Procedure**, 3.

**STANDING TO SUE.** See also **Bankruptcy Act**; **Procedure**, 6.

*Indenture*—*Debentures*—*Annual financial losses*—*Involuntary reorganization*.—Under Chapter X of the Bankruptcy Act, trustee in reorganization does not have standing to assert, on behalf of debenture holders, claims of misconduct by an indenture trustee. *Caplin v. Marine Midland Grace Trust Co.*, p. 416.

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

**STATE COMMISSION OF INVESTIGATION.** See **Constitutional Law**, III, 2-4.

**STATE DEPARTMENT.** See **International Law**.

**STATE LEGISLATURES.** See **Constitutional Law**, II, 2; **Elections**; **Procedure**, 4, 7.

**STATE REPRESENTATIVES.** See **Constitutional Law**, II, 2; **Elections**; **Procedure**, 4, 7.

**STATES.** See **Jurisdiction**, 2, 7; **Pollution**.

**STATE SENATORS.** See **Constitutional Law**, II, 2; **Elections**; **Procedure**, 4, 7.

**STATUTES.** See **Constitutional Law**, II, 2; **Elections**; **Procedure**, 4, 7.

**STATUTORY IMMUNITY.** See **Constitutional Law**, III, 2-4.

**STATUTORY RIGHTS.** See **Constitutional Law**, V; **Gun Control Act of 1968**.

**STEAMBOAT INSPECTION ACTS.** See **Abstention**; **Declaratory Judgments**; **Procedure**, 1.

**STOCK CERTIFICATES.** See **Indians**; **Jurisdiction**, 3; **Securities Exchange Act of 1934**; **Stockholders**.

**STOCKHOLDERS.** See also **Indians; Jurisdiction, 3; Securities Exchange Act of 1934.**

*Misstatements of fact—SEC Rule 10b-5—Market price.*—Court of Appeals correctly held that bank employees violated Rule 10b-5 by misstatements of material fact concerning market price of shares, but the court erred in holding no violation of the Rule unless record disclosed evidence of reliance on the misrepresentations. All that is needed is that facts withheld be material in sense that reasonable investor might have considered them important in making his decision. *Affiliated Ute Citizens v. United States*, p. 128.

**STOCK VALUATION.** See **Indians; Jurisdiction, 3; Securities Exchange Act of 1934; Stockholders.**

**STORAGE DEVICES.** See **Abstention; Declaratory Judgments; Procedure, 1.**

**STOREROOMS.** See **Constitutional Law, V; Gun Control Act of 1968.**

**STRICT LIABILITY.** See **Tort Claims Act.**

**SUBROGATION.** See **Bankruptcy Act; Standing to Sue.**

**SUBSCRIBERS.** See **Federal Communications Commission.**

**SUBSIDIARY BENEFITS.** See **Constitutional Law, II, 1; Social Security Act, 2.**

**SUCCESSOR EMPLOYERS.** See **Labor, 2; National Labor Relations Act, 1-2.**

**SUIT AGAINST ALIENS.** See **Aliens; Patents, 1; Venue.**

**SUIT AGAINST UNITED STATES.** See **Indians; Jurisdiction, 3; Securities Exchange Act of 1934; Stockholders.**

**SUMMARY JUDGMENTS.** See **Tort Claims Act.**

**SUPERVENING LEGISLATION.** See **Procedure, 6.**

**SUPERVISION OF INDIANS.** See **Indians; Jurisdiction, 3; Securities Exchange Act of 1934; Stockholders.**

**SUPPRESSION OF TESTIMONY.** See **Constitutional Law, VII, 2.**

**SUPREMACY CLAUSE.** See **Abstention; Constitutional Law, VIII; Declaratory Judgments; Procedure, 1; Social Security Act, 1.**

**SUPREME COURT.** See also **Jurisdiction, 2, 6-7; Pollution.**

Assignment of Mr. Justice Clark (retired) to the United States Court of Appeals for the District of Columbia Circuit, p. 951.



- SURVIVING DEPENDENTS.** See Constitutional Law, II, 4; Workmen's Compensation.
- SUSPECTS.** See Constitutional Law, VII, 2.
- SYSTEMATIC EXCLUSION OF JURORS.** See Constitutional Law, I, 3; Criminal Law, 2; Juries, 1.
- TARIFFS.** See Federal Power Commission, 1-2; Jurisdiction, 4-5.
- TELEVISION.** See Federal Communications Commission.
- TEMPORARY SHORTAGES.** See Federal Power Commission, 1-2; Jurisdiction, 4-5.
- TENNESSEE.** See Constitutional Law, VII, 1; Trials.
- "TEN OF TWELVE" RULE.** See Constitutional Law, I, 3; Criminal Law, 2; Juries, 1.
- TERMINATION OF INDIAN TRUSTS.** See Indians; Jurisdiction, 3; Securities Exchange Act of 1934; Stockholders.
- TERMINATION PROCLAMATION.** See Indians; Jurisdiction, 3; Securities Exchange Act of 1934; Stockholders.
- TERMS AND CONDITIONS OF EMPLOYMENT.** See Labor, 2; National Labor Relations Act, 1-2.
- TESTIMONY.** See Constitutional Law, III, 1-5; VII, 1; Grand Juries, 1-2; Trials.
- TEXAS.** See Constitutional Law, II, 1; Social Security Act, 2.
- THIRD-PARTY PRACTICE.** See Admiralty.
- THREE-JUDGE COURTS.** See Abstention; Declaratory Judgments; Procedure, 1.
- TIMELINESS.** See Arbitration, 1; Labor, 1.
- TORT CLAIMS ACT.** See also Indians; Jurisdiction, 3; Securities Exchange Act of 1934; Stockholders.  
*Sonic boom—Damaged property—Military planes on training mission.*—Damage from sonic boom caused by military planes, where no negligence was shown either in the planning or operation of the flight, is not actionable under the Federal Tort Claims Act, which does not authorize suit against the Government on claims based on strict or absolute liability for ultrahazardous activity. *Laird v. Nelms*, p. 797.
- TRAINING MISSIONS.** See Tort Claims Act.
- TRANSACTIONAL IMMUNITY.** See Constitutional Law, III, 1-5; Grand Juries, 1-2.
- TRANSPORTATION.** See Jurisdiction, 6.

**TREASURY AGENTS.** See *Constitutional Law*, V; *Gun Control Act of 1968*.

**TRESPASSES.** See *Tort Claims Act*.

**TRIALS.** See also *Constitutional Law*, I, 2-3; VII, 1-2; *Criminal Law*, 1-3; *Juries*, 1-2; *Pleas*.

*Accused penalized by remaining silent at close of State's case.*—Requirement that a defendant in a criminal proceeding "desiring to testify shall do so before any other testimony for the defense is heard by the court trying the case" violates the defendant's privilege against self-incrimination; defendant may not be penalized for remaining silent at the close of the State's case by being excluded from the stand later in the trial. *Brooks v. Tennessee*, p. 605.

**TRIBAL REPRESENTATIVES.** See *Indians*; *Jurisdiction*, 3; *Securities Exchange Act of 1934*; *Stockholders*.

**TRUSTEES.** See *Bankruptcy Act*; *Standing to Sue*.

**TRUST INDENTURE ACT OF 1939.** See *Bankruptcy Act*; *Standing to Sue*.

**ULTRAHAZARDOUS ACTIVITY.** See *Tort Claims Act*.

**UNACKNOWLEDGED ILLEGITIMATES.** See *Constitutional Law*, II, 4; *Workmen's Compensation*.

**UNANIMOUS VERDICTS.** See *Constitutional Law*, I, 2-3; *Criminal Law*, 2-3; *Juries*, 1-2.

**UNASSEMBLED ELEMENTS.** See *Patents*, 2.

**UNATTACHED DUTY.** See *Jurisdiction*, 1; *Procedure*, 2.

**UNFAIR COMPETITION.** See *Patents*, 2.

**UNFAIR LABOR PRACTICES.** See *Labor*, 2; *National Labor Relations Act*, 1-2.

**UNINCORPORATED ASSOCIATIONS.** See *Indians*; *Jurisdiction*, 3; *Securities Exchange Act of 1934*; *Stockholders*.

**UNINTELLIGENT GUILTY PLEAS.** See *Criminal Law*, 1; *Pleas*.

**UNIONS.** See *Arbitration*, 1-2; *Labor*, 1-2; *National Labor Relations Act*, 1-2; *Railway Labor Act*.

**UNITED GAS PIPE LINE CO.** See *Federal Power Commission*, 1-2; *Jurisdiction*, 4-5.



**UNITED PLANT GUARD WORKERS.** See Labor, 2; National Labor Relations Act, 1-2.

**UNIVERSAL EDUCATION.** See Constitutional Law, IV; VI.

**UNLICENSED FIREARMS.** See Constitutional Law, V; Gun Control Act of 1968.

**UNMET NEEDS.** See Constitutional Law, II, 1; Social Security Act, 2.

**UNREASONABLE SEARCHES.** See Constitutional Law, V; Gun Control Act of 1968.

**UNTIMELINESS.** See Arbitration, 1; Labor, 1.

**UNWILLING WITNESSES.** See Constitutional Law, III, 1-5; Grand Juries, 1-2.

**USE AND DERIVATIVE USE.** See Constitutional Law, III, 1-5; Grand Juries, 1-2.

**UTE DISTRIBUTION CORP.** See Indians; Jurisdiction, 3; Securities Exchange Act of 1934; Stockholders.

**UTE PARTITION ACT.** See Indians; Jurisdiction, 3; Securities Exchange Act of 1934; Stockholders.

**VACATING PLEAS.** See Criminal Law, 1; Pleas.

**VAGUENESS.** See Abstention; Constitutional Law, III, 2-3; Declaratory Judgments; Procedure, 1.

**VALUE OF STOCK.** See Indians; Jurisdiction, 3; Securities Exchange Act of 1934; Stockholders.

**VENUE.** See also Aliens; Patents, 1.

*Alien corporation—Patent infringement—Place of incorporation—Place of doing business.*—Title 28 U. S. C. § 1391 (d), providing that "an alien may be sued in any district," embodies the long-established rule that a suit against an alien is wholly outside the operation of all federal venue laws; hence, § 1400 (b) which provides that a patent infringement suit may be brought in the district of the defendant's residence or where he has committed infringement acts and has a regular place of business, is not the exclusive provision governing venue in patent infringement litigation. *Brunette Machine Wks. v. Kockum Industries*, p. 706.

**VERDICTS.** See Constitutional Law, I, 2-3; Criminal Law, 2-3; Juries, 1-2.

**VOCATIONAL EDUCATION.** See Constitutional Law, IV; VI.

- VOLUNTARY PLEAS.** See Criminal Law, 1; Pleas.
- WACKENHUT.** See Labor, 2; National Labor Relations Act, 1-2.
- WAIVER OF TRIAL.** See Criminal Law, 1; Pleas.
- WANT OF JURY UNANIMITY.** See Constitutional Law, I, 2-3; Criminal Law, 2-3; Juries, 1-2.
- WARRANTLESS ARRESTS.** See Constitutional Law, I, 2; Criminal Law, 3; Juries, 2.
- WARRANTLESS SEARCHES.** See Constitutional Law, V; Gun Control Act of 1968.
- WATER POLLUTION.** See Abstention; Declaratory Judgments; Jurisdiction, 2, 7; Pollution; Procedure, 1.
- WATER QUALITY IMPROVEMENT ACT OF 1970.** See Abstention; Declaratory Judgments; Procedure, 1.
- WEAPONS.** See Constitutional Law, V; Gun Control Act of 1968.
- WEBB & KNAPP.** See Bankruptcy Act; Standing to Sue.
- WELFARE.** See Constitutional Law, II, 1; VIII; Social Security Act, 1-2.
- WIRE COMMUNICATIONS.** See Federal Communications Commission.
- WISCONSIN.** See Constitutional Law, IV; VI; Jurisdiction, 2, 7; Pollution.
- WITHDRAWAL OF PLEAS.** See Criminal Law, 1; Pleas.
- WITNESSES.** See Constitutional Law, III, 1-5; VII, 1-2; Grand Juries, 1-2; Trials.
- WORDS.**
1. "*Any district.*" 28 U. S. C. § 1391 (d). Brunette Machine Wks. v. Kockum Industries, p. 706.
  2. "*Continued absence.*" 42 U. S. C. § 606 (a). Carleson v. Remillard, p. 598.
  3. "*Laws.*" 28 U. S. C. § 1331 (a). Illinois v. City of Milwaukee, p. 91.
  4. "*Makes.*" 35 U. S. C. § 271 (a). Deepsouth Packing Co. v. Laitram Corp., p. 518.
  5. "*Negligent or wrongful act or omission of any employee of the Government.*" Federal Tort Claims Act. Laird v. Nelms, p. 797.
  6. "*States.*" 28 U. S. C. § 1251 (a)(1). Illinois v. City of Milwaukee, p. 91.



**WORKMEN'S COMPENSATION.** See also **Constitutional Law**, II, 4.

*Equal protection of the laws—Illegitimate children—Unacknowledged, illegitimate children.*—Louisiana's denial of equal recovery rights to dependent unacknowledged illegitimate children violates the Equal Protection Clause, as inferior classification of these dependent children bears no significant relationship to the recognized purposes of recovery that workmen's compensation statutes were destined to serve. *Weber v. Aetna Casualty & Surety Co.*, p. 164.

**WRONGFUL DISCHARGES.** See **Arbitration**, 2; **Railway Labor Act**.

**WUNDERLICH ACT.** See **Government Contracts**, 1-2.































